

HOUSE JOURNAL
FORTY-SIXTH LEGISLATIVE DAY - MARCH 2, 2005

HOUSE JOURNAL
59TH LEGISLATURE
FORTY-SIXTH LEGISLATIVE DAY

Helena, Montana
March 2, 2005

House Chambers
State Capitol

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

Roll Call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Keane, Chairman):
SB 37, be concurred in. Report adopted.

3/2/2005

MESSAGES FROM THE GOVERNOR

February 23, 2005

The Honorable Gary Matthews
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Matthews:

Please be informed that I have signed **House Bill 38** sponsored by Representative McNutt, **House Bill 84** sponsored by Representative Kaufmann, **House Bill 193** sponsored by Representative Waitschies, and **House Bill 194** sponsored by Representative Matthews on February 23, 2005.

Sincerely,

BRIAN SCHWEITZER
Governor

February 24, 2005

The Honorable Gary Matthews
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Matthews:

Please be informed that I have signed **House Bill 447** sponsored by Representative Gallik on February 24, 2005.

Sincerely,

BRIAN SCHWEITZER
Governor

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FIRST READING AND COMMITMENT OF BILLS

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

- SB 88**, introduced by Squires, referred to State Administration.
- SB 143**, introduced by Laible, referred to Natural Resources.
- SB 200**, introduced by Wheat, McNutt, referred to Judiciary.
- SB 203**, introduced by Lind, Becker, Henry, Kaufmann, referred to Business and Labor.
- SB 204**, introduced by Shockley, referred to Judiciary.
- SB 205**, introduced by Shockley, referred to Judiciary.
- SB 206**, introduced by Lewis, Keenan, Ward, referred to State Administration.
- SB 208**, introduced by Perry, referred to Judiciary.
- SB 209**, introduced by Wheat, referred to Business and Labor.
- SB 212**, introduced by Esp, Bales, Cooney, Gebhardt, Glaser, Klock, Lambert, Larson, Lewis, Lindeen, Maedje, Matthews, McNutt, Raser, Ripley, Ross, Smith, Steinbeisser, Stoker, Wanzenried, Witt, referred to Natural Resources.
- SB 214**, introduced by Gebhardt, Barkus, Noennig, referred to Natural Resources.
- SB 215**, introduced by McGee, referred to Local Government.
- SB 217**, introduced by Larson, Bergren, Cocchiarella, Cohenour, Jacobson, Keane, Kitzenberg, Lange, Wilson, referred to Business and Labor.
- SB 221**, introduced by Barkus, Gebhardt, referred to Fish, Wildlife and Parks.
- SB 222**, introduced by Barkus, referred to Taxation.
- SB 223**, introduced by Barkus, B. Olson, referred to Fish, Wildlife and Parks.
- SB 225**, introduced by Cocchiarella, referred to Local Government.
- SB 229**, introduced by Cobb, referred to Taxation.
- SB 231**, introduced by Laslovich, referred to Judiciary.
- SB 233**, introduced by Kitzenberg, Hansen, Lenhart, Smith, Steinbeisser, referred to Natural Resources.
- SB 235**, introduced by Mangan, Brueggeman, Curtiss, Golie, Himmelberger, Keane, Lewis, McGee, McNutt, Ripley, Roush, Ryan, Steinbeisser, Tash, Tropila, Wagman, Wilson, Witt, A. Olson, referred to Federal Relations, Energy, and Telecommunications.
- SB 236**, introduced by Lind, Cohenour, referred to Natural Resources.
- SB 243**, introduced by Cocchiarella, referred to Business and Labor.
- SB 244**, introduced by Squires, referred to Transportation.
- SB 245**, introduced by Elliott, referred to Local Government.

Rep. Bergren announced the House Democrats will caucus.
Rep. Lange announced the House Republicans will caucus.
Speaker Matthews stated the House will stand at ease until 1:25 p.m.

SECOND READING
(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 Himmelberger in the chair.

