

**HOUSE JOURNAL  
60TH LEGISLATURE  
TWENTY-SIXTH LEGISLATIVE DAY**

Helena, Montana  
February 6, 2007

House Chambers  
State Capitol

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

Roll Call. All members present except for Representative Jayne who was excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, and eighteenth legislative days, find the same to be correct.

L. Jones, Chair

**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 90** passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 88

Noes: Everett, Heinert, Ingraham, Jore, Kasten, Koopman, Mendenhall, Rice, Sinrud, Wells, Witte, Mr. Speaker.  
Total 12

Voted Absentee: Jayne, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 139** passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart,

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Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 94

Noes: Everett, Jore, Koopman, Mendenhall, Sonju, Witte.

Total 6

Voted Absentee: Jayne, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 167** passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Taylor, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 74

Noes: Barrett, Beck, Boggio, Everett, Hawk, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Klock, Koopman, Lake, Malcolm, McGillvray, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Wells, Witte, Mr. Speaker.

Total 25

Voted Absentee: Jayne, Aye.

Excused: None.

Total 0

Absent or not voting: Thomas.

Total 1

**HB 210 failed** as follows:

Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte.

Total 49

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, Malcolm, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 51

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Voted Absentee: Jayne, No.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 369** passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 78

Noes: Barrett, Beck, Blasdel, Butcher, Everett, Hawk, Heinert, Jore, Kasten, Klock, Koopman, McGillvray, Mendenhall, Peterson, Rice, Ripley, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.  
Total 22

Voted Absentee: Jayne, Aye.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 409** passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.  
Total 90

Noes: Augare, Bixby, Callahan, Dickenson, Hawk, Jore, Koopman, Mendenhall, Morgan.  
Total 9

Voted Absentee: Jayne, Aye.

Excused: None.  
Total 0

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Absent or not voting: L. Jones.  
Total 1

**HJR 6** adopted as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kottel, Lange, MacLaren, McAlpin, McChesney, Milburn, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 61

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Malcolm, McGillvray, McNutt, Mendenhall, Morgan, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Wells, Witte, Mr. Speaker.  
Total 39

Voted Absentee: Jayne, No.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**REPORTS OF STANDING COMMITTEES**

**BILLS** (L. Jones, Chairman): 2/5/2007  
Correctly printed: **HB 195, HB 292, HB 363.**

**TRANSPORTATION** (Sonju, Chairman): 2/5/2007  
**HB 143**, do pass. Report adopted.

**HB 273**, introduced bill, be amended as follows:

1. Title, line 5.

**Strike:** "AND"

2. Title, line 6.

**Following:** "MCA"

**Insert:** "; AND PROVIDING A DELAYED EFFECTIVE DATE"

3. Page 2.

**Following:** line 21

**Insert:** "NEW SECTION. **Section 3. Effective date.** [This act] is effective January 1, 2008."

And, as amended, do pass. Report adopted.

**HB 413**, introduced bill, be amended as follows:

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1. Title, line 5.

**Strike:** "FOR TWO VEHICLES"

2. Page 3, line 23.

**Strike:** "or national guard"

3. Page 4, line 7.

**Following:** "~~and~~"

**Insert:** "and"

4. Page 4, line 10.

**Strike:** "; and"

**Insert:** "."

5. Page 4, line 11.

**Strike:** "(f) a"

**Insert:** "(3) A"

6. Page 4, line 13.

**Following:** "61-3-458"

**Insert:** "(5) is exempt from all motor vehicle registration fees imposed by this chapter for one motor vehicle that is not used for commercial purposes"

And, as amended, do pass. Report adopted.

**HB 419**, introduced bill, be amended as follows:

1. Page 3, line 3.

**Following:** "place"

**Insert:** "all or a part of"

And, as amended, do pass. Report adopted.

**HB 428**, introduced bill, do pass and be placed on the consent calendar. Report adopted.

**FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS** (Olson, Chairman):

2/6/2007

**HB 526**, introduced bill, do pass and be placed on the consent calendar. Report adopted.

**HJR 20**, introduced joint resolution, be amended as follows:

1. Page 1, line 15.

**Strike:** "47,000"

**Insert:** "470,000"

And, as amended, be adopted and be placed on the consent calendar. Report adopted.

