

HOUSE JOURNAL  
TWENTY-SECOND LEGISLATIVE DAY - JANUARY 28, 2005

HOUSE JOURNAL  
59TH LEGISLATURE  
TWENTY-SECOND LEGISLATIVE DAY

Helena, Montana  
January 28, 2005

House Chambers  
State Capitol

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

Roll Call. All members present, except Representative Sinrud, excused. Quorum present.

Speaker Matthews, Democratic Leader Wanzonried, Democratic Floor Leader Parker, Republican Leader Brown, and Republican Floor Leader Lange addressed the body regarding the decorum in the House.

**REPORTS OF STANDING COMMITTEES**

**BILLS** (Barrett, Chairman): 1/28/2005  
Correctly enrolled: **HR 1**.  
Examined by the sponsor and found to be correct: **HR 1**.  
Signed by the Chief Clerk of the House at 2:25 p.m., January 28, 2005: **HR 1**.  
Signed by the Speaker at 2:26 p.m., January 28, 2005: **HR 1**.

Correctly printed: **HB 170, HB 273**.  
Correctly engrossed: **HB 192, HB 199**.

**AGRICULTURE** (Butcher, Chairman): 1/28/2005  
**HB 266**, do pass. Report adopted.

**LOCAL GOVERNMENT** (Noennig, Chairman): 1/28/2005  
**HB 92**, introduced bill, be amended as follows:

1. Title, page 1, line 4.  
**Following:** "MUNICIPALITY"  
**Insert:** "OR A CONSOLIDATED GOVERNMENT"

2. Title, page 1, line 6.  
**Following:** "TECHNOLOGY;"  
**Strike:** "AMENDING" through "MCA;"

3. Page 1, line 11.  
**Following:** "Municipal"  
**Insert:** "or consolidated government"

4. Page 1, line 12.  
**Following:** "and"  
**Insert:** "15-10-425 and"

5. Page 1, line 13.  
**Following:** "municipality"  
**Insert:** "or a consolidated government"

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6. Page 1, line 14.

**Following:** "7-6-4421"

**Strike:** "and 7-6-4431"

7. Page 1, line 15.

**Following:** "distributed"

**Insert:** "only"

8. Page 1, line 16.

**Following:** "system"

**Insert:** "located within the jurisdiction of the governing body authorizing the levy"

9. Page 1, line 21 through page 2, line 8.

**Strike:** section 2 in its entirety

**Renumber:** subsequent sections

10. Page 2, line 11.

**Following:** "Title" in two places

**Strike:** "20"

**Insert:** "7"

**Following:** "chapter" in two places

**Strike:** "25"

**Insert:** "6"

**Following:** "part" in two places

**Strike:** "4"

**Insert:** "44"

And, as amended, do pass. Report adopted.

**HB 218**, do pass. Report adopted.

**BUSINESS AND LABOR** (Keane, Chairman):

1/28/2005

**HB 71**, introduced bill, be amended as follows:

1. Title, line 4 through line 6.

**Strike:** "INDIVIDUALS" on line 4 through "ORIGINATOR" on line 6

**Insert:** "AN INDIVIDUAL WHO IS SEEKING LICENSURE AS A MORTGAGE BROKER AND WHO IS THE SOLE OWNER OF AN ENTITY SEEKING LICENSURE AS A MORTGAGE BROKER SHALL"

2. Title, line 7.

**Following:** "FEE;"

**Insert:** "CLARIFYING THAT A DESIGNATED MANAGER MUST BE AN INDIVIDUAL LICENSED AS A MORTGAGE BROKER;"

3. Title, line 7.

**Strike:** "SECTION 32-9-117"

**Insert:** "SECTIONS 32-9-117 AND 32-9-122"

4. Page 1, line 14.

**Strike:** "Except as provided in subsection (1)(b), a"

**Insert:** "A"

5. Page 1, line 17 through line 18.

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**Strike:** "sole" on line 17 through "originator" on line 18

**Insert:** "who is seeking licensure as a mortgage broker and who is the sole owner of an entity that is seeking licensure as a mortgage broker"

6. Page 1, line 21 through line 22.

**Strike:** "sole" on line 21 through "or" on line 22

**Insert:** "and"

7. Page 1, line 22 through line 23.

Following: "licensed as"

**Strike:** "a"

**Strike:** "broker" on line 22 through "originator" on line 23

**Insert:** "brokers. An individual described in subsection (1)(b) may act as a designated manager under 32-9-122 and is not subject to any additional license fees for acting in the capacity of a designated manager"

8. Page 1, following line 29.

**Insert:** "**Section 2.** Section 32-9-122, MCA, is amended to read:

**"32-9-122. Requirement for designated manager.** (1) A mortgage broker that is not a sole proprietorship shall designate to the department ~~a~~ an individual licensed as a mortgage broker within its organization as the designated manager of the organization.

(2) If the designated manager ceases to act in that capacity, within 15 days the mortgage broker shall designate another individual licensed as a mortgage broker as designated manager and shall submit information in writing to the department establishing that the subsequent designated manager is in compliance with the provisions of this part."

