

HOUSE JOURNAL
FIFTY-THIRD LEGISLATIVE DAY - MARCH 10, 2005

HOUSE JOURNAL
59TH LEGISLATURE
FIFTY-THIRD LEGISLATIVE DAY

Helena, Montana
March 10, 2005

House Chambers
State Capitol

House convened at 12:30 p.m. Mr. Speaker in the Chair. Invocation by Rep. Caferro. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Small-Eastman, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Barrett, Chairman): 3/9/2005
Correctly printed: **HB 277, HB 423, HB 740.**
Correctly engrossed: **HB 172, HB 260, HB 669.**
Correctly enrolled: **HB 43, HB 67, HB 78, HB 80, HB 87, HB 90, HB 101, HB 107, HB 126, HB 127, HB 128, HB 168, HB 171, HB 175, HB 185, HB 190, HB 195, HB 205, HB 226, HB 274, HB 300, HB 381, HJR 3.**

BUSINESS AND LABOR (Keane, Chairman): 3/9/2005
SB 84, be concurred in. Report adopted.
SB 134, be concurred in. Report adopted.
SB 278, be amended as follows:

1. Title, line 4.
Strike: "CERTAIN"

2. Title, line 7.
Strike: "UNLESS EXEMPT"
Strike: "CERTAIN"

3. Title, line 8.
Following: "~~AND~~"
Strike: "; NOTIFICATION, OR A PERMIT;"
Insert: "; AND"

4. Title, line 10.
Strike: "CERTAIN"

5. Title, line 10 through line 11.
Strike: "; AND" on line 10 through "MCA" on line 11

6. Page 1, line 16.
Strike: "-- EXEMPTION"
Strike: "NOT OTHERWISE LICENSED OR EXEMPT UNDER THIS PART"

7. Page 2, line 4 through line 11.
Strike: subsection (4) in its entirety
Renumber: subsequent subsection

8. Page 2, line 16.
Strike: "IS NOT EXEMPT UNDER [SECTION 1(4)] AND THAT"

9. Page 2, line 21.
Strike: "SUBSECTION (1) OF"

HOUSE JOURNAL
FIFTY-THIRD LEGISLATIVE DAY - MARCH 10, 2005

10. Page 2, line 23.

Strike: "EXEMPT UNDER [SECTION 1(4)] OR"

11. Page 2, line 26 through page 3, line 6.

Strike: section 3 in its entirety

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Olson, Chairman): 3/10/2005

SB 235, be concurred in. Report adopted.

SB 356, be concurred in. Report adopted.

JUDICIARY (Rice, Chairman): 3/9/2005

SB 141, be concurred in and placed on the consent calendar. Report adopted.

NATURAL RESOURCES (Peterson, Chairman): 3/9/2005

HJR 26, be adopted. Report adopted.

STATE ADMINISTRATION (Jent, Chairman): 3/9/2005

SB 106, be concurred in and placed on the consent calendar. Report adopted.

TRANSPORTATION (Mendenhall, Chairman): 3/10/2005

HB 671, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "\$5"

Insert: "\$3"

2. Title, line 8.

Strike: "\$10"

Insert: "\$8"

3. Title, line 16.

Following: "FOR"

Insert: "CERTAIN"

Following: "MANUFACTURED HOMES"

Strike: ", "

Insert: "AND FOR"

Following: "MOBILE HOMES"

Strike: ", "

4. Title, line 30.

Following: "61-3-463,"

Insert: "61-3-464,"

5. Page 4, line 21.

Strike: "in the state special revenue"

Insert: "of the enterprise"

Following: "fund"

Insert: "type as"

Strike: "for"

6. Page 4, lines 23 and 24.

Strike: "or" on line 23 through "61-5-111(6)(d)" on line 24

7. Page 4, lines 25 and 26.

Strike: "must" on line 25 through "justice and" on line 26

HOUSE JOURNAL
FIFTY-THIRD LEGISLATIVE DAY - MARCH 10, 2005

8. Page 13, line 21.

Following: "~~15-1-116~~;"

