

HOUSE JOURNAL
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 12, 2005

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

Helena, Montana
March 12, 2005

House Chambers
State Capitol

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

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

Speaker Matthews introduced the following Honorary Pages: Donovan Dennis, Great Falls; and Alaine Field, Townsend.

Rep. Cohenour introduced the East Helena scholastic group and read the following proclamation:

A PROCLAMATION OF THE SENATE AND THE HOUSE OF
REPRESENTATIVES OF THE STATE OF MONTANA
March 12, 2005

WHEREAS, East Valley Middle School in East Helena, Montana, won top prize -- a Book Fair shopping spree for the entire school -- in Scholastic's national "Student Crew Contest." The program is designed to excite young people about reading.

WHEREAS, the East Valley Student Crew helped plan and produce a Scholastic Student Exchange Book Fair. They collected donations during their week-long book fair and used the proceeds to purchase books for family members serving in our military overseas.

WHEREAS, crew members also paid tribute to servicemen and women by dressing in camouflage fatigues, decorating their book fair with American flags and yellow ribbons, and inviting local veterans to visit the school and share their stories. A luncheon was held in their honor with all staff invited.

WHEREAS, student crewmembers, called the Scholastic Squad, will each receive a \$25 gift card to be used at a special Scholastic Book Fair shopping event. Soldiers who visited the school, PTA members who help with fairs, and a local Headstart will receive portions of a \$500 gift card. All other students, faculty and administrative personnel will receive a \$10 gift card.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA: That the congratulations and best wishes for future school activities are extended to the students of East Valley Middle School as well as our thanks for supporting reading activities of middle school students in East Helena.

REPORTS OF STANDING COMMITTEES

Correctly printed: **HB 514.**

Correctly engrossed: **HB 667.**

Correctly enrolled: **HB 14, HB 24, HB 25, HB 26, HB 54, HB 56, HB 64, HB 110, HB 112, HB 138, HB 139, HB 144, HB 154, HB 160, HB 178, HB 215, HB 255, HB 266, HB 308, HB 312, HB 313, HB 439, HB 609, HJR 4, HJR 11, HJR 22, HJR 24.**

Examined by the sponsor and found to be correct: **HB 24, HB 25, HB 26, HB 56, HB 64, HB 144, HB 154, HB 160, HB 178, HB 255, HB 312, HB 313, HB 439, HJR 4, HJR 11, HJR 22.**

AGRICULTURE (Butcher, Chairman):

3/11/2005

SB 51, be concurred in. Report adopted.

SB 178, be concurred in. Report adopted.

BUSINESS AND LABOR (Keane, Chairman):

3/11/2005

SB 64, be amended as follows:

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1. Page 2, line 10.

Strike: "the"

2. Page 2, line 11.

Strike: "program referred to in 39-71-401(3)"

Insert: "certification provided for in Title 39, chapter 71, part 4"

3. Page 2, line 18.

Following: "administering"

Strike: "the"

4. Page 2, line 19.

Strike: "program referred to in 39-71-401(3)"

Insert: "certification provided for in Title 39, chapter 71, part 4"

5. Page 2, line 25.

Following: "of"

Strike: "the program for"

Insert: "certification of"

Strike: "referred to 39-71-401(3)"

Insert: "provided for in Title 39, chapter 71, part 4"

6. Page 3, line 16.

Strike: "program for"

Insert: "certification of"

7. Page 3, line 17.

Strike: "referred to in 39-71-401(3)"

Insert: "provided for in Title 39, chapter 71, part 4"

8. Page 9, line 8 through line 11.

Strike: subsection (b) in its entirety

Insert: "(b) Application fees or renewal fees for independent contractor exemption certificates must be deposited in the state special revenue account established in 39-9-206 and must be used to offset the certification administration costs."

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

STATE ADMINISTRATION (Jent, Chairman):

3/11/2005

SB 24, be concurred in. Report adopted.

SB 98, be concurred in. Report adopted.

SB 180, be amended as follows:

1. Title, page 1, line 5.

Following: "COSTS;"

Insert: "REQUIRING THE LEGISLATIVE AUDITOR TO AUDIT AND REPORT ON AGENCY COMPLIANCE WITH STATUTES REGARDING THE TRANSFER AND STORAGE OF PUBLIC RECORDS; AMENDING SECTION 5-13-304, MCA;"

2. Page 1, line 10.

Following: "(1)"

Insert: "(a)"

3. Page 1.

Following: line 12

Insert: "(b) When paying the fee, each agency shall comply with OMB Circular A-87."

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4. Page 1.

