

**HOUSE JOURNAL
60TH LEGISLATURE
SIXTIETH LEGISLATIVE DAY**

Helena, Montana
March 21, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Representative Wilmer introduced Rabbi Allen Secher who gave the Invocation. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Clark, Representative Parker and Representative Rice, who were excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fifty-sixth, fifty-seventh, fifty-eighth, and fifty-ninth legislative days, find the same to be correct.

L. Jones, Chair

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 86, as amended by the Senate, passed as follows:

Ayes: Ankney, Augare, Barrett, Beck, Bergren, Bixby, 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, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: None.

Total 0

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: Arntzen, Becker, Dickenson, Jayne, Sands.

Total 5

HB 621 failed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, 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 47

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

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Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lange, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 52

Voted Absentee: Clark, Rice, Ayes; Parker, No.

Excused: None.

Total 0

Absent or not voting: Sands.

Total 1

SB 45 concurred in as follows:

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

Total 80

Noes: Blasdel, Boggio, Butcher, Everett, Hawk, Jore, Kasten, Koopman, Lake, Mendenhall, Milburn, Peterson, Ripley, Ross, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 20

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 108 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, 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, 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 97

Noes: Jore, Koopman.

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Total 2

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: Bixby.

Total 1

SB 319 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, 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, 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 96

Noes: Becker, Jore, Peterson, Wells.

Total 4

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 323 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, Glaser, Grinde, Groesbeck, Hamilton, Hands, 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, 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 96

Noes: Gallik, Hawk, Jore, Mendenhall.

Total 4

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):

3/20/2007

Examined by the sponsor and found to be correct: **HB 70**.

Correctly engrossed: **HB 808, SB 25, SB 102, SB 175, SB 269, SB 369**.

Signed by the Speaker at 3:00 p.m., March 20, 2007: **HB 51, HB 67, HB 81, HB 87, HB 90, HB 102, HB 128, HB 132, HB 140, HB 144, HB 145, HB 176, HB 190, HB 244, HB 286, HB 332, HB 449, HB 531**.

Signed by the Chief Clerk of the House at 4:00 p.m., March 20, 2007: **HB 51, HB 67, HB 81, HB 87, HB 90, HB 102, HB 128, HB 132, HB 140, HB 144, HB 145, HB 176, HB 190, HB 244, HB 286, HB 332, HB 449, HB 531**.

Signed by the Chief Clerk of the House at 9:30 a.m., March 21, 2007: **HB 70**.

Signed by the Speaker at 2:30 p.m., March 21, 2007: **HB 70**.

Examined by the sponsor and found to be correct: **HB 28, HB 31, HB 75, HB 193, HB 347, HB 378, HB 662, HB 149, HB 623, HB 357, HJR 20**.

Correctly engrossed: **HB 4, HB 7, HB 114, HB 480, HB 592**.

Correctly enrolled: **HB 28, HB 31, HB 58, HB 75, HB 149, HB 193, HB 347, HB 357, HB 378, HB 623, HB 662, HJR 20**.

AGRICULTURE (Butcher, Chairman):

3/21/2007

SB 328, be concurred in. Report adopted.

SB 479, be concurred in. Report adopted.

SJR 13, be concurred in. Report adopted.

APPROPRIATIONS (Sinrud, Chairman):

3/21/2007

HB 4, introduced bill, be amended as follows:

1. Page 1.

Strike: line 22 through line 23 in their entirety

2. Page 2.

Following: line 5

Insert: "Voting access for individuals with disabilities grant 2007 \$100,000 federal"

3. Page 2, line 6.

Following: "vote"

Insert: "and the voting access for individuals with disabilities grant"

4. Page 2, line 27.

Following: "for"

Insert: "the faith and community technical support grant and for the"

5. Page 3.

Following: line 15

Insert: "Montana American Indian heritage public education program 2007 \$30,000 federal"

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All remaining fiscal year 2007 federal budget amendment authority for the Montana American Indian heritage public education program is authorized to continue into federal fiscal year 2008."