Insert: "(e) certificate of title fees for manufactured homes pursuant to 15-1-116;"

Renumber: subsequent subsections

9. Page 18, line 20.

Strike: "(1)(o)"

Insert: "(1)(p)"

10. Page 42, line 3.

Strike: "of transportation"

11. Page 46, line 5.

Strike: "or"

12. Page 46, line 6.

Strike: ", manufactured home,"

Following: "housetrailer"

Insert: "; or

(k) a manufactured home declared to be an improvement to real property under 15-1-116"

13. Page 50, line 27.

Strike: "under" through "permit"

14. Page 51, line 7.

Following: "residence;"

Strike: "and"

15. Page 51, line 9.

Following: "this state"

Insert: "; or

(f) a financial institution located in Montana for a prospective purchaser to demonstrate a motor vehicle that the financial institution has obtained following repossession"

16. Page 51, line 18.

Strike: "or"

17. Page 51, line 20.

Following: "residence"

Insert: "; or

(d) a financial institution located in Montana that intends to allow a prospective purchaser to demonstrate a motor vehicle that the financial institution has obtained following repossession"

18. Page 52, line 8.

Strike: "\$5"

Insert: "\$3"

19. Page 52, line 12.

Strike: "\$10"

Insert: "\$8"

20. Page 52, line 18 through line 21.

Following: "state"

Strike: ", for" on line 18 through "be" on line 21

Insert: "and"

21. Page 60, line 18.

Following: "quadricycle"

HOUSE JOURNAL
FIFTY-THIRD LEGISLATIVE DAY - MARCH 10, 2005

Insert: ", including a motorcycle or quadricycle registered only for off-highway use under Title 23, chapter 2, part 8,"

22. Page 71, line 26.

Strike: "\$25"

Insert: "\$5"

23. Page 72, line 1.

Strike: "to"

24. Page 76, line 23.

Following: "plate"

Insert: ", to be deposited in the county general fund"

Strike: "and"

25. Page 76.

Following: line 23

Insert: "(b) a \$5 license plate fee; and"

26. Page 76, line 24.

Strike: "(b)"

Insert: "(c)"

Strike: "\$30"

Insert: "\$20"

27. Page 76, line 26.

Strike: "subsection (2)"

Insert: "subsections (2)(b) and (2)(c)"

28. Page 76, line 28.

Strike: "\$25"

Insert: "\$20"

29. Page 81, line 15.

Following: "pole trailer."

Insert: "Special military or veteran license plates bearing a wheelchair as the symbol of a person with a disability may be issued to a person who meets the qualifications under 61-3-332(9) and this section."

30. Page 83.

Following: line 24

Insert: "**Section 85.** Section 61-3-464, MCA, is amended to read:

"61-3-464. Application for collegiate license plates. An applicant for collegiate license plates or renewal of collegiate license plates pursuant to 61-3-465 shall apply in the form and by the date the department requires. An application for a collegiate license plate may be combined with an application for a license plate bearing a wheelchair as the symbol of a person with a disability if the applicant meets the qualifications under 61-3-332(9)."

Renumber: subsequent sections

31. Page 90, line 24.

Following: "subsection"

Insert: "(1), the \$1.25 one-time fee imposed under subsection"

Following: "(3)"

Insert: ", "

32. Page 93, line 29.

Strike: "and that are reported under 61-3-501"

33. Page 97, line 16.

Following: "\$2"

HOUSE JOURNAL
FIFTY-THIRD LEGISLATIVE DAY - MARCH 10, 2005

Insert: ", which must be remitted to the state and deposited in the state general fund"

34. Page 108, line 4.
Strike: "20-day"

35. Page 112, line 15.
Strike: "\$1"
Insert: "50 cents"

36. Page 112, line 30.
Strike: "or name"

37. Page 113, line 3.
Following: "in writing"
Insert: "or electronically by an approved automated interface"

38. Page 113, line 7.
Strike: "Except as provided in subsection (3), the"
Insert: "The"

39. Page 114, lines 19 and 20.
Strike: subsection (3) in its entirety

And, as amended, do pass. Report adopted.

