

**HOUSE JOURNAL  
60TH LEGISLATURE  
FIFTY-THIRD LEGISLATIVE DAY**

Helena, Montana  
March 13, 2007

House Chambers  
State Capitol

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

Roll Call. All members present. Quorum present.

**REPORTS OF STANDING COMMITTEES**

**BILLS** (L. Jones, Chairman):

3/12/2007

Examined by the sponsor and found to be correct: **HB 44, HB 72, HB 115, HB 127, HB 219, HB 292, HB 419.**  
Signed by the Speaker at 10:30 a.m., March 12, 2007: **HB 44, HB 72, HB 115, HB 127, HB 219, HB 292, HB 419.**  
Signed by the President at 11:10 a.m., March 12, 2007: **HB 44, HB 72, HB 115, HB 127, HB 219, HB 292, HB 419.**

Delivered to the Governor for approval at 11:20 a.m., March 13, 2007: **HB 44, HB 72, HB 115, HB 127, HB 219, HB 292, HB 419.**

Correctly engrossed: **HB 797, HB 461.**

Correctly enrolled: **HB 18, HB 38, HB 46, HB 48, HB 76, HB 82, HB 106, HB 137, HB 156, HB 158, HB 162, HB 226, HB 255, HB 274, HB 290, HB 402.**

**APPROPRIATIONS** (Sinrud, Chairman):

3/12/2007

**HB 461**, introduced bill, be amended as follows:

1. Page 5, line 26.

**Following:** "deposited"

**Insert:** "to the credit of the department of justice"

2. Page 8, line 11.

**Strike:** "justice and the department of"

3. Page 8, line 13 through line 14.

**Strike:** the second "the" on line 13 through "and" on line 14

4. Page 8, line 18.

**Strike:** "justice and the department of"

5. Page 8, line 22.

**Strike:** "justice and the department of"

6. Page 9.

**Following:** line 5

**Insert:** "NEW SECTION. Section 11. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell Chippewa tribe."

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

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**BUSINESS AND LABOR** (Mendenhall, Chairman): 3/13/2007  
**SB 81**, be concurred in. Report adopted.

**STATE ADMINISTRATION** (Himmelberger, Chairman): 3/12/2007  
**SB 136**, be concurred in. Report adopted.  
**HB 797**, introduced bill, be amended as follows:

1. Page 2, line 19.  
**Strike:** "2009"  
**Insert:** "2008"

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**House bills** concurred in and returned to the House: 3/13/2007  
**HB 38**, introduced by McChesney  
**HB 82**, introduced by Parker  
**HB 137**, introduced by Villa  
**HB 156**, introduced by Franklin  
**HB 226**, introduced by Cohenour  
**HB 255**, introduced by Clark  
**HB 290**, introduced by Bergren  
**HB 111**, introduced by Furey

**FIRST READING AND COMMITMENT OF BILLS**

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

**SB 244**, introduced by Weinberg, Beck, referred to Local Government.  
**SB 245**, introduced by McGee, referred to Local Government.  
**SB 246**, introduced by Gallus, Sesso, Bergren, Groesbeck, Everett, Olson, Keane, Parker, referred to Judiciary.  
**SB 248**, introduced by Story, Wanzenried, Ross, Laslovich, Noonan, referred to Natural Resources.  
**SB 251**, introduced by Larson, Cocchiarella, Branae, Ryan, McAlpin, Olson, Kottel, Becker, Jopek, Kitzenberg, Dutton, Cohenour, Driscoll, Gillan, Grinde, Moss, K. Peterson, Keane, French, Smith, referred to Transportation.  
**SB 254**, introduced by Wanzenried, Gallus, Parker, Jent, Gillan, Hamilton, Schmidt, Keane, Smith, Hands, Grinde, Cordier, Ryan, Cooney, Kaufmann, Bergren, Furey, Jopek, Driscoll, Cohenour, Squires, Thomas, Williams, Moss, Larson, Reinhart, J. Tropila, Augare, Ankney, referred to Judiciary.  
**SB 258**, introduced by Shockley, referred to Business and Labor.  
**SB 261**, introduced by Lewis, referred to Local Government.  
**SB 266**, introduced by Shockley, referred to Education.  
**SB 269**, introduced by Larson, referred to State Administration.  
**SB 270**, introduced by Larson, referred to State Administration.  
**SB 271**, introduced by Brown, Essmann, Becker, Ross, Butcher, Cocchiarella, Himmelberger, Arntzen, Gillan, Laslovich, Story, Jackson, Black, Pease, Branae, Moss, Brueggeman, referred to Transportation.  
**SB 272**, introduced by O'Neil, Jackson, Tash, Groesbeck, Everett, Curtiss, Gebhardt, Beck, Lewis, Ripley, Wanzenried, Steinbeisser, W. Jones, Barkus, Balyeat, Perry, Larson, Ryan, referred to State Administration.  
**SB 278**, introduced by Gillan, Raser, referred to Judiciary.  
**SB 282**, introduced by Lind, referred to Judiciary.  
**SB 285**, introduced by Cooney, referred to State Administration.  
**SB 295**, introduced by Tash, Barrett, Smith, Pease, referred to State Administration.  
**SB 296**, introduced by Weinberg, referred to Business and Labor.

