

**HOUSE JOURNAL
60TH LEGISLATURE
THIRTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
February 15, 2007

House Chambers
State Capitol

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

Roll Call. All members present. Quorum present.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman): 2/14/2007
Correctly printed: **HB 35, HB 37, HB 305, HB 397, HB 456, HB 492, HB 496, HB 503, HB 521, HB 522, HB 523, HB 554, HB 565, HB 579, HB 585, HJR 28.**
Correctly engrossed: **HB 60, HB 97, HB 198, HB 204, HB 214, HB 256, HB 310, HB 312, HB 350, HB 389, HB 423, HB 435, HB 439, HB 452, HB 459, HB 462, HB 464, HB 466, HB 467, HB 468, HB 487, HB 514, HB 533, HB 559.**
Correctly enrolled: **HB 23.** 2/13/2007
Correctly enrolled: **HB 470.** 2/14/2007
Examined by the sponsor and found to be correct: **HB 23.** 2/15/2007
Signed by the Speaker at 2:00 p.m., February 15, 2007: **HB 23.** 2/15/2007
Signed by the President at 2:16 p.m., February 15, 2007: **HB 23.** 2/15/2007
Examined by the sponsor and found to be correct: **HB 470.** 2/15/2007
Signed by the Chief Clerk of the House at 5:30 p.m., February 15, 2007: **HB 470.**

EDUCATION (Jore, Chairman): 2/14/2007
HB 283, do pass. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Olson, Chairman): 2/15/2007
HB 330, introduced bill, be amended as follows:

1. Title, line 10.

Following: "BONDS;"

Insert: "PROVIDING THAT CERTAIN REQUIREMENTS BE MET PRIOR TO PROJECT FINANCING; CLARIFYING THAT THE PROVISIONS OF THIS ACT DO NOT AUTHORIZE A LOCAL GOVERNING BODY TO CONSTRUCT, OWN, OR OPERATE POWERLINES; REQUIRING THE OFFICE OF THE GOVERNOR TO STUDY WIND ENERGY INTEGRATION AND TO PROVIDE MARKETING ASSISTANCE; PROVIDING AN APPROPRIATION;"

Strike: "AN IMMEDIATE"

Strike: "DATE"

Insert: "DATES"

2. Page 2, line 11.

Strike: "17"

Insert: "21"

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3. Page 2, line 15.

Strike: "17"

Insert: "21"

4. Page 2.

Following: line 15

Insert: "(1) "Ancillary services" has the meaning provided in 69-8-1003."

Renumber: subsequent subsections

5. Page 2, line 18.

Strike: "17"

Insert: "21"

6. Page 2.

Following: line 22

Insert: (6) "Intermittent generation resource" means a generator that operates on a limited and irregular basis due to the inconsistent nature of its fuel supply, which is primarily wind or solar power."

Renumber: subsequent subsections

7. Page 3, line 8 through line 9.

Strike: "for" on line 8 through "body" on line 9

Insert: "sell the production to:

(a) a party allowed to choose an electricity supplier under 69-8-201;

(b) a public utility or cooperative under voluntary contracts that are not governed by Title 69, chapter 3, part

6; (c) a competitive electricity supplier; or

(d) an out-of-state consumer"

8. Page 3, line 14 through line 17.

Strike: subsection (6) in its entirety

Renumber: subsequent subsection

9. Page 4, line 4.

Strike: "A"

Insert: "Except as provided in [section 17], a"

10. Page 6, line 18.

Strike: "17"

Insert: "21"

11. Page 6, line 24.

Strike: "17"

Insert: "21"

12. Page 7, line 4.

Strike: "17"

Insert: "21"

13. Page 7, line 5.

Strike: "17"

Insert: "21"

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14. Page 7, line 28.

Strike: "17"

Insert: "21"

15. Page 8, line 3.

Strike: "17"

Insert: "21"

16. Page 8, line 10.

Strike: "17"

Insert: "21"

17. Page 8, line 20.

Strike: "17"

Insert: "21"

18. Page 8, line 22.

Strike: "17"

Insert: "21"

19. Page 8, line 28.

Strike: "17"

Insert: "21"

20. Page 8, line 30.

Insert: "NEW SECTION. Section 17. Requirements prior to project financing. Prior to selling bonds or undertaking any other form of financing under [sections 1 through 21], the governmental body shall enter into a contract or contracts:

(1) with a transmission services provider to interconnect with the transmission or distribution facilities of a utility or cooperative;

(2) that ensure that all ancillary services are available to regulate the generation of electricity from the project as required by the control area operator; and

(3) for the sale of electricity from the project."

