

HOUSE JOURNAL
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 1, 2005

HOUSE JOURNAL
59TH LEGISLATURE
TWENTY-FIFTH LEGISLATIVE DAY

Helena, Montana
February 1, 2005

House Chambers
State Capitol

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

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

REPORTS OF STANDING COMMITTEES

BILLS (Barrett, Chairman): 2/1/2005
Correctly engrossed: **HB 57, HB 171, HB 183, HB 206, HB 218, HB 227, HB 236, HB 320, HB 327, HB 262, HB 295.**

BUSINESS AND LABOR (Keane, Chairman): 2/1/2005
HB 295, introduced bill, be amended as follows:

1. Title, line 6 through line 8.

Strike: "REQUIRING" on line 6 through "CERTIFICATES;" on line 8

2. Title, line 8.

Strike: "SECTIONS"

Insert: "SECTION"

3. Title, line 9.

Strike: "70-9-802, AND 70-9-803,"

4. Page 1, line 24 through line 25.

Strike: subsection (5) in its entirety

5. Page 2, line 8.

Following: "~~(5)~~"

Insert: "(a)"

Strike: "has" through "70-9-802"

Insert: "means a record, including a gift card, that is provided for paid consideration and that indicates a promise by the issuer or seller of the record that goods or services will be provided to the possessor of the record for the value that is shown on the record or contained within the record by means of a microprocessor chip, magnetic stripe, bar code, or other electronic information storage device. The consideration provided for the gift certificate must be made in advance. The value of the gift certificate is reduced by the amount spent with each use. A gift certificate is considered trust property of the possessor if the issuer or seller of the gift certificate declares bankruptcy after issuing or selling the gift certificate. The value represented by the gift certificate belongs to the possessor, to the extent provided by law, and not to the issuer or seller.

(b) The term does not mean:

(i) prepaid telecommunications and technology cards, including but not limited to prepaid telephone calling cards, prepaid technical support cards, and prepaid internet disks that have been distributed to or purchased by a consumer;

(ii) a coupon provided to a consumer pursuant to any award, loyalty, or promotion program without any money or consideration being given in exchange for the card; or

(iii) a gift certificate usable with multiple sellers of goods or services"

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6. Page 2, line 17 through page 8, line 4.
Strike: sections 3 and 4 in their entirety
Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 400, do pass. Report adopted.

JUDICIARY (Rice, Chairman):
HB 262, introduced bill, be amended as follows:

2/1/2005

1. Page 2, line 17.
Following: the first "assistant judge"
Insert: ", who must have the same qualifications as a judge pro tempore under 3-6-204,"

And, as amended, do pass. Report adopted.

HB 313, do pass. Report adopted.

TRANSPORTATION (Mendenhall, Chairman):
HB 301, introduced bill, be amended as follows:

2/1/2005

1. Title, line 6.
Following: "COMMERCE"
Insert: "AND THE MONTANA HISTORICAL SOCIETY"
Strike: "SUCCESSOR"
Insert: "SUCCESSORS"

2. Title, line 8.
Following: "SITES"
Insert: "AND TO BE USED FOR PROJECTS RELATED TO LEWIS AND CLARK"

3. Title, line 8.
Strike: "A"

4. Title, line 9.
Strike: "ACCOUNT"
Insert: "ACCOUNTS"

5. Title, line 10.
Strike: "ACCOUNT"
Insert: "ACCOUNTS"

6. Page 3, line 3.
Following: "commerce"
Insert: "and the Montana historical society"

7. Page 3, line 4.
Strike: "successor"

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Insert: "successors"

8. Page 3, line 7.

Strike: "account"

Insert: "accounts"

9. Page 3, line 17.

Following: "commerce"

Insert: "and the Montana historical society"

10. Page 3, line 18.

Strike: "account"

Insert: "accounts"

11. Page 3, line 24.

Following: "account"

Insert: "-- Montana historical society Lewis and Clark bicentennial account"

Following: "(1)"

Insert: "(a)"

12. Page 3, line 25.

Strike: "The"

Insert: "Three-fourths of the"

13. Page 3.

Following: line 28

Insert: "(b) There is a Montana historical society Lewis and Clark bicentennial account in the state special revenue fund. One-fourth of the revenue from the sales of Lewis and Clark bicentennial license plates under 2-15-151 must be placed into the account and must be used as provided in 2-15-151. The revenue in the account is statutorily appropriated, as provided in 17-7-502, to the Montana historical society."

