

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 7, 2005

HOUSE JOURNAL
59TH LEGISLATURE
SEVENTY-FOURTH LEGISLATIVE DAY

Helena, Montana
April 7, 2005

House Chambers
State Capitol

House convened at 10:00 a.m. Mr. Speaker in the Chair. Invocation by Rep. Lake. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Wanzenried and Windy Boy, excused. Quorum present.

Rep. Bergren announced the House Democrats will caucus.
Rep. Lange announced the House Republicans will caucus.
Speaker Matthews stated the House will stand at ease until 10:30 a.m.

House reconvened at 10:38 a.m.

REPORTS OF STANDING COMMITTEES

BILLS (Barrett, Chairman): 4/7/2005
Delivered to the Governor for approval at 7:40 a.m., April 7, 2005: **HB 153, HB 172, HB 199, HB 280, HB 316, HB 483, HB 492, HB 514.**
Examined by the sponsor and found to be correct: **HB 104, HB 109, HB 169, HB 213, HB 324, HB 688, HB 746, HJR 12.**
Correctly enrolled: **HB 213.**
Correctly engrossed: **HJR 32.**

HUMAN SERVICES (Becker, Chairman): 4/7/2005
HJR 32, introduced joint resolution, be amended as follows:

1. Page 2, line 4.

Following: line 3

Insert: "BE IT FURTHER RESOLVED, that the Department be requested to report its findings and any intended changes to administrative rules and procedures to the Children, Families, Health, and Human Services Interim Committee."

And, as amended, be adopted. Report adopted.

SB 308, be concurred in. Report adopted.
SB 433, be concurred in. Report adopted.
SJR 28, be concurred in. Report adopted.

STATE ADMINISTRATION (Jent, Chairman): 4/7/2005
HJR 39, be adopted. Report adopted.
SB 477, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills returned to House **Not** concurred by Senate Committee of the Whole: 4/7/2005

HB 693, introduced by Wells
HB 765, introduced by Maedje

House amendments to Senate bill concurred in: 4/7/2005

SB 127, introduced by Keenan

House amendments to Senate joint resolutions concurred in: 4/7/2005

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SJR 7, introduced by Weinberg
SJR 12, introduced by Kitzenberg

House bills concurred in and returned to the House:

4/7/2005

HB 7, introduced by Callahan
HB 8, introduced by Witt
HB 9, introduced by Witt
HB 170, introduced by Wilson
HB 204, introduced by Witt
HB 326, introduced by Peterson
HB 346, introduced by Golie
HB 436, introduced by Himmelberger
HB 440, introduced by Wiseman
HB 450, introduced by Jopek
HB 451, introduced by Sonju
HB 470, introduced by Clark
HB 522, introduced by W. Jones
HB 587, introduced by Bergren
HB 591, introduced by Jopek
HB 624, introduced by Villa
HB 628, introduced by Clark
HB 666, introduced by Bergren
HB 684, introduced by Maedje
HB 759, introduced by Koopman

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

4/7/2005

HB 140, introduced by Parker
HB 146, introduced by Gallik
HB 177, introduced by A. Olson
HB 395, introduced by Becker
HB 474, introduced by Buzzas
HB 536, introduced by Callahan
HB 687, introduced by Mendenhall

Conference Committee Report adopted on 2nd Reading:

4/7/2005

SB 278, introduced by Black

FIRST READING AND COMMITMENT OF BILLS

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

HB 805, introduced by Clark, R. Brown, Ellingson, Elliott, Grinde, Gutsche, Harris, Lange, Mangan, Noennig, Parker, Wanzenried, Warden, referred to State Administration.
HB 806, introduced by Clark, Bergren, R. Brown, Ellingson, Elliott, Grinde, Gutsche, Harris, Lange, Mangan, Noennig, Parker, Wanzenried, Warden, referred to State Administration.

**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 Gallik in the chair.

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

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HB 30 - Senate Amendments - Representative Parker moved Senate amendments to **HB 30** 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: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 40 - Senate Amendments - Representative Harris moved Senate amendments to **HB 40** 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, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 97

Noes: Jayne, Sales, Sinrud.
Total 3

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 49 - Senate Amendments - Representative Wilson moved Senate amendments to **HB 49** 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, 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.

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Total 99

Noes: None.
Total 0

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: Malcolm.
Total 1

HB 53 - Senate Amendments - Representative Jacobson moved Senate amendments to **HB 53** 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, 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: McGillvray.
Total 1

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 55 - Senate Amendments - Representative Parker moved Senate amendments to **HB 55** 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: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

HB 67 - Governor's Amendments - Representative Jent moved Governor's amendments to **HB 67** be concurred in. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Becker, Bergren, Bixby, Branae, D. Brown, 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, Henry, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lambert, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McKenney, McNutt, Mendenhall, Milburn, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Ripley, Roberts, Sales, Sesso, Sinrud, Small-Eastman, Taylor, Villa, Waitschies, Wanzenried, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 83

Noes: Barrett, R. Brown, Butcher, Hawk, Hendrick, Himmelberger, Lake, Lange, McGillvray, Morgan, Rice, Ross, Sonju, Stahl, Stoker, Wagman, Ward.

Total 17

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 68 - Senate Amendments - Representative Andersen moved Senate amendments to **HB 68** 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, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, 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, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 95

Noes: Hawk, Jayne, Jent, Lange, Wagman.

Total 5

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 70 - Senate Amendments - Representative Stahl moved Senate amendments to **HB 70** be concurred in. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Clark, Dickenson, Dowell, Driscoll, Everett, Facey, Franklin, Furey, Galvin-Halcro, Glaser, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jent, L. Jones, W. Jones, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, 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,

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Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 89

Noes: Bixby, Campbell, Cohenour, Eaton, Gallik, Golie, Jayne, Jopek, Juneau, McAlpin.
Total 10

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: Ward.
Total 1

HB 71 - Senate Amendments - Representative Lake moved Senate amendments to **HB 71** 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: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 73 - Senate Amendments - Representative Buzzas moved Senate amendments to **HB 73** 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, 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, Lake, Lambert, 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, Small-Eastman, Sonju, Stahl, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 90

Noes: Everett, Hawk, Klock, Koopman, Lange, McGillvray, Sales, Sinrud, Stoker, Wells.
Total 10

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

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Absent or not voting: None.
Total 0

HB 105 - Senate Amendments - Representative Parker moved Senate amendments to **HB 105** 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, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Heinert, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lange, Lenhart, Lindeen, MacLaren, Malcolm, McAlpin, McKenney, McNutt, 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, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 88

Noes: Balyeat, Everett, Hawk, Hendrick, Jayne, Lake, Lambert, Maedje, McGillvray, Mendenhall, Wells.
Total 11

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: Franklin.
Total 1

HB 119 - Senate Amendments - Representative Golie moved Senate amendments to **HB 119** 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, 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, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 98

Noes: McGillvray.
Total 1

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: Wells.
Total 1

HB 142 - Senate Amendments - Representative Ripley moved Senate amendments to **HB 142** 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,

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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: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 150 - Senate Amendments - Representative Galvin-Halcro moved Senate amendments to **HB 150** 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, 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, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Milburn, Morgan, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Ripley, Roberts, Ross, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 92

Noes: Balyeat, Lake, Mendenhall, Rice, Sales, Sinrud, Taylor.
Total 7

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: Musgrove.
Total 1

HB 156 - Senate Amendments - Representative Henry moved Senate amendments to **HB 156** 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, 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, Lambert, 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, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 93

Noes: Everett, Hawk, Koopman, Lake, Lange, Sales, Wells.
Total 7

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 297 - Senate Amendments - Representative Wiseman moved Senate amendments to **HB 297** 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, 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, Ross, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 95

Noes: Driscoll, Hawk, Lake, Sales, Sinrud.

Total 5

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 517 - Senate Amendments - Representative Wiseman moved Senate amendments to **HB 517** be concurred in. Motion **failed** as follows:

Ayes: Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jent, Jopek, Kaufmann, Lindeen, McAlpin, Musgrove, Raser, Small-Eastman, Villa, Wanzenried, Windy Boy, Wiseman.

Total 35

Noes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, D. Brown, R. Brown, Butcher, Driscoll, Everett, Glaser, Grinde, Groesbeck, Hawk, Heinert, Hendrick, Himmelberger, Jackson, Jayne, L. Jones, W. Jones, Juneau, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Wilson, Windham, Witt, Mr. Speaker.

Total 65

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 18 - Representative Harris moved **SB 18** be concurred in.

SB 18 - Representative Sales moved **SB 18**, second reading copy, be amended.

Amendment **not** adopted as follows:

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

Noes: Becker, Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, McAlpin, McNutt, Musgrove, Noennig, Noonan, B. Olson, Parker, Raser, Ripley, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman.
Total 53

Voted Absentee: Wanzenried, Windy Boy, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 18 - Motion to concur carried as follows:

Ayes: Andersen, Barrett, 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, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, Maedje, McAlpin, McGillvray, McKenney, McNutt, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Roberts, Ross, Sales, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 82

Noes: Arntzen, Balyeat, D. Brown, Butcher, Everett, Glaser, Hawk, Heinert, Jayne, Klock, MacLaren, Malcolm, Mendenhall, Ripley, Sinrud, Wagman, Waitschies, Witt.
Total 18

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 109 - Representative D. Brown moved **SB 109** 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, 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, Taylor, Villa, Wagman, Waitschies, Ward, Wells, Wilson, Windham, Wiseman, Witt, Mr. Speaker.
Total 95

Noes: Hawk, Stoker, Wanzenried, Warden, Windy Boy.
Total 5

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Voted Absentee: Wanzenried, Windy Boy, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 110 - Representative Roberts moved **SB 110** 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, 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, 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, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 92

Noes: Everett, Hawk, Koopman, Waitschies, Wells.
Total 5

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: Klock, Lambert, Ripley.
Total 3

SB 146 - Representative Parker moved **SB 146** 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, Henry, Himmelberger, Hiner, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Waitschies, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 88

Noes: Balyeat, D. Brown, Everett, Hawk, Heinert, Hendrick, Jackson, Koopman, Sales, Sinrud, Wagman, Wells.
Total 12

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 207 - Representative Sonju moved **SB 207** 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,

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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, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 98

Noes: Jayne.
Total 1

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: Stahl.
Total 1

SB 224 - Representative Lake moved **SB 224** 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, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Villa, Wagman, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 95

Noes: Jackson, Mendenhall, Ripley, Stahl, Waitschies.
Total 5

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 320 - Representative Himmelberger moved consideration of **SB 320** be placed below **SB 333** on the second reading board. Motion carried.

SB 288 - Representative D. Brown moved **SB 288** 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, 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, Lange, Lenhart, Lindeen, MacLaren, Maedje, McAlpin, McGillvray, McKenney, McNutt, Milburn, 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 93

Noes: Everett, Koopman, Malcolm, Mendenhall, Morgan, Sales.
Total 6

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Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: Lambert.
Total 1

SB 333 - Representative Lindeen moved consideration of **SB 333** be placed below **SB 289** on the second reading board.
Motion carried.

SB 491 - Representative Jacobson moved **SB 491** be concurred in. Motion carried as follows:

Ayes: 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, Hendrick, Henry, Himmelberger, Hiner, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lambert, Lange, Lenhart, Lindeen, 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, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 90

Noes: Andersen, Balyeat, Everett, Hawk, Heinert, Jackson, Koopman, Lake, MacLaren, Taylor.
Total 10

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 320 - Representative Peterson moved **SB 320** be concurred in.

SB 320 - Representative Peterson moved **SB 320**, second reading copy, be amended as follows:

1. Page 3, line 18.

Following: "(1)"

Insert: "(a)"

Strike: "\$450"

Insert: "\$600"

2. Page 3, line 19.

Strike: "\$300"

Insert: "\$600"

3. Page 3.

Following: line 19

Insert: "(b) In addition to the fees provided for in subsection (1)(a), there is an annual fee for a general permit authorization or an individual permit. The fee is \$600 and is subject to the annual fee reduction provisions in 75-5-516(2)(b)."

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,

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Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: Himmelberger.
Total 1

SB 320 - Representative Peterson moved **SB 320**, second reading copy, be further amended as follows:

1. Page 1, line 24.

Following: "operation"

Insert: "or that is designated as a concentrated animal feeding operation in accordance with 40 CFR, part 122. Two or more animal feeding operations under common ownership are considered to be a single animal feeding operation for the purposes of determining the number of animals at an operation if they adjoin each other or if they use a common area or system for the disposal of wastes"

2. Page 2, line 6.

Strike: "or broilers"

Following: "operation uses"

Insert: "other than"

3. Page 2, line 11.

Following: "means"

Insert: "an animal feeding operation with the type and number of animals that fall within any of the ranges listed in subsection (4)(a) and that has been defined or designated as a concentrated animal feeding operation. An animal feeding operation is defined as a medium concentrated animal feeding operation if"

4. Page 2, line 12.

Strike: "an animal feeding operation that"

Insert: "the type and number of animals that it"

Following: "stables or confines"

Strike: "animals that fall"

Insert: "falls"

Following: "within"

Insert: "any of"

5. Page 2, line 15.

Following: "other than"

Insert: "mature"

6. Page 2, line 28.

Following: "system;"

Insert: "or"

7. Page 2, line 30.

Strike: "an operation that meets"

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Following: "conditions"

Insert: "is met"

8. Page 3, line 4.

Strike: "lot or"

9. Page 3, line 9.

Strike: "part"

Insert: "parts 122.23 and"

10. Page 3, line 11.

Strike: "the federal regulations"

Insert: "40 CFR, part 412,"

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, 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: Wanzenried, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 320 - Representative Wiseman moved **SB 320**, second reading copy, be further amended.

Amendment **not** adopted as follows:

Ayes: Becker, Bixby, Branae, Buzzas, Caferro, Callahan, Clark, Cohenour, Dickenson, Dowell, Driscoll, Facey, Franklin, Furey, Gallik, Grinde, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Lindeen, Musgrove, Noonan, Parker, Raser, Sesso, Small-Eastman, Villa, Wanzenried, Windham, Windy Boy, Wiseman.
Total 39

Noes: Andersen, Arntzen, Balyeat, Barrett, Bergren, D. Brown, R. Brown, Butcher, Campbell, Eaton, Everett, Galvin-Halcro, Glaser, Golie, Groesbeck, Hawk, Heinert, Hendrick, Himmelberger, Jackson, L. Jones, W. Jones, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Wilson, Witt, Mr. Speaker.
Total 61

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

SB 320 - Representative Peterson moved **SB 320**, as amended, be concurred in. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Bergren, D. Brown, R. Brown, Butcher, Campbell, Cohenour, Dickenson, Eaton, Everett, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Himmelberger, Hiner, Jackson, Jent, L. Jones, W. Jones, 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, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Ward, Warden, Wells, Windham, Witt, Mr. Speaker.
Total 74

Noes: Becker, Bixby, Branae, Buzzas, Caferro, Callahan, Clark, Dowell, Driscoll, Facey, Franklin, Grinde, Gutsche, Harris, Henry, Jacobson, Jayne, Jopek, Juneau, Kaufmann, Raser, Wanzenried, Wilson, Windy Boy, Wiseman.
Total 25

Voted Absentee: Wanzenried, Windy Boy, Noes.

Excused: None.
Total 0

Absent or not voting: Small-Eastman.
Total 1

SB 70 - Representative McAlpin moved **SB 70** 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, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: Jacobson.
Total 1

SB 74 - Representative Facey moved **SB 74** 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, 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: None.
Total 0

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: Small-Eastman.
Total 1

SB 80 - Representative Lange moved **SB 80** be concurred in. Motion carried as follows:

Ayes: Andersen, Arntzen, Barrett, Becker, 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, Hawk, Hendrick, Henry, Himmelberger, Hiner, Jacobson, Jent, L. Jones, W. Jones, Jopek, Kaufmann, Keane, Koopman, Lake, Lange, Lenhart, Lindeen, MacLaren, McAlpin, McGillvray, McKenney, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Warden, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 80

Noes: Balyeat, Bergren, D. Brown, Everett, Heinert, Jackson, Jayne, Juneau, Klock, Lambert, Maedje, Malcolm, McNutt, Mendenhall, Rice, Ripley, Sonju, Ward, Wells, Witt.
Total 20

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 92 - Representative Cohenour moved **SB 92** be concurred in. 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, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Koopman, Lambert, Lange, Lenhart, Lindeen, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Villa, Wagman, Waitschies, Wanzenried, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 88

Noes: D. Brown, Everett, Jackson, Klock, Lake, MacLaren, Maedje, Mendenhall, Rice, Sonju, Taylor, Ward.
Total 12

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 104 - Representative Golie moved **SB 104** be concurred in.

SB 104 - Representative Sonju moved **SB 104**, second reading copy, be amended.

Amendment **not** adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, R. Brown, Butcher, Everett, Facey, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Jackson, Jayne, L. Jones, W. Jones, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, A. Olson, B. Olson, Peterson, Rice, Ripley, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Witt.
Total 50

Noes: Becker, Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jent, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, McAlpin, Musgrove, Noennig, Noonan, Parker, Raser, Roberts, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.
Total 50

Voted Absentee: Wanzenried, Windy Boy, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 104 - Representative Clark moved **SB 104**, second reading copy, be amended as follows:

1. Page 2, line 24.
Following: "proximate"
Insert: "visual"

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, 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, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.
Total 98

Noes: Sinrud, Wagman.
Total 2

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 104 - Representative Ward moved consideration of **SB 104** be placed below **SB 131** on the second reading board. Motion **failed** as follows:

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Ayes: Andersen, Arntzen, Barrett, D. Brown, R. Brown, Butcher, Clark, Everett, Glaser, Heinert, Hendrick, Himmelberger, Jackson, L. Jones, W. Jones, Jopek, Klock, Koopman, Lange, MacLaren, Maedje, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Rice, Roberts, Sinrud, Stahl, Stoker, Taylor, Wagman, Ward, Warden, Wells, Witt.
Total 37

Noes: Balyeat, Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Henry, Hiner, Jayne, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lenhart, Lindeen, McAlpin, McKenney, McNutt, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Ripley, Ross, Sales, Sesso, Small-Eastman, Villa, Windham, Wiseman, Mr. Speaker.
Total 55

Excused: Wanzenried, Windy Boy.
Total 2

Absent or not voting: Becker, Dowell, Jacobson, Sonju, Waitschies, Wilson.
Total 6

SB 104 - Representative Villa moved for cloture. Motion carried as follows:

Ayes: Balyeat, Bergren, Bixby, Branae, D. Brown, R. Brown, Buzzas, Caferro, Callahan, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Henry, Hiner, Jacobson, Jayne, Jent, L. Jones, Jopek, Juneau, Kaufmann, Keane, Lambert, Lindeen, Malcolm, McAlpin, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Raser, Ripley, Roberts, Ross, Sesso, Small-Eastman, Villa, Waitschies, Wilson, Windham, Wiseman, Mr. Speaker.
Total 63

Noes: Andersen, Arntzen, Barrett, Butcher, Clark, Everett, Gallik, Hendrick, Himmelberger, W. Jones, Klock, Koopman, Lake, MacLaren, Maedje, McGillvray, Peterson, Rice, Sales, Sonju, Stahl, Stoker, Taylor, Wagman, Ward, Warden, Wells, Witt.
Total 28

Excused: Wanzenried, Windy Boy.
Total 2

Absent or not voting: Becker, Campbell, Jackson, Lange, Lenhart, Noonan, Sinrud.
Total 7

SB 104 - Representative Golie moved **SB 104**, as amended, be concurred in. Motion carried as follows:

Ayes: Becker, Bixby, Branae, D. Brown, R. Brown, Buzzas, Caferro, Callahan, Campbell, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Himmelberger, Hiner, Jacobson, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, MacLaren, McAlpin, McKenney, Morgan, Musgrove, Noennig, Noonan, B. Olson, Parker, Raser, Roberts, Sesso, Small-Eastman, Stoker, Waitschies, Wanzenried, Warden, Wilson, Windham, Wiseman, Mr. Speaker.
Total 59

Noes: Andersen, Arntzen, Balyeat, Barrett, Bergren, Butcher, Clark, Everett, Glaser, Hawk, Heinert, Hendrick, Jackson, Jayne, Klock, Koopman, Lake, Lambert, Lange, Maedje, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, A. Olson, Peterson, Rice, Ripley, Ross, Sales, Sinrud, Sonju, Stahl, Taylor, Villa, Wagman, Ward, Wells, Windy Boy, Witt.
Total 41

Voted Absentee: Wanzenried, Aye; Windy Boy, No.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 287 - Representative Parker moved **SB 287** be concurred in.

SB 287 - Representative Witt moved **SB 287**, second reading copy, be amended as follows:

1. Title, line 11.

Following: "LICENSED PHARMACY"

Insert: "OR A RETAIL ESTABLISHMENT UNDER RESTRICTED CONDITIONS"

2. Page 2, line 15.

Following: "7"

Insert: ", or a retail establishment that is at least 5,000 square feet in size and offers at least 1,000 stock keeping units"

3. Page 2, line 16.

Following: "PHARMACY"

Insert: "or retail establishment provided for in subsection (1)"

4. Page 2, line 18 through line 20.

Following: "pseudoephedrine"

Strike: remainder of line 18 through "PHARMACY" on line 20

Insert: "behind the store counter in an area that is not accessible to customers or in a locked case so that a customer is required to ask an employee of the licensed pharmacy or retail establishment for assistance in purchasing the product"

5. Page 2, line 28.

Following: "PHARMACY"

Insert: "or retail establishment provided for in subsection (1)"

6. Page 2, line 29.

Following: "PHARMACY"

Insert: "or retail establishment provided for in subsection (1)"

7. Page 3, line 1.

Following: "PHARMACY"

Insert: "or retail establishment provided for in subsection (1)"

8. Page 3, line 2.

Following: "PHARMACY"

Insert: "or retail establishment provided for in subsection (1)"

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Bergren, R. Brown, Butcher, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Himmelberger, Hiner, Jackson, Jayne, L. Jones, Keane, Klock, Koopman, Lake, Lambert, Lange, Lindeen, MacLaren, Maedje, Malcolm, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, Noonan, A. Olson, B. Olson, Peterson, Rice, Ripley, Ross, Sales, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Villa, Waitschies, Ward, Wells, Windy Boy, Witt, Mr. Speaker.

Total 55

Noes: Becker, Bixby, Branae, D. Brown, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Gutsche, Hamilton, Harris, Henry, Jacobson, Jent, W. Jones, Jopek, Juneau, Kaufmann, Lenhart, McAlpin, McGillvray, Musgrove, Parker, Raser, Roberts, Small-Eastman, Wagman, Wanzenried, Warden, Wilson, Windham, Wiseman.

Total 45

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Voted Absentee: Windy Boy, Aye; Wanzenried, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 287 - Representative Parker moved **SB 287**, 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, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, 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 97

Noes: Jayne, Koopman, Lambert.
Total 3

Voted Absentee: Wanzenried, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, 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, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lake, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Ripley, Roberts, Ross, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Villa, Waitschies, Ward, Warden, Wilson, Windham, Wiseman, Witt, Mr. Speaker.
Total 86

Noes: Hawk, Hendrick, Jayne, Koopman, Lambert, Mendenhall, Rice, Sales, Sinrud, Wells.
Total 10

Excused: Wanzenried, Windy Boy.
Total 2

Absent or not voting: Stahl, Wagman.
Total 2

REPORTS OF STANDING COMMITTEES

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Olson, Chairman): 4/7/2005
HJR 40, be adopted. Report adopted.
HJR 41, be adopted. Report adopted.