HB 757, introduced bill, be amended as follows:

1. Page 4, line 12.
Strike: "(6)"
Insert: "(5)"

2. Page 4, line 14 through line 17.
Strike: subsection (5) in its entirety
Renumber: subsequent subsections

3. Page 4, line 19.
Strike: "by"
Insert: "be"
Strike: "private"
Insert: "in other"

4. Page 4, line 20.
Strike: "private"
Insert: "in other"
Following: "funds."
Insert: "The transportation commission, provided for in 2-15-2502, shall establish matching fund requirements for other project categories."

5. Page 4, line 21.
Strike: "Montana"
Strike: ", provided for in 2-15-2502,"

6. Page 4.
Following: line 24
Insert: "(8) Funding recipients shall pay the standard prevailing wage on any construction projects or subcontracted construction projects conducted with funds received under this section."

And, as amended, do pass. Report adopted.

HOUSE JOURNAL
FIFTY-THIRD LEGISLATIVE DAY - MARCH 10, 2005

Rep. Lange announced the House Republicans will caucus.
Rep. Bergren announced the House Democrats will caucus.
Speaker Matthews stated the House will recess until 1:05 p.m.

MESSAGES FROM THE SENATE

Senate bill passed and transmitted to the House for concurrence: 3/9/2005

SB 498, introduced by Black

House bills concurred in and returned to the House: 3/9/2005

HB 43, introduced by Musgrove
HB 67, introduced by Jent
HB 78, introduced by Harris
HB 87, introduced by Ward
HB 101, introduced by Villa
HB 107, introduced by Jent

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/9/2005

HB 70, introduced by Stahl
HB 197, introduced by Jayne

FIRST READING AND COMMITMENT OF BILLS

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

HB 769, introduced by Golie, Hansen, Schmidt, Smith, Tester, Witt, referred to Transportation.
HB 770, introduced by Gallik, Andersen, Campbell, Clark, Cohenour, Dickenson, Dowell, Eaton, Furey, Golie, Groesbeck, Hamilton, Villa, Wanzenried, Windy Boy referred to Taxation.
HB 771, introduced by Bergren, referred to Taxation.
HB 772, introduced by Facey, Gillan, Harrington, Jacobson, Larson, Wiseman, referred to Business and Labor.

The following Senate bill was introduced, read first time, and referred to committee:

SB 498, introduced by Black, Bales, L. Jones, Witt, referred to Appropriations.

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 421 passed as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Branae, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Heinert, Hendrick, Henry, Hiner, Jackson, Jacobson, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Musgrove, Noennig, Noonan, A. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sesso, Stahl, Taylor, Villa, Wagman, Waitschies, Wanzenried, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.

Total 78

HOUSE JOURNAL
FIFTY-THIRD LEGISLATIVE DAY - MARCH 10, 2005

Noes: Bixby, R. Brown, Everett, Glaser, Hawk, Himmelberger, Jayne, Koopman, Lake, Malcolm, Milburn, Morgan, B. Olson, Sales, Sinrud, Sonju, Stoker, Ward, Witt.
Total 19

Excused: Small-Eastman.
Total 1

Absent or not voting: D. Brown, Dowell.
Total 2

HB 453 passed as follows:

Ayes: Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Heinert, Henry, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Lenhart, Lindeen, MacLaren, McAlpin, Musgrove, Noonan, A. Olson, Parker, Raser, Sesso, Villa, Wanzenried, Wells, Wilson, Windham, Windy Boy, Wiseman.
Total 49

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

Excused: Small-Eastman.
Total 1

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

HB 674 passed as follows:

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

Noes: Becker, Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Keane, Koopman, Lenhart, Lindeen, McAlpin, McGillvray, Noonan, Parker, Sesso, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman.
Total 47