And, as amended, do pass. Report adopted.

**HB 381**, introduced bill, be amended as follows:

1. Title, line 5.

**Following:** "INSURER"

**Insert:** "OR AN AUTHORIZED THIRD-PARTY EXAMINER"

2. Title, line 6 through line 8.

**Strike:** "PERMITTING" on line 6 through "CALL;" on line 8

3. Page 2, line 8.

**Strike:** "(a)"

**Following:** "insurer"

**Insert:** "or an authorized third-party examiner"

4. Page 2, lines 10 and 11.

**Strike:** subsection (b) in its entirety

And, as amended, do pass. Report adopted.

**EDUCATION** (Galvin-Halcro, Chairman):

1/28/2005

**HB 317**, do pass. Report adopted.

**HB 397**, introduced bill, do pass and be placed on the consent calendar. Report adopted.

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**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 465**, introduced by B. Olson, Hendrick, Lambert, Hamilton, Lenhart, D. Brown, Facey, Campbell, Malcolm, W. Jones, McAlpin, referred to State Administration.

**HB 466**, introduced by Noonan, Harrington, Harris, Parker, Gutsche, Jacobson, Bergren, Musgrove, referred to Business and Labor.

**HB 467**, introduced by Jent, Harris, Gallik, Lind, Wheat, referred to Business and Labor.

**HB 468**, introduced by Jent, Bergren, Harris, Gallik, Wheat, referred to Business and Labor.

**HB 469**, introduced by Sesso, Lindeen, Matthews, Mendenhall, Driscoll, Keenan, Noonan, Groesbeck, Gillan, Branae, R. Brown, Squires, Gallus, Keane, Brueggeman, A. Olson, referred to Business and Labor.

**HB 470**, introduced by Clark, Harris, Furey, Wanzenried, referred to Natural Resources.

**HB 471**, introduced by Ross, Wagman, Butcher, Hendrick, Wells, Lange, Heinert, McGillvray, Everett, Stoker, Stahl, W. Jones, Lambert, Taylor, Andersen, McNutt, Barrett, Ripley, Klock, Jackson, MacLaren, Sales, Lake, Shockley, referred to State Administration.

**HB 472**, introduced by MacLaren, Gutsche, referred to Taxation.

**HB 473**, introduced by Parker, Bergren, referred to Natural Resources.

**HB 474**, introduced by Buzzas, referred to Local Government.

**HB 475**, introduced by Buzzas, referred to Transportation.

**HB 476**, introduced by McAlpin, Facey, Groesbeck, Campbell, Dickenson, Bixby, Harris, Raser, Wanzenried, Branae, Cohenour, Henry, Hiner, Callahan, Buzzas, Windham, Eaton, Bergren, Caferro, , Kaufmann, Lenhart, Galvin-Halcro, Noonan, Dowell, Gutsche, Juneau, Small-Eastman, Becker, Clark, Lindeen, Furey, Matthews, Gallik, Driscoll, referred to Judiciary.

**HB 477**, introduced by Andersen, Lange, Ross, Stoker, referred to Fish, Wildlife and Parks.

**HB 478**, introduced by Warden, Jent, referred to Transportation.

**HB 479**, introduced by Hawk, Stoker, referred to Local Government.

**HB 480**, introduced by Wanzenried, Raser, Henry, referred to Local Government.

**HB 481**, introduced by Lindeen, referred to Business and Labor.

**HB 482**, introduced by Lindeen, Larson, Lake, Bergren, Tester, Essmann, Witt, Bales, Matthews, Maedje, Lange, Stahl, Ripley, Lewis, referred to Taxation.

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 13**, introduced by Clark, Villa, Cohenour, Sales, Roush, Windy Boy, Smith, Raser, Facey, Wanzenried, McGee, Wheat, Windham, Gutsche, Golie, Jopek, Moss, Heinert, McKenney, Bergren, Gallik, Tester, R. Brown, Wells, Rice, Curtiss, Mangan, Williams, Tropila, Andersen, Harrington, Ellingson, Lindeen, Sinrud, Harris, Bergren, Eaton, Elliott, Hendrick, Shockley, Campbell, Perry, Kitzenberg, referred to Fish, Wildlife and Parks.

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

Dem. Floor Leader Parker moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Noonan in the chair.

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

**HB 300** - Representative Gallik moved **HB 300** 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,

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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: Sinrud, Aye.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 302** - Representative Driscoll moved **HB 302** do pass.

