

HOUSE JOURNAL
THIRTY-FIFTH LEGISLATIVE DAY - FEBRUARY 12, 2005

**HOUSE JOURNAL
59TH LEGISLATURE
THIRTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
February 12, 2005

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Rep. Driscoll. Pledge of Allegiance to the Flag.

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

Speaker Matthews introduced the following Honorary Pages for the day: Jake Brodsky, Helena; Taylor Cohenour, East Helena; and MacKenzie Heinback, East Helena. Speaker Matthews and the House thanked the pages for the week.

REPORTS OF STANDING COMMITTEES

BILLS (Barrett, Chairman): 2/12/2005
Correctly printed: **HB 426, HB 493, HB 508, HB 530.**
Correctly engrossed: **HB 177, HB 240, HB 290, HB 291, HB 326, HB 359, HB 365, HB 431, HB 436, HB 476, HB 562, HJR 6.**

JUDICIARY (Rice, Chairman): 2/12/2005
HB 562, introduced bill, be amended as follows:

1. Title, page 1, line 6 through line 7.
Strike: "LIMITING" on line 6 through "ASSOCIATION;" on line 7

2. Page 1, line 19 through line 20.
Strike: subsection (2) in its entirety

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/12/2005

SB 21, introduced by Grimes
SB 154, introduced by Cobb
SB 259, introduced by Lewis
SB 274, introduced by Barkus
SB 286, introduced by Ryan
SB 299, introduced by Toole
SB 316, introduced by Lind
SB 329, introduced by Tester
SB 340, introduced by Essmann
SB 352, introduced by Grimes

Senate joint resolution passed and transmitted to the House for concurrence: 2/12/2005

SJR 13, introduced by Tester

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FIRST READING AND COMMITMENT OF BILLS

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

- HB 672**, introduced by Butcher, referred to Education.
HB 673, introduced by Butcher, referred to Transportation.
HB 674, introduced by Waitschies, Lambert, Keenan, Steinbeisser, Malcolm, Himmelberger, R. Brown, Andersen, Wagman, Ross, Barkus, Lake, referred to Agriculture.
HB 675, introduced by Maedje, referred to Natural Resources.
HB 676, introduced by Maedje, Lange, referred to Taxation.
HB 677, introduced by Kaufmann, referred to Business and Labor.
HB 678, introduced by Cohenour, referred to Transportation.
HB 679, introduced by Cohenour, referred to Federal Relations, Energy, and Telecommunications.
HB 680, introduced by Villa, Mangan, referred to Taxation.
HB 681, introduced by Raser, referred to Education.
HB 682, introduced by Franklin, referred to Human Services.
HB 683, introduced by D. Brown, referred to Transportation.
HB 684, introduced by Maedje, Witt, referred to Transportation.
HB 685, introduced by R. Brown, Lange, Himmelberger, Barrett, Wagman, referred to Federal Relations, Energy, and Telecommunications.
HB 686, introduced by Parker, Bixby, Hendrick, Small-Eastman, Juneau, Windham, Cooney, Wilson, Noonan, referred to Business and Labor.
HB 687, introduced by Mendenhall, referred to Federal Relations, Energy, and Telecommunications.
HB 688, introduced by Franklin, Tropila, Groesbeck, Galvin-Halcro, Wilson, Parker, Golie, Dickenson, Villa, Lenhart, Hiner, Sesso, Keane, Noonan, Callahan, referred to Transportation.
HB 689, introduced by Arntzen, Facey, Noonan, Bergren, Hendrick, Maedje, McAlpin, Witt, Waitschies, Lambert, referred to Taxation.
HB 690, introduced by Gutsche, referred to Human Services.

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 186 passed as follows:

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

Noes: Golie, Hawk, Jayne, Juneau, Koopman, B. Olson, Rice, Sonju, Stahl.
Total 9

Excused: Harris.
Total 1

Absent or not voting: Caferro.
Total 1

HB 280 passed as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Buzzas,

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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 98

Noes: None.

Total 0

Excused: Harris.

Total 1

Absent or not voting: Caferro.

Total 1

HB 349 passed as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, D. Brown, R. Brown, Butcher, Buzzas, Callahan, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jent, L. Jones, W. Jones, 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 91

Noes: Bixby, Branae, Campbell, Franklin, Jayne, Jopek, Juneau.

Total 7

Excused: Harris.

Total 1

Absent or not voting: Caferro.