Excused: Small-Eastman.
Total 1

Absent or not voting: D. Brown, Dowell, Stahl.
Total 3

SB 8 concurred in as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, 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, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Rice, Ripley,

HOUSE JOURNAL
FIFTY-THIRD LEGISLATIVE DAY - MARCH 10, 2005

Roberts, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 93

Noes: Jayne, Koopman, Sales.
Total 3

Excused: Small-Eastman.
Total 1

Absent or not voting: D. Brown, Dowell, Raser.
Total 3

SB 26 concurred in as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, 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, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Small-Eastman.
Total 1

Absent or not voting: D. Brown, Dowell.
Total 2

SB 37 concurred in as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, 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, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Small-Eastman.
Total 1

Absent or not voting: D. Brown, Dowell, Glaser.
Total 3

SB 50 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, Driscoll, Eaton, Facey, Franklin, Furey, Gallik,

HOUSE JOURNAL
FIFTY-THIRD LEGISLATIVE DAY - MARCH 10, 2005

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, McAlpin, McKenney, McNutt, Mendenhall, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sesso, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 90

Noes: Everett, Koopman, Malcolm, McGillvray, Milburn, Sales, Sinrud, Wells.
Total 8

Excused: Small-Eastman.
Total 1

Absent or not voting: Dowell.
Total 1

SB 83 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, 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, 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, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 95

Noes: Koopman, McGillvray, Sales.
Total 3

Excused: Small-Eastman.
Total 1

Absent or not voting: Dowell.
Total 1

SB 9 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, 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, 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: Small-Eastman.
Total 1

Absent or not voting: Dowell.
Total 1

HOUSE JOURNAL
FIFTY-THIRD LEGISLATIVE DAY - MARCH 10, 2005

SB 36 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, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, 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, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 96

Noes: Facey, Golie.
Total 2

Excused: Small-Eastman.
Total 1

Absent or not voting: Jackson.
Total 1

SB 56 concurred in 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, Franklin, Furey, 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, 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, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 94

Noes: Bixby, Buzzas, Facey, Gallik, Kaufmann.
Total 5

Excused: Small-Eastman.
Total 1

Absent or not voting: None.
Total 0

SB 132 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, Franklin, Furey, 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, Sonju, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 96

Noes: Facey, Gallik, Stahl.
Total 3

Excused: Small-Eastman.
Total 1

HOUSE JOURNAL
FIFTY-THIRD LEGISLATIVE DAY - MARCH 10, 2005

Absent or not voting: None.
Total 0

**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 Hendrick in the chair.

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

HB 611 - Representative Windy Boy moved **HB 611** do pass.

HB 611 - Representative Windy Boy moved **HB 611**, second reading copy, be amended as follows:

1. Page 3, line 14.

Insert: "NEW SECTION. Section 7. Contingent authorization. (1) If Canada prohibits the sale of pharmaceutical drugs to the United States, or enacts laws that have the effect of preventing this program to be used, the governor is authorized to implement 37-7-703 and [section 1] with the countries in the European Union, Israel, Australia, New Zealand, or Chile.

(2) The governor shall notify the code commissioner of the implementation of subsection (1)."

Amendment adopted 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, Hawk, Henry, Hiner, 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, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Villa, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 90

Noes: Barrett, Heinert, Himmelberger, Jackson, Koopman, Rice, Wagman, Witt.
Total 8

Excused: Small-Eastman.
Total 1

Absent or not voting: Hendrick.
Total 1

HB 611 - Representative Windy Boy moved **HB 611**, as amended, do pass. Motion carried as follows:

Ayes: Andersen, 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, Hendrick, Henry, Himmelberger, Hiner, Jacobson, Jent, W. Jones, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, Maedje, McAlpin, Milburn, Musgrove, Noennig, Noonan, Parker, Raser, Roberts, Sesso, Small-Eastman, Sonju, Taylor, Villa, Wanzenried, Ward, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 63

Noes: Balyeat, Barrett, D. Brown, Butcher, Everett, Hawk, Heinert, Jackson, Jayne, L. Jones, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Morgan, A. Olson, B. Olson, Peterson, Rice, Ripley, Ross, Sales, Sinrud, Stahl, Stoker, Wagman, Waitschies, Warden, Wells, Witt.
Total 37

HOUSE JOURNAL
FIFTY-THIRD LEGISLATIVE DAY - MARCH 10, 2005

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 23 - Representative Wiseman moved **SB 23** be concurred in. 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, 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: Facey.
Total 1

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 364 - Representative Parker moved consideration of **HB 364** be placed below **SB 94** on the second reading board. Motion carried.

