

HOUSE JOURNAL
SIXTEENTH LEGISLATIVE DAY - JANUARY 21, 2005

**HOUSE JOURNAL
59TH LEGISLATURE
SIXTEENTH LEGISLATIVE DAY**

Helena, Montana
January 21, 2005

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Rep. Warden. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Bixby and Franklin, excused. Quorum present.

Speaker Matthews introduced Valerie Kutsch, Bozeman, as an Honorary Page for the day.

Speaker Matthews thanked the pages for the week.

The University of Montana - Western Polynesian Club provided entertainment for the House.

REPORTS OF STANDING COMMITTEES

BILLS (Barrett, Chairman): 1/21/2005
Correctly engrossed: **HB 43, HB 49, HB 66, HB 78, HB 110, HB 113, HB 169, HB 185, HB 188, HB 191, HB 196, HB 205, HB 250, HB 254.**

BUSINESS AND LABOR (Keane, Chairman): 1/21/2005
HB 157, introduced bill, be amended as follows:

1. Page 5, following line 7.

Insert: "NEW SECTION. Section 2. Saving clause. [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act]."

Renumber: subsequent section

2. Page 5, line 10.

Following: "into"

Insert: "or renewed"

And, as amended, do pass. Report adopted.

HB 179, introduced bill, be amended as follows:

1. Title, line 8 through line 10.

Strike: "ELIMINATING" on line 8 through "PROGRAM;" on line 10

2. Title, line 10.

Strike: "SECTIONS"

Insert: "SECTION"

Strike: "AND 30-16-303"

3. Page 2, line 16 through page 3, line 15.

Strike: Section 2 in its entirety

And, as amended, do pass. Report adopted.

HB 209, do pass. Report adopted.

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HB 316, do pass. Report adopted.

EDUCATION (Galvin-Halcro, Chairman):

1/21/2005

HB 83, do pass. Report adopted.

HB 162, introduced bill, do pass and be placed on the consent calendar. Report adopted.

LOCAL GOVERNMENT (Noennig, Chairman):

1/21/2005

HB 70, introduced bill, be amended as follows:

1. Title, lines 4 and 5.

Following: "COMMISSIONERS" on line 4

Strike: "OF" on line 4 through "COUNTIES" on line 5

2. Page 1, line 30.

Following: "commissioners"

Strike: "of" through "7-1-2111,"

And, as amended, do pass. Report adopted.

TRANSPORTATION (Mendenhall, Chairman):

1/21/2005

HB 52, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 391, introduced by Hamilton, Windy Boy, Furey, Branae, Harris, Gallik, Villa, Balyeat, referred to Judiciary.

HB 392, introduced by Hamilton, Windy Boy, Furey, Parker, referred to Judiciary.

HB 393, introduced by Mendenhall, Wanzenried, referred to Transportation.

HB 394, introduced by Clark, Wilson, Noonan, Gutsche, Driscoll, referred to Fish, Wildlife and Parks.

HB 395, introduced by Becker, Eaton, Driscoll, Grinde, referred to Human Services.

HB 396, introduced by Becker, referred to Education.

HB 397, introduced by Dowell, Jackson, Mangan, O'Neil, Everett, Sonju, referred to Education.

HB 398, introduced by Dowell, Raser, Cohenour, Branae, Parker, Cooney, Lindeen, Keane, referred to Transportation.

HB 399, introduced by Rice, Butcher, Sales, Barrett, Waitschies, Peterson, referred to Agriculture.

HB 400, introduced by Keane, Galvin-Halcro, Cohenour, referred to Business and Labor.

HB 401, introduced by Keane, Galvin-Halcro, Cohenour, referred to Business and Labor.

HB 402, introduced by Lindeen, referred to Business and Labor.

HB 403, introduced by Jopek, referred to Natural Resources.

HB 404, introduced by Koopman, Jackson, Wells, Butcher, referred to Education.

HB 405, introduced by Jones, Windy Boy, Clark, Lenhart, Small-Eastman, Windham, Gutsche, Musgrove, Lambert, referred to Agriculture.

HB 406, introduced by Bergren, Tester, Hanson, Parker, Jones, McAlpin, Black, Lenhart, Dowell, Becker, Kitzenberg, Galvin-Halcro, Harrington, Klock, Keane, Roush, Wanzenried, Stahl, Musgrove, Windham, Callahan, Wiseman, Wilson, Windy Boy, Mangan, referred to Agriculture.