14. Page 3, line 29.

Following: "account"

Insert: "established in subsection (1)(a)"

15. Page 4, line 4.

Strike: "this section"

Insert: "subsection (2)"

And, as amended, do pass. Report adopted.

HB 377, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "REPEATEDLY"

2. Page 1, lines 11 and 12.

Strike: "must" on line 11 through "once" on line 12

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And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/1/2005

SB 80, introduced by Perry

SB 181, introduced by Steinbeisser

FIRST READING AND COMMITMENT OF BILLS

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

HB 507, introduced by L. Jones, referred to Local Government.

HB 508, introduced by Hendrick, A. Olson, referred to Business and Labor.

HB 509, introduced by Jacobson, Cohenour, Campbell, Raser, Harrington, Musgrove, Wilson, Groesbeck, Eaton, referred to Taxation.

HB 510, introduced by Clark, referred to Judiciary.

HB 511, introduced by Gallik, referred to Taxation.

HB 512, introduced by Witt, Black, referred to Appropriations.

HB 513, introduced by Raser, referred to Taxation.

HB 514, introduced by Gutsche, Cohenour, Lange, Warden, referred to Fish, Wildlife and Parks.

HB 515, introduced by Gutsche, Clark, Malcolm, Golie, referred to Fish, Wildlife and Parks.

HB 516, introduced by Lenhart, Clark, Furey, Maedje, referred to Fish, Wildlife and Parks.

HB 517, introduced by Wiseman, referred to Business and Labor.

HB 518, introduced by Maedje, referred to Transportation.

HB 519, introduced by Jopek, referred to Appropriations.

HB 520, introduced by Furey, Jopek, Maedje, Gutsche, Villa, Dickenson, Henry, Lenhart, Hamilton, Callahan, Branae, Noonan, Dowell, Windham, Wanzenried, Roberts, referred to Judiciary.

HB 521, introduced by Furey, Stahl, Dickenson, Sesso, Henry, Dowell, Noonan, Gutsche, Lenhart, Hamilton, Branae, Lambert, Wanzenried, L. Jones, referred to Business and Labor.

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

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

Chairman Musgrove noted that HB 46 and HB 102 will be passed for the day.

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

HB 14 - Representative Golie moved **HB 14** do pass. Motion carried as follows:

Ayes: Arntzen, Balyeat, 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, Hamilton, Harris, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, Parker, Peterson, Raser, Rice, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Taylor, Villa, Wagman, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 89

Noes: Andersen, Barrett, Gutsche, Hawk, Jayne, McGillvray, B. Olson, Ripley, Stahl, Stoker, Waitschies.

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Total 11

Voted Absentee: Parker, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 48 - Representative Dickenson moved **HB 48** 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, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, McAlpin, Musgrove, Noennig, Parker, Raser, Sesso, Small-Eastman, Villa, Wanzenried, Windham, Windy Boy, Wiseman.

Total 44

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

Total 56

Voted Absentee: Parker, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 92 - Representative B. Olson moved **HB 92** do pass. Motion **failed** as follows:

Ayes: Becker, Bergren, Bixby, Branae, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Furey, Gallik, Grinde, Hamilton, Harris, Henry, Jacobson, Jopek, Juneau, Kaufmann, Keane, Klock, Lambert, Lenhart, Lindeen, Maedje, McAlpin, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Raser, Roberts, Small-Eastman, Villa, Waitschies, Wilson, Windy Boy, Mr. Speaker.

Total 44

Noes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Everett, Franklin, Galvin-Halcro, Glaser, Golie, Groesbeck, Gutsche, Hawk, Heinert, Hendrick, Himmelberger, Hiner, Jackson, Jayne, Jent, L. Jones, W. Jones, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Peterson, Rice, Ripley, Ross, Sales, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Wanzenried, Ward, Warden, Wells, Windham, Wiseman, Witt.

Total 56

Voted Absentee: Furey, Parker, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 381 - Representative Callahan moved **HB 381** do pass.

