

**HOUSE JOURNAL
60TH LEGISLATURE
SIXTY-FIRST LEGISLATIVE DAY**

Helena, Montana
March 22, 2007

House Chambers
State Capitol

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

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

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 116, concurred in 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, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Clark, Rice, Ayes.

Excused: Windy Boy.
Total 1

Absent or not voting: Beck, Jore.
Total 2

HJR 45 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, 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, Wiseman.
Total 72

Noes: Beck, Blasdel, Boggio, Butcher, Driscoll, Everett, Franklin, Gallik, Hawk, Heinert, Ingraham, Jayne, Kasten, Koopman, Kottel, Malcolm, McGillvray, Musgrove, Ross, Sinrud, Sonju, Taylor, Van Dyk, Wells, Witte, Mr. Speaker.

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Total 26

Voted Absentee: Clark, Rice, Ayes.

Excused: Windy Boy.

Total 1

Absent or not voting: Jore.

Total 1

SB 16 concurred in 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, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 82

Noes: Beck, Everett, Hawk, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Lange, Mendenhall, Peterson, Ripley, Sinrud, Sonju, Vincent, Wells, Witte.

Total 17

Voted Absentee: Clark, Rice, Ayes.

Excused: Windy Boy.

Total 1

Absent or not voting: None.

Total 0

SB 119 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, 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, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Hendrick, Jayne.

Total 2

Voted Absentee: Clark, Rice, Ayes.

Excused: Windy Boy.

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Total 1

Absent or not voting: None.

Total 0

SB 124 concurred in 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, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Wiseman.

Total 85

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

Total 14

Voted Absentee: Clark, Rice, Ayes.

Excused: Windy Boy.

Total 1

Absent or not voting: None.

Total 0

SB 141 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, 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, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Clark, Rice, Ayes.

Excused: Windy Boy.

Total 1

Absent or not voting: None.

Total 0

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REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman): 3/21/2007
Correctly printed: **HB 348, HB 473, HB 540, SB 166, SB 328, SB 479, SJR 13.**
Correctly enrolled: **HB 86.** 3/21/2007
Examