

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

Helena, Montana
February 7, 2007

House Chambers
State Capitol

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

Roll Call. All members present except for Representative Phillips, Representative Milburn and Representative Sinrud who were excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the nineteenth, twentieth, and twenty-first legislative days, find the same to be correct.

L. Jones, Chair

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 2/6/2007
Correctly printed: **HB 143, HB 315, HB 428, HB 526.**
Correctly engrossed: **HB 40, HB 273, HB 337, HB 378, HB 413, HB 419, HJR 20.**
Correctly enrolled: **HB 21.** 2/5/2007
Examined by the sponsor and found to be correct: **HB 21.**
Signed by the Speaker at 2:20 p.m., February 7, 2007: **HB 21.**

JUDICIARY (Rice, Chairman): 2/6/2007
HB 306, do pass. Report adopted.

HB 334, introduced bill, be amended as follows:

1. Page 5, line 10.

Following: "technical"

Insert: "and price"

2. Page 5, line 12.

Following: "technical"

Insert: "and price"

3. Page 5, line 14.

Following: "technical"

Insert: "and price"

4. Page 5, line 15.

Following: "schedule"

Insert: "and the lump-sum price to complete the project"

5. Page 5, line 16.

Following: "technical"

Insert: "and price"

And, as amended, do pass. Report adopted.

HOUSE JOURNAL
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 7, 2007

HB 402, do pass. Report adopted.

AGRICULTURE (Butcher, Chairman):

2/7/2007

HB 380, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "BY OPEN"

2. Title, line 5.

Strike: "PURCHASE OR BY CONTRACT"

3. Title, line 6.

Following: "MONTANA"

Insert: "BY DIRECT NEGOTIATION"

4. Page 1, line 17 through line 19.

Strike: "open purchase" on line 17 through "apply" on line 19

Insert: "direct negotiation"

And, as amended, do pass. Report adopted.

HB 431, do pass. Report adopted.

EDUCATION (Jore, Chairman):

2/7/2007

HB 230, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "REQUIRING"

Insert: "ALLOWING"

2. Page 1, line 14 through page 1, line 17.

Following: "person"

Strike: "shall" on line 14 through "district" on line 17

Insert: "must pass a criminal background check and be of good moral character"

3. Page 1, line 18 and line 19.

Strike: "must" on line 18

Insert: "is recommended to"

Following: "based" on line 18

Insert: "in part"

Following: "evaluation of"

Strike: ":" on line 18 through "(a)" on line 19

4. Page 1, line 19.

Following: "knowledge"

Strike: ";

Insert: "in the subject area or areas being taught and"

5. Page 1, line 20.

Strike: subsection (b) in its entirety

HOUSE JOURNAL
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 7, 2007

6. Page 1, line 21.

Strike: "(c)"

Strike: "; and"

Insert: "."

7. Page 1, line 22.

Strike: subsection (d) in its entirety

8. Page 1, line 27 through line 28.

Strike: subsection (5) in its entirety

Renumber: subsequent subsection

9. Page 1, line 29.

Strike: "internship"

Insert: "trial period"

Strike: "shall present"

Insert: "may recommend"

10. Page 1, line 30 through page 2, line 1.

Following: "certification"

Strike: remainder of line 30 through "section" on page 2, line 1

Insert: "based on the academic achievement of the pupils taught by the person during that first year"

And, as amended, do pass. Report adopted.

HB 354, introduced bill, be amended as follows:

1. Page 2, line 4.

Strike: "20 U.S.C. 1414 and 34 CFR 300.340 through 300.350"

Insert: "the Individuals with Disabilities Education Act, 20 U.S.C. 1400, et seq"

2. Page 2, line 8.

Following: "university"

Insert: "or who has a combination of education and experience"

3. Page 2, line 14.

Following: "board"

Insert: "of public education"

4. Page 2, line 20.

Following: "university"

Insert: "or who have a combination of education and experience"

And, as amended, do pass. Report adopted.

APPROPRIATIONS (Sinrud, Chairman):

2/7/2007

HB 11, introduced bill, be amended as follows:

1. Title, page 1, line 15.

Following: "PROJECTS;"

HOUSE JOURNAL
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 7, 2007

Insert: "PROVIDING FOR A TRANSFER OF FUNDS FROM THE STATE GENERAL FUND TO THE TREASURE STATE ENDOWMENT STATE SPECIAL REVENUE ACCOUNT;"

2. Page 1, line 22.

Following: "account"

Insert: "and general fund"

3. Page 1, line 23.

Following: "account"

Insert: "and \$15.4 million from the transfer in [section 6]"

4. Page 3, line 7.

Strike: "750,000"

Insert: "600,000"

5. Page 3.

Following: line 7

Insert: "35. Cut Bank, City of (water) 550,000

36. Whitehall, Town of (wastewater) 750,000

37. Crow Tribe for Crow Agency (wastewater) 750,000

38. Big Sandy, Town of (wastewater) 750,000

39. Fairfield, Town of (wastewater) 750,000

39. Hamilton, City of (wastewater) 750,000

41. Gallatin County for Hebgen Lake (wastewater) 750,000

42. Shelby, City of (water) 750,000

42. Whitefish, City of (wastewater) 750,000

44. Panoramic Heights and Mountain River Heights County Water District (water) 191,500

45. Custer County (bridge) 63,750

46. Brady County Water District (wastewater) 750,000

47. Elk Meadows Ranchettes County Water District (water) 410,000

48. Polson, City of (water) 750,000

49. Darby, Town of (water) 750,000

50. Goodan-Keil County Water District (water) 532,250

51. Butte-Silver Bow County (water) 750,000

52. Columbia Falls, City of (wastewater) 750,000

53. Mineral County/Saltse Water and Sewer District (wastewater) 390,000

53. North Valley County Water and Sewer District (water) 750,000

55. Red Lodge, City of (water) 750,000

56. Black Eagle Cascade County Water and Sewer District (water) 365,000"

6. Page 3, line 12.

Following: "through"

Strike: "31"

Insert: "56"

7. Page 3, line 18.

Strike: line 18 through line 20 in their entirety

Renumber: subsequent subsections

8. Page 5.

Following: line 26

HOUSE JOURNAL
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 7, 2007

Insert: "NEW SECTION. Section 6. Fund transfer. At the beginning of fiscal year 2008, the amount of \$15.4 million is transferred from the state general fund to the treasure state endowment state special revenue account established in 90-6-715 for the purpose of making grants."

Renumber: subsequent sections

9. Page 8, line 17.

Following: "to"

Strike: "\$6,986,000"

Insert: "\$6,686,000"

Following: "authorized"

Strike: "for the 2009 biennium"

10. Page 8, line 20.

Strike: "9(1)"

Insert: "10(1)"

11. Page 8, line 26.

Strike: "7(2)"

Insert: "8(2)"

12. Page 9, line 1.

Strike: "7 through 9"

Insert: "8 through 10"

13. Page 9, line 17.

Following: "[Sections"

Strike: "7"

Insert: "8"

Following: "through"

Strike: "9"

Insert: "10"

14. Page 9, line 19.

Following: "through"

Strike: "6"

Insert: "7"

Following: "and"

Strike: "10"

Insert: "11"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bill passed and transmitted to the House for concurrence:

2/7/2007

SB 33, introduced by Steinbeisser

SB 125, introduced by Harrington

SB 153, introduced by Cocchiarella

SB 245, introduced by McGee

SB 261, introduced by Lewis

HOUSE JOURNAL
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 7, 2007

SB 271, introduced by Brown
SB 296, introduced by Weinberg
SB 305, introduced by Laslovich
SB 328, introduced by Steinbeisser

FIRST READING AND COMMITMENT OF BILLS

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

HB 588, introduced by Everett, referred to Local Government.
HB 589, introduced by Everett, referred to Local Government.
HB 590, introduced by Everett, referred to Judiciary.
HB 591, introduced by Everett, referred to Fish, Wildlife and Parks.
HB 592, introduced by Wilson, M. Tropila, Milburn, J. Tropila, Parker, Furey, Franklin, O'Hara, referred to Appropriations.
HB 593, introduced by Furey, referred to Transportation.
HB 594, introduced by Stahl, Branae, referred to State Administration.
HB 595, introduced by Dickenson, Henry, Branae, Butcher, Hiner, referred to Judiciary.
HB 596, introduced by Sands, Caferro, Williams, McAlpin, Franklin, Ryan, J. Tropila, Noonan, Lange, Cocchiarella, referred to Local Government.
HB 597, introduced by Stoker, referred to Judiciary.
HB 598, introduced by Erickson, referred to Taxation.
HB 599, introduced by Raser, referred to Taxation.
HB 600, introduced by Raser, referred to Business and Labor.
HB 601, introduced by Small-Eastman, referred to Business and Labor.
HB 602, introduced by Small-Eastman, referred to Federal Relations, Energy, and Telecommunications.
HB 603, introduced by Small-Eastman, referred to Appropriations.

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

HJR 29, introduced by Dickenson, Phillips, Hiner, Gallik, Branae, Butcher, Lambert, referred to Agriculture.
HJR 30, introduced by Furey, referred to Human Services.

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

SJR 15, introduced by J. Tropila, referred to State Administration.

Democratic Floor Leader Villa announced that Democrats would caucus. Majority Floor Leader Lange announced that Republicans would caucus. House reconvened at 1:30 p.m.

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 154 passed 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, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt,

HOUSE JOURNAL
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 7, 2007

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, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: Jore.
Total 1

Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.
Total 0

Absent or not voting: Caferro, Windy Boy.
Total 2

HB 272 passed 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: Phillips, Sinrud, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 300 passed 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, 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, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 93

HOUSE JOURNAL
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 7, 2007

Noes: Augare, Franklin, Furey, Gallik, Henry, Jayne, McGillvray.
Total 7

Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 341 passed 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, 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: Boggio, Kasten.
Total 2

Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 353 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, 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

Noes: Bergren, Grinde.
Total 2

HOUSE JOURNAL
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 7, 2007

Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 362 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, 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 95

Noes: Bixby, Caferro, Franklin, Gallik, Jopek.