Total 1

**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 Jent in the chair.

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

SB 240 - Representative Musgrove moved **SB 240** be concurred in. 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, 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, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried,

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Ward, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 92

Noes: Balyeat, Everett, Koopman, Maedje, Sales, Sinrud, Warden, Wells.
Total 8

Voted Absentee: Harris, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 451 - Representative Sonju moved **HB 451** 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, 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, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Wanzenried, Ward, Warden, Wilson, Windham, Wiseman, Witt, Mr. Speaker.
Total 94

Noes: W. Jones, Sales, Waitschies, Wells, Windy Boy.
Total 5

Voted Absentee: Harris, Aye.

Excused: None.
Total 0

Absent or not voting: Parker.
Total 1

HB 452 - Representative Windy Boy moved **HB 452** do pass. Motion passed as follows:

Ayes: Andersen, Arntzen, 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, MacLaren, Malcolm, McAlpin, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Roberts, Ross, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 88

Noes: Balyeat, Barrett, Everett, Hawk, Koopman, Maedje, McGillvray, Rice, Ripley, Sales, Sinrud, Wells.
Total 12

Voted Absentee: Harris, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 475 - Representative Buzzas moved **HB 475** do pass. Motion carried as follows:

Ayes: 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, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Lambert, Lenhart, Lindeen, MacLaren, McAlpin, McNutt, Musgrove, Noennig, Noonan, A. Olson, Parker, Raser, Ripley, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 55

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

Total 45

Voted Absentee: Harris, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 351 - Representative Butcher moved **HB 351** do pass. Motion carried as follows:

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

Total 55

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

Total 44

Voted Absentee: Harris, No.

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

HB 181 - Representative Musgrove moved **HB 181** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Barrett, Becker, Bergren, 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, Hiner, Jacobson, Jent, L. Jones, W. Jones, Jopek, Kaufmann, Keane, Lake, Lambert, Lenhart, Lindeen, MacLaren, McAlpin, McKenney, McNutt, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Ripley, Ross, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Villa, Wagman, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.

Total 75

Noes: Balyeat, Bixby, Butcher, Everett, Hawk, Heinert, Himmelberger, Jackson, Jayne, Juneau, Klock, Koopman, Lange, Maedje, Malcolm, McGillvray, Mendenhall, Rice, Roberts, Sales, Sinrud, Stahl, Waitschies, Wells, Witt.

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Total 25

Voted Absentee: Harris, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 326 - Representative Peterson moved **HB 326** do pass.

HB 326 - Representative Peterson moved **HB 326**, second reading copy, be amended as follows:

1. Page 4, line 16.

Following: "program."

Insert: "The residential methamphetamine treatment program must consist of time spent in a residential methamphetamine treatment facility and time spent in a community-based prerelease center."

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, 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 99

Noes: None.

Total 0

Voted Absentee: Harris, Aye.

Excused: None.

Total 0

Absent or not voting: Becker.

Total 1

HB 326 - Representative Peterson moved **HB 326**, as amended, do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, 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, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 98

Noes: Buzzas, Koopman.

Total 2

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Voted Absentee: Harris, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 356 - Representative Noonan moved **HB 356** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Buzzas, 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, 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: Jayne.
Total 1

Voted Absentee: Harris, Aye.

Excused: None.
Total 0

Absent or not voting: Caferro.
Total 1

HB 320 - Representative Facey moved **HB 320** do pass.

HB 320 - Representative Facey moved **HB 320**, second reading copy, be amended. Amendment failed as follows:

Ayes: Becker, Bergren, Branae, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Gutsche, Hamilton, Harris, Henry, Jacobson, Jent, Kaufmann, Lake, Lenhart, Lindeen, McAlpin, Musgrove, Noonan, Parker, Sesso, Small-Eastman, Villa, Wanzenried, Warden, Windham, Windy Boy, Wiseman.
Total 43

Noes: Andersen, Arntzen, Balyeat, Barrett, Bixby, D. Brown, R. Brown, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Himmelberger, Hiner, Jackson, Jayne, L. Jones, W. Jones, Jopek, Juneau, Keane, Koopman, Lambert, Lange, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, A. Olson, B. Olson, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Wells, Wilson, Witt, Mr. Speaker.
Total 56

Voted Absentee: Harris, Aye.