SB 30 - Representative Windham moved **SB 30** be concurred in. Motion carried as follows:

Ayes: Andersen, Arntzen, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Heinert, Henry, Himmelberger, Hiner, Jacobson, Jent, W. Jones, Jopek, Kaufmann, Keane, Lange, Lenhart, Lindeen, MacLaren, Maedje, McAlpin, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Raser, Roberts, Ross, Sesso, Small-Eastman, Stoker, Taylor, Villa, Wanzenried, Warden, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 66

Noes: Balyeat, Barrett, D. Brown, R. Brown, Butcher, Caferro, Campbell, Everett, Glaser, Hawk, Hendrick, Jackson, Jayne, L. Jones, Juneau, Klock, Koopman, Lake, Lambert, Malcolm, McKenney, Mendenhall, Peterson, Rice, Ripley, Sales, Sinrud, Sonju, Stahl, Wagman, Waitschies, Ward, Wells, Witt.
Total 34

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 35 - Representative Ward moved **SB 35** be concurred in. Motion carried as follows:

HOUSE JOURNAL
FIFTY-THIRD LEGISLATIVE DAY - MARCH 10, 2005

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, 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 98

Noes: Franklin, Furey.

Total 2

Voted Absentee: Small-Eastman, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 67 - Representative Lambert moved **SB 67** be concurred in. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Buzzas, Caferro, Callahan, Campbell, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Gallik, Glaser, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, 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, Raser, Rice, Ripley, Roberts, Ross, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Villa, Wagman, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 84

Noes: Butcher, Clark, Franklin, Furey, Galvin-Halcro, Golie, Hawk, Jayne, Koopman, Mendenhall, Sales, Sesso, Stahl, Waitschies, Wanzenried, Wells.

Total 16

Voted Absentee: Small-Eastman, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 94 - Representative Noennig moved **SB 94** be concurred in. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, 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, 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, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 97

Noes: Maedje.

Total 1

HOUSE JOURNAL
FIFTY-THIRD LEGISLATIVE DAY - MARCH 10, 2005

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: Bergren, Sales.
Total 2

HB 364 - Representative Parker moved consideration of **HB 364** be placed below **SB 6** on the second reading board.
Motion carried.

SB 99 - Representative Furey moved **SB 99** be concurred in. 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: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 100 - Representative Heinert moved **SB 100** be concurred in. 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, 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: Hamilton, Jayne.
Total 2

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HOUSE JOURNAL
FIFTY-THIRD LEGISLATIVE DAY - MARCH 10, 2005

SB 166 - Representative Sonju moved **SB 166** be concurred in. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, R. Brown, Butcher, Buzzas, Callahan, Cohenour, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Harris, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jent, L. Jones, W. Jones, Jopek, Juneau, Keane, Klock, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Warden, Wells, Wilson, Windham, Wiseman, Witt.
Total 83

Noes: D. Brown, Caferro, Campbell, Clark, Dickenson, Hamilton, Hawk, Jayne, Kaufmann, Koopman, Malcolm, Morgan, Waitschies, Wanzenried, Ward, Windy Boy.
Total 16

Voted Absentee: Noonan, Small-Eastman, Ayes.

Excused: None.
Total 0

Absent or not voting: Mr. Speaker.
Total 1

SB 6 - Representative Henry moved **SB 6** be concurred in. 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, 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: Noonan, Small-Eastman, Ayes.