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HB 381 - Representative Callahan moved **HB 381**, second reading copy, be amended as follows:

1. Page 2, line 10.
Strike: "appropriate"

Amendment adopted 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, 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 98

Noes: None.
Total 0

Voted Absentee: Furey, Parker, Ayes.

Excused: None.
Total 0

Absent or not voting: Gutsche, Harris.
Total 2

HB 381 - Representative Callahan moved **HB 381**, as amended, 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: Furey, Parker, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 170 - Representative Wilson moved **HB 170** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Franklin, Furey, Gallik,

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Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Kaufmann, Keane, Klock, Koopman, 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, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 95

Noes: Facey, Juneau, Maedje, Stahl.
Total 4

Voted Absentee: Furey, Parker, Ayes.

Excused: None.
Total 0

Absent or not voting: R. Brown.
Total 1

HB 239 - Representative D. Brown moved **HB 239** do pass. Motion carried as follows:

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

Noes: Balyeat, Barrett, Butcher, Heinert, Himmelberger, Koopman, McGillvray, Mendenhall, Ripley, Stahl.
Total 10

Voted Absentee: Furey, Parker, Ayes.

Excused: None.
Total 0

Absent or not voting: Gallik, Small-Eastman.
Total 2

HB 242 - Representative Lambert moved **HB 242** 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, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, 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 97

Noes: Balyeat, Ripley.
Total 2

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Voted Absentee: Furey, Parker, Ayes.

Excused: None.
Total 0

Absent or not voting: Milburn.
Total 1

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

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Branae, R. Brown, Butcher, Callahan, Campbell, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Himmelberger, Jackson, Jayne, Jent, L. Jones, W. Jones, Jopek, 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, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Witt, Mr. Speaker.
Total 81

Noes: Bixby, Caferro, Clark, Cohenour, Dickenson, Gallik, Gutsche, Harris, Hiner, Jacobson, Juneau, Kaufmann, Wanzenried, Wiseman.
Total 14

Excused: Furey, Parker.
Total 2

Absent or not voting: D. Brown, Buzzas, Peterson.
Total 3

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 71 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, 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, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Wiseman, Witt, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Furey, Parker.
Total 2

Absent or not voting: Harris, Maedje, Raser, Windy Boy.
Total 4

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HB 100 passed as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Branae, D. Brown, R. Brown, Butcher, Caferro, Callahan, Campbell, Clark, Dowell, Driscoll, Everett, Facey, Galvin-Halcro, Glaser, Golie, Grinde, Gutsche, Hawk, Heinert, Hendrick, Himmelberger, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Klock, Koopman, Lambert, Lange, Lenhart, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Wilson, Windham, Wiseman, Witt, Mr. Speaker.
Total 77

Noes: Bixby, Buzzas, Cohenour, Dickenson, Eaton, Franklin, Gallik, Groesbeck, Hamilton, Henry, Hiner, Keane, Lake, Lindeen, Noonan, Raser, Sesso, Villa, Wanzenried.
Total 19

Excused: Furey, Parker.
Total 2

Absent or not voting: Harris, Windy Boy.
Total 2

HB 397 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, 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, 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 96

Noes: Sinrud.
Total 1

Excused: Furey, Parker.
Total 2

Absent or not voting: Harris.
Total 1

MOTIONS

Dem. Leader Wanzenried moved that HB 170 be re-referred to Appropriations Committee. Motion carried.

Dem. Leader Wanzenried moved that HB 239 be re-referred to Appropriations Committee. Motion carried.

Dem. Leader Wanzenried moved that HB 446 be re-referred from State Administration Committee to Judiciary Committee. Motion carried.

UNFINISHED BUSINESS

Rep. Lindeen requested the following sponsors be added to HB 417: Rep. Hamilton, Hendrick, Henry, Jacobson, Jent, W. Jones, MacLaren, A. Olson, and B. Olson.

Rep. Furey requested the following sponsors be added to HB 411: Rep. Caferro, Eaton, Hendrick, Henry, W. Jones, McGillvray, Noonan, and Warden.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Dem. Leader Wanzenried moved that the House adjourn until 1:00 p.m., Wednesday, February 2, 2005. Motion carried.

House adjourned at 2:26 p.m.

MARILYN MILLER
Chief Clerk of the House

GARY MATTHEWS
Speaker of the House