

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

Helena, Montana
February 16, 2007

House Chambers
State Capitol

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

Roll Call. All members present except for Representative Ward. Quorum present.

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

L. Jones, Chair

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 2/16/2007
Signed by the Speaker at 8:10 a.m., February 16, 2007: **HB 470**.
Signed by the President at 10:00 a.m., February 16, 2007: **HB 470**.
Delivered to the Governor for approval at 11:00 a.m., February 16, 2007: **HB 470**.
Delivered to the Governor for approval at 11:00 a.m., February 16, 2007: **HB 23**.

AGRICULTURE (Butcher, Chairman): 2/15/2007
HB 392, introduced bill, be amended as follows:

1. Title, line 5.
Following: "ENTITIES THAT MUST"
Insert: "REBUILD,"
Following: "MOVE"
Insert: ", RETROFIT, REMODEL, OR RECONSTRUCT"
2. Page 1, line 11.
Following: "facilities."
Insert: "(1)"
3. Page 1, line 12.
Strike: "regulations"
Insert: "laws or rules"
4. Page 1, line 13.
Strike: "building"
Insert: "rebuilding"
5. Page 1, line 15.
Strike: "(1)"
Insert: "(a)"
Renumber: subsequent subsections
Following: "facility was"
Insert: "initially"

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6. Page 1, line 18.

Strike: "build"

Insert: "rebuild"

7. Page 1, line 22.

Following: "conducted"

Insert: "and best management practices were followed"

8. Page 1, line 24.

Following: "law"

Insert: " or rule"

9. Page 1, line 26.

Strike: "new"

Insert: "rebuilt, moved, retrofitted, remodeled, or reconstructed"

10. Page 1.

Following: line 26

Insert: "(2) For the purposes of this section, "existing facility" means a facility that is permitted pursuant to this part."

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

2/15/2007

HB 594, do pass. Report adopted.

HUMAN SERVICES (Stoker, Chairman):

2/12/2007

HB 77, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Following: "RECIPIENTS"

Strike: ", "

Insert: "AND"

2. Title, page 1, line 8, through page 1, line 9.

Following: "RECIPIENTS"

Strike: ", AND PROVIDING PENALTIES FOR FALSE MEDICAID CLAIMS" on line 8

Strike: "SECTIONS" on line 8

Insert: "SECTION"

Strike: "17-8-403, 17-8-410, AND" on line 9

Following: "PROVIDING" on line 9

Insert: "AN"

Strike: "DATES" on line 9

Insert: "DATE"

3. Page 1, line 20.

Strike: "regarding the"

Insert: "to determine during what"

Strike: "for which"

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4. Page 2, line 3.

Following: "format of the claim"

Insert: "form"

5. Page 2, line 4.

Following: "at the"

Strike: "time" through "is provided"

Insert: "point of sale that is the basis of the claim"

6. Page 2, line 5.

Following: "within"

Strike: "3 years after the"

Insert: "the 3-year period beginning on the"

7. Page 2.

Following: line 8

Insert: "(5) This section may not be construed to:

(a) require that a third party pay any department claim for services or items that are not covered under the applicable health care plan;

(b) require that any third-party administrator, fiscal intermediary, or other contractor pay a department claim from its own funds unless the entity also bears the financial obligation for the claim under the applicable plan documents;

(c) impose any liability on an entity to pay claims that the entity does not otherwise bear; or

(d) negate any right of indemnification against a plan sponsor or other entity with ultimate liability for health care claims by a third-party administrator, fiscal intermediary, or other contractor that pays the claims."

8. Page 2, line 10 through page 6, line 10.

Strike: section 2 through section 5 in their entirety

Renumber: subsequent sections

9. Page 6, line 27.

Strike: "(1)"

10. Page 6, line 29 through line 30.

Strike: line 29 through line 30

11. Page 3, line 2 through line 4.

Following: "date." on line 2

Strike: "(1) Except" on line 2 through "[Section 1]" on line 4

Insert: "[This act]"

And, as amended, be adopted. Report adopted.

HB 157, introduced bill, be amended as follows:

2/15/2007

1. Title, page 1, line 8.

Following: "TO PAY"

Insert: "HEALTH CARE"

2. Page 2, line 10 through line 11.

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Following: "costs for"

Strike: "newly required" on line 10 through "2006, and" on line 11

3. Page 2, line 29.

Following: "to pay"

Insert: "health care"

And, as amended, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Milburn, Chairman):

2/15/2007

HB 450, introduced bill, be amended as follows:

1. Page 5, line 14.

Strike: "87-2-106(9)"

Insert: "87-2-106(10)"

Strike: "87-2-106(10)"

Insert: "87-2-106(11)"

And, as amended, do pass. Report adopted.