HB 407, introduced by Cohenour, Bergren, Villa, Jent, Malcolm, Eaton, Golie, Keane, referred to Transportation.

HB 408, introduced by Butcher, referred to Taxation.

HB 409, introduced by Golie, McKenney, Gebhardt, Tropila, Lange, referred to Business and Labor.

HB 410, introduced by Facey, referred to Taxation.

HB 411, introduced by Wells, Roush, Tropila, Windy Boy, McKenney, Ripley, Klock, Wanzenried, Cohenour, Peterson, McGee, Brown, Musgrove, Jacobson, Cocchiarella, Lenhart, Keane, McNutt, Wilson, Keenan, Matthews, Maedje, Lange, Callahan, Witt, Wheat, Harrington, Gallus, Kitzenberg, Jent, Barkus, Bales, Gebhardt, J. Balyeat, Tester, B. Olson, Franklin, Perry, Smith, Stahl, referred to Human Services.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Parker moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Galvin-Halcro in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 56 - Representative Warden moved **HB 56** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 99

Noes: Stahl.
Total 1

Voted Absentee: Bixby, Franklin, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 77 - Representative B. Olson moved **HB 77** do pass. Motion carried as follows:
en, Barrett, Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Heinert, Hendrick, Henry, Jackson, Jacobson, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Lambert, Lenhart, Lindeen, MacLaren, McAlpin, McGillvray, McNutt, Milburn, Musgrove, Noennig, Noonan, B. Olson, Parker, Peterson, Raser, Roberts, Ross, Sesso, Small-Eastman, Villa, Wanzenried, Ward, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 64

Noes: Andersen, Balyeat, Becker, D. Brown, R. Brown, Butcher, Everett, Glaser, Golie, Hawk, Himmelberger, Hiner, Jayne, Klock, Koopman, Lake, Lange, Maedje, Malcolm, McKenney, Mendenhall, Morgan, A. Olson, Rice, Ripley, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Warden, Wells, Witt.
Total 36

Voted Absentee: Bixby, Franklin, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 89 - Representative Witt moved **HB 89** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, D. Brown, R. Brown, Butcher, Callahan, Campbell, Cohenour, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jent, L. Jones, W. Jones, Keane, Klock, Koopman, Lake,

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Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windy Boy, Witt, Mr. Speaker.
Total 76

Noes: Bixby, Branae, Buzzas, Caferro, Clark, Dickenson, Dowell, Gallik, Gutsche, Hamilton, Harris, Hawk, Jayne, Jopek, Juneau, Kaufmann, McGillvray, Noonan, Sales, Sesso, Sinrud, Small-Eastman, Windham, Wiseman.
Total 24

Voted Absentee: Franklin, Aye; Bixby, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 112 - Representative Musgrove moved **HB 112**, second reading copy, do pass.
Representative Jacobson moved **HB 112**, second reading copy, be amended as follows:

1. Page 3, line 16.

Following: "home"

Insert: "within the state of Montana"

2. Page 3, line 17.

Following: "site"

Insert: "within the state of Montana"

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Henry, Himmelberger, Hiner, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, Mendenhall, Milburn, Morgan, Musgrove, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Ripley, Roberts, Ross, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 89

Noes: Heinert, Hendrick, Jackson, Lake, McNutt, Noennig, Rice, Sales, Sinrud.
Total 9

Excused: Bixby, Franklin.
Total 2

Absent or not voting: None.
Total 0

HB 112 - Representative Musgrove moved **HB 112**, as amended, do pass. Motion carried as follows:

Ayes: Arntzen, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Hiner, Jackson, Jacobson, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lambert, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McNutt, Mendenhall, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Ripley, Roberts, Sesso, Small-Eastman, Villa, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 72

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Total 28

Voted Absentee: Bixby, Franklin, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 119 - Representative Golie moved **HB 119** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Taylor, Villa, Wagman, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 95

Noes: Butcher, Koopman, Stahl, Stoker.

Total 4

Voted Absentee: Bixby, Franklin, Ayes.

Excused: None.

Total 0

Absent or not voting: Waitschies.

Total 1

HB 126 - Representative Mendenhall moved **HB 126** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 98

Noes: Sales.