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TAXATION (Waitschies, Chairman):

4/7/2005

SB 68, be amended as follows:

1. Page 6, line 6.

Strike: "property of"

2. Page 20.

Following: line 18

Insert: "COORDINATION SECTION. Section 19. Coordination instruction. If Senate Bill No. 48 is passed and approved and it removes the class eight property tax provision that would have phased out the taxation of class eight property contingent on a certain increase in state wages and salaries, then [section 6] of [this act] must read as follows:

NEW SECTION. Section 6. Personal and other property exemptions. The following categories of property are exempt from taxation:

(1) harness, saddlery, and other tack equipment;
(2) the first \$15,000 or less of market value of tools owned by the taxpayer that are customarily hand-held and that are used to:

(a) construct, repair, and maintain improvements to real property; or
(b) repair and maintain machinery, equipment, appliances, or other personal property;
(3) all household goods and furniture, including but not limited to clocks, musical instruments, sewing machines, and wearing apparel of members of the family, used by the owner for personal and domestic purposes or for furnishing or equipping the family residence;

(4) a bicycle, as defined in 61-1-123, used by the owner for personal transportation purposes;
(5) items of personal property intended for rent or lease in the ordinary course of business if each item of personal property satisfies all of the following:

(a) the acquired cost of the personal property is less than \$15,000;
(b) the personal property is owned by a business whose primary business income is from rental or lease of personal property to individuals and no one customer of the business accounts for more than 10% of the total rentals or leases during a calendar year; and
(c) the lease of the personal property is generally on an hourly, daily, or weekly basis;

(6) space vehicles and all machinery, fixtures, equipment, and tools used in the design, manufacture, launch, repair, and maintenance of space vehicles that are owned by businesses engaged in manufacturing and launching space vehicles in the state or that are owned by a contractor or subcontractor of that business and that are directly used for space vehicle design, manufacture, launch, repair, and maintenance; and

(7) a title plant owned by a title insurer or a title insurance producer, as those terms are defined in 33-25-105."

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

SB 85, be amended as follows:

1. Title, page 1, line 6.

Following: "DATE"

Insert: " AND A CONTINGENT TERMINATION DATE"

2. Page 2.

Following: line 8

Insert: "NEW SECTION. Section 5. Contingent termination. The voluntary income tax checkoff created in [section 1] terminates on January 1 of the first tax year following the 2 immediately preceding tax years in which the voluntary checkoff raises less than \$10,000 in each of those 2 tax years."

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

SB 87, be amended as follows:

1. Page 4, line 13.

Strike: "subsection"

Insert: "subsections"

Following: "(4)(b)(ii)"

Insert: "and (4)(b)(iii)"

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

SB 222, be amended as follows:

1. Page 2, line 22.

Following: "methods"

Insert: "that is mutually agreed upon by the county and municipalities"

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

SB 261, be concurred in. Report adopted.

SB 292, be concurred in. Report adopted.

SB 296, be amended as follows:

1. Page 2, line 1.

Strike: "and"

2. Page 2, line 2.

Strike: "."

Insert: "the parcel of land is greater than 20 acres but less than 160 acres and that the parcel is located within 15 air miles of the family-operated farming entity referred to in subsection (1)(b)(iii)(C); and (C) verifies that:"

3. Page 2, line 4.

Following: "production;"

Insert: "and"

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

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:

SB 143 concurred in as follows:

Ayes: Becker, Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Heinert, Henry, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Lenhart, Lindeen, McAlpin, McKenney, McNutt, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Sesso, Small-Eastman, Villa, Wilson, Windham, Wiseman, Witt, Mr. Speaker.

Total 55

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

Total 43

Excused: Wanzenried, Windy Boy.

Total 2

Absent or not voting: None.

Total 0

SB 324 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,

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Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, 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, Ward, Warden, Wells, Wilson, Windham, Wiseman, Witt, Mr. Speaker.

Total 92

Noes: Everett, Hawk, Jackson, Koopman, Lake, Sales.

Total 6

Excused: Wanzenried, Windy Boy.

Total 2

Absent or not voting: None.