Following: line 22

Insert: "Section 2. Section 5-13-304, MCA, is amended to read:

"5-13-304. Powers and duties. (1) The legislative auditor shall:

~~(1)~~(a) conduct a financial and compliance audit of every state agency every 2 years covering the 2-year period since the last audit, unless otherwise required by state law;

~~(2)~~(b) conduct a special audit whenever the legislative auditor determines it necessary and shall so advise the members of the legislative audit committee;

~~(3)~~(c) make a complete written report of each audit. A copy of each report must be furnished to the department of administration, the state agency that was audited, each member of the committee, and the legislative services division.

~~(4)~~(d) report immediately in writing to the attorney general and the governor any apparent violation of penal statutes disclosed by the audit of a state agency and furnish the attorney general with all information available relative to the violation;

~~(5)~~(e) report immediately in writing to the governor any instances of misfeasance, malfeasance, or nonfeasance by a state officer or employee disclosed by the audit of a state agency;

~~(6)~~(f) report immediately to the surety upon the bond of an official or employee when an audit discloses a shortage in the accounts of the official or employee. Failure to notify the surety does not release the surety from any obligation under the bond.

~~(7)~~(g) during regularly scheduled audits of state agencies, audit and report on agency compliance with the provision of 2-6-211(1) regarding the transfer and storage of public records.

~~(7)~~(2) have The legislative auditor has the authority to audit records of organizations and individuals receiving grants from or on behalf of the state to determine that the grants are administered in accordance with the grant terms and conditions. Whenever a state agency enters into an agreement to grant resources under its control to others, the agency shall obtain the written consent of the grantee to the audit provided for in this subsection."

Renumber: subsequent sections

5. Page 1, line 25.

Following: "part" in both places

Strike: "1" in both places

Insert: "2" in both places

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

TAXATION (Waitschies, Chairman):

3/12/2005

HB 569, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/11/2005

HB 79, introduced by Golie

HB 114, introduced by Witt

HB 131, introduced by Clark

HB 187, introduced by Bergren

HB 242, introduced by Lambert

HB 298, introduced by Clark

HB 347, introduced by Gutsche

HB 400, introduced by Keane

HB 401, introduced by Keane

HB 508, introduced by Hendrick

HB 564, introduced by Witt

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/11/2005

HB 150, introduced by Galvin-Halcro

HB 188, introduced by Bergren

HB 302, introduced by Driscoll

HB 429, introduced by Gutsche

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House joint resolutions concurred in as amended and returned to the House for concurrence in Senate amendments:
3/11/2005

HJR 6, introduced by Windy Boy

HJR 7, introduced by Small-Eastman

FIRST READING AND COMMITMENT OF BILLS

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

HB 780, introduced by Sinrud, Callahan, Franklin, Glaser, Hiner, Jackson, Lenhart, McNutt, Musgrove, Taylor, Wells referred to State Administration.

HB 781, introduced by Lake, referred to Judiciary.

HB 782, introduced by McNutt, Wheat, referred to Natural Resources.

HB 783, introduced by Himmelberger, referred to Taxation.

HB 784, introduced by Cohenour, referred to Taxation.

HB 785, introduced by Cohenour, referred to State Administration.

HB 786, introduced by Cohenour, referred to State Administration.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Dem. Leader Wanzenried moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Maedje in the chair.

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

HB 277 - Rep. R. Brown moved consideration of **HB 277** be placed at the bottom of the second reading board. Motion carried.

SB 454 - Representative McKenney moved **SB 454** be concurred in. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Himmelberger, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, 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, Witt, Mr. Speaker.

Total 93

Noes: Gallik, Gutsche, Harris, Hiner, Jopek, Wiseman.

Total 6

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

Excused: None.

Total 0

Absent or not voting: Buzzas.

Total 1

HB 740 - Representative Heinert moved **HB 740** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik,

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Total 90

Noes: D. Brown, Hawk, Koopman, Malcolm, McAlpin, McGillvray, Mendenhall, Sales, Wells, Witt.

Total 10

Voted Absentee: Galvin-Halcro, Small-Eastman, Ayes; Witt, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 423 - Representative Stahl moved **HB 423** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Becker, Bergren, 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, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jacobson, Jent, L. Jones, W. Jones, Jopek, Keane, Klock, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, McAlpin, McKenney, McNutt, 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, Ward, Warden, Wilson, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 82

Noes: Barrett, Bixby, Caferro, Everett, Hawk, Jackson, Jayne, Juneau, Kaufmann, Koopman, Malcolm, McGillvray, Mendenhall, Sales, Small-Eastman, Wanzenried, Wells, Windham.

