

HOUSE JOURNAL
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 11, 2005

HOUSE JOURNAL
59TH LEGISLATURE
FIFTY-FOURTH LEGISLATIVE DAY

Helena, Montana
March 11, 2005

House Chambers
State Capitol

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

Roll Call. All members present, except Representatives Galvin-Halcro, Small-Eastman, and Witt excused. Quorum present.

Speaker Matthews and the House thanked the week's pages.

Rep. Bergren announced the House Democrats will caucus.

Rep. Lange announced the House Republicans will caucus.

Speaker Matthews stated the House will recess until 1:00 p.m.

COMMUNICATIONS AND PETITIONS

Chief Clerk Marilyn Miller read a letter from Dem. Leader Wanzenried to Speaker Matthews stating that he was exercising one of the twelve 'silver bullets' of the House Democrats according to House Rule H30-50 (5) to take HB 667 from the House Taxation Committee and place on 2nd reading on March 14, 2005.

REPORTS OF STANDING COMMITTEES

BILLS (Barrett, Chairman): 3/11/2005
Correctly printed: **HJR 26**.
Correctly engrossed: **HB 364, HB 611, HB 671, HB 757**.
Examined by the sponsor and found to be correct: **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**.
Signed by the Speaker at 4:30 p.m., March 10, 2005: **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**.
Signed by the President at 11:00 a.m., March 11, 2005: **HJR 3**.
Delivered to the Governor for approval at 4:15 p.m., March 11, 2005: **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**.
Delivered to the Secretary of State at 12:18 p.m., March 11, 2005: **HJR 3**.

BUSINESS AND LABOR (Keane, Chairman): 3/11/2005
SB 108, be concurred in. Report adopted.
SB 130, be concurred in. Report adopted.
SB 165, be concurred in. Report adopted.
SB 316, be concurred in. Report adopted.
SB 454, be concurred in. Report adopted.

FISH, WILDLIFE AND PARKS (Golie, Chairman): 3/11/2005
HB 514, do pass. Report adopted.

JUDICIARY (Rice, Chairman): 3/10/2005
SB 208, be concurred in. Report adopted.
SB 260, be concurred in. Report adopted.

LOCAL GOVERNMENT (Noennig, Chairman): 3/11/2005

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SB 129, be concurred in. Report adopted.

TAXATION (Waitschies, Chairman):

3/11/2005

HB 667, introduced bill, submitted without recommendation, as amended:

1. Page 2, line 12 through line 13.

Following: "means" on line 12

Strike: ", in connection with a group health plan with respect to a calendar year and a plan year,"

2. Page 2, line 13.

Following: "who"

Insert: "is sponsoring or will sponsor a group health plan and who"

Strike: "an average of"

3. Page 2, line 14.

Strike: "on business days"

Following: "two"

Insert: "but not more than nine"

4. Page 2, line 21.

Following: "[section 6]"

Strike: "to"

Insert: "on behalf of"

5. Page 3, line 1.

Strike: "small"

Insert: "applicable"

6. Page 3, line 20.

Following: "representative"

Insert: "from their respective staffs"

7. Page 3, line 22.

Strike: "consumer-representative"

8. Page 4, line 27.

Strike: "number"

Insert: "amount"

9. Page 6, line 30.

Strike: "small"

Insert: "applicable"

10. Page 8, line 21.

Strike: "other"

Report adopted.

MESSAGES FROM THE SENATE

Senate bill passed and transmitted to the House for concurrence:

3/10/2005

SB 480, introduced by Cromley

House bills concurred in and returned to the House:

