

HOUSE JOURNAL
FIFTY-SIXTH LEGISLATIVE DAY - MARCH 14, 2005

HOUSE JOURNAL
59TH LEGISLATURE
FIFTY-SIXTH LEGISLATIVE DAY

Helena, Montana
March 14, 2005

House Chambers
State Capitol

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

Roll Call. All members present, except Representatives Sales and Small-Eastman, excused. Quorum present.

Speaker Matthews introduced the following pages: Andrew Bruce, Bozeman; Bobbie Mischel, Glendive; Tanner Ripley, Highwood; Luke Schiedermayer, Philipsburg; Kayla Wildey, Victor; Danny Zimmerman, Billings; and Frieda Zimmerman, Pony.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, and thirty-ninth legislative days, find the same to be correct.

Barrett, Chair

Rep. Bergren announced the House Democrats will caucus.
Speaker Matthews stated the House will stand at ease until 12:55 p.m.

REPORTS OF STANDING COMMITTEES

BILLS (Barrett, Chairman): 3/14/2005
Correctly printed: **HB 569**.
Correctly engrossed: **HB 742**.
Examined by the sponsor and found to be correct: **HB 14, HB 110, HB 112, HB 138, HB 139, HB 215, HB 266, HB 609, HJR 24**.
Signed by the Chief Clerk of the House at 11:20 a.m., March 14, 2005: **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**.
Signed by the Speaker at 11:40 a.m., March 14, 2005: **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**.

HUMAN SERVICES (Becker, Chairman): 3/14/2005
HB 742, introduced bill, be amended as follows:

1. Title, line 7.
Following: "PROVIDERS;"
Strike: "AND"
2. Title, line 8.
Following: "REGISTRY"
Insert: "; AND PROVIDING AN EFFECTIVE DATE"
3. Page 4, line 12.
Insert: "NEW SECTION. **Section 8. Effective date.** [This act] is effective July 1, 2005."

And, as amended, do pass. Report adopted.

SB 42, be concurred in. Report adopted.

SELECT COMMITTEE ON EDUCATION (Lindeen, Chairman): 3/14/2005
HB 124, introduced bill, be amended as follows:

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1. Page 3, line 18.

Strike: "26"

Insert: "25"

2. Page 3, line 21.

Following: "means"

Insert: ":

(i)"

Following: "public"

Strike: "school"

3. Page 3, line 24.

Following: "hours"

Insert: ", but not less than 18 hours a week,"

4. Page 3, line 25.

Following: the second "cooperative"

Insert: "; or

(ii) a classroom teacher or specialist employed by a public elementary or high school district, as defined in 20-6-101, or a K-12 school district, as defined in 20-6-701, who is regularly employed for 30 or more hours a week during the school year or employed for fewer hours, but not less than 18 hours a week, as specified in a collective bargaining agreement or by employer policy in a nonbargaining school district and is teaching in a classroom that has more students in the classroom than allowed under the accreditation standards adopted by the board of public education"

5. Page 4, line 27.

Strike: "normal"

6. Page 5, line 21.

Following: "each"

Insert: "eligible"

Following: "employee"

Insert: ", as defined in [section 2(7)(a)(i)], or \$200 a month plus an additional amount based on the number of students per classroom that is in excess of the maximum number of students allowed per classroom by the accreditation standards, for each eligible employee, as defined in [section 2(7)(a)(ii)], who is"

7. Page 6, line 6.

Strike: "rate of medical care cost inflation"

Insert: "consumer price index, U.S. city average, for all urban consumers, for all items,"

8. Page 6, line 15.

Strike: "before"

Insert: "after"

9. Page 6, line 18.

Following: "decision"

Insert: "may be revoked by an employer upon written notice to the board. The written notice must be filed with the board on or before June 1 at least 1 year before the employer actually leaves the K-12 SHIP. During the 1-year notice period, an employer may not reverse a decision to revoke participation. An employer's decision to revoke elective participation in the K-12 SHIP"

10. Page 9, line 15.

Following: "claims"

Strike: ", "