Excused: None.
Total 0

Absent or not voting: Lambert.
Total 1

HB 364 - Representative Maedje moved **HB 364** do pass.

HB 364 - Representative Maedje moved **HB 364**, second reading copy, be amended as follows:

1. Page 3, line 3.
Following: "in"
Insert: "and participate in"

Amendment adopted as follows:

HB 364 - Amendment adopted as follows:

HOUSE JOURNAL
FIFTY-THIRD LEGISLATIVE DAY - MARCH 10, 2005

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, A. Olson, Parker, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Sonju, Stahl, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 95

Noes: Stoker.
Total 1

Excused: Noonan, Small-Eastman.
Total 2

Absent or not voting: B. Olson, Peterson.
Total 2

HB 364 - Representative Maedje moved **HB 364**, second reading copy, be further amended as follows:

1. Page 3, line 14.

Insert: "NEW SECTION. **Section 7. Contingent authorization.** (1) If Canada prohibits the sale of pharmaceutical drugs to the United States, or enacts laws that have the effect of preventing this program to be used, the governor is authorized to implement 37-7-703 and [section 1] with the countries in the European Union, Israel, Australia, New Zealand, or Chile.

(2) The governor shall notify the code commissioner of the implementation of subsection (1)."

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Branae, D. Brown, Butcher, Buzzas, Campbell, Clark, Cohenour, Dowell, Driscoll, Eaton, Everett, Facey, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Gutsche, Harris, Heinert, Hendrick, Jackson, Jacobson, Jent, L. Jones, W. Jones, Jopek, Klock, Koopman, Lake, Lambert, Maedje, McAlpin, McNutt, Milburn, Morgan, B. Olson, Parker, Raser, Rice, Ripley, Roberts, Ross, Sonju, Taylor, Ward, Warden, Wilson, Windham, Wiseman, Witt, Mr. Speaker.
Total 59

Noes: Bixby, R. Brown, Caferro, Callahan, Dickenson, Franklin, Groesbeck, Hamilton, Hawk, Henry, Himmelberger, Hiner, Jayne, Juneau, Kaufmann, Keane, Lange, Lenhart, Lindeen, MacLaren, Malcolm, McGillvray, McKenney, Mendenhall, Musgrove, Noennig, A. Olson, Peterson, Sales, Sesso, Sinrud, Stahl, Stoker, Villa, Wagman, Waitschies, Wanzenried, Wells, Windy Boy.
Total 39

Excused: Noonan, Small-Eastman.
Total 2

Absent or not voting: None.
Total 0

HB 364 - Representative Jopek moved **HB 364**, second reading copy, be further amended as follows:

1. Page 1, line 17.

Strike: "Montanans"

Insert: "Montana-licensed pharmacists"

Amendment adopted as follows:

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

HOUSE JOURNAL
FIFTY-THIRD LEGISLATIVE DAY - MARCH 10, 2005

Groesbeck, Gutsche, Hamilton, Hawk, Heinert, Henry, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Keane, Lake, Lange, Lenhart, Lindeen, McAlpin, McGillvray, Musgrove, Parker, Raser, Ross, Sales, Sesso, Sonju, Villa, Wanzenried, Warden, Wilson, Windham, Windy Boy, Wiseman.
Total 58

Noes: Andersen, Balyeat, Barrett, Butcher, Everett, Glaser, Harris, Hendrick, Himmelberger, Jackson, L. Jones, W. Jones, Klock, Koopman, Lambert, MacLaren, Maedje, Malcolm, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Sinrud, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Wells, Witt, Mr. Speaker.
Total 40

Excused: Noonan, Small-Eastman.
Total 2

Absent or not voting: None.
Total 0

HB 364 - Representative Maedje moved **HB 364** do pass as amended. 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, Heinert, Henry, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Klock, Lambert, Lange, Lenhart, MacLaren, Maedje, McAlpin, McNutt, Mendenhall, Milburn, Musgrove, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wilson, Windham, Wiseman, Witt, Mr. Speaker.
Total 82