Excused: None.
Total 0

Absent or not voting: Klock.
Total 1

HB 320 - Representative Facey moved **HB 320** do pass. Motion **failed** as follows:

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Ayes: Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Dickenson, Dowell, Facey, Furey, Gallik, Grinde, Gutsche, Hamilton, Harris, Henry, Jacobson, Jopek, Kaufmann, Lenhart, Lindeen, McAlpin, Musgrove, B. Olson, Parker, Waitschies, Wanzenried, Wilson, Wiseman.
Total 29

Noes: Andersen, Arntzen, Balyeat, Barrett, Becker, D. Brown, R. Brown, Butcher, Campbell, Clark, Cohenour, Driscoll, Eaton, Everett, Franklin, Galvin-Halcro, Glaser, Golie, Groesbeck, Hawk, Heinert, Hendrick, Himmelberger, Hiner, Jackson, Jayne, Jent, L. Jones, W. Jones, Juneau, Keane, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, Noonan, A. Olson, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Ward, Warden, Wells, Windham, Windy Boy, Witt, Mr. Speaker.
Total 71

Voted Absentee: Harris, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 369 - Representative Gallik moved **HB 369** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Becker, Bergren, Bixby, Branae, D. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Heinert, Hendrick, Henry, Hiner, Jacobson, Jayne, Jopek, Kaufmann, Keane, Klock, Lambert, Lange, Lenhart, Lindeen, Maedje, McAlpin, McKenney, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 69

Noes: Balyeat, Barrett, R. Brown, Everett, Glaser, Hawk, Himmelberger, Jackson, L. Jones, W. Jones, Juneau, Koopman, Lake, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Wagman, Waitschies, Wells, Witt.
Total 30

Voted Absentee: Harris, Aye.

Excused: None.
Total 0

Absent or not voting: Jent.
Total 1

HJR 12 - Representative Hamilton moved **HJR 12** be adopted. Motion carried as follows:

Ayes: 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, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Roberts, Sesso, Small-Eastman, Sonju, Stahl, Villa, Wanzenried, Ward, Warden, Wilson, Windy Boy, Wiseman, Witt.
Total 81

Noes: Andersen, Arntzen, Koopman, Lake, Malcolm, Morgan, Rice, Ripley, Ross, Sales, Sinrud, Stoker, Taylor, Wagman, Waitschies, Wells.
Total 16

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Voted Absentee: Harris, Aye.

Excused: None.
Total 0

Absent or not voting: Jent, Windham, Mr. Speaker.
Total 3

HB 73 - Representative Buzzas moved **HB 73** do pass. Motion carried as follows:

Ayes: 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, Hendrick, Henry, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, McAlpin, Musgrove, Noennig, Noonan, B. Olson, Parker, Peterson, Raser, Roberts, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 53

Noes: Andersen, Arntzen, Balyeat, Barrett, Becker, D. Brown, R. Brown, Butcher, Everett, Glaser, Hawk, Heinert, Himmelberger, Jackson, L. Jones, W. Jones, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, A. Olson, Rice, Ripley, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Windham, Witt.
Total 47

Voted Absentee: Harris, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 97 - Representative Lange moved **HB 97** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, 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, Mr. Speaker.
Total 98

Noes: Witt.
Total 1

Voted Absentee: Harris, Aye.

Excused: None.
Total 0

Absent or not voting: Becker.
Total 1

HB 140 - Representative Parker moved **HB 140** do pass.

HB 140 - Representative Parker moved **HB 140**, second reading copy, be amended as follows:

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1. Page 3, line 8.

Strike: subsection (d) in its entirety

Renumber: subsequent subsections

2. Page 3, line 10.

Following: "rule"

Insert: ", except that an applicant that does not maintain an office in this state with a credit counselor on the premises shall post a surety bond in the amount of \$50,000"

3. Page 5, line 18.

Strike: "or"

4. Page 5, line 20.

Following: "[sections 1 through 7]"

Insert: "; or

(h) operate in this state without a license"

5. Page 5, line 27.

Following: "Remedies"

Insert: "-- penalty"

6. Page 6, following line 10.

Insert: "(8) A person engaged in credit counseling in this state without a license, a person who fails to maintain a separate trust account for consumer funds, or a person who fails to maintain any records required by the provisions of [sections 1 through 7] or by department rule shall be fined an amount not to exceed \$5,000 for each violation."

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, 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

Excused: Harris.

Total 1

Absent or not voting: None.