Insert: "and"

11. Page 9, line 15 through line 16.

Following: "costs" on line 15

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Strike: remainder of line 15 through "SHIP" on line 16

12. Page 10, line 2.

Following: "(2)"

Insert: "(a)"

13. Page 10, line 4.

Strike: "(a)"

Insert: "(i)"

Strike: "four"

Insert: "three"

14. Page 10, line 4 through line 5.

Following: "SHIP"

Strike: remainder of line 4 through "employee," on line 5

Insert: "appointed"

15. Page 10, line 5.

Strike: "eight"

Insert: "six"

16. Page 10, line 6.

Following: "nominees"

Insert: ", which includes at least one retiree, at least one classified employee, and at least two nominees from a first-class district, as defined in 20-6-201 and 20-6-301,"

17. Page 10, line 7.

Strike: "(b)"

Insert: "(ii)"

Strike: "two"

Insert: "three"

18. Page 10, line 7 through line 8.

Following: "administrators"

Strike: remainder of line 7 through "20-6-301," on line 8

19. Page 10, line 8.

Strike: "four"

Insert: "six"

Following: "nominees"

Insert: ", which includes at least one retiree and at least two nominees from a first-class district, as defined in 20-6-201 and 20-6-301,"

20. Page 10, line 9.

Following: "schools;"

Insert: "and"

21. Page 10, line 10.

Strike: "(c)"

Insert: "(iii)"

Strike: "two"

Insert: "three"

22. Page 10, line 10 through line 11.

Following: "trustees"

Strike: remainder of line 10 through "20-6-301," on line 11

23. Page 10, line 11.

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Strike: "four"

Insert: "six"

Following: "nominees"

Insert: ", which includes at least two nominees from a first-class district, as defined in 20-6-201 and 20-6-301,"

24. Page 10, line 13 through line 14.

Strike: ";" on line 13 through "SHIP" on line 14

25. Page 10.

Following: line 14

Insert: "(b) Of the nine members on the board, at least one must be a classified employee and at least one must be a retiree."

26. Page 10, line 15.

Strike: "(a) Except as provided in subsection (3)(b), when"

Insert: "When"

27. Page 10, line 21 through line 22.

Strike: subsection (b) in its entirety

28. Page 11, line 27 through line 28.

Following: "from" on line 27

Strike: remainder of line 27 through "and" on line 28

29. Page 13, line 9.

Strike: "details"

Insert: "contains detailed"

30. Page 13, line 30.

Following: "12]"

Insert: "or the report required in [section 18]"

31. Page 14, line 14 through line 15.

Strike: the second "and" on line 14 through "premiums" on line 15

And, as amended, do pass. Report adopted.

TRANSPORTATION (Mendenhall, Chairman):

3/14/2005

HB 759, do pass. Report adopted.

SB 38, be amended as follows:

1. Title, line 6.

Strike: "TRAFFIC EDUCATION AND A PORTION BE USED FOR"

2. Page 1, line 17.

Following: "46-18-235;"

Insert: "and"

3. Page 1, line 18 through line 20.

Strike: "25%" on line 18 through "25%" on line 20

Insert: "50%"

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

SB 39, be amended as follows:

1. Page 3, line 4 through line 13.

Strike: subsection (3) in its entirety

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Insert: "(3) A person using a wheelchair or other vehicle designed specifically for use by a physically disabled person shall use sidewalks if use of sidewalks is practicable. If use of sidewalks is unsafe or not practicable, the person may use the wheelchair or other vehicle on a highway, as far as practicable from the center of the roadway."

2. Page 3.

Following: line 15

Insert: "COORDINATION SECTION. Section 7. Coordination instruction. If Senate Bill No. 285 and [this act] are both passed and approved, then the code commissioner shall include the revisions to the definitions of "motor vehicle", "vehicle", and "pedestrian" in [this act] in the definitions of those terms in Senate Bill No. 285."

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

SB 123, be concurred in. Report adopted.