Total 5

Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**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 MacLaren in the chair.

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

HB 292 - Representative Stahl moved **HB 292** 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, 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, Witte, Mr. Speaker.

HOUSE JOURNAL
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 7, 2007

Total 98

Noes: Jopek, Wiseman.

Total 2

Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 290 - Representative Bergren moved **HB 290** 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: Phillips, Sinrud, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 264 - Representative Heinert moved **HB 264** 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.

HOUSE JOURNAL
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 7, 2007

Total 0

Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 361 - Representative Kottel moved **HB 361** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, 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, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 92

Noes: Beck, Boggio, Kasten, Malcolm, Peterson, Ripley, Wells, Mr. Speaker.

Total 8

Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 195 - Representative Lange moved **HB 195** 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, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, 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.

Total 95

Noes: Franklin, Jore, Kasten, Koopman, Mr. Speaker.

Total 5

Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.

HOUSE JOURNAL
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 7, 2007

Total 0

Absent or not voting: None.

Total 0

HB 357 - Representative Cohenour moved **HB 357** 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, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 92

Noes: Boggio, Jore, Kasten, Koopman, McGillvray, Peterson, Mr. Speaker.

Total 7

Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.

Total 0

Absent or not voting: Rice.

Total 1

HB 363 - Representative Ward moved **HB 363** 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, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, 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, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 93

Noes: Everett, Hawk, Jore, Kasten, Koopman, Wells, Mr. Speaker.

Total 7

Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 7, 2007

HB 117 - Representative Henry moved **HB 117** do pass.

HB 117 - Representative Groesbeck moved **HB 117**, second reading copy, be amended as follows:

1. Page 2, line 19.

Following: "results;"

Insert: "and"

2. Page 2, line 22 through page 2, line 23.

Following: "20-8-102" on line 22

Strike: "; and" on line 22 through "this part" on line 23

3. Page 3, line 18.

Following: "information"

Strike: "and any other information required by rule"

4. Page 4, line 1 through page 4, line 2.

Following: "information" on line 1

Strike: "and any other information required by rule"

Amendment 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, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, 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, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Furey, Hollenbaugh, McGillvray, Sinrud.

Total 4

Voted Absentee: Phillips, Aye; Sinrud, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 117 - Motion to pass **HB 117**, as amended, carried as follows:

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

HOUSE JOURNAL
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 7, 2007

Total 69

Noes: Barrett, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, L. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Peterson, Rice, Ripley, Ross, Sinrud, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 30

Voted Absentee: Phillips, Aye; Sinrud, No.

Excused: None.

Total 0

Absent or not voting: Butcher.

Total 1

HB 278 - Representative Stoker moved **HB 278** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, 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, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 78

Noes: Barrett, Beck, Blasdel, Boggio, Everett, Hawk, Heinert, Jore, Kasten, Keane, Koopman, McGillvray, Mendenhall, Rice, Ripley, Ross, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 22

Voted Absentee: Phillips, Aye; Sinrud, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 485 - Representative Kottel moved **HB 485** do pass. Motion carried as follows:

Ayes: Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, W. Jones, Jopek, Keane, Kottel, MacLaren, McAlpin, McChesney, Musgrove, Noonan, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 58

Noes: Ankney, Barrett, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hilbert, Himmelberger, Jayne, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

HOUSE JOURNAL
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 7, 2007

Total 42

Voted Absentee: Phillips, Aye; Sinrud, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 303 - Representative Furey moved that **HB 303** do pass. The motion **failed** as follows:

Ayes: 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, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

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

Total 51

Voted Absentee: Phillips, Aye; Sinrud, 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 MacLaren moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Blasdel, Boggio, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Everett, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sesso, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wiseman, Witte, Mr. Speaker.

Total 78

Noes: Becker, Bergren, Bixby, Branae, Callahan, Dickenson, Erickson, Franklin, Groesbeck, Parker, Raser, Sands, Villa, Wilson, Windy Boy.

Total 15

Excused: Phillips, Sinrud.

HOUSE JOURNAL
TWENTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 7, 2007

Total 2

Absent or not voting: Ebinger, Kottel, MacLaren, Musgrove, Small-Eastman.

Total 5

MOTIONS

Majority Leader Lange moved **HB 429** be rereferred to the Committee on Human Services. There being no objection, so ordered.

Majority Leader Lange moved **HB 195** be rereferred to the Committee on Appropriations. There being no objection, so ordered.

Majority Leader Lange moved **HB 278** be rereferred to the Committee on Appropriations. There being no objection, so ordered.

SPECIAL ORDERS OF THE DAY

HB 416, introduced by MacLaren, additional sponsors were added:
Reps. Keane, Stahl. Senator Laible.

HB 514, introduced by Caferro, additional sponsors were added:
Reps. Ankney, Augare, Bergren, Branae, Cohenour, Dickenson, Driscoll, Erickson, French, Furey, Hamilton, Henry, Hiner, Hollenbaugh, Klock, Kottel, Musgrove, Noonan, Phillips, Pomnichowski, Reinhart, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Wiseman.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Thursday, February 8, 2007. Motion carried.

House adjourned at 3:02 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House