3/10/2005

HB 14, introduced by Golie

HB 24, introduced by Golie

HB 25, introduced by Roberts

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HB 26, introduced by Golie
HB 54, introduced by Small-Eastman
HB 56, introduced by Warden
HB 64, introduced by R. Brown
HB 110, introduced by Furey
HB 112, introduced by Musgrove
HB 138, introduced by Roberts
HB 139, introduced by Gallik
HB 144, introduced by Kaufmann
HB 154, introduced by Jacobson
HB 160, introduced by Jacobson
HB 178, introduced by Taylor
HB 215, introduced by Caferro
HB 255, introduced by Roberts
HB 266, introduced by Rice
HB 308, introduced by Malcolm
HB 312, introduced by Golie
HB 313, introduced by Sesso
HB 439, introduced by Wiseman
HB 609, introduced by Taylor
HJ 4, introduced by Peterson
HJ 11, introduced by Windy Boy
HJ 22, introduced by Peterson
HJ 24, introduced by Bergren

FIRST READING AND COMMITMENT OF BILLS

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

HB 773, introduced by Morgan, Gillan, referred to Appropriations.
HB 774, introduced by Himmelberger, R. Brown, referred to Taxation.
HB 775, introduced by Himmelberger, referred to Federal Relations, Energy, and Telecommunications.
HB 776, introduced by Raser, Bergren, Waitschies, referred to Taxation.
HB 777, introduced by Branae, Moss, referred to State Administration.
HB 778, introduced by Musgrove, Dowell, Eaton, Franklin, Hiner, Jopek, Juneau, Kaufmann, Lenhart, Windham, referred to Federal Relations, Energy, and Telecommunications.
HB 779, introduced by Butcher, referred to Taxation.

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

SB 480, introduced by Cromley, referred to Federal Relations, Energy, and Telecommunications.

MOTIONS

Representative Parker moved consideration of HB 406 be removed from 3rd reading and placed back on second reading for amendment. 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, 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, Mr. Speaker.
Total 97

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Noes: None.
Total 0

Excused: Galvin-Halcro, Small-Eastman.
Total 2

Absent or not voting: Witt.
Total 1

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 476 passed as follows:

Ayes: Andersen, Arntzen, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, MacLaren, McAlpin, McGillvray, McKenney, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Raser, Roberts, Sesso, Sonju, Stahl, Villa, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 67

Noes: Balyeat, Barrett, Butcher, Everett, Glaser, Hawk, Heinert, Jayne, Klock, Koopman, Lake, Lambert, Lange, Maedje, Malcolm, McNutt, Mendenhall, Milburn, Peterson, Rice, Ripley, Ross, Sales, Sinrud, Stoker, Taylor, Wagman, Waitschies, Wanzenried, Wells.
Total 30

Excused: Galvin-Halcro, Small-Eastman, Witt.
Total 3

Absent or not voting: None.
Total 0

SB 6 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, 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, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Galvin-Halcro, Small-Eastman, Witt.
Total 3

Absent or not voting: None.
Total 0

SB 17 concurred in as follows:

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Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Franklin, Furey, Gallik, 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, Sesso, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 93

Noes: Facey, Sales, Sinrud.
Total 3

Excused: Galvin-Halcro, Small-Eastman, Witt.
Total 3

Absent or not voting: Buzzas.
Total 1

SB 23 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, 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, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Galvin-Halcro, Small-Eastman, Witt.
Total 3

Absent or not voting: None.
Total 0

SB 67 concurred in as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Furey, Gallik, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Heinert, Hendrick, Henry, Himmelberger, Jackson, Jacobson, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sesso, Sonju, Stoker, Taylor, Villa, Wagman, Ward, Warden, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 81

Noes: D. Brown, Clark, Franklin, Hawk, Hiner, Jayne, Koopman, Maedje, Mendenhall, Sales, Sinrud, Stahl, Waitschies, Wanzenried, Wells, Wilson.
Total 16

Excused: Galvin-Halcro, Small-Eastman, Witt.
Total 3

Absent or not voting: None.

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Total 0

SB 94 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, 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, 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, Mr. Speaker.

Total 96

Noes: Mendenhall.

Total 1

Excused: Galvin-Halcro, Small-Eastman, Witt.

Total 3

Absent or not voting: None.

Total 0

SB 99 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, 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, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Galvin-Halcro, Small-Eastman, Witt.

Total 3

Absent or not voting: None.

Total 0

SB 100 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, 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, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.

Total 96

Noes: Jayne.