SB 194, be amended as follows:

1. Page 1, line 30.

Following: "quadricycle"

Insert: "and that includes operation of the quadricycle under typical off-highway conditions"

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

SB 244, be amended as follows:

1. Title, line 4.

Following: "VEHICLES"

Insert: "AND CAMPERS"

2. Title, line 6.

Following: "SECTIONS"

Insert: "61-1-129,"

3. Page 1.

Following: line 9

Insert: "**Section 1.** Section 61-1-129, MCA, is amended to read:

"**61-1-129. Camper.** (1) The term "camper" as used in 61-1-102 and 61-10-102 includes but is not limited to truck camper, chassis-mounted camper, cab-over, half cab-over, noncab-over, telescopic, and telescopic cab-over.

(2) The term does not include a truck canopy cover or topper."

Renumber: subsequent sections

4. Page 2, line 30.

Following: "61-1-132,"

Insert: "and a camper, as defined in 61-1-129,"

5. Page 3, line 2.

Following: "vehicle"

Insert: "or camper"

6. Page 3, line 3.

Following: the first "recreational vehicle"

Insert: ", "

Strike: "or"

Insert: "the camper,"

Following: the second "recreational vehicle"

Insert: ", or the motor vehicle providing motive power"

7. Page 3, line 5.

Following: "recreational vehicle"

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Insert: "or camper"

8. Page 3, line 6.
Following: "vehicle"
Insert: "or camper"

9. Page 3, line 7.
Following: "vehicle"
Insert: "or camper"

10. Page 3.
Following: line 13
Insert: "COORDINATION SECTION. Section 5. Coordination instruction. If Senate Bill No. 285 and [this act] are both passed and approved, then the code commissioner shall include the revisions to the definition of "travel trailer" in [this act] in the definition of that term in Senate Bill No. 285."
Renumber: subsequent section

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

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 3/14/2005

SB 109, introduced by Cobb
SB 442, introduced by Cooney

Senate joint resolution passed and transmitted to the House for concurrence: 3/14/2005

SJR 20, introduced by Curtiss

House bills concurred in and returned to the House: 3/14/2005

HB 20, introduced by Dickenson
HB 86, introduced by Kaufmann
HB 155, introduced by Barrett
HB 183, introduced by Franklin
HB 184, introduced by McAlpin
HB 198, introduced by Villa
HB 207, introduced by McKenney
HB 350, introduced by Butcher
HB 354, introduced by Noennig
HB 397, introduced by Dowell
HB 598, introduced by Gallik
HB 612, introduced by Maedje

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/14/2005

HB 55, introduced by Wanzenried
HB 182, introduced by Roberts
HB 216, introduced by Caferro
HB 218, introduced by B. Olson
HB 250, introduced by Becker
HB 254, introduced by Harris
HB 317, introduced by Hamilton
HB 701, introduced by Noennig

FIRST READING AND COMMITMENT OF BILLS

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

HB 787, introduced by Maedje, referred to Federal Relations, Energy, and Telecommunications.

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

SB 109, introduced by Cobb, referred to State Administration.

SB 442, introduced by Cooney, referred to Taxation.

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

SJR 20, introduced by Curtiss, Bales, Barkus, Everett, Keenan, Story, referred to Taxation.

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 671 passed as follows:

Ayes: Andersen, Arntzen, 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, Jackson, Jacobson, Jent, W. Jones, Jopek, Juneau, Kaufmann, Keane, Lambert, Lange, Lenhart, Lindeen, MacLaren, Malcolm, McAlpin, McNutt, Morgan, Musgrove, Noennig, Noonan, B. Olson, Parker, Peterson, Raser, Ripley, Roberts, Ross, Sesso, Stoker, Taylor, Villa, Waitschies, Wanzenried, Warden, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 69

Noes: Barrett, D. Brown, R. Brown, Butcher, Everett, Hawk, Heinert, Hendrick, Himmelberger, Jayne, L. Jones, Klock, Koopman, Lake, McGillvray, McKenney, Mendenhall, Milburn, A. Olson, Rice, Sales, Sinrud, Sonju, Stahl, Ward, Wells, Windham, Witt.
Total 28

Excused: Small-Eastman.
Total 1

Absent or not voting: Maedje, Wagman.
Total 2

SB 53 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, 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, 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, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 92

Noes: Everett, Koopman, Maedje, McGillvray, Sales, Ward, Wells.
Total 7

Excused: Small-Eastman.
Total 1

Absent or not voting: None.