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**BUSINESS AND LABOR** (Mendenhall, Chairman):  
**HB 378**, introduced bill, be amended as follows:

2/6/2007

1. Page 1, line 11.  
**Following:** "population"  
**Strike:** "of"  
**Insert:** "that includes"

And, as amended, do pass. Report adopted.

**TAXATION** (Lake, Chairman):  
**HB 40**, introduced bill, be amended as follows:

2/6/2007

1. Title, line 5.  
**Following:** "SCREEN ACT"  
**Insert:** ";"  
**Strike:** "BY"

2. Title, line 8.  
**Following:** "CREDITS;"  
**Insert:** "REQUIRING THAT ALL PURCHASES MADE BY A TAXPAYER IN CONNECTION WITH A STATE-CERTIFIED PRODUCTION MUST BE PAID IN FULL BEFORE THE CREDIT FOR QUALIFYING EXPENDITURES MAY BE CLAIMED;"

3. Page 2, line 9.  
**Strike:** "15%"  
**Insert:** "14%"

4. Page 3, line 3.  
**Strike:** "10%"  
**Insert:** "9%"

5. Page 3, line 5.  
**Following:** "(2)"  
**Insert:** "(a)"

6. Page 3.  
**Following:** line 8  
**Insert:** "(b) The taxpayer shall certify in writing to the department, under penalty of false swearing as provided in 45-7-202, that the taxpayer has paid in full to each vendor in Montana for all goods and services purchased by the taxpayer in connection with the state-certified production during the tax year. A credit under this section may not be claimed unless the taxpayer has paid in full for all purchases of goods and services from Montana vendors."

And, as amended, do pass. Report adopted.

**HB 315**, do pass. Report adopted.

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**HB 337**, introduced bill, be amended as follows:

1. Title, line 6.

**Following:** "TAX"

**Insert:** ", SUBJECT TO VOTER APPROVAL,"

2. Page 1, line 14.

**Strike:** "The"

**Insert:** "If the voters have approved a levy for the purchase of volunteer firefighters' disability insurance, the"

3. Page 1, line 25.

**Following:** "authorized"

**Insert:** "-- voted levy for disability coverage"

4. Page 1, line 28 through line 29.

**Strike:** "for" on line 28 through "district," on line 29

5. Page 2.

**Following:** line 2

**Insert:** "(2) Subject to 15-10-425, the board of county commissioners may levy a tax upon all taxable property within a rural fire district for the purpose of purchasing disability insurance coverage for the volunteer firefighters of the district."

**Renumber:** subsequent subsections

6. Page 2, line 9.

**Strike:** "(2)"

**Insert:** "(3)"

7. Page 2, line 10.

**Strike:** "(3)"

**Insert:** "(4)"

8. Page 2, line 18.

**Following:** "activities"

**Insert:** "-- voted levy for disability insurance"

**Strike:** ";

9. Page 2, line 19.

**Strike:** "(a)"

10. Page 2, line 20 through line 21.

**Strike:** ";and" on line 20 through "companies" on line 21

11. Page 2.

**Following:** line 24

**Insert:** "(3) Subject to 15-10-425, the county governing body may levy a tax for the purpose of purchasing disability insurance coverage for volunteer firefighters of volunteer rural fire control crews and county volunteer fire companies."

12. Page 2, line 27.

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**Following:** "area"

**Insert:** "-- voted levy for disability insurance"

13. Page 3, line 4.

**Strike:** "The"

**Insert:** "Subject to 15-10-425, the"

14. Page 3, line 11.

**Following:** "class"

**Insert:** "-- voted levy for disability insurance"

15. Page 3, line 26.

**Strike:** "15-10-420"

**Insert:** "15-10-425"

16. Page 4, line 2.

**Following:** "departments"

**Insert:** "-- voted levy for disability insurance"

17. Page 4, line 6 through line 7.

**Strike:** "Purchasing" on line 6 through "section" on line 7

**Insert:** "Subject to 15-10-425, a city or town may levy a tax on the taxable value of all taxable property in the city or town for the purpose of purchasing disability insurance coverage for volunteer firefighters of volunteer fire departments"

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

Senate bills passed and transmitted to the House for concurrence:

2/5/2007

**SB 204**, introduced by Ryan

**SB 224**, introduced by Shockley

**SB 225**, introduced by Moss

**SB 236**, introduced by Gallus

**HB 21**, introduced by Morgan

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 572**, introduced by Erickson, referred to Taxation.