Insert: "NEW SECTION. Section 18. Prohibition on construction, ownership, and operation of powerlines. [Sections 1 through 21] do not authorize a governmental body to:

(1) construct, own, or operate electricity distribution or transmission facilities; or

(2) use the proceeds from bonds under [sections 1 through 21] to construct, own, or operate electricity distribution or transmission facilities."

Insert: "NEW SECTION. Section 19. Wind integration study. Before March 30, 2008, the office of the governor shall:

(1) study wind energy integration in Montana to determine the ancillary services expected to be needed by control areas integrating wind energy in Montana, including the impact of location diversity on the need for ancillary services; and

(2) present the findings of the study to the energy and telecommunications interim committee."

Insert: "NEW SECTION. Section 20. Marketing assistance. (1) The office of the governor shall contract with a qualified consultant to provide electricity marketing assistance to governmental bodies developing projects under [sections 1 through 21]. The preferred market for excess electricity from the projects developed pursuant to [sections 1 through 21] is outside Montana.

(2) The consultant that is hired under subsection (1):

(a) must have thorough knowledge of the electricity markets in the western United States;

(b) must be familiar with transmission reservation and scheduling processes related to a transmission services

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provider's obligation under federal energy regulatory commission rules;

(c) must be well-versed regarding the effects of intermittent generation resources on the transmission grid;
and

(d) may not be involved in any existing or proposed energy development projects in the state that could affect the consultant's impartiality or have other potential conflicts of interest that could affect the consultant's ability to provide nondiscriminatory electricity marketing assistance services."

Renumber: subsequent sections

21. Page 9, line 1.

Strike: "17"

Insert: "21"

22. Page 9, line 3.

Strike: "17"

Insert: "21"

23. Page 9, line 4.

Strike: "17"

Insert: "21"

24. Page 9, line 5.

Insert: "NEW SECTION. Section 22. Appropriation. There is appropriated \$300,000 from the general fund to the office of the governor for the biennium beginning July 1, 2007, to conduct the wind energy integration study pursuant to [section 19] and to provide electricity marketing assistance pursuant to [section 20]. A total of \$150,000 may be used for conducting the wind energy integration study and a total of \$150,000 may be used to provide electricity marketing assistance."

Renumber: subsequent sections

25. Page 9, line 6.

Strike: "17"

Insert: "21"

26. Page 9, line 8.

Strike: "17"

Insert: "21"

27. Page 9, line 10.

Strike: section 19 in its entirety

Insert: "NEW SECTION. Section 24. Effective dates. (1) [Sections 1 through 18, 21, 23, and this section] are effective on passage and approval.

(2) [Sections 19, 20, and 22] are effective July 1, 2007."

And, as amended, do pass. Report adopted.

HB 427, introduced bill, be amended as follows:

1. Title, line 9 through line 10.

Strike: "INCREASING" on line 9 through "REQUIREMENT;" on line 10

2. Page 3, line 18.

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Strike: "1.2%"
Insert: "0.42%"

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Mendenhall, Chairman):
HB 633, introduced bill, be amended as follows:

2/15/2007

1. Title, line 10.

Following: "APPLICATION;"

Insert: "PROVIDING THAT AN APPLICANT OR A PERSON WITH AN OWNERSHIP INTEREST IN AN APPLICANT MAY NOT HAVE AN OWNERSHIP INTEREST IN AN ALL-BEVERAGES LIQUOR LICENSE;"

2. Page 2, line 3.

Strike: "and"

3. Page 2, line 5.

Following: "\$100,000"

Strike: " _ "

Insert: "; and

(C) the applicant or, if the applicant is not an individual, a person with an ownership interest in the applicant does not have an ownership interest in an all-beverages license."

4. Page 2, line 16.

Strike: "3"

Insert: "5"

And, as amended, do pass. Report adopted.

TAXATION (Lake, Chairman):
HB 623, do pass. Report adopted.

2/15/2007

FIRST READING AND COMMITMENT OF BILLS

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

HB 716, introduced by Jopek, referred to Education.

HB 717, introduced by Stahl, Noonan, Nooney, Blasdel, Wilmer, Windy Boy, Parker, Butcher, Bergren, Keane, Wilson, Klock, Ross, Ankney, referred to Fish, Wildlife and Parks.

HB 718, introduced by Wilmer, Driscoll, French, Noonan, Kottel, Phillips, Erickson, Van Dyk, Augare, Ebinger, Villa, Cohenour, Wiseman, Wilson, Hamilton, Furey, referred to Judiciary.

HB 719, introduced by Wilmer, Noonan, Sands, Nooney, referred to Taxation.