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

HB 18 - Representative Juneau moved **HB 18** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Barrett, Becker, Bergren, Bixby, Branae, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie,

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Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hendrick, Henry, Himmelberger, Hiner, Jacobson, Jayne, Jent, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lambert, Lenhart, Lindeen, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Sesso, Small-Eastman, Stahl, Taylor, Villa, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 78

Noes: Balyeat, D. Brown, Everett, Hawk, Heinert, Jackson, L. Jones, Koopman, Lake, Lange, MacLaren, Maedje, Malcolm, Ross, Sales, Sinrud, Sonju, Stoker, Wagman, Waitschies, Wells.
Total 21

Excused: None.
Total 0

Absent or not voting: Dickenson.
Total 1

HB 201 - Representative Ripley moved **HB 201** 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, 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, Taylor, Villa, Wagman, Waitschies, Wanzenried, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 93

Noes: Everett, W. Jones, Koopman, Sales, Sinrud, Stoker, Ward.
Total 7

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 228 - Representative Galvin-Halcro moved **HB 228** 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, Lange, Lenhart, Lindeen, McAlpin, Musgrove, Noonan, Parker, Raser, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman.
Total 50

Noes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, R. Brown, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Jackson, L. Jones, W. Jones, Klock, Koopman, Lake, Lambert, 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 50

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 350 - Representative Butcher moved **HB 350** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Branae, D. Brown, R. Brown, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Himmelberger, Hiner, Jackson, Jacobson, Jent, L. Jones, W. Jones, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, 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, Buzzas, Galvin-Halcro, Henry, Jayne, Jopek, Juneau, Kaufmann, Musgrove.
Total 9

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 399 - Representative Rice moved **HB 399** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Buzzas, Callahan, Campbell, Cohenour, Dowell, Driscoll, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Juneau, Keane, Klock, Koopman, Lake, Lambert, Lange, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Wiseman, Witt, Mr. Speaker.
Total 87

Noes: Caferro, Clark, Dickenson, Eaton, Grinde, Hiner, Jopek, Kaufmann, Lenhart, Musgrove, Sesso, Sinrud, Windy Boy.
Total 13

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 28 - Representative Wanzenried moved **HB 28** do pass. Motion carried as follows:

Ayes: Arntzen, Barrett, 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, Hendrick, Henry, Himmelberger, Hiner, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Lambert, Lange, Lenhart, Lindeen, MacLaren, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Musgrove, Noennig, Noonan, B. Olson, Parker, Peterson, Raser, Ripley, Roberts, Ross, Sesso, Small-Eastman, Villa, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 75

Noes: Andersen, Balyeat, D. Brown, Everett, Hawk, Heinert, Jackson, Klock, Koopman, Lake, Maedje, Malcolm, Morgan, A. Olson, Rice, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Wells, Witt.
Total 25

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Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 463 - Representative Facey moved **HB 463** do pass. Motion carried as follows:

Ayes: Andersen, 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, 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, McKenney, McNutt, Mendenhall, Milburn, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Villa, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 90

Noes: Barrett, Hawk, Koopman, McGillvray, Morgan, Sinrud, Stoker, Wagman, Waitschies, Witt.
Total 10

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 481 - Representative Lindeen moved **HB 481** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Barrett, Becker, Bergren, Bixby, Branae, 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, Maedje, Malcolm, McAlpin, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Villa, Wagman, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 89

Noes: Balyeat, D. Brown, R. Brown, Everett, Koopman, McGillvray, B. Olson, Sales, Sinrud, Stoker, Waitschies.
Total 11

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 517 - Representative Wiseman moved **HB 517** do pass. Motion carried as follows:

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

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Jayne, Jent, L. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, McAlpin, McKenney, McNutt, Mendenhall, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Villa, Wanzenried, Ward, Warden, Wells, Wilson, Wiseman, Witt, Mr. Speaker.
Total 81

Noes: Balyeat, R. Brown, Clark, Everett, Hawk, Jackson, W. Jones, Lake, Malcolm, McGillvray, Milburn, Ross, Sales, Sinrud, Stoker, Wagman, Waitschies, Windham, Windy Boy.
Total 19

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Parker moved consideration of **HB 563** be passed for the day. Motion carried.

HB 693 - Representative Wells moved **HB 693** do pass.

HB 693 - Representative Wells moved **HB 693**, second reading copy, be amended.