6. Page 3.

Following: line 22

Insert: "Access of the cultural resource database 2007 \$10,000 federal

All remaining fiscal year 2007 federal budget amendment authority for the access of the cultural resource database is authorized to continue into state fiscal year 2008."

7. Page 3.

Following: line 28

Insert: "Trail Creek fish screen	2008	balance	federal
Big Hole grayling recovery	2008	balance	federal
Grayling candidate conservation	2008	balance	federal
Coal bed methane fish toxicity study	2008	balance	federal
Aquatic nuisance species	2008	balance	federal
Westslope cutthroat trout restoration program	2008	balance	federal
Hedge canal fish screens	2008	balance	federal
Republican canal fish screen	2008	balance	federal
Pallid sturgeon flow	2008	balance	federal
Biological data on pallid sturgeon	2008	\$11,380	federal

All remaining fiscal year 2007 federal legislative contract authority appropriated in House Bill No. 2 to the department of fish, wildlife, and parks, fisheries division, in the 2005 legislative session for the statewide landowner outreach and assistance program and the aquatic nuisance species grant is reappropriated as federal budget amendment authority and is authorized to continue into state fiscal year 2009.

All remaining fiscal year 2007 federal legislative contract authority appropriated in House Bill No. 2 to the department of fish, wildlife, and parks, fisheries division, in the 2005 legislative session for the Big Hole grayling recovery grant, the westslope cutthroat trout restoration program, the Hedge canal fish screens grant, the Republican canal fish screens grant, and the pallid sturgeon flow modification study is reappropriated as federal budget amendment authority and is authorized to continue into federal fiscal year 2009."

8. Page 3, line 29 through line 30.

Strike: "the fish conservation geneticist grant and"

9. Page 4, line 6.

Following: "2007"

Insert: "and fiscal year 2008"

10. Page 4.

Following: line 7

Insert: "All remaining fiscal year 2007 federal budget amendment authority for the fish conservation geneticist grant is authorized to continue into federal fiscal year 2009."

11. Page 4.

Following: line 8

Insert: "Grizzly bear recovery	2007	\$30,000	federal
Swift fox census	2007	\$10,000	federal
Forest legacy-06	2007	\$43,500	federal
Bear shrub field survey	2008	balance	federal
Chronic wasting disease	2008	balance	federal
Avian influenza monitor-1	2008	balance	federal

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Wolf research	2008	balance	federal
Wetland legacy coordinate	2008	balance	federal
Forest legacy-05	2008	balance	federal
Prairie pothole venture	2008	balance	federal
Avian influenza monitor-2	2008	balance	federal
Grizzly bear recovery	2008	balance	federal
Grizzly bear management	2008	balance	federal
Grizzly bear conservation	2008	balance	federal

All remaining fiscal year 2007 federal legislative contract authority appropriated in House Bill No. 2 to the department of fish, wildlife, and parks, wildlife division, in the 2005 legislative session for the grizzly bear recovery grant, the grizzly bear management grant, and the grizzly bear conservation grant is reappropriated as federal budget amendment authority and is authorized to continue into federal fiscal year 2009."

12. Page 4, line 9.

Following: "for"

Insert: "the small manual survey grant, the sage grouse wintering area grant, the bear conflict specialist grant, the in-lieu-fee water resource mitigation program grant, and"

13. Page 4, line 12.

Following: "study"

Insert: "and the forest legacy fiscal year 06-grant"

14. Page 4, line 15.

Following: "for"

Insert: "the swift fox census, for"

15. Page 4.

Following: line 19

Insert: "All remaining fiscal year 2007 federal budget amendment authority for the Lewis and Clark historic trail grant is authorized to continue into federal fiscal year 2007."

16. Page 4.

Following: line 23

Insert: "All remaining fiscal year 2007 federal budget amendment authority for the North Swan River valley forest legacy project phase III grant is authorized to continue into state fiscal year 2008."

17. Page 4.

Following: line 26

Insert: "Assistance for fish and wildlife management 2007 \$211,044 federal

All remaining fiscal year 2007 federal budget amendment authority for the assistance for fish and wildlife management grant is authorized to continue into federal fiscal year 2009."