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- SB 299**, introduced by Moss, Hawks, Tash, Rice, Branae, referred to State Administration.
- SB 302**, introduced by Barkus, Jackson, O'Neil, Curtiss, Jopek, Brueggeman, Taylor, Weinberg, Reinhart, Blasdel, Laible, Thomas, referred to Transportation.
- SB 305**, introduced by Laslovich, referred to Transportation.
- SB 308**, introduced by J. Peterson, Bales, referred to State Administration.
- SB 314**, introduced by Steinbeisser, Smith, Stahl, referred to Fish, Wildlife and Parks.
- SB 315**, introduced by Cobb, referred to Education.
- SB 316**, introduced by Elliott, referred to Taxation.
- SB 317**, introduced by Lewis, Elliott, Curtiss, Lind, Mendenhall, Erickson, Murphy, Tash, McAlpin, J. Peterson, Pomnichowski, Brueggeman, Williams, Story, referred to Natural Resources.
- SB 318**, introduced by J. Peterson, Jackson, Gebhardt, Williams, Jore, Lake, Rice, Barkus, Ankney, referred to Judiciary.
- SB 319**, introduced by Cocchiarella, Stoker, Nooney, Lake, Brown, Balyeat, Gillan, Everett, McGillvray, referred to Business and Labor.
- SB 322**, introduced by Brueggeman, Jore, Taylor, referred to Judiciary.
- SB 324**, introduced by Jackson, Gallus, Weinberg, McNutt, Sesso, Perry, Curtiss, Brown, Laslovich, referred to Natural Resources.
- SB 326**, introduced by Schmidt, referred to Judiciary.
- SB 328**, introduced by Steinbeisser, Williams, Lind, Black, J. Peterson, Brueggeman, Murphy, Sesso, referred to Agriculture.
- SB 332**, introduced by Juneau, Small-Eastman, Pease, Smith, Bixby, Jayne, Augare, referred to Taxation.
- SB 335**, introduced by Tash, Ryan, referred to Education.
- SB 341**, introduced by Lewis, referred to Business and Labor.
- SB 342**, introduced by Squires, referred to Judiciary.
- SB 346**, introduced by Shockley, referred to Judiciary.
- SB 347**, introduced by Shockley, referred to Judiciary.
- SB 348**, introduced by Gallus, referred to Judiciary.
- SB 350**, introduced by Perry, referred to Judiciary.
- SB 363**, introduced by Kaufmann, Lewis, Parker, MacLaren, referred to Judiciary.
- SB 364**, introduced by Story, Gebhardt, Stahl, referred to State Administration.
- SB 365**, introduced by Story, Olson, Klock, Gebhardt, Tash, Boggio, referred to Natural Resources.
- SB 367**, introduced by Lind, Lambert, referred to State Administration.
- SB 368**, introduced by Lind, O'Hara, Wanzenried, McGillvray, referred to Human Services.
- SB 369**, introduced by Smith, Jackson, Curtiss, referred to Federal Relations, Energy and Telecommunications.
- SB 370**, introduced by Tash, referred to Natural Resources.
- SB 372**, introduced by Balyeat, Gebhardt, Hendrick, Himmelberger, Jore, Jackson, Boggio, Brown, Steinbeisser, Shockley, Lewis, Murphy, Olson, Curtiss, Ross, Klock, Story, Everett, McGee, Barkus, Thomas, Bales, J. Tropila, Black, Laslovich, Mendenhall, Perry, Sales, Malcolm, Stahl, Koopman, Stoker, Wells, Rice, McGillvray, Ankney, referred to Fish, Wildlife and Parks.
- SB 374**, introduced by Cooney, referred to State Administration.
- SB 378**, introduced by Gillan, referred to Taxation.
- SB 379**, introduced by Laslovich, referred to Judiciary.
- SB 384**, introduced by Wanzenried, referred to Transportation.
- SB 386**, introduced by Shockley, referred to Transportation.
- SB 387**, introduced by Squires, Henry, referred to Human Services.
- SB 393**, introduced by Gillan, referred to Judiciary.
- SB 397**, introduced by Gillan, referred to Human Services.
- SJR 2**, introduced by Smith, Cohenour, French, referred to Judiciary.
- SJR 3**, introduced by Weinberg, Ebinger, Sonju, Lind, Jopek, Jent, Malcolm, Wanzenried, referred to Fish, Wildlife and Parks.