Amendment not adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, 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, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Witt.
Total 46

Noes: Becker, Bergren, 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, Henry, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, McAlpin, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Raser, Sesso, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman.
Total 52

Excused: Small-Eastman.
Total 1

Absent or not voting: Mr. Speaker.
Total 1

HB 693 - Representative Wells moved **HB 693** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Bergren, D. Brown, R. Brown, Butcher, Campbell, Clark, Eaton, Everett, Franklin, Furey, Gallik, Glaser, Golie, Hawk, Heinert, Hendrick, Himmelberger, Hiner, Jackson, Jacobson, Jent, L. Jones, W. Jones, Keane, Klock, Koopman, Lake, Lambert, Lange, Lindeen, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noonan, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Witt, Mr. Speaker.
Total 68

Noes: Becker, Bixby, Branae, Buzzas, Caferro, Callahan, Cohenour, Dickenson, Dowell, Driscoll, Facey, Galvin-Halcro, Grinde, Groesbeck, Gutsche, Harris, Henry, Jayne, Jopek, Juneau, Kaufmann, Lenhart, McAlpin, Musgrove, Noennig, Parker, Raser, Small-Eastman, Villa, Wanzenried, Wiseman.
Total 31

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Voted Absentee: Small-Eastman, No.

Excused: None.
Total 0

Absent or not voting: Hamilton.
Total 1

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

Ayes: Andersen, Arntzen, Balyeat, Barrett, Bergren, Branae, D. Brown, R. Brown, Butcher, Campbell, Clark, Driscoll, Eaton, Everett, Facey, Franklin, Gallik, Glaser, Golie, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hiner, Jackson, Jacobson, Jent, L. Jones, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, Noonan, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 72

Noes: Becker, Bixby, Buzzas, Caferro, Callahan, Cohenour, Dickenson, Dowell, Furey, Galvin-Halcro, Gutsche, Harris, Jayne, Jopek, Juneau, Kaufmann, Keane, Musgrove, Parker, Raser, Sales, Villa, Wanzenried.
Total 23

Excused: Small-Eastman.
Total 1

Absent or not voting: Grinde, Himmelberger, W. Jones, Ward.
Total 4

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 270 passed as follows:

Ayes: Arntzen, Balyeat, Becker, Bergren, Branae, D. Brown, Butcher, Buzzas, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hendrick, Henry, Hiner, Jackson, Jacobson, Jent, L. Jones, W. 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, Sonju, Taylor, Villa, Wanzenried, Ward, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 72

Noes: Barrett, Bixby, R. Brown, Caferro, Everett, Hawk, Heinert, Himmelberger, Jayne, Juneau, Kaufmann, Koopman, Lambert, Lange, McGillvray, Rice, Ross, Sales, Sinrud, Stahl, Stoker, Wagman, Waitschies, Warden, Wells.
Total 25

Excused: Small-Eastman.
Total 1

Absent or not voting: Andersen, Witt.
Total 2

HB 271 passed as follows:

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Ayes: Arntzen, 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, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. 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, Sonju, Taylor, Villa, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 81

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

Excused: Small-Eastman.
Total 1

Absent or not voting: Andersen, Witt.
Total 2

HB 332 passed as follows:

Ayes: 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, Sales, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 95

Noes: D. Brown, Hawk, Koopman.
Total 3

Excused: Small-Eastman.
Total 1

Absent or not voting: Andersen.
Total 1

MOTIONS

Rep. Gallik moved to suspend the rules for the drafting and introduction of a late resolution. Speaker Matthews stated this requires a 2/3 vote. 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, Hendrick, Henry, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, McAlpin, Musgrove, Noennig, Noonan, Parker, Raser, Sesso, Sonju, Stahl, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 53

Noes: Arntzen, Balyeat, Barrett, 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, B. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells.
Total 44

Excused: Small-Eastman.

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Total 1

Absent or not voting: Andersen, Witt.
Total 2

Dem. Floor Leader Parker moved to re-refer HB 749 from the Human Services Committee to the House Appropriations Committee. Without objection, so ordered.

Dem. Floor Leader Parker moved to re-refer SB 120 from the Human Services Committee to the House Appropriations Committee. Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Dem. Floor Leader Parker moved that the House adjourn until 1:30 p.m., Thursday, March 3, 2005. Motion carried.

House adjourned at 3:22 p.m.

MARILYN MILLER
Chief Clerk of the House

GARY MATTHEWS
Speaker of the House