18. Page 5.

Following: line 6

Insert: "Department of Livestock

Disease Control Program voluntary premises registration 2007 \$251,100 federal

Foreign animal disease work in Montana 2007 \$12,300 federal

Swine health program 2007 \$6,100 federal

All remaining fiscal year 2007 federal budget amendment authority for the voluntary premises registration grant, the foreign animal disease work in Montana grant, and the swine health program grant is authorized to continue into state fiscal year 2008."

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19. Page 5.

Following: line 8

Insert: "Community participation in national flood insurance program 2007 \$32,000 federal
Fish and wildlife service grant 2007 \$35,632 federal

All remaining fiscal year 2007 federal budget amendment authority for the community participation in national flood insurance program is authorized to continue into state fiscal year 2008."

20. Page 5, line 10.

Following: "refuge"

Insert: ", the United States fish and wildlife service grant,"

21. Page 5.

Following: line 12

Insert: "McKay Creek road and trailhead improvements 2007 \$28,980 federal
Incident command system training 2007 \$16,706 federal"

22. Page 5, line 13.

Following: "program"

Insert: ", the McKay Creek road and trailhead improvements grant, and the incident command system training grant"

23. Page 5.

Following: line 29

Insert: "Department of Agriculture

Central Management Division

National potato cyst nematode survey indirect costs 2007 \$19,659 federal

All remaining fiscal year 2007 federal budget amendment authority for the national potato cyst nematode survey indirect costs is authorized to continue into state fiscal year 2008.

Agricultural Sciences Division

National potato cyst nematode survey 2007 \$218,487 federal

All remaining fiscal year 2007 federal budget amendment authority for the national potato cyst nematode survey is authorized to continue into state fiscal year 2008."

24. Page 6.

Strike: line 14 through line 16 in their entirety

25. Page 6.

Strike: line 18 through line 20 in their entirety

26. Page 6.

Following: line 20

Insert: "All remaining fiscal year 2007 federal budget amendment authority for the implementation and purchase of software for the dumping program grant, for the new businesses to electronically register and establish an account number over the internet grant, and for the additional federal authority grant to perform the following functions: data validation, national directory of new hire updates, identity theft deterrence, internal security, document information technology for the unemployment system, buy and install software for the automation of the O'Net code system for occupations of claimants, reduce postage costs, database cross-match with workers' compensation clients, and benefit payment control enhancements is authorized to continue into state fiscal year 2008."

27. Page 6.

Following: line 21

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Insert: "Centralized Services

Star base grant 2007 \$300,000 federal

All remaining fiscal year 2007 federal budget amendment authority for the star base grant is authorized to continue into state fiscal year 2008."

28. Page 7, line 22.

Strike: "youth and young adult suicide prevention"

Insert: "integrate clinical laboratories into public health testing"

29. Page 7.

Following: line 23

Insert: "Alzheimer's demonstration grant 2008 \$290,000 federal"

And, as amended, do pass. Report adopted.

HB 7, introduced bill, be amended as follows:

1. Title, line 8.

Following: "GRANTS;"

Insert: "TRANSFERRING FUNDS;"

2. Title, line 10.

Following: "MCA"

Insert: ", AND SECTION 2, CHAPTER 473, LAWS OF 2003"

3. Page 1, line 17.

Following: "up to"

Strike: "\$1 million"

Insert: "\$800,000"

4. Page 1, line 19.

Strike: "\$4,196,500"

Insert: "\$4,496,500"

5. Page 3.

Following: line 7

Insert: "Flathead Basin Commission

(British Columbia-Montana Action Plan) \$300,000

Montana Tech of the University of Montana

(Butte Native Plant Propagation Nursery) \$289,922"

6. Page 4, line 5.

Insert: "NEW SECTION. **Section 6. Fund transfer.** On July 1, 2007, there is transferred from the reclamation and development grants special revenue account established in 90-2-1104 \$4.3 million to the renewable resource grant and loan program state special revenue account created in 85-1-604."