HB 720, introduced by McAlpin, Wilmer, Raser, McChesney, Noonan, Dickenson, Franklin, Cohenour, Hollenbaugh, referred to Agriculture.

HB 721, introduced by Stahl, Kerns, referred to Fish, Wildlife and Parks.

HB 722, introduced by Jayne, Wells, referred to Judiciary.

HB 723, introduced by Arntzen, Parker, Boggio, Brown, Taylor, Blasdel, Ankney, O'Hara, McGillvray, referred to Judiciary.

HB 724, introduced by Furey, referred to Business and Labor.

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HB 725, introduced by K. Peterson, Lange, referred to Business and Labor.

HB 726, introduced by Gallik, O'Hara, Franklin, McAlpin, referred to Agriculture.

HB 727, introduced by Lange, referred to Appropriations.

HB 728, introduced by McChesney, referred to Natural Resources.

HB 729, introduced by Raser, referred to Local Government.

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

HJR 38, introduced by Jore, referred to Judiciary.

HJR 39, introduced by Erickson, Hamilton, Nooney, Hendrick, MacLaren, referred to Education.

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 25 passed as follows:

Ayes: Arntzen, Barrett, Becker, Bergren, Branae, Butcher, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Everett, French, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Stoker, Van Dyk, Villa, Vincent, Ward, Wells, Wilson, Windy Boy, Wiseman.

Total 69

Noes: Ankney, Augare, Beck, Bixby, Blasdel, Boggio, Caferro, Callahan, Cohenour, Dickenson, Erickson, Franklin, Furey, Gallik, Hands, Henry, Hilbert, Himmelberger, Kasten, McGillvray, Mendenhall, Milburn, Parker, Ross, Sonju, Taylor, Thomas, Wilmer, Witte, Mr. Speaker.

Total 30

Voted Absentee: Sands, Aye.

Excused: None.

Total 0

Absent or not voting: Stahl.

Total 1

HB 58 passed as follows:

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

Total 71

Noes: Barrett, Blasdel, Boggio, Butcher, Clark, Everett, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lambert, McGillvray, McNutt, Morgan, Rice, Ross, Sinrud, Sonju, Stoker, Vincent, Wells, Witte, Mr. Speaker.

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Total 28

Voted Absentee: Sands, Aye.

Excused: None.

Total 0

Absent or not voting: Ripley.

Total 1

HB 105 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, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Boggio, Jore, Kerns, Koopman, McGillvray, Mendenhall, Peterson, Wells.

Total 8

Voted Absentee: Sands, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 420 passed as follows:

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

Total 83

Noes: Bixby, Branae, Caferro, Callahan, Dickenson, Driscoll, Erickson, Hands, Henry, Jayne, Jopek, McAlpin, Musgrove, Parker, Sands, Small-Eastman, Wilson.

Total 17

Voted Absentee: Sands, No.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

Democratic Caucus Leader Villa announced Democrats would caucus. Majority Leader Lange announced Republicans would stand at ease. House reconvened at 1:30 p.m.

**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 Blasdel in the chair.

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

HB 340 - Representative Wells moved **HB 340** do pass.

HB 340 - Representative Keane moved for cloture.

HB 340 - The motion to pass **HB 340** carried as follows:

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

Total 57

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

Total 43

Voted Absentee: Sands, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 19 - Representative Lange moved consideration of **HJR 19** be passed for the day. Motion carried.

HB 417 - Representative Lange moved consideration of **HB 417** be placed at the bottom of the second reading board. Motion carried.

HB 273 - Representative Mendenhall moved **HB 273** do pass. Motion carried as follows:

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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, 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 99

Noes: French.

Total 1

Voted Absentee: Sands, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 520 - Representative Arntzen moved **HB 520** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Callahan, Clark, Cordier, Driscoll, Dutton, Everett, Glaser, Grinde, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Raser, Reinhart, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 70

Noes: Bergren, Bixby, Caferro, Campbell, Cohenour, Dickenson, Ebinger, Erickson, Franklin, French, Furey, Gallik, Groesbeck, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, McAlpin, Musgrove, Phillips, Pomnichowski, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Windy Boy.