**HB 573**, introduced by Erickson, referred to Education.

**HB 574**, introduced by Hiner, Ward, Lewis, referred to Appropriations.

**HB 575**, introduced by Caferro, referred to Appropriations.

**HB 576**, introduced by Caferro, referred to State Administration.

**HB 577**, introduced by Caferro, referred to Human Services.

**HB 578**, introduced by Musgrove, Groesbeck, referred to State Administration.

**HB 579**, introduced by Olson, referred to Judiciary.

**HB 580**, introduced by Koopman, referred to Appropriations.

**HB 581**, introduced by Hamilton, referred to Transportation.

**HB 582**, introduced by Jopek, referred to Local Government.

**HB 583**, introduced by Jopek, referred to Natural Resources.

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**HB 584**, introduced by Jopek, referred to Natural Resources.

**HB 585**, introduced by Keane, referred to Judiciary.

**HB 586**, introduced by Windy Boy, Campbell, Villa, Van Dyk, Pomnichowski, Erickson, Franklin, Gallik, Hamilton, Furey, Bergren, Jayne, Wiseman, Caferro, Hands, Cohenour, Wilmer, Augare, Henry, Driscoll, Reinhart, referred to Federal Relations, Energy, and Telecommunications.

**HB 587**, introduced by Himmelberger, referred to Business and Labor.

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

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hilbert in the chair.

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

**HB 341** - Representative Gallik moved **HB 341** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Boggio, Kasten, Taylor.

Total 3

Voted Absentee: Jayne, Aye.

Excused: None.

Total 0

Absent or not voting: Olson.

Total 1

**HB 353** - Representative McGillvray moved **HB 353** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

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Noes: Bergren, Bixby.  
Total 2

Voted Absentee: Jayne, Aye.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 154** - Representative Clark moved **HB 154** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.  
Total 100

Noes: None.  
Total 0

Voted Absentee: Jayne, Aye.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 26** - Representative McGillvray moved **HB 26** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.  
Total 84

Noes: Blasdel, Erickson, Everett, Groesbeck, Hawk, Heinert, Himmelberger, Ingraham, Jore, Koopman, Mendenhall, Sinrud, Taylor, Van Dyk, Ward, Mr. Speaker.  
Total 16

Voted Absentee: Jayne, Aye.

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Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 272** - Representative L. Jones moved **HB 272** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.  
Total 98

Noes: Caferro, Jayne.  
Total 2

Voted Absentee: Jayne, No.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 148** - Representative Grinde moved **HB 148** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, MacLaren, McAlpin, McChesney, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 67

Noes: Barrett, Blasdel, Boggio, Butcher, Everett, Hawk, Heinert, Hendrick, Himmelberger, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, McNutt, Mendenhall, Nooney, Rice, Ripley, Ross, Sinrud, Taylor, Vincent, Wells, Witte, Mr. Speaker.  
Total 31

Voted Absentee: Jayne, No.

Excused: None.  
Total 0

Absent or not voting: Callahan, Dickenson.

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Total 2

**HB 300** - Representative Milburn moved **HB 300** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Augare, Furey, Gallik, Henry, Jayne, McGillvray, Van Dyk.

Total 7

Voted Absentee: Jayne, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 199** - Representative W. Jones moved **HB 199** do pass. Motion carried as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lange, MacLaren, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 78

Noes: Ankney, Butcher, Everett, Hawk, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Malcolm, Mendenhall, Morgan, Rice, Ripley, Ross, Small-Eastman, Vincent, Wells.

Total 21

Voted Absentee: Jayne, Aye.

Excused: None.

Total 0

Absent or not voting: McAlpin.