Renumber: subsequent sections

7. Page 4, line 26.

Insert: "**Section 8.** Section 2, Chapter 473, Laws of 2003, is amended to read:

"**Section 2. Approved grant projects.** (1) The legislature approves the grants listed in subsection (2), to

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be made in the order of priority as indicated within the following list of projects and activities. If the conditions in [sections 3 and 4] are met, funds must be awarded up to the amounts approved in this section in order of priority until available funds are expended. Funds not accepted by grantees or funds not used by higher-ranked projects and activities must be provided for projects and activities lower on the priority list that would otherwise not receive funding. Descriptions of the various projects and activities and specific conditions established for each project and activity are contained within the department of natural resources and conservation's reclamation and development grants program report to the 58th legislature for the 2005 biennium.

(2) The following are the grants program prioritized projects and activities:

Applicant/Project Grant Amount Big Horn Conservation District
(Ground Water Monitoring--Tongue & Powder River Watersheds)300,000
Sunburst, Town of (Sunburst Water Supply Renovation)185,249
Governor's Office
(Growing Carbon)300,000
Board of Oil and Gas Conservation
(Oil and Gas Plug and Abandonment)200,000
Toole County
(2003 Plugging and Abandonment)240,000
Board of Oil and Gas Conservation
(2003 Northern District Plug and Abandonment)300,000
Board of Oil and Gas Conservation
(2003 Southern District Plug and Abandonment)100,000
Department of Environmental Quality
(Washington Mine and Millsite Reclamation)300,000
Powell County*
(CMC Roundhouse Site Cleanup)76,400
~~Department of Environmental Quality~~
~~(Drumlummon Tailings, Goldsil Mine Waste Reclamation)300,000~~
Sheridan County Conservation District
(Reclaiming Oilfield Brine Contaminated Soils)150,000
Department of Natural Resources and Conservation
(Planning Grants)50,000
Fergus County Conservation District
(Central Montana Aquifer Project)150,000
Judith Basin Conservation District
(Judith Basin Aquifer Restoration and Conservation)70,000

The project grant identified with an asterisk (*) is contingent on the transfer of the site that is 14.5 acres located south of Milwaukee avenue to Powell County without compensation to the current owner.

(3) To the entities listed in this section, this appropriation constitutes a valid obligation of these funds for purposes of encumbering the funds within the 2005 biennium pursuant to 17-7-302."

Renumber: subsequent sections

8. Page 4.

Following: line 28

Insert: "COORDINATION SECTION. **Section 10. Coordination instruction.** If House Bill No. 116 is passed and approved, then the appropriations in [section 1 of this act] are appropriated from the natural resources projects state special revenue account established in [section 28] of House Bill No. 116 and the appropriation in [section 1 of this act] for the purpose of making grants is increased by \$289,922."

Renumber: subsequent section

9. Page 4, line 29.

Following: "[Section]"

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Strike: "7"

Insert: "9"

10. Page 5, line 1.

Following: "through"

Strike: "6"

Insert: "8 and 10"

And, as amended, do pass. Report adopted.

HB 114, introduced bill, be amended as follows:

1. Title, line 9 through line 11.

Strike: "CREATING" on line 9 through "MCA" on line 11

Insert: "PROVIDING AN APPROPRIATION"

2. Page 1, line 16.

Strike: "7]"

Insert: "6]"

3. Page 2, line 7.

Strike: "7]"

Insert: "6]"

4. Page 3, line 12 through line 13.

Strike: ", and" on line 12 through "authority, the" on line 13

Insert: "only, and unless inconsistent with this section, the provisions of 2-15-121 apply. The"

Strike: ". The department shall" on line 13

Insert: "and"

5. Page 3, line 24.

Strike: "7]"

Insert: "6]"

6. Page 3, line 26.

Strike: "7]"

Insert: "6]"

7. Page 4, line 8.

Strike: "7]"

Insert: "6]"

8. Page 4, line 16 through page 6, line 9.

Strike: section 7 through section 9 in their entirety

Insert: "NEW SECTION. Section 7. Appropriation. There is appropriated \$250,000 from the general fund to the department of commerce for each of the fiscal years 2008 and 2009 to meet the administrative costs of the authority created in [section 4]."