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- SJR 4**, introduced by Curtiss, Bales, Vincent, Heinert, Gebhardt, referred to Education.
- SJR 5**, introduced by Brueggeman, Pomnichowski, Hilbert, Lewis, Kitzenberg, Gebhardt, Bergren, Reinhart, French, Cooney, Lind, Ward, referred to Human Services.
- SJR 6**, introduced by Schmidt, referred to Judiciary.
- SJR 7**, introduced by Lind, Schmidt, referred to Judiciary.
- SJR 10**, introduced by Brown, Jackson, Steinbeisser, Black, Heinert, Lewis, Gebhardt, Cocchiarella, Squires, Brueggeman, Smith, Hilbert, referred to Business and Labor.
- SJR 11**, introduced by Black, L. Jones, Essmann, Wanzenried, referred to Appropriations.
- SJR 12**, introduced by Brueggeman, Dickenson, Williams, Campbell, French, Reinhart, Erickson, Henry, Wilmer, Cohenour, Wanzenried, Schmidt, Phillips, Jacobson, Smith, Hamilton, Gillan, McAlpin, Cordier, Noonan, Larson, Furey, referred to Education.
- SJR 13**, introduced by Smith, Steinbeisser, Bales, L. Jones, Stahl, Reinhart, referred to Agriculture.
- SJR 16**, introduced by Lind, referred to Education.
- SJR 17**, introduced by Elliott, referred to Business and Labor.
- SJR 18**, introduced by Pease, referred to Fish, Wildlife and Parks.
- SJR 19**, introduced by Gillan, referred to Human Services.
- SJR 20**, introduced by Cooney, Parker, referred to Natural Resources.
- SJR 21**, introduced by J. Peterson, referred to State Administration.
- SJR 22**, introduced by Cocchiarella, referred to Transportation.
- SJR 23**, introduced by Harrington, J. Tropila, Lange, Bales, Brown, Story, Elliott, Schmidt, McGee, Becker, referred to Human Services.
- SJR 24**, introduced by Laslovich, referred to Judiciary.
- SJR 25**, introduced by J. Peterson, Ryan, Black, Hawk, Kitzenberg, McGee, Story, referred to State Administration.
- SJR 26**, introduced by Laible, referred to Local Government.
- HB 818**, introduced by Taylor, Sinrud, referred to Appropriations.
- HB 819**, introduced by Taylor, Sinrud, referred to Appropriations.
- HB 820**, introduced by Taylor, Sinrud, referred to Appropriations.
- HB 821**, introduced by Bergren, Gallus, referred to Appropriations.

Democratic Caucus Leader Villa announced the Democrats would caucus. Majority Leader Lange announced the Republicans would stand at ease. House reconvened at 1:25

Speaker Sales introduced the Flathead Valley Home School Senior Choir who sang for the House Chamber.

**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 Raser in the chair.

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

**HB 811** - Representative Wells moved **HB 811** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, 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, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara,

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Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.  
Total 86

Noes: Barrett, Everett, Hawk, Heinert, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Ripley, Sinrud, Vincent, Mr. Speaker.  
Total 14

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 19** - Representative McNutt moved **SB 19** be concurred in.

**SB 19** - Representative Bixby moved **SB 19**, second reading copy, be amended.

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, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 46

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, 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, Sonju, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.  
Total 53

Excused: None.  
Total 0

Absent or not voting: Stahl.  
Total 1

**SB 19** -The motion that **SB 19** be concurred in, carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, 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, 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, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.  
Total 96

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Noes: Augare, Bixby, McGillvray, Stahl.  
Total 4

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 29** - Representative Lambert moved **SB 29** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pommichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 76

Noes: Barrett, Boggio, Dutton, Everett, Hawk, Heinert, Hendrick, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, McGillvray, Mendenhall, Morgan, Peterson, Ripley, Sinrud, Ward, Wells, Witte, Mr. Speaker.  
Total 24

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 30** - Representative MacLaren moved **SB 30** be concurred in. 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, 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, Pommichowski, 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.  
Total 96

Noes: Kasten, Peterson, Sinrud, Mr. Speaker.  
Total 4

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

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**SB 84** - Representative Erickson moved **SB 84** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, 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, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 86

Noes: Blasdel, Boggio, Everett, Hawk, Hilbert, Himmelberger, Jore, Koopman, Mendenhall, Sinrud, Sonju, Taylor, Witte.