Total 0

MOTIONS

Dem. Floor Leader Parker moved the Speaker appoint a Conference Committee to meet with a like committee to confer on House amendments to **SB 81**. Motion carried.

The Speaker appointed:

Representative D Brown
Representative Hendrick
Representative Jent
Representative Jacobson

Dem. Floor Leader Parker moved the Speaker appoint a Conference Committee to meet with a like committee to confer on Senate amendments to **HB 135**. Motion carried.

The Speaker appointed:

Representative D Brown
Representative Ripley
Representative Eaton
Representative Hamilton

Dem. Floor Leader Parker moved the Speaker appoint a Conference Committee to meet with a like committee to confer on Senate amendments to **HB 272**. Motion carried.

The Speaker appointed:

Representative Lambert
Representative A. Olson
Representative Cohenour
Representative Groesbeck

Dem. Floor Leader Parker moved the Speaker appoint a Conference Committee to meet with a like committee to confer on Senate amendments to **HB 348**. Motion carried.

The Speaker appointed:

Representative Himmelberger
Representative McKenney
Representative Buzzas

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Representative Kaufmann

Dem. Floor Leader Parker moved the Speaker appoint a Conference Committee to meet with a like committee to confer on Senate amendments to **HB 493**. Motion carried.

The Speaker appointed:

Representative McKenney
Representative Milburn
Representative Noonan
Representative Wilson

Dem. Floor Leader Parker moved the Speaker appoint a **Free** Conference Committee to meet with a like committee to confer on Senate amendments to **HB 517**. Motion carried.

The Speaker appointed:

Representative Himmelberger
Representative McKenney
Representative Wiseman
Representative Galvin-Halcro

Dem. Floor Leader Parker moved the Speaker appoint a Conference Committee to meet with a like committee to confer on Senate amendments to **HB 115**. Motion carried.

The Speaker appointed:

Representative McNutt
Representative Warden
Representative Groesbeck
Representative Branae

Dem. Floor Leader Parker moved to re-refer **HJR 43** to the House Taxation Committee. Without objection, so ordered.

Dem. Floor Leader Parker moved to re-refer **HB 805** and **HB 806** from the State Administration Committee to the Judiciary Committee. Without objection, so ordered.

Rep. Jopek moved to have the House reconsider its action on **HB 142** on April 6, 2005, and place back on 3rd Reading. Motion **failed** as follows:

Ayes: Becker, Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Groesbeck, Gutsche, Hamilton, Harris, Henry, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Lenhart, Lindeen, McAlpin, Musgrove, Noonan, Parker, Raser, Small-Eastman, Villa, Wilson, Windham, Wiseman, Mr. Speaker.

Total 44

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

Total 54

Excused: Wanzenried, Windy Boy.

Total 2

Absent or not voting: None.

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Total 0

Rep. Sinrud moved to have the House reconsider its action on **SB 104** and place the bill on 2nd Reading for the purpose of amendment and discussion. Motion carried as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Bergren, R. Brown, Butcher, Clark, Everett, Glaser, Gutsche, Hawk, Heinert, Hendrick, Himmelberger, Jackson, Jayne, L. Jones, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, Noonan, A. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Wiseman, Witt.

Total 53

Noes: Becker, Bixby, Branae, D. Brown, Buzzas, Caferro, Callahan, Campbell, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Hamilton, Harris, Henry, Hiner, Jacobson, Jent, W. Jones, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, McAlpin, Musgrove, B. Olson, Parker, Raser, Sesso, Small-Eastman, Villa, Wilson, Windham, Mr. Speaker.

Total 45

Excused: Wanzenried, Windy Boy.

Total 2

Absent or not voting: None.

Total 0

SPECIAL ORDER OF THE DAY

Consent Calendar: **HJR 34**. There being no questions, this bill will be placed on 3rd Reading.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Dem. Floor Leader Parker moved that the House adjourn until 10:00 a.m., Friday, April 8, 2005. Motion carried.

House adjourned at 3:16 p.m.

MARILYN MILLER
Chief Clerk of the House

GARY MATTHEWS
Speaker of the House