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Total 0

SB 54 concurred in as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, 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, 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: Campbell, Peterson.

Total 2

SB 454 concurred in as follows:

Ayes: Andersen, Arntzen, 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, 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: Balyeat.

Total 1

Excused: Small-Eastman.

Total 1

Absent or not voting: Grinde.

Total 1

SB 106 concurred in 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, 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: Barrett.

Total 1

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Excused: Small-Eastman.
Total 1

Absent or not voting: None.
Total 0

SB 141 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, 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, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Wanzenried, Ward, Warden, Wells, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 93

Noes: Facey, Golie, A. Olson, B. Olson, Waitschies, Wilson.
Total 6

Excused: Small-Eastman.
Total 1

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 Noonan in the chair.

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

HB 514 - Representative Gutsche moved **HB 514** do pass. 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, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jacobson, Jayne, Jent, W. Jones, Jopek, Juneau, Kaufmann, Keane, Lange, Lenhart, Lindeen, MacLaren, McAlpin, McGillvray, McKenney, Morgan, Musgrove, Noennig, Noonan, B. Olson, Parker, Raser, Roberts, Sesso, Small-Eastman, Sonju, Taylor, Villa, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 68

Noes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, Butcher, Everett, Glaser, Hawk, Jackson, L. Jones, Klock, Koopman, Lake, Lambert, Maedje, Malcolm, McNutt, Mendenhall, Milburn, A. Olson, Peterson, Rice, Ripley, Ross, Sales, Sinrud, Stahl, Stoker, Wagman, Waitschies, Witt.
Total 32

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 667 - Representative Wanzenried moved **HB 667** do pass. Motion carried as follows:

Ayes: Arntzen, 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, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lange, Lenhart, Lindeen, MacLaren, Maedje, McAlpin, McNutt, Mendenhall, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Roberts, Sesso, Sinrud, Small-Eastman, Stahl, Villa, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 69

Noes: Andersen, Balyeat, Barrett, D. Brown, R. Brown, Butcher, Everett, Hawk, Heinert, Hendrick, Himmelberger, Jackson, Koopman, Lake, Lambert, Malcolm, McGillvray, McKenney, Milburn, Morgan, Rice, Ripley, Ross, Sales, Sonju, Stoker, Taylor, Wagman, Waitschies, Wells, Witt.
Total 31

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 16 - Representative Jacobson moved **SB 16** 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, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, 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, 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 97

Noes: Hawk, Lake, Ross.
Total 3

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 57 - Representative Andersen moved **SB 57** be concurred in.

SB 57 - Representative Villa moved **SB 57**, second reading copy, be amended as follows:

1. Title, page 1, line 6.
Strike: "SECTION"
Insert: "SECTIONS 20-5-322, 20-7-420,"
Following: "20-9-707,"
Insert: "AND 20-10-105,"

2. Page 1, line 11.
Following: line 10

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Insert: "Section 1. Section 20-5-322, MCA, is amended to read:

"20-5-322. Residency determination -- notification -- appeal for attendance agreement. (1) In considering an out-of-district attendance agreement, except as provided in 20-9-707, the trustees shall determine the child's district of residence on the basis of the provisions of 1-1-215.

(2) Within 10 days of the initial application for an agreement, the trustees of the district of choice shall notify the parent or guardian of the child and the trustees of the district of residence involved in the out-of-district attendance agreement of the anticipated date for approval or disapproval of the agreement.

(3) Within 10 days of approval or disapproval of an out-of-district attendance agreement, the trustees shall provide copies of the approved or disapproved attendance agreement to the parent or guardian and to the child's district of residence.