Total 18

Voted Absentee: Galvin-Halcro, Witt, Ayes; Small-Eastman, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 671 - Representative Musgrove moved **HB 671** do pass. Motion carried as follows:

Ayes: Andersen, Balyeat, Becker, Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jent, Jopek, Juneau, Kaufmann, Keane, Lambert, Lange, Lenhart, Maedje, Malcolm, McAlpin, McNutt, Morgan, Musgrove, Noennig, Noonan, B. Olson, Parker, Peterson, Raser, Ripley, Roberts, Ross, Sesso, Small-Eastman, Stoker, Taylor, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 66

Noes: Arntzen, Barrett, D. Brown, R. Brown, Butcher, Everett, Hawk, Hendrick, Himmelberger, Jayne, L. Jones, W. Jones, Klock, Koopman, Lake, Lindeen, MacLaren, McGillvray, McKenney, Mendenhall, Milburn, Rice, Sales, Sinrud, Sonju, Stahl, Wagman, Waitschies, Ward, Warden, Wells.

Total 31

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

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Excused: None.
Total 0

Absent or not voting: Heinert, Jackson, A. Olson.
Total 3

HB 757 - Representative L. Jones moved **HB 757** do pass. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Branae, Butcher, Dickenson, Dowell, Driscoll, Facey, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Groesbeck, Hamilton, Heinert, Hendrick, Henry, Hiner, Jackson, Jacobson, Jent, L. Jones, W. Jones, Jopek, Keane, Klock, Lambert, Lange, Lenhart, MacLaren, Maedje, McKenney, McNutt, Mendenhall, Milburn, Musgrove, Noennig, Noonan, A. Olson, Peterson, Raser, Rice, Ripley, Ross, Sesso, Stahl, Stoker, Taylor, Wagman, Waitschies, Wilson, Windham, Windy Boy, Witt, Mr. Speaker.
Total 60

Noes: Bixby, D. Brown, R. Brown, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Eaton, Everett, Franklin, Grinde, Gutsche, Harris, Hawk, Himmelberger, Jayne, Juneau, Kaufmann, Koopman, Lake, Lindeen, Malcolm, McAlpin, McGillvray, Morgan, B. Olson, Parker, Roberts, Sales, Sinrud, Small-Eastman, Sonju, Villa, Wanzenried, Ward, Warden, Wells, Wiseman.
Total 40

Voted Absentee: Galvin-Halcro, Witt, Ayes; Small-Eastman, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 53 - Representative Jacobson moved **SB 53** be concurred in. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Becker, Bergren, Bixby, Branae, D. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, 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, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sesso, Sinrud, Small-Eastman, Stoker, Taylor, Villa, Waitschies, Wanzenried, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 88

Noes: Barrett, R. Brown, Everett, Facey, McGillvray, Sales, Sonju, Stahl, Wagman, Ward, Wells.
Total 11

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

Excused: None.
Total 0

Absent or not voting: Franklin.
Total 1

SB 54 - Representative Hamilton moved **SB 54** 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,

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Total 99

Noes: None.
Total 0

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

Excused: None.
Total 0

Absent or not voting: Wells.
Total 1

At this time Representative Himmelberger assumed the chair.

HB 277 - Representative Maedje moved **HB 277** do pass. Motion **failed** as follows:

Ayes: Becker, Bergren, Branae, Buzzas, Caferro, Callahan, Clark, Dowell, Eaton, Facey, Franklin, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Harris, Heinert, Henry, Jackson, Jacobson, Jent, W. Jones, Jopek, Kaufmann, Keane, Klock, Lenhart, Lindeen, MacLaren, Maedje, Musgrove, Noennig, A. Olson, Parker, Raser, Sesso, Stahl, Villa, Wagman, Wanzenried, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 46

Noes: Andersen, Arntzen, Balyeat, Barrett, Bixby, D. Brown, R. Brown, Butcher, Campbell, Cohenour, Dickenson, Driscoll, Everett, Furey, Gallik, Hamilton, Hawk, Hendrick, Himmelberger, Hiner, Jayne, L. Jones, Juneau, Koopman, Lake, Lambert, Lange, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noonan, B. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Waitschies, Ward, Warden, Wells, Windham, Witt.
Total 54

Voted Absentee: Galvin-Halcro, Aye; Small-Eastman, 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 Himmelberger moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Andersen, Arntzen, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Glaser, Golie, Grinde, Gutsche, Hamilton, Harris, Heinert, Hendrick, Henry, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Kaufmann, Klock, Lake, Lambert, Lenhart, Lindeen, MacLaren, Maedje, McAlpin, McKenney, McNutt, Milburn, Musgrove, Noennig, Noonan, A. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sesso, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Ward, Warden, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 74

Noes: Buzzas, Callahan, Groesbeck, Hawk, Juneau, Keane, Koopman, McGillvray, Mendenhall, Morgan, B. Olson, Sales, Sinrud, Sonju, Wells, Wilson.
Total 16

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

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Total 3

Absent or not voting: Balyeat, Clark, Himmelberger, Jopek, Lange, Malcolm, Wanzenried.