**HB 302** - Representative Andersen moved **HB 302**, second reading copy, be amended as follows:

1. Page 2, line 16.

**Strike:** "in support of OR OPPOSITION TO"

**Insert:** "related to"

Amendment **not** adopted as follows:

Ayes: 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

Noes: 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

Voted Absentee: Sinrud, Aye.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 302** - Representative Driscoll moved **HB 302** do pass. Motion carried as follows:

Ayes: Becker, Bergren, Bixby, Branae, R. Brown, 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, Maedje, McAlpin, Musgrove, Noennig, Noonan, Parker, Raser, Sesso, Sinrud, Small-Eastman, Villa,

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Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.  
Total 54

Noes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Jackson, L. Jones, W. Jones, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Witt.  
Total 46

Voted Absentee: Sinrud, Aye.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 306** - Representative Gallik moved **HB 306** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, 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, 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, Roberts, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.  
Total 93

Noes: Balyeat, Hawk, Koopman, Ripley, Sales, Wells, Witt.  
Total 7

Voted Absentee: Sinrud, Aye.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 318** - Representative McKenney moved **HB 318** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Bergren, Bixby, Branae, D. Brown, R. Brown, 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, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, 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 93

Noes: Becker, Butcher, Buzzas, Sales, Waitschies, Wells.  
Total 6

Voted Absentee: Sinrud, Aye.

Excused: None.

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Total 0

Absent or not voting: Noonan.

Total 1

**HB 158** - Representative McKenney moved **HB 158** 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: Sinrud, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 211** - Representative Parker moved **HB 211** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, 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, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McKenney, McNutt, Mendenhall, Milburn, 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 96

Noes: Balyeat, W. Jones, McGillvray.

Total 3

Voted Absentee: Sinrud, Aye.

Excused: None.

Total 0

Absent or not voting: Morgan.

Total 1

**HB 216** - Representative Caferro moved **HB 216** 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, Heinert,

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Total 94

Noes: Hawk, Jayne, Koopman, Rice, Sales, Wells.  
Total 6

Voted Absentee: Sinrud, Aye.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 244** - Representative Lambert moved **HB 244** 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, 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 99

Noes: None.  
Total 0

Voted Absentee: Sinrud, Aye.

Excused: None.  
Total 0

Absent or not voting: Harris.  
Total 1

**HB 255** - Representative Roberts moved **HB 255** 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

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Voted Absentee: Sinrud, Aye.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 283** - Representative Jopek moved **HB 283** 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: Sinrud, Aye.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Dem. Floor Leader Parker moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Noonan moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Buzzas, Caferro, Callahan, Campbell, 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, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Small-Eastman, Sonju, Taylor, Villa, Waitschies, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.  
Total 87

Noes: Butcher, Koopman, Maedje, Sales, Wagman, Wells, Witt.  
Total 7

Excused: Sinrud.  
Total 1

Absent or not voting: Andersen, Clark, Sesso, Stahl, Stoker.  
Total 5

**THIRD READING OF BILLS**

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

**HB 44** passed 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, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Sinrud.

Total 1

Absent or not voting: None.

Total 0

**HB 80** passed 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, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, McAlpin, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Ripley, Roberts, Ross, Sales, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 90

Noes: Butcher, Everett, Hawk, Heinert, Maedje, Malcolm, McGillvray, Rice, Waitschies.

Total 9

Excused: Sinrud.

Total 1

Absent or not voting: None.

Total 0

**HB 116** passed as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Clark, Dickenson, Dowell, Driscoll, 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, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 95

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Noes: Bixby, Campbell, Cohenour, Eaton.  
Total 4

Excused: Sinrud.  
Total 1

Absent or not voting: None.  
Total 0

**HB 127** passed as follows:

Ayes: Andersen, 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, 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: Sinrud.  
Total 1

Absent or not voting: Arntzen.  
Total 1

**HB 153** passed as follows:

Ayes: Andersen, 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, 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: Sinrud.  
Total 1

Absent or not voting: Arntzen.  
Total 1

**HB 184** passed 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, Harris, Hawk, Heinert,

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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, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.  
Total 97

Noes: Wells.  
Total 1

Excused: Sinrud.  
Total 1

Absent or not voting: Hamilton.  
Total 1

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**MOTIONS**

Rep. Lange moved the House suspend Joint Rules 40 - 50, to allow a late bill draft from the Senate for a Joint Resolution for the Rotary Club's 100th Anniversary.

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, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, 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, 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 93

Noes: Golie, Himmelberger, Sales.

Total 3

Excused: Sinrud.

Total 1

Absent or not voting: Grinde, Hiner, McNutt.

Total 3

Rep. Bergren moved the House suspend the Rules to allow a late bill draft for a Joint Resolution on the Lewis and Clark Expedition in Montana.

Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, 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 95

Noes: Clark, Everett, Sales.

Total 3

Excused: Sinrud.

Total 1

Absent or not voting: L. Jones.

Total 1

Motion carried.

**UNFINISHED BUSINESS**

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Rep. Gallik requested the following sponsors be added to HB 447: Rep. Becker, Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, Matthews, McAlpin, Musgrove, Noonan, Parker, Raser, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windham, Windy Boy, and Wiseman.

**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 29, 2005. Motion carried.

House adjourned at 3:00 p.m.

MARILYN MILLER  
Chief Clerk of the House

GARY MATTHEWS  
Speaker of the House