Total 30

Voted Absentee: Sands, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 547 - Representative Sinrud moved **HB 547** do pass. Motion carried as follows:

Ayes: Ankney, Beck, Becker, Bergren, Blasdel, Campbell, Cohenour, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Glaser, Groesbeck, Hamilton, Hawk, Heinert, Henry, Himmelberger, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Nooney, Olson, Parker, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud,

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Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Witte, Mr. Speaker.
Total 61

Noes: Arntzen, Augare, Barrett, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cordier, Dickenson, Franklin, Furey, Gallik, Grinde, Hands, Hendrick, Hilbert, Hiner, Hollenbaugh, Jopek, Jore, Kasten, Keane, Lake, McGillvray, Musgrove, Noonan, O'Hara, Peterson, Phillips, Pomnichowski, Small-Eastman, Sonju, Wells, Wilson, Windy Boy, Wiseman.
Total 39

Voted Absentee: Sands, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 503 - Representative Gallik moved **HB 503** 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, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Sands, Aye.

Excused: None.
Total 0

Absent or not voting: Sonju.
Total 1

HB 569 - Representative Rice moved **HB 569** do pass. Motion carried as follows:

y, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Glaser, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, L. Jones, Kasten, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Mr. Speaker.
Total 80

Noes: Bixby, Caferro, Campbell, Furey, Gallik, Grinde, Groesbeck, Hands, Ingraham, Jacobson, Jayne, W. Jones,

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Jopek, Jore, Keane, Koopman, Noonan, Sesso, Wiseman, Witte.
Total 20

Voted Absentee: Sands, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 14 - Representative Heinert moved **HJR 14** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte.
Total 82

Noes: Blasdel, Butcher, Hawk, Hilbert, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, Morgan, O'Hara, Peterson, Ripley, Ross, Taylor, Windy Boy, Mr. Speaker.
Total 18

Voted Absentee: Sands, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Blasdel moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 85

Noes: Augare, Callahan, Cohenour, Dickenson, Franklin, Gallik, Jayne, Small-Eastman, Villa.
Total 9

Excused: Sands.

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Total 1

Absent or not voting: Blasdel, Hawk, Lange, MacLaren, Nooney.

Total 5

Majority Leader Lange moved that the House stand in recess until 5:10 p.m. Motion carried.

House recessed at 3:00 p.m.

The House reconvened at 5:10 p.m.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/14/2007

SB 56, introduced by Ryan

SB 189, introduced by Kitzenberg

SB 215, introduced by Harrington

SB 302, introduced by Barkus

SB 342, introduced by Squires

House bill concurred in and returned to the House: 2/14/2007

HB 470, introduced by Olson

**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 Blasdel in the chair.

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

HJR 17 - Representative Cohenour moved **HJR 17** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, 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, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Jore, Keane, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 82

Noes: Beck, Blasdel, Boggio, Everett, Hawk, Hilbert, Himmelberger, Kasten, Kerns, Lake, Malcolm, Morgan, Sinrud, Sonju, Stoker, Taylor, Mr. Speaker.

Total 17

Voted Absentee: Sands, Aye.

Excused: None.

Total 0

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Absent or not voting: L. Jones.
Total 1

HB 417 - Representative Lange moved consideration of **HB 417** be placed above **HB13**. Motion carried.

HJR 8 - Representative Hendrick moved **HJR 8** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Furey, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilson, Windy Boy, Witte, Mr. Speaker.
Total 61

Noes: Augare, Becker, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Gallik, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Van Dyk, Wilmer, Wiseman.
Total 38

Excused: None.
Total 0

Absent or not voting: Hiner.
Total 1

HB 417 - Representative Hollenbaugh moved **HB 417** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, 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, 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, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 88

Noes: Butcher, Himmelberger, Jore, Kasten, Koopman, McGillvray, Sinrud, Stahl, Wells, Witte, Mr. Speaker.
Total 11

Excused: None.
Total 0

Absent or not voting: Hiner.
Total 1

HB 13 - Representative Sesso moved **HB 13** do pass.

HB 13 - Representative McChesney moved **HB 13**, second reading copy, be amended.

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HB 13 - Representative Keane moved for cloture. With two-thirds vote required, motion **failed** as follows:

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

Total 52

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

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 13 The motion to pass **HB 13** amendment **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, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 50

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

Total 50

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 13 - The motion **HB 13** do pass **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, 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 49

Noes: Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier,

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Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, 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 51

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 Blasdel moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Boggio, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 77

Noes: Bixby, Branae, Campbell, Dickenson, Grinde, Groesbeck, Hendrick, Hiner, Ingraham, Jacobson, Jayne, Jopek, Noonan, Phillips, Ross, Sands, Sesso, Small-Eastman, Thomas, Wells.

Total 20

Excused: None.

Total 0

Absent or not voting: Blasdel, Hollenbaugh, Lange.

Total 3

MOTIONS

Majority Leader Lange moved that **HB 13** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 273** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 547** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 569** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Friday, February 16, 2007. Motion carried.

House adjourned at 6:45 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House