(4) Within 15 days of receipt of an approved out-of-district attendance agreement, the trustees of the district of residence shall approve or disapprove the agreement under the provisions of this part and forward the completed agreement to the county superintendent of schools of the county of residence, the trustees of the district of choice, and the parent or guardian.

(5) If an out-of-district attendance agreement is disapproved or no action is taken, the parent may appeal the disapproval or lack of action to the county superintendent and, subsequently, to the superintendent of public instruction under the provisions for the appeal of controversies in this title."

Insert: "Section 2. Section 20-7-420, MCA, is amended to read:

"20-7-420. Residency requirements -- financial responsibility for special education. (1) ~~In accordance with the provisions of 1-1-215~~ Except for a pupil attending a job corps program pursuant to 20-9-707, a child's district of residence for special education purposes ~~is the residence of the child's parents or of the child's guardian if the parents are deceased~~ must be determined in accordance with the provisions of 1-1-215, unless otherwise determined by the court. This applies to a child living at home, in an institution, or under foster care. If the parent has left the state, the parent's last-known district of residence is the child's district of residence.

(2) The county of residence is financially responsible for tuition and transportation as established under 20-5-323 and 20-5-324 for a child with a disability, as defined in 20-7-401, who attends school outside the district and county of residence because the student has been placed by a state agency in a foster care or group home licensed by the state. The county of residence is not financially responsible for tuition and transportation for a child who is placed by a state agency in an out-of-state public school or an out-of-state private residential facility.

(3) If an eligible child, as defined in 20-7-436, is receiving inpatient treatment in an in-state residential treatment facility or children's psychiatric hospital, as defined in 20-7-436, and the educational services are provided by a public school district under the provisions of 20-7-411 or 20-7-435, the superintendent of public instruction shall reimburse the district providing the services for the negotiated amount, as established pursuant to 20-7-435(5), that represents the district's costs of providing education and related services. Payments must be made from funds appropriated for this purpose. If the negotiated amount exceeds the daily membership rate under 20-7-435(3) and any per-ANB amount of direct state aid, the superintendent of public instruction shall pay the remaining balance from available funds. However, the amount spent from available funds for this purpose may not exceed \$500,000 during a biennium.

(4) A state agency that makes a placement of a child with a disability is responsible for the financial costs of room and board and the treatment of the child. The state agency that makes an out-of-state placement of a child with a disability is responsible for the education fees required to provide a free appropriate public education that complies with the requirements of Title 20, chapter 7, part 4."

Renumber: subsequent sections

3. Page 2, line 2.

Following: line 1

Insert: "Section 4. Section 20-10-105, MCA, is amended to read:

"20-10-105. Determination of residence. When the residence of an eligible transportee is a matter of controversy and is an issue before a board of trustees, a county transportation committee, or the superintendent of public instruction, except as provided in 20-9-707, the residence must be established on the basis of the general state residence law as provided in 1-1-215. Whenever a county is determined to be responsible for paying tuition for any pupil in accordance with 20-5-321 through 20-5-323, the residence of the pupil for tuition purposes is the residence of the pupil for transportation purposes."

Renumber: subsequent section

Amendment adopted as follows:

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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, 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: Sales.
Total 1

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 57 - Representative Andersen moved **SB 57**, as amended, 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 117 - Representative Villa moved **SB 117** 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, 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, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 98

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Noes: Koopman, Sinrud.
Total 2

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 170 - Representative Raser moved **SB 170** be concurred in. Motion carried as follows:

Ayes: Andersen, Arntzen, Barrett, Becker, Bergren, Bixby, Branae, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, 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, McAlpin, McGillvray, McKenney, Mendenhall, Milburn, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Warden, Wells, Wilson, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 89

Noes: Balyeat, D. Brown, Everett, Hawk, Malcolm, McNutt, Morgan, Ripley, Sonju, Ward, Windham.
Total 11

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 171 - Representative Facey moved **SB 171** be concurred in. Motion carried as follows:

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

Noes: Balyeat, Everett, Hawk, Jayne, Malcolm, McGillvray, Morgan, Ripley, Waitschies, Ward.
Total 10

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 188 - Representative Milburn moved **SB 188** be concurred in. Motion carried as follows:

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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 189 - Representative Gallik moved **SB 189** be concurred in. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, 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: None.

