

HOUSE JOURNAL  
FORTY-FIFTH LEGISLATIVE DAY - MARCH 1, 2005

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

Helena, Montana  
March 1, 2005

House Chambers  
State Capitol

House convened at 3:00 p.m. Mr. Speaker in the Chair. Invocation by Rep. Buzzas. Pledge of Allegiance to the Flag.

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

Speaker Matthews introduced the following pages: Caitlin Boland, Great Falls; Eugene Burke, Billings; Randi Frydenlund, Shelby; Spencer Garrison, Thompson Falls; Jen Majerus, Saco; Nick Malinak, Kalispell; and Ali Wittach, Bozeman.

**REPORTS OF STANDING COMMITTEES**

**BILLS** (Barrett, Chairman): 3/1/2005  
Correctly engrossed: **HB 368**.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence: 3/1/2005

**SB 2**, introduced by Laible  
**SB 302**, introduced by Ellingson  
**SB 311**, introduced by Grimes  
**SB 359**, introduced by Story  
**SB 363**, introduced by Williams  
**SB 396**, introduced by Joe Balyeat  
**SB 419**, introduced by Ryan  
**SB 431**, introduced by Barkus  
**SB 435**, introduced by Wheat  
**SB 440**, introduced by Harrington  
**SB 449**, introduced by Roush  
**SB 452**, introduced by Perry  
**SB 457**, introduced by Gebhardt  
**SB 458**, introduced by Gillan  
**SB 460**, introduced by Weinberg  
**SB 468**, introduced by Mangan  
**SB 486**, introduced by Cocchiarella  
**SB 494**, introduced by Bales  
**SB 497**, introduced by Tropila  
**SB 500**, introduced by Cobb  
**SB 503**, introduced by Tropila

**Senate joint resolutions** passed and transmitted to the House for concurrence: 3/1/2005

**SJR 12**, introduced by Kitzenberg  
**SJR 24**, introduced by Barkus  
**SJR 26**, introduced by Curtiss  
**SJR 27**, introduced by Harrington  
**SJR 28**, introduced by Squires

**FIRST READING AND COMMITMENT OF BILLS**

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

**SB 100**, introduced by Mangan, referred to Business and Labor.  
**SB 101**, introduced by Schmidt, referred to Education.  
**SB 102**, introduced by Cromley, referred to Transportation.  
**SB 103**, introduced by Cromley, referred to Business and Labor.  
**SB 104**, introduced by Gillan, Golie, referred to Judiciary.  
**SB 105**, introduced by Cobb, referred to Business and Labor.  
**SB 106**, introduced by Brueggeman, referred to State Administration.  
**SB 107**, introduced by Smith, referred to Natural Resources.  
**SB 108**, introduced by Lewis, referred to Business and Labor.  
**SB 112**, introduced by Harrington, referred to Judiciary.  
**SB 115**, introduced by Tester, referred to Taxation.  
**SB 116**, introduced by Laible, referred to Local Government.  
**SB 117**, introduced by Cocchiarella, referred to Business and Labor.  
**SB 118**, introduced by Wheat, referred to State Administration.  
**SB 119**, introduced by Schmidt, referred to Judiciary.  
**SB 120**, introduced by Keenan, referred to Human Services.  
**SB 121**, introduced by Keenan, referred to Human Services.  
**SB 122**, introduced by Wheat, referred to Judiciary.  
**SB 123**, introduced by Black, referred to Transportation.  
**SB 124**, introduced by Roush, referred to Natural Resources.  
**SB 126**, introduced by Brueggeman, referred to Fish, Wildlife and Parks.  
**SB 127**, introduced by Keenan, referred to Human Services.  
**SB 129**, introduced by Wheat, referred to Local Government.  
**SB 130**, introduced by Ryan, referred to Business and Labor.  
**SB 131**, introduced by Black, referred to Natural Resources.  
**SB 132**, introduced by Cooney, referred to Business and Labor.  
**SB 134**, introduced by Wheat, referred to Business and Labor.  
**SB 135**, introduced by Squires, referred to Business and Labor.  
**SB 136**, introduced by Steinbeisser, referred to Agriculture.  
**SB 137**, introduced by Lewis, referred to Business and Labor.  
**SB 138**, introduced by Weinberg, referred to Natural Resources.  
**SB 139**, introduced by Esp, referred to Judiciary.  
**SB 140**, introduced by Gebhardt, referred to State Administration.  
**SB 141**, introduced by Laible, referred to Judiciary.  
**SB 142**, introduced by Tash, referred to Natural Resources.  
**SB 145**, introduced by Harrington, referred to Natural Resources.  
**SB 149**, introduced by Laslovich, referred to State Administration.  
**SB 293**, introduced by Black, Arntzen, Bergren, Butcher, Dickenson, Franklin, Furey, Gutsche, Hansen, Harris, Henry, Hiner, Kitzenberg, Lindeen, Matthews, Musgrove, Parker, Roush, Sesso, Stahl, Tester, Windham, Witt, referred to Agriculture.

Rep. Lange requested the House stand in recess until 3:25 p.m. The House Republicans will caucus.

Rep. Bergren announced the House Democrats will caucus.

Speaker Matthews stated the House will stand in recess until 3:25 p.m.

**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 Bergren in the chair.

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

**HB 270** - Representative Lindeen moved **HB 270** do pass. Motion carried as follows:

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Ayes: Andersen, Arntzen, Balyeat, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hendrick, Henry, Hiner, Jackson, Jacobson, Jent, L. Jones, Jopek, Keane, Klock, Lake, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Ripley, Roberts, Sesso, Small-Eastman, Stahl, Taylor, Villa, Wanzenried, Ward, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.  
Total 72

Noes: Barrett, D. Brown, R. Brown, Butcher, Caferro, Everett, Hawk, Heinert, Himmelberger, Jayne, W. Jones, Juneau, Kaufmann, Koopman, Lambert, Lange, McGillvray, Rice, Ross, Sales, Sinrud, Sonju, Stoker, Wagman, Waitschies, Warden, Wells.  
Total 27

Voted Absentee: Jent, Small-Eastman, Ayes.

Excused: None.  
Total 0

Absent or not voting: Furey.  
Total 1

**HB 271** - Representative Lindeen moved **HB 271** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Becker, Bergren, Bixby, Branae, 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, Heinert, Hendrick, Henry, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Ripley, Roberts, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Taylor, Villa, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.  
Total 84

Noes: Barrett, D. Brown, Butcher, Everett, Hawk, Himmelberger, W. Jones, Koopman, Lake, McGillvray, Rice, Sales, Stahl, Stoker, Wagman, Waitschies.  
Total 16

Voted Absentee: Jent, Small-Eastman, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 332** - Representative Buzzas moved **HB 332** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, 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, Ripley, Roberts, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.  
Total 95

Noes: D. Brown, Hawk, Koopman, Sales, Wells.  
Total 5

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Voted Absentee: Jent, Small-Eastman, Ayes.

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 Bergren 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, 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, Hiner, Jackson, Jacobson, Jayne, L. Jones, W. Jones, Jopek, 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, Sinrud, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.  
Total 91

Noes: Himmelberger, Juneau, Koopman, Maedje, Sales, Ward, Wells.  
Total 7

Excused: Jent, Small-Eastman.  
Total 2

Absent or not voting: None.  
Total 0

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

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

House adjourned at 3:41 p.m.

MARILYN MILLER  
Chief Clerk of the House

GARY MATTHEWS  
Speaker of the House