Total 13

Excused: None.

Total 0

Absent or not voting: Van Dyk.

Total 1

**SB 237** - Representative Hilbert moved **SB 237** be concurred in. 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, McAlpin, McChesney, McGillvray, 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 98

Noes: Malcolm, Sinrud.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 62** - Representative Driscoll moved **SB 62** be concurred in. Motion carried as follows:

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

Total 58

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Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 73** - Representative K. Peterson moved **SB 73** be concurred in. Motion 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, 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, Mendenhall, Milburn, Morgan, Musgrove, 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 97

Noes: Noonan.

Total 1

Excused: None.

Total 0

Absent or not voting: Beck, Jore.

Total 2

**SB 83** - Representative Gallik moved **SB 83** be concurred in. 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, 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, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, 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, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 90

Noes: Beck, Boggio, Everett, Jore, Kasten, Mendenhall, Nooney, Sinrud, Wells, Witte.

Total 10

Excused: None.

Total 0



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Absent or not voting: None.  
Total 0

**SB 85** - Representative O'Hara moved **SB 85** be concurred in. 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, 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 98

Noes: Jayne, Jore.  
Total 2

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 104** - Representative Gallik moved **SB 104** be concurred in. 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, 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: Jayne.  
Total 1

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Lange moved to reconsider action taken on **SB 237** and that it be placed back on second reading for purpose of an amendment. There being no objection, so ordered.

**SB 237** - Representative Hilbert moved **SB 237**, second reading copy, be concurred in and further that it be amended

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as follows:

1. Page 1, line 27.

**Strike:** "use the tires"

**Insert:** "be used"

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, 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, Pommichowski, Raser, Reinhart, Rice, Ripley, Ross, Sessa, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Jayne, Wilson.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 237** - The motion to concur in **SB 237**, as amended, 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, Pommichowski, Raser, Reinhart, Rice, Ripley, Ross, Sessa, 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

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 Raser moved the Committee of the Whole report be adopted. Report adopted

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as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, 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, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Bixby, Dickenson, Jayne, Mendenhall.

Total 4

Excused: None.

Total 0

Absent or not voting: Raser, Thomas.

Total 2

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**SB 21** concurred in 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, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, 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 96

Noes: Jore, Mendenhall, Ripley.

Total 3

Excused: None.

Total 0

Absent or not voting: Ward.

Total 1

**SB 44** concurred in 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, Everett, French, Furey,

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Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, 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: Erickson, Franklin, Hands, Jayne, Jopek, Jore, Kasten.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 59** concurred in 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, 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, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman.

Total 88

Noes: Glaser, Jore, Kasten, Koopman, Lange, Mendenhall, Peterson, Wells, Witte, Mr. Speaker.

Total 10

Excused: None.

Total 0

Absent or not voting: Small-Eastman, Windy Boy.

Total 2

**SB 76** concurred in as follows:

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

Total 70

Noes: Barrett, Beck, Blasdel, Boggio, Clark, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jayne, Jore, Kasten, Kerns, Koopman, Malcolm, McGillvray, Mendenhall, Nooney, O'Hara, Peterson, Rice, Ripley, Sinrud, Taylor, Wells, Witte, Mr. Speaker.

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Total 30

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 88** concurred in as follows:

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

Total 80

Noes: Ankney, Dutton, Everett, Glaser, Hawk, Heinert, Jayne, Jore, Kasten, Koopman, Lange, Mendenhall, Ripley, Sinrud, Sonju, Stahl, Taylor, Wells, Witte, Mr. Speaker.

Total 20

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Lange moved that **SB 62** be re-referred to the Committee on Appropriations.

Representative Driscoll objected to the motion. The objection **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, 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 50

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, 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 50

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

Majority Leader Lange moved that **SB 104** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Representative Kasten moved to suspend the rules and bring **HB 11** back to second reading. The motion, which required a two-thirds vote, **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Groesbeck, 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, Windy Boy, Witte, Mr. Speaker.

Total 53

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, 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, Wiseman.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 9:00 a.m., Wednesday, March 14, 2007. Motion carried.

House adjourned at 2:45 p.m.

MARILYN MILLER  
Chief Clerk of the House

SCOTT SALES  
Speaker of the House