Total 7

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 172 passed as follows:

Ayes: Bergren, Bixby, Branae, Buzzas, 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, Mendenhall, Milburn, Musgrove, Noennig, Noonan, Parker, Raser, Roberts, Sesso, Stahl, Taylor, Villa, Warden, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 51

Noes: Andersen, Arntzen, Balyeat, Barrett, Becker, D. Brown, R. Brown, Caferro, Clark, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Hiner, Jackson, Jayne, L. Jones, Klock, Koopman, Lake, Lambert, Lindeen, MacLaren, Maedje, McGillvray, McKenney, Morgan, A. Olson, B. Olson, Peterson, Rice, Ripley, Ross, Sales, Sinrud, Sonju, Stoker, Wagman, Waitschies, Wanzenried, Ward, Wells, Windham.

Total 45

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

Total 3

Absent or not voting: Butcher.

Total 1

HB 260 passed as follows:

Ayes: Andersen, Arntzen, Barrett, Becker, Bergren, Bixby, Branae, R. Brown, Caferro, Callahan, Campbell, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, 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, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.

Total 80

Noes: Balyeat, D. Brown, Buzzas, Clark, Everett, Harris, Hawk, Lake, Lambert, Mendenhall, Rice, Ripley, Ross, Sales, Wanzenried, Wells.

Total 16

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

Total 3

Absent or not voting: Butcher.

Total 1

HB 611 passed as follows:

Ayes: Andersen, Arntzen, Balyeat, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jacobson, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lake, Lenhart, Lindeen, MacLaren, Maedje,

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Total 73

Noes: Barrett, Everett, Hawk, Jackson, Jayne, Koopman, Lambert, Lange, Malcolm, McGillvray, McKenney, Mendenhall, Milburn, Morgan, B. Olson, Rice, Ross, Sales, Sinrud, Wagman, Waitschies, Ward, Wells.
Total 23

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

Absent or not voting: Butcher.
Total 1

SB 61 concurred in as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Buzzas, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, 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, Juneau, Keane, Klock, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Milburn, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sesso, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 85

Noes: Caferro, Everett, Furey, Kaufmann, Koopman, Mendenhall, Morgan, Sales, Sinrud, Wanzenried, Ward.
Total 11

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

Absent or not voting: Butcher.
Total 1

SB 69 concurred in as follows:

Ayes: Andersen, Arntzen, Barrett, Becker, Bergren, Bixby, Branae, R. Brown, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hendrick, Henry, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lambert, Lenhart, Lindeen, MacLaren, Maedje, McAlpin, McGillvray, McKenney, McNutt, Milburn, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Ripley, Roberts, Ross, Sesso, Stahl, Taylor, Villa, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 78

Noes: Balyeat, D. Brown, Everett, Hawk, Himmelberger, Koopman, Lake, Lange, Malcolm, Mendenhall, Morgan, Rice, Sales, Sinrud, Sonju, Stoker, Wagman.
Total 17

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

Absent or not voting: Butcher, Heinert.
Total 2

SB 79 concurred in as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik,

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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 95

Noes: None.
Total 0

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

Absent or not voting: Butcher, Buzzas.
Total 2

SB 169 concurred in as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, R. Brown, 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, 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, Ripley, Ross, Sales, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 89

Noes: D. Brown, Jackson, Jayne, Malcolm, Mendenhall, Morgan, Roberts.
Total 7

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

Absent or not voting: Butcher.
Total 1

SB 248 concurred in as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Caferro, Callahan, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Franklin, Furey, Glaser, Grinde, Hamilton, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Juneau, Kaufmann, Keane, Klock, Koopman, 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, Sales, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Wilson, Windham, Wiseman, Mr. Speaker.
Total 81

Noes: Buzzas, Campbell, Clark, Facey, Gallik, Golie, Groesbeck, Gutsche, Harris, Jopek, Lake, Maedje, Villa, Wanzenried, Windy Boy.
Total 15

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

Absent or not voting: Butcher.
Total 1

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MOTIONS

Dem. Floor Leader Parker moved to re-refer HB 423, HB 740, HB 757 to the House Appropriations Committee. Without objection, so ordered.

SPECIAL ORDERS OF THE DAY

Consent Calendar: SB 106, SB 141. There being no questions, these bills will proceed to 3rd Reading.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Dem. Floor Leader Parker moved that the House adjourn until 1:00 p. m. , Monday, March 14, 2005. Motion carried.

House adjourned at 9:30 a.m.

MARILYN MILLER
Chief Clerk of the House

GARY MATTHEWS
Speaker of the House