Total 0

Voted Absentee: Small-Eastman, Aye.

Excused: None.

Total 0

Absent or not voting: R. Brown, Gutsche.

Total 2

SB 235 - Representative A. Olson moved **SB 235** 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, 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

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Noes: Jayne.
Total 1

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 243 - Representative Furey moved **SB 243** be concurred in.

SB 243 - Representative Furey moved **SB 243**, second reading copy, be amended as follows:

1. Title, line 5.

Following: "SUBWAREHOUSE;"

Insert: "PROVIDING THAT A BEER WHOLESALER THAT IS ALSO A LICENSED TABLE WINE DISTRIBUTOR MAY STORE WINE IN ANY WAREHOUSE OR SUBWAREHOUSE OF THE BEER WHOLESALER;"

2. Page 1, line 12.

Following: "subwarehouse"

Insert: "-- wine storage"

3. Page 1, following line 27.

Insert: "(4) A wholesaler that is also licensed as a table wine distributor may store wine in any of the wholesaler's warehouses or subwarehouses."

Renumber: subsequent subsection

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jacobson, Jayne, Jent, L. Jones, Jopek, Juneau, Kaufmann, 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, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Wiseman, Witt, Mr. Speaker.
Total 90

Noes: Golie, Jackson, W. Jones, McGillvray, Villa, Wagman, Windham, Windy Boy.
Total 8

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: Keane, Stoker.
Total 2

SB 243 - Representative Furey moved **SB 243**, as amended, 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, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, Jopek, Juneau, Kaufmann, Keane, Klock,

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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, Sales, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Wiseman, Witt, Mr. Speaker.
Total 93

Noes: Hawk, W. Jones, McGillvray, Sinrud, Wagman, Windham, Windy Boy.
Total 7

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 278 - Representative L. Jones moved **SB 278** 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, 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: Koopman.
Total 1

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 356 - Representative Noennig moved **SB 356** 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: Small-Eastman, Aye.

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Excused: None.
Total 0

Absent or not voting: Lambert.
Total 1

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

Ayes: Andersen, Arntzen, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, McAlpin, McGillvray, McKenney, McNutt, Milburn, Musgrove, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sesso, Sinrud, Stahl, Stoker, Taylor, Wagman, Waitschies, Wanzenried, Ward, Warden, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 85

Noes: Barrett, Hawk, Koopman, Mendenhall, Morgan, Sales, Sonju, Villa, Wells, Wilson.
Total 10

Excused: Small-Eastman.
Total 1

Absent or not voting: Balyeat, Buzzas, Malcolm, Noonan.
Total 4

MOTIONS

Dem. Floor Leader Parker moved to re-refer HB 667 to the House Appropriations Committee. Without objection, so ordered.

Rep. Maedje moved the House reconsider its action of Saturday, March 12, 2005, on HB 277. Speaker Matthews stated this requires a majority vote. Motion passed as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, McAlpin, McNutt, Morgan, Musgrove, Noennig, Noonan, A. Olson, Parker, Peterson, Raser, Ripley, Sesso, Stahl, Stoker, Taylor, Villa, Wagman, Wanzenried, Ward, Warden, Wells, Wilson, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 78

Noes: Branae, D. Brown, Hawk, Jayne, Koopman, Lake, Malcolm, McGillvray, McKenney, Mendenhall, Milburn, B. Olson, Rice, Roberts, Ross, Sales, Sinrud, Sonju, Waitschies, Windham.
Total 20

Excused: Small-Eastman.
Total 1

Absent or not voting: Jent.
Total 1

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Dem. Floor Leader Parker moved that the House adjourn until 12:30 p.m., Tuesday, March 15, 2005. Motion carried.

House adjourned at 2:35 p.m.

MARILYN MILLER
Chief Clerk of the House

GARY MATTHEWS
Speaker of the House