Total 1

**HB 390** - Representative Nooney moved **HB 390** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro,

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Callahan, Campbell, Clark, Dickenson, Driscoll, Ebinger, Erickson, Everett, Furey, Glaser, Groesbeck, Hamilton, Hendrick, Henry, Hilbert, Hiner, Jacobson, Jayne, L. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte.  
Total 74

Noes: Cohenour, Cordier, Dutton, Franklin, French, Gallik, Grinde, Hands, Hawk, Heinert, Himmelberger, Hollenbaugh, Ingraham, W. Jones, Jore, Kasten, Koopman, McGillvray, Mendenhall, Peterson, Sands, Sinrud, Stoker, Van Dyk, Wiseman, Mr. Speaker.  
Total 26

Voted Absentee: Jayne, Aye.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 201** - Representative Jopek moved **HB 201** do pass.

**HB 201** - Representative Keane moved **HB 201**, second reading copy, be amended as follows:

1. Title, page 1, line 6.

**Strike:** "REQUIRING CERTAIN GOVERNMENTS TO PAY FEES;"

2. Title, page 1, line 8.

**Strike:** "82-4-405,"

3. Page 1, line 13 through line 28.

**Strike:** section 1 in its entirety

**Renumber:** subsequent sections

Amendment adopted as follows:

Ayes: Arntzen, Augare, Beck, Becker, Blasdel, Branae, Butcher, Campbell, Dutton, Everett, Franklin, French, Glaser, Grinde, Groesbeck, Hands, Hawk, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jore, Kasten, Keane, Kerns, Koopman, Lake, Lange, MacLaren, Malcolm, McChesney, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Reinhart, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Ward, Wells, Wilson, Mr. Speaker.  
Total 51

Noes: Ankney, Barrett, Bergren, Bixby, Boggio, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Furey, Gallik, Hamilton, Heinert, Hendrick, Henry, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Klock, Kottel, Lambert, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Parker, Phillips, Pomnichowski, Raser, Rice, Ripley, Ross, Small-Eastman, Van Dyk, Vincent, Wilmer, Windy Boy, Wiseman.  
Total 48

Voted Absentee: Jayne, No.

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Excused: None.  
Total 0

Absent or not voting: Witte.  
Total 1

**HB 201** - Motion to pass **HB 201** carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, L. Jones, Jopek, Keane, Klock, Kottel, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Thomas, Van Dyk, Wilmer, Wilson, Wiseman.  
Total 65

Noes: Barrett, Blasdel, Boggio, Clark, Everett, Hawk, Hendrick, Himmelberger, Ingraham, Jayne, W. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Malcolm, McGillvray, Mendenhall, Morgan, Peterson, Rice, Ripley, Ross, Sonju, Stoker, Taylor, Villa, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.  
Total 35

Voted Absentee: Jayne, No.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Hilbert moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.  
Total 93

Noes: Hendrick, Mendenhall, Rice, Wells.  
Total 4

Excused: Jayne.  
Total 1

Absent or not voting: Hilbert, Ripley.  
Total 2

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**MOTIONS**

Representative Lange moved **HB 26** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Representative Lange moved **HB 148** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Representative Lange moved **HB 199** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Representative Lange moved **HB 390** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Representative Lange moved **HB 201** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Representative Lange moved **HB 385** be taken from the Committee on Appropriations and moved to the Committee on Transportation. There being no objections, so ordered.

Representative Augare moved his vote be changed on **HB 300**. There being no objections, so ordered.

**SPECIAL ORDERS OF THE DAY**

Objection by Representative Sales that **HB 428**, **HB 526** and **HJR 20** were placed on the consent calender. The bills were placed on Second Reading.

**HB 60**, introduced by Parker, the following sponsors were added:  
Reps. Rice, Wilson. Senators Laslovich, McGee, Perry, Williams.

**HB 473**, introduced by Ross, the following sponsors were added:  
Reps. Ankney, Cohenour.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Wednesday, February 7, 2007. Motion carried.

House adjourned at 2:38 p.m.

MARILYN MILLER  
Chief Clerk of the House

SCOTT SALES  
Speaker of the House