Total 1

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Excused: Galvin-Halcro, Small-Eastman, Witt.
Total 3

Absent or not voting: None.
Total 0

SB 166 concurred in as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, R. Brown, Butcher, Buzzas, Callahan, Cohenour, Dowell, Driscoll, Eaton, Everett, Facey, Furey, Gallik, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jent, L. Jones, W. Jones, Jopek, Keane, Klock, Lake, 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, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Wanzenried, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 81

Noes: D. Brown, Caferro, Campbell, Clark, Dickenson, Franklin, Hawk, Jayne, Juneau, Kaufmann, Koopman, Lambert, Malcolm, Morgan, Waitschies, Ward.
Total 16

Excused: Galvin-Halcro, Small-Eastman, Witt.
Total 3

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 Bergren in the chair.

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

SB 61 - Representative Villa moved **SB 61** be concurred in. 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, 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, Keane, Klock, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, 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, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 91

Noes: Caferro, Everett, Kaufmann, Sales, Sinrud, Ward, Warden.
Total 7

Voted Absentee: Galvin-Halcro, Small-Eastman, Witt, Ayes.

Excused: None.
Total 0

Absent or not voting: Koopman, McNutt.
Total 2

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SB 69 - Representative Hamilton moved **SB 69** be concurred in. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Heinert, Hendrick, Henry, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Villa, Waitschies, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 86

Noes: D. Brown, Hawk, Himmelberger, Koopman, Lake, Morgan, Sales, Sinrud, Stoker, Wagman, Wells.
Total 11

Voted Absentee: Galvin-Halcro, Small-Eastman, Witt, Ayes.

Excused: None.
Total 0

Absent or not voting: R. Brown, Everett, Golie.
Total 3

SB 79 - Representative MacLaren moved **SB 79** 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: Galvin-Halcro, Small-Eastman, Witt, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 169 - Representative Stahl moved **SB 169** 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, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, McAlpin, McGillvray, McKenney, McNutt, Milburn, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice,

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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 96

Noes: Jayne, Malcolm, Mendenhall, Morgan.
Total 4

Voted Absentee: Galvin-Halcro, Small-Eastman, Witt, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 248 - Representative John Balyeat moved **SB 248** be concurred in. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Caferro, Cohenour, Dickenson, Dowell, Everett, Franklin, Furey, Glaser, Hamilton, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, 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, Sales, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Waitschies, Ward, Warden, Wells, Wilson, Wiseman, Witt, Mr. Speaker.
Total 78

Noes: Buzzas, Callahan, Campbell, Clark, Driscoll, Eaton, Facey, Gallik, Galvin-Halcro, Golie, Groesbeck, Gutsche, Harris, Jopek, Small-Eastman, Villa, Wagman, Wanzenried, Windham, Windy Boy.
Total 20

Voted Absentee: Witt, Aye; Galvin-Halcro, Small-Eastman, Noes.

Excused: None.
Total 0

Absent or not voting: Grinde, Malcolm.
Total 2

HB 172 - Representative Cohenour moved **HB 172** do pass.

HB 172 - Representative Parker made motion for cloture on **HB 172**. Motion carried with a voice vote.

HB 172 - Representative Cohenour moved **HB 172** do pass. Motion carried as follows:

Ayes: Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Jacobson, Jent, W. Jones, Jopek, Juneau, Kaufmann, Keane, Lange, Lenhart, Malcolm, McAlpin, McNutt, Milburn, Musgrove, Noennig, Noonan, B. Olson, Parker, Raser, Roberts, Sesso, Small-Eastman, Villa, Wanzenried, Warden, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 51

Noes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, D. Brown, R. Brown, Butcher, Clark, Everett, Galvin-Halcro, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Hiner, Jackson, Jayne, L. Jones, Klock, Koopman, Lake, Lambert, Lindeen, MacLaren, Maedje, McGillvray, McKenney, Mendenhall, Morgan, A. Olson, Peterson, Rice, Ripley, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Wells, Windham, Witt.
Total 49