HB 497, introduced bill, be amended as follows:

1. Title, line 6.

Following: "NURSE"

Insert: "OR A LICENSED PHYSICIAN ASSISTANT"

2. Page 3, line 4.

Following: "physician"

Strike: "or"

Insert: ", "

Following: "nurse"

Insert: ", or a licensed physician assistant"

3. Page 3, line 7.

Following: "physician"

Strike: "or"

Insert: ", "

Following: "nurse"

Insert: ", or a licensed physician assistant"

4. Page 3, line 10.

Following: "physician"

Strike: "or"

Insert: ", "

Following: "nurse"

Insert: ", or a licensed physician assistant"

And, as amended, do pass. Report adopted.

HJR 16, introduced joint resolution, be amended as follows:

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1. Title, line 5.

Following: "THAT THE"

Insert: "REVISION AND"

2. Page 1, line 21.

Following: "That the"

Insert: "revision and"

3. Page 1, line 22.

Following: "in the"

Insert: "revision and"

4. Page 1, line 23.

Following: "in the"

Insert: "revision and"

And, as amended, be adopted. Report adopted.

BUSINESS AND LABOR (Mendenhall, Chairman):

2/16/2007

HB 616, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/15/2007

SB 270, introduced by Larson

SB 285, introduced by Cooney

SB 287, introduced by Weinberg

SB 291, introduced by Perry

SB 319, introduced by Cocchiarella

SB 364, introduced by Story

SB 367, introduced by Lind

MOTIONS

Majority Leader Lange moved to reconsider action on **HB 13** for purpose of reprinting and placing on second reading. There being no objections, so ordered.

Majority Leader Lange moved **HB 340** be taken from third reading and rereferred to the Committee on Judiciary. There being no objections, so ordered.

MESSAGES FROM THE GOVERNOR

February 16, 2007

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, Montana 59620

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Dear Representative Sales:

Please be informed that I have signed **House Bill 21** sponsored by Representative Morgan on February 16, 2007.

Sincerely,

BRIAN SCHWEITZER
Governor

FIRST READING AND COMMITMENT OF BILLS

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

- HB 730**, introduced by Heinert, referred to Business and Labor.
- HB 731**, introduced by Small-Eastman, referred to Judiciary.
- HB 732**, introduced by Small-Eastman, referred to Education.
- HB 733**, introduced by Small-Eastman, referred to Education.
- HB 734**, introduced by McAlpin, referred to Human Services.
- HB 735**, introduced by Hilbert, Pomnichowski, referred to Transportation.
- HB 736**, introduced by Villa, Laslovich, Hiner, referred to Appropriations.
- HB 737**, introduced by Hilbert, Brueggeman, Sonju, referred to Transportation.
- HB 738**, introduced by Mendenhall, Cocchiarella, referred to Business and Labor.
- HB 739**, introduced by Olson, referred to Federal Relations, Energy, and Telecommunications.
- HB 740**, introduced by Olson, referred to State Administration.
- HB 741**, introduced by L. Jones, Clark, Thomas, Stahl, Augare, Boggio, referred to Business and Labor.
- HB 742**, introduced by Raser, Parker, Sinrud, Wells, Callahan, Furey, Branae, Small-Eastman, Grinde, Bixby, Hendrick, Kottel, McChesney, Erickson, Augare, L. Jones, Villa, Hamilton, Henry, Ward, French, Hands, Cohenour, referred to Judiciary.
- HB 743**, introduced by Clark, Lind, Morgan, Cobb, Jayne, Weinberg, referred to Human Services.
- HB 744**, introduced by Rice, referred to Education.
- HB 745**, introduced by Pomnichowski, Reinhart, Hands, Jopek, Wiseman, referred to Business and Labor.
- HB 746**, introduced by Erickson, referred to Taxation.
- HB 747**, introduced by Wilmer, Grinde, Callahan, Cohenour, Hamilton, Branae, Henry, Driscoll, Raser, Kottel, Cordier, Reinhart, Gallik, referred to Human Services.
- HB 748**, introduced by Sonju, referred to Taxation.
- HB 749**, introduced by Cohenour, referred to Business and Labor.
- HB 750**, introduced by Wilmer, Juneau, Campbell, Small-Eastman, Bixby, Jayne, Augare, Windy Boy, referred to Education.
- HB 751**, introduced by Stoker, referred to Judiciary.
- HB 752**, introduced by Sinrud, Rice, Glaser, Beck, Himmelberger, K. Peterson, Witte, Stoker, Kerns, Barrett, Wells, Clark, Sales, Boggio, Taylor, Sonju, Dutton, McGillvray, referred to State Administration.
- HB 753**, introduced by Hands, referred to Federal Relations, Energy, and Telecommunications.