Noes: Everett, Hawk, Hendrick, Himmelberger, Keane, Koopman, Lake, Lindeen, Malcolm, McGillvray, McKenney, Morgan, Noennig, Sales, Sinrud, Stoker, Wells, Windy Boy.
Total 18

Voted Absentee: Noonan, 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 Hendrick 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, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Heinert, Henry, Hiner, Jackson, Jacobson, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Milburn, Morgan, Musgrove, Noennig, A. Olson, Parker, Raser, Rice, Ripley, Roberts, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 87

Noes: Butcher, Everett, Himmelberger, Jayne, Keane, Mendenhall, Sales.
Total 7

Excused: Noonan, Small-Eastman.
Total 2

HOUSE JOURNAL
FIFTY-THIRD LEGISLATIVE DAY - MARCH 10, 2005

Absent or not voting: Hawk, Hendrick, B. Olson, Peterson.
Total 4

MOTIONS

Dem. Floor Leader Parker moved to re-refer HB 364 to the House Appropriations Committee. Rep. Sinrud objected to the motion. Motion carried as follows:

Ayes: Becker, Bergren, Bixby, Branae, R. Brown, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Himmelberger, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Keane, Lange, Lenhart, Lindeen, McAlpin, McKenney, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Raser, Sesso, Small-Eastman, Stoker, Villa, Wagman, Waitschies, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 60

Noes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Jackson, L. Jones, W. Jones, Klock, Koopman, Lake, Lambert, MacLaren, Maedje, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Taylor, Ward, Warden, Wells.
Total 39

Voted Absentee: Noonan, Small-Eastman, Ayes.

Excused: None.
Total 0

Absent or not voting: Henry.
Total 1

Dem. Floor Leader Parker moved to re-refer SB 35 to the House Appropriations Committee. Rep. Sinrud objected to the motion. Motion carried as follows:

Ayes: Becker, Bergren, Bixby, Branae, R. Brown, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Himmelberger, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Keane, Lange, Lenhart, Lindeen, McAlpin, McKenney, Musgrove, Noennig, Noonan, Parker, Raser, Roberts, Sesso, Small-Eastman, Stoker, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 58

Noes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Jackson, L. Jones, W. Jones, Klock, Koopman, Lake, Lambert, MacLaren, Maedje, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, A. Olson, B. Olson, Peterson, Rice, Ripley, Ross, Sales, Sinrud, Sonju, Stahl, Taylor, Wagman, Waitschies, Ward, Warden, Wells.
Total 42

Voted Absentee: Noonan, Small-Eastman, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Rep. Sinrud moved to re-refer SB 30 to House Appropriations Committee. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, D. Brown, R. Brown, Butcher, Caferro, Everett, Golie, Hawk, Heinert, Hendrick, Himmelberger, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Keane, Klock,

HOUSE JOURNAL
FIFTY-THIRD LEGISLATIVE DAY - MARCH 10, 2005

Koopman, Lake, Lambert, Lange, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, A. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Witt, Mr. Speaker.
Total 58

Noes: Bergren, Bixby, Branae, Buzzas, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Hiner, Juneau, Kaufmann, Lenhart, Lindeen, McAlpin, Musgrove, B. Olson, Parker, Raser, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman.
Total 40

Excused: Noonan, Small-Eastman.
Total 2

Absent or not voting: None.
Total 0

Dem. Floor Leader Parker moved to re-refer **HB 766** from the House Natural Resources Committee to the House Agriculture Committee. Without objection, so ordered.

SPECIAL ORDERS OF THE DAY

Consent Calendar: SB 17. There being no questions, this bill will proceed to 3rd Reading.

Rep. Leader Brown objected to SB 53 and SB 54 being on the Consent Calendar and requested the bills be placed on 2nd Reading.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Dem. Floor Leader Parker moved that the House adjourn until 12:30 p.m., Friday, March 11, 2005. Motion carried.

House adjourned at 3:00 p.m.

MARILYN MILLER
Chief Clerk of the House

GARY MATTHEWS
Speaker of the House