Renumber: subsequent sections

9. Page 6, line 11.

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Strike: "7]"
Insert: "6]"

10. Page 6, line 12.
Strike: "7]"
Insert: "6]"

And, as amended, do pass. Report adopted.

HB 348, do pass. Report adopted.
HB 473, do pass. Report adopted.
HB 480, introduced bill, be amended as follows:

1. Title, line 4.
Strike: "PROVIDING FUNDING FROM THE SALES TAX AND USE TAX" on line 4
Insert: "APPROPRIATING MONEY"

2. Title, line 5 through line 8.
Strike: "PROVIDING" on line 5 through "MCA;" on line 8

3. Title, line 8.
Strike: "AND A TERMINATION DATE" on line 8

4. Page 1, line 12 through page 3, line 7.
Strike: everything after the enacting clause.
Insert: "NEW SECTION. Section 1. Appropriation. (1) The following amounts are appropriated from the general fund to the department of commerce to be awarded to the Daly mansion preservation trust:
(a) \$50,000 in fiscal year 2008 and \$50,000 in fiscal year 2009 to be used for direct maintenance and restoration of the Daly mansion and grounds; and
(b) \$500,000 in fiscal year 2008 to the Daly mansion preservation trust to be used as a principal account and from which spending is limited to interest earnings.
(2) If it is determined by the personnel or officers of the Daly mansion preservation trust that the funds provided for in this section are no longer needed, the funds must be returned to the general fund."
Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 2007."

And, as amended, do pass. Report adopted.

HB 540, do pass. Report adopted.
HB 592, introduced bill, be amended as follows:

1. Title, line 5.
Strike: "GREAT FALLS"
Insert: "MONTANA"

2. Page 1, line 11.
Strike: "Great Falls"
Insert: "Montana"

And, as amended, do pass. Report adopted.

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FISH, WILDLIFE AND PARKS (Milburn, Chairman):
SB 166, be concurred in. Report adopted.

3/20/2007

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/20/2007

HB 28, introduced by Hilbert
HB 58, introduced by Keane
HB 75, introduced by McChesney
HB 347, introduced by Boggio
HB 357, introduced by Cohenour
HB 378, introduced by Windy Boy
HB 623, introduced by Olson
HB 662, introduced by Villa

FIRST READING AND COMMITMENT OF BILLS

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

HB 832, introduced by Sesso, Pomnichowski, Wilmer, Jopek, McAlpin, referred to Taxation.
HB 833, introduced by Stahl, referred to Taxation.

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

SB 128, introduced by Laslovich (by request of the Department of Fish, Wildlife, and Parks), referred to Fish, Wildlife and Parks.
SB 159, introduced by Harrington, referred to Transportation.
SB 189, introduced by Kitzenberg, referred to Business and Labor.
SB 204, introduced by Ryan, referred to Business and Labor.
SB 463, introduced by Kitzenberg, referred to Transportation.
SB 498, introduced by Kaufmann, referred to Appropriations.

**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 McGillvray in the chair.

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

HB 808 - Representative Morgan moved **HB 808** do pass.

HB 808 - Representative Morgan moved **HB 808**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, 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

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Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, 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

Voted Absentee: Clark, Rice, Ayes; Parker, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 808 - Representative Keane moved for cloture. Motion carried.

HB 808 - Motion to pass **HB 808 failed** as follows:

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

Total 44

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

Total 56

Voted Absentee: Clark, Rice, Ayes; Parker, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 95 - Representative Olson moved **HB 95** do pass. Motion carried as follows:

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

Total 81

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Noes: Beck, Blasdel, Dutton, Everett, Hawk, Heinert, Jayne, Jore, Kerns, Koopman, Mendenhall, Sonju, Stahl, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 18

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: Morgan.