Voted Absentee: Small-Eastman, Aye; Galvin-Halcro, Witt, Noes.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 669 - Representative Gutsche moved **HB 669** do pass. Motion carried as follows:

Ayes: Andersen, 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, Jent, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, McAlpin, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Sesso, Small-Eastman, Stoker, Villa, Waitschies, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 58

Noes: Arntzen, Balyeat, Barrett, D. Brown, R. Brown, Butcher, Everett, Glaser, Hawk, Heinert, Himmelberger, Jackson, Jayne, L. Jones, W. Jones, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Taylor, Wagman, Ward, Warden, Wells.
Total 42

Voted Absentee: Galvin-Halcro, Small-Eastman, Witt, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 260 - Representative W. Jones moved **HB 260** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Glaser, Golie, Grinde, Groesbeck, Hamilton, Harris, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Roberts, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 86

Noes: Balyeat, Buzzas, Galvin-Halcro, Gutsche, Hawk, Lake, Lambert, Mendenhall, Rice, Ripley, Ross, Sales, Stoker, Witt.
Total 14

Voted Absentee: Small-Eastman, Aye; Galvin-Halcro, Witt, Noes.

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, Bergren, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro,

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Callahan, Campbell, Clark, Cohenour, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Gallik, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Kaufmann, Keane, Klock, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, Milburn, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Raser, Rice, Ripley, Roberts, Ross, Sesso, Sonju, Stahl, Stoker, Taylor, Villa, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 84

Noes: Furey, Koopman, Mendenhall, Sales, Wagman.
Total 5

Excused: Galvin-Halcro, Small-Eastman, Witt.
Total 3

Absent or not voting: Becker, Bixby, Dickenson, Juneau, McNutt, Morgan, Peterson, Sinrud.
Total 8

MOTIONS

Rep. Musgrove moved SB 5 be taken from the House Business and Labor Committee and placed on 2nd reading. Speaker Matthews stated this requires a 3/5 vote. Motion **failed** as follows:

Ayes: Balyeat, Becker, Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Franklin, Gallik, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Hiner, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Lenhart, Lindeen, Maedje, McAlpin, Musgrove, Noennig, Noonan, B. Olson, Parker, Raser, Sales, Sesso, Sinrud, Villa, Waitschies, Wells, Windy Boy, Wiseman.
Total 50

Noes: Andersen, Arntzen, Barrett, D. Brown, R. Brown, Butcher, Facey, Furey, Glaser, Hawk, Heinert, Hendrick, Himmelberger, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, A. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sonju, Stahl, Stoker, Taylor, Wagman, Wanzenried, Ward, Warden, Wilson, Windham, Mr. Speaker.
Total 47

Excused: Galvin-Halcro, Small-Eastman, Witt.
Total 3

Absent or not voting: None.
Total 0

Dem. Floor Leader Parker moved to re-refer HB 669 to the House Appropriations Committee. Without objection, so ordered.

Dem. Floor Leader Parker moved to re-refer HB 260 to the House Appropriations Committee. Motion **failed** as follows:

Ayes: Becker, Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Cohenour, Dowell, Driscoll, Eaton, Franklin, Golie, Grinde, Groesbeck, Gutsche, Harris, Henry, Hiner, Jopek, Juneau, Kaufmann, Lenhart, Lindeen, McAlpin, Musgrove, Noonan, Parker, Raser, Sesso, Sonju, Villa, Wanzenried, Wilson, Wiseman, Mr. Speaker.
Total 36

Noes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, R. Brown, Butcher, Campbell, Clark, Dickenson, Everett, Facey, Furey, Gallik, Glaser, Hamilton, Hawk, Heinert, Hendrick, Himmelberger, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Keane, 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, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Windham, Windy Boy.
Total 61

Excused: Galvin-Halcro, Small-Eastman, Witt.

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Total 3

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 8:00 a. m. , Saturday, March 12, 2005. Motion carried.

House adjourned at 2:50 p.m.

MARILYN MILLER
Chief Clerk of the House

GARY MATTHEWS
Speaker of the House