Total 0

HB 140 - Representative Parker moved **HB 140**, as amended, do pass. Motion carried as follows:

Ayes: Arntzen, Balyeat, 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,

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Grinde, Groesbeck, Gutsche, Hamilton, Harris, Heinert, Hendrick, Henry, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lange, Lenhart, Lindeen, MacLaren, Maedje, 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, Waitschies, Wanzenried, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 86

Noes: Andersen, R. Brown, Butcher, Everett, Hawk, Himmelberger, Koopman, Lake, Lambert, Malcolm, Sales, Sinrud, Wagman, Ward.
Total 14

Voted Absentee: Harris, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Dem. Floor Leader 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 Jent moved the Committee of the Whole report be adopted. Report adopted 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, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jent, L. Jones, W. Jones, Jopek, 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, Ripley, Roberts, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 90

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

Excused: Harris.
Total 1

Absent or not voting: Juneau, Small-Eastman, Ward.
Total 3

Rep. Floor Leader Lange stated the House Republicans will caucus until 11:15 a.m.
Dem. Floor Leader Bergren stated the House Democrats will caucus.

MOTIONS

Rep. Musgrove moved to suspend the House Rules to hear SB 240 on 3rd Reading today.
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, 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, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson,

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Raser, 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 93

Noes: Everett, Koopman, Mendenhall, Rice, Wells.
Total 5

Excused: Harris.
Total 1

Absent or not voting: Sinrud.
Total 1

THIRD READING OF BILLS

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

SB 240 concurred in 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, Lake, Lambert, Lange, Lenhart, 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, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 93

Noes: Koopman, Sales, Stahl, Wells.
Total 4

Excused: Harris.
Total 1

Absent or not voting: Lindeen, Sinrud.
Total 2

**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 Jent in the chair.

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

HB 148 - Representative Lambert moved **HB 148** 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, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Lake,

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Lambert, Lange, Lenhart, Lindeen, MacLaren, McAlpin, McKenney, McNutt, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Ripley, Roberts, Ross, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt.
Total 85

Noes: Everett, Glaser, Hawk, Jackson, Klock, Koopman, Maedje, Malcolm, McGillvray, Mendenhall, Rice, Sales, Sesso, Stahl.
Total 14

Voted Absentee: Harris, Aye.

Excused: None.
Total 0

Absent or not voting: Mr. Speaker.
Total 1

HB 269 - Representative Clark moved **HB 269** do pass.

HB 269 - Representative Clark moved **HB 269**, second reading copy, be amended as follows:

1. Title, line 5.

Following: "PROVIDES"

Insert: "EXISTING LEGAL"

2. Page 1, line 19.

Following: "used to"

Insert: "provide existing legal"

Following: "access"

Insert: "to"

3. Page 1, lines 19 and 20.

Strike: "TO" on line 19 through "ACCESS" on line 20

4. Page 2, line 7.

Following: "used to"

Insert: "provide existing legal"

Following: "access"

Insert: "to"

5. Page 2, line 8.

Strike: "TO ACCESS"

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Becker, Bergren, Bixby, Branae, D. 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, 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, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr.

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Speaker.
Total 95

Noes: Barrett, R. Brown, Sales, Ward.
Total 4

Voted Absentee: Harris, Aye.

Excused: None.
Total 0

Absent or not voting: Lambert.
Total 1

HB 269 - Representative Clark moved **HB 269**, as amended, do pass. Motion carried as follows:

Ayes: Becker, 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, W. Jones, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, MacLaren, McAlpin, Musgrove, Noennig, Noonan, Parker, Raser, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman.
Total 51

Noes: Andersen, Arntzen, Balyeat, Barrett, Bergren, D. Brown, R. Brown, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Jackson, L. Jones, Klock, Koopman, Lake, Lambert, Lange, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Witt, Mr. Speaker.
Total 49

Voted Absentee: Harris, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 281 - Representative Wagman moved **HB 281** do pass. Motion carried 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, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Witt, Mr. Speaker.
Total 51

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, Maedje, McAlpin, Musgrove, Noonan, Parker, Raser, Sesso, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman.
Total 49

Voted Absentee: Harris, No.

Excused: None.
Total 0

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Absent or not voting: None.
Total 0

HB 285 - Representative Taylor moved **HB 285** 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, 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: Harris, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 288 - Representative Noennig moved **HB 288** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Becker, Bergren, Bixby, Branae, 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, Hawk, Heinert, Hendrick, Henry, Hiner, Jackson, Jacobson, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, 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, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Wells, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 86

Noes: Barrett, D. Brown, Everett, Himmelberger, Jayne, Koopman, Lake, Ripley, Ross, Sales, Sonju, Ward, Warden, Witt.
Total 14

Voted Absentee: Harris, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 304 - Representative Parker moved consideration of **HB 304** be passed for the day. Motion carried.