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

- HJR 40**, introduced by Windy Boy, Butcher, Campbell, Hamilton, Kasten, Bergren, Dutton, McNutt, Olson, Kitzenberg, referred to Federal Relations, Energy, and Telecommunications.
- HJR 41**, introduced by Furey, Jacobson, Hiner, Van Dyk, Nooney, Villa, Callahan, Hands, Keane, Parker, Bergren, Thomas, Dickenson, Augare, Musgrove, Wiseman, Noonan, McAlpin, Cohenour, Franklin, Henry, Reinhart, Raser, McChesney, Caferro, Windy Boy, Milburn, Arntzen, Driscoll, Wilmer, Gallik, Ankney, referred to State Administration.

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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 417 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, 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, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Butcher, Dickenson, Himmelberger, Jore, Koopman, McGillvray.

Total 6

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 503 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, 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, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 520 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Callahan, Clark, Cordier, Dutton, Ebinger, Everett, Glaser, Grinde, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger,

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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, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Wells, Wilson, Wiseman, Witte, Mr. Speaker.

Total 70

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

Total 29

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HJR 8 adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, 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, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.

Total 58

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

Total 41

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HJR 14 adopted 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, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 84

Noes: Blasdel, Butcher, Hawk, Jore, Kasten, Kerns, Koopman, Malcolm, Mendenhall, Morgan, Peterson, Ripley, Taylor, Van Dyk, Witte.

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Total 15

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HJR 17 adopted 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, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 84

Noes: Beck, Blasdel, Boggio, Everett, Hawk, Himmelberger, Kerns, Lake, Malcolm, Mendenhall, Morgan, Sesso, Sonju, Stoker, Taylor.

Total 15

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

Democratic Caucus Leader Villa announced the Democrats would caucus. Majority Leader Lange announced the 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 K. Peterson in the chair.

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

HB 312 - Representative Lange moved **HB 312** do pass. Motion carried as follows:

Ayes: 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, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner,

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Hollenbaugh, Jacobson, Jayne, Jopek, Keane, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 350 - Representative Sinrud moved **HB 350** do pass. Motion carried as follows:

Ayes: 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, Ward, Wells, Witte, Mr. Speaker.
Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 19 - Representative Morgan moved **HJR 19** be adopted.

HJR 19 - Representative Morgan moved **HJR 19**, second reading copy, be amended as follows:

1. Title, line 8.

Following: "~~GENERAL~~"

Insert: "OR TO BRING A STATE LAW THAT PREVENTS ACCESS TO THE ATTENTION OF THE LEGISLATURE, THE GOVERNOR, OR THE ATTORNEY GENERAL"

2. Page 2, line 16.

Following: line 15

Insert: " BE IT FURTHER RESOLVED, that if there are provisions of state law that persons with chronic illness, family members, or medical and mental health care professionals believe to be contrary to HIPAA and worthy of an exception, they bring it to the attention of the Legislature, the Governor, or the Attorney

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General to seek an exception to the general rule of federal preemption."

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, 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, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: Wilson.
Total 1

HJR 19 - The motion to pass **HJR 19** as amended carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, 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 93

Noes: Beck, Franklin, Gallik, Hiner, Jayne, Jore.
Total 6

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: Henry.
Total 1

HB 35 - Representative Keane moved **HB 35** do pass. Motion carried as follows:

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

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Callahan, Campbell, Clark, 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, 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, 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 96

Noes: Jayne, Jore, Peterson, Mr. Speaker.

Total 4

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 37 - Representative Reinhart moved **HB 37** do pass. Motion carried as follows:

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

Total 60

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, French, Hawk, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, McGillvray, Mendenhall, Nooney, O'Hara, Olson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 40

Voted Absentee: Ward, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 60 - Representative Parker moved **HB 60** do pass. 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, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

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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, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Voted Absentee: Ward, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 204 - Representative Kasten moved **HB 204** do pass. Motion passed as follows:

Ayes: 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, Ward, Wells, Witte, Mr. Speaker.

Total 51

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

Total 49

Voted Absentee: Ward, Aye.

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

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

Total 54

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

Total 42

Excused: Ward.

Total 1

Absent or not voting: Jore, Nooney, Peterson.

Total 3

MOTIONS

Majority Leader Lange moved that **HB 717** be moved from the Committee on Fish, Wildlife and Parks and be rereferred to the Committee on Natural Resources.

UNFINISHED BUSINESS

HB 479, introduced by Raser, the following sponsors were added:

Reps. Arntzen, O'Hara and Olson.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 8:00 a.m., Saturday, February 17, 2007. Motion carried.

House adjourned at 3:05 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House