Total 1

Voted Absentee: Bixby, Franklin, Ayes.

Excused: None.

Total 0

Absent or not voting: Golie.

Total 1

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HB 135 - Representative D. Brown moved **HB 135** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: Bixby, Franklin, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 142 - Representative Ripley moved **HB 142** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 98

Noes: Sales, Sinrud.
Total 2

Voted Absentee: Bixby, Franklin, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 144 - Representative Kaufmann moved **HB 144** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lake, Lambert, Lange, Lenhart, Lindeen, Malcolm, McAlpin, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Ripley, Roberts, Ross, Sesso, Sinrud, Small-Eastman, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 88

Noes: Everett, Hawk, Koopman, MacLaren, Maedje, McGillvray, Rice, Sales, Sonju, Stahl, Wells.

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Total 11

Voted Absentee: Bixby, Franklin, Ayes.

Excused: None.

Total 0

Absent or not voting: Witt.

Total 1

Representative Parker moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Galvin-Halcro moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Branae, D. Brown, R. Brown, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sesso, Small-Eastman, Sonju, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 90

Noes: Butcher, Koopman, Sales, Sinrud, Stahl, Stoker, Wells.

Total 7

Excused: Bixby, Franklin.

Total 2

Absent or not voting: Gutsche.

Total 1

HB 45 - Representative A. Olson moved **HB 45**, as amended, do pass. Motion failed as follows:

Ayes: Becker, Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, McAlpin, Musgrove, Noonan, Parker, Raser, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.

Total 50

Noes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, R. Brown, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Jackson, L. Jones, W. Jones, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Witt.

Total 50

Voted Absentee: Bixby, Franklin, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Parker moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Galvin-Halcro moved the Committee of the Whole report be adopted. Report adopted as follows:

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Ayes: Andersen, Arntzen, Balyeat, Barrett, Bergren, R. Brown, Clark, Everett, Glaser, Hamilton, Hawk, Heinert, Hendrick, Himmelberger, Jackson, L. Jones, W. Jones, Keane, Klock, Koopman, Lake, Lange, Lenhart, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, Noonan, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Ward, Warden, Wells, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 59

Noes: Becker, Branae, D. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Furey, Gallik, Galvin-Halcro, Golie, Groesbeck, Gutsche, Harris, Henry, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Lambert, Lindeen, Musgrove, Parker, Raser, Small-Eastman, Wanzenried, Wilson, Windham.
Total 38

Excused: Bixby, Franklin.
Total 2

Absent or not voting: Grinde.
Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 212 passed as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Branae, D. Brown, R. Brown, Buzzas, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Keane, Klock, Lake, Lambert, Lange, Lenhart, Lindeen, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Ripley, Roberts, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 87

Noes: Butcher, Everett, Koopman, MacLaren, Maedje, Rice, Sales, Waitschies, Wells.
Total 9

Excused: Bixby, Franklin.
Total 2

Absent or not voting: Caferro, Kaufmann.
Total 2

HB 198 passed as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 92

Noes: Rice, Roberts, Sales, Sonju, Stahl.
Total 5

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Excused: Bixby, Franklin.
Total 2

Absent or not voting: Furey.
Total 1

HJR 3 adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Bixby, Franklin.
Total 2

Absent or not voting: None.
Total 0

MOTIONS

Rep. Parker moved that HB 89 be re-referred from Business and Labor Committee to House Appropriation Committee. Motion carried.

Rep. Parker moved that HB 109 be re-referred from Fish, Wildlife, and Parks Committee to the House Appropriations Committee. Motion carried.

Rep. Parker moved that HB 217 be re-referred from Judiciary Committee to the Human Services Committee. Motion carried.

Rep. Parker moved that HB 359 be re-referred from Agriculture Committee to the Local Government Committee. Motion carried.

UNFINISHED BUSINESS

Chief Clerk Marilyn Miller reported that there were requests for HB 103 and HB 109 to be removed from the Consent Calendar and placed on 2nd Reading.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Dem. Floor Leader Parker moved that the House adjourn until 8:00 a.m., Saturday, January 22, 2005. Motion carried.

House adjourned at 2:50 p.m.

MARILYN MILLER
Chief Clerk of the House

GARY MATTHEWS
Speaker of the House