Total 1

HB 125 - Representative Kasten moved **HB 125** do pass. Motion carried as follows:

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

Total 89

Noes: Bergren, Dutton, Everett, Hawk, Jore, Koopman, Sinrud, Stahl, Wells, Witte, Mr. Speaker.

Total 11

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 131 - Representative Bergren moved consideration of **HB 131** be passed for the day. Motion carried.

HJR 45 - Representative Thomas moved **HJR 45** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Ebinger, Erickson, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 71

Noes: Augare, Blasdel, Boggio, Branae, Driscoll, Dutton, Everett, Gallik, Hawk, Heinert, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Kottel, Malcolm, McGillvray, Mendenhall, Musgrove, Ross, Sinrud, Sonju, Taylor, Van Dyk, Wells, Witte, Mr. Speaker.

Total 29

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Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 12 - Representative Raser moved **SB 12** be concurred in.

SB 12 - Representative Glaser moved **SB 12**, second reading copy, be amended as follows:

1. Page 20, line 28.

Insert: "NEW SECTION. Section 19. Contingent voidness. If House Bill No. 805, House Bill No. 806, House Bill No. 807, House Bill No. 808, House Bill No. 809, House Bill No. 819, and House Bill No. 820 are not passed and approved, then [this act] is void."

Renumber: subsequent sections

Amendment adopted 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: Clark, Rice, Ayes; Parker, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 12 - The motion that **SB 12**, as amended, be concurred in carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, 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, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells,

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Wilmer, Wilson, Wiseman, Witte.
Total 91

Noes: Bergren, Everett, Hawk, Jore, McGillvray, Parker, Peterson, Windy Boy, Mr. Speaker.
Total 9

Voted Absentee: Clark, Rice, Ayes; Parker, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 16 - Representative Pomnichowski moved **SB 16** 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, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, 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, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 82

Noes: Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Mendenhall, Nooney, Peterson, Ripley, Sinrud, Taylor, Wells, Witte, Mr. Speaker.
Total 18

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 50 - Representative K. Peterson moved **SB 50** be concurred in.

SB 50 - Representative K. Peterson moved **SB 50**, second reading copy, be amended as follows:

1. Page 2, line 10.

Strike: "45-5-503"

Insert: "45-5-502"

2. Page 2, line 11.

Following: "'PAROLE'"

Insert: ":

(i) in the case of an adult offender,"

Following: "46-1-202"

Insert: "; and

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(ii) in the case of a juvenile offender, means supervision of a youth released from a state youth correctional facility, as defined in 41-5-103, to the supervision of the department of corrections"

3. Page 2, line 12.

Following: "MEANS"

Insert: ":

(i) in the case of an adult offender,"

Strike: "BY THE COURT"

4. Page 2, line 13.

Following: AUTHORITY

Insert: "; and

(ii) in the case of a juvenile offender, supervision of the juvenile by a youth court pursuant to Title 41, chapter 5"

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, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, 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: None.
Total 0

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.
Total 0

Absent or not voting: Nooney, Ross.
Total 2

SB 50 - The motion that **SB 50**, as amended, be concurred in 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

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Noes: Jayne.
Total 1

Voted Absentee: Clark, Parker, Rice, Ayes.

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

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, 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, O'Hara, Olson, Peterson, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 90

Noes: Becker, Hendrick, Jacobson, Phillips, Van Dyk.
Total 5

Excused: Clark, Parker, Rice.
Total 3

Absent or not voting: Jayne, Nooney.
Total 2

SPECIAL ORDERS OF THE DAY

HB 193, introduced by Bergren, the following sponsors were added:
Senators Gebhardt, Hansen, Larson, and Squires.

MOTIONS

Majority Leader Lange moved to reconsider the actions taken on **HB 808** and that it be placed on second reading. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, 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, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 49

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

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Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

Excused: Clark, Parker, Rice.

Total 3

Absent or not voting: None.

Total 0

Representative Jacobson moved that **HB 159** be taken from the table in the Committee on State Administration and be placed on second reading on Legislative Day 61. Motion requiring three-fifths majority, **failed** as follows:

Ayes: Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hollenbaugh, Jacobson, L. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, Morgan, Musgrove, Noonan, Olson, Pomnichowski, Raser, Reinhart, Ross, Sands, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 53

Noes: Ankney, Arntzen, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Franklin, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Hiner, Ingraham, Jayne, W. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lange, McGillvray, McNutt, Mendenhall, Milburn, Nooney, O'Hara, Peterson, Phillips, Ripley, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 44

Excused: Clark, Parker, Rice.

Total 3

Absent or not voting: None.

Total 0

Representative McGillvray moved to reconsider actions taken on **HB 621** and that the bill be placed back on third reading. Motion **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, 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, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 48

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, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: Clark, Parker, Rice.

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Total 3

Absent or not voting: None.

Total 0

Representative Bergren moved **HB 2** be taken from the table in the Committee on Appropriations be printed and be placed on second reading Saturday, March 24th.. 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, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, 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, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 49

Excused: Clark, Parker, Rice.

Total 3

Absent or not voting: None.

Total 0

Majority Leader Lange moved the House stand at recess until 5:30. House recessed at 3:05.

House reconvened at 5:30. Mr. Speaker in the chair.

**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 McGillvray in the chair.

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

SB 118 - Representative Morgan moved **SB 118** be concurred in.

SB 118 - Representative Glaser moved **SB 118**, second reading copy, be amended as follows:

1. Page 3, line 15.

Insert: "NEW SECTION. Section 5. Contingent voidness. If House Bill No. 808 is not passed and approved, then [this act] is void."

Renumber: subsequent section

Amendment adopted as follows:

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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: Clark, Rice, Ayes; Parker, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 118 - The motion that **SB 118**, as amended, be concurred in carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Boggio, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Driscoll, Ebinger, Erickson, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Hiner, Jacobson, L. Jones, W. Jones, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sinrud, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman, Witte.

Total 70

Noes: Augare, Bergren, Bixby, Blasdel, Branae, Campbell, Dickenson, Dutton, Everett, Franklin, Grinde, Hendrick, Himmelberger, Hollenbaugh, Ingraham, Jayne, Jopek, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Sands, Sesso, Small-Eastman, Sonju, Wells, Windy Boy, Mr. Speaker.

Total 30

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 119 - Representative Cordier moved **SB 119** 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,

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

Total 100

Noes: None.

Total 0

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 124 - Representative French moved **SB 124** be concurred in. Motion carried as follows:

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

Total 89

Noes: Boggio, Jore, Kasten, Koopman, Lake, McGillvray, Peterson, Sinrud, Sonju, Witte, Mr. Speaker.

Total 11

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 131 - Representative Ross moved **SB 131** be concurred in. Motion carried as follows:

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

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Total 86

Noes: Becker, Campbell, Everett, French, Hawk, Jore, Kasten, Koopman, Lambert, Ripley, Stahl, Wells, Witte, Mr. Speaker.

Total 14

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 141 - Representative Kottel moved **SB 141** 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, 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: None.

Total 0

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: Glaser.

Total 1

SB 163 - Representative K. Peterson moved **SB 163** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Witte, Mr. Speaker.

Total 83

Noes: Barrett, Bergren, Bixby, Campbell, Dickenson, Erickson, Grinde, Groesbeck, Jacobson, Jayne, Jopek, Mendenhall, Noonan, Ripley, Sands, Windy Boy, Wiseman.

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Total 17

Voted Absentee: Clark, Parker, Rice, Ayes.

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

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 85

Noes: Bergren, Bixby, Cohenour, Dickenson, Grinde, Groesbeck, Jacobson, Jayne, Jopek, Villa, Windy Boy.

Total 11

Excused: Clark, Parker, Rice.

Total 3

Absent or not voting: Keane.

Total 1

MOTIONS

Representative Lange moved that **HB 95** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Representative Lange moved that **HB 125** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Representative Lange moved that **SB 131** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Representative Lange moved that **SB 163** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

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Majority Leader Lange moved that the House adjourn until 1:00 p.m., Thursday, March 22, 2007. Motion carried.

House adjourned at 6:20 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House