HB 308 - Representative Malcolm moved **HB 308** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bixby, Branae, D. Brown, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock,

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Koopman, Lambert, Lenhart, Lindeen, MacLaren, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Morgan, Musgrove, Noennig, Noonan, A. Olson, Parker, Raser, Roberts, Ross, Sales, Sesso, Small-Eastman, Taylor, Villa, Wagman, Waitschies, Wanzenried, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 79

Noes: Bergren, R. Brown, Butcher, Everett, Glaser, L. Jones, Lake, Lange, Maedje, Mendenhall, Milburn, B. Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Ward, Witt.
Total 21

Voted Absentee: Harris, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 321 - Representative Facey moved **HB 321** do pass. Motion carried 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, Jent, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, MacLaren, McAlpin, McNutt, Musgrove, Noennig, Noonan, Parker, Raser, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 52

Noes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, R. Brown, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Jackson, Jayne, L. Jones, W. Jones, Klock, Koopman, Lake, Lambert, Lange, Maedje, Malcolm, McGillvray, McKenney, Mendenhall, Milburn, Morgan, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Wagman, Waitschies, Ward, Warden, Wells, Witt.
Total 47

Voted Absentee: Harris, Aye.

Excused: None.
Total 0

Absent or not voting: Taylor.
Total 1

HB 330 - Representative Jopek moved **HB 330** 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, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, McAlpin, Musgrove, Parker, Raser, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 48

Noes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, R. Brown, Butcher, Everett, Galvin-Halcro, 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, Noonan, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Witt.
Total 52

Voted Absentee: Harris, Aye.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 331 - Representative Parker moved consideration of **HB 331** be passed for the day. Motion carried.

HB 344 - Representative Gallik moved **HB 344** 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.
Total 49

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, Mr. Speaker.
Total 51

Voted Absentee: Harris, 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 Jent moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Branae, D. Brown, R. Brown, Buzzas, Caferro, Callahan, Dickenson, Dowell, Driscoll, Facey, Franklin, Furey, Galvin-Halcro, Glaser, Grinde, Gutsche, Hamilton, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jent, L. Jones, W. Jones, Jopek, Kaufmann, Keane, Klock, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Malcolm, McKenney, McNutt, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sesso, Sonju, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 76

Noes: Bergren, Bixby, Butcher, Campbell, Clark, Cohenour, Eaton, Everett, Gallik, Golie, Groesbeck, Jayne, Juneau, Koopman, Maedje, McAlpin, McGillvray, Mendenhall, Sales, Small-Eastman, Stahl, Wells.
Total 22

Excused: Harris.
Total 1

Absent or not voting: Sinrud.
Total 1

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REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Buzzas, Chairman):

2/12/2005

HB 16, do pass. Report adopted.

HB 28, do pass. Report adopted.

HB 201, do pass. Report adopted.

HB 232, introduced bill, be amended as follows:

1. Page 2, line 4.

Strike: "2007"

Insert: "2013"

2. Page 2, line 8.

Strike: "2007"

Insert: "2013"

And, as amended, do pass. Report adopted.

HB 271, introduced bill, be amended as follows:

1. Page 1, line 11.

Following: "fund"

Insert: "for fiscal year 2005"

And, as amended, do pass. Report adopted.

HUMAN SERVICES (Becker, Chairman):

2/12/2005

HB 31, do pass. Report adopted.

HB 437, introduced bill, do pass and be placed on the consent calendar. Report adopted.

SB 60, be concurred in and placed on the consent calendar. Report adopted.

MOTIONS

Dem. Floor Leader Parker moved that HB 528 be re-referred from Business and Labor Committee to the Federal Relations, Energy, and Transportation Committee. Without objection, so ordered.

Dem. Floor Leader Parker moved that the following bills be re-referred to Appropriations Committee: HB 475, HB 181, HB 326, HB 369, HB 140, HB 148, and HB 288. Without objection, so ordered.

Dem. House Leader Wanzenried moved to suspend the rules to allow for the drafting of a joint resolution. 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, 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, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, McAlpin, McKenney, McNutt, Mendenhall, Milburn, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Villa, Waitschies, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 87

Noes: Butcher, Everett, Koopman, Malcolm, McGillvray, Morgan, Sales, Sonju, Wagman, Wells.

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Total 10

Excused: Harris.
Total 1

Absent or not voting: Gutsche, Sinrud.
Total 2

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Dem. Floor Leader Parker moved that the House adjourn until 12:30 p.m., Monday, February 14, 2005.
Motion carried.

House adjourned at 12:53 p.m.

MARILYN MILLER
Chief Clerk of the House

GARY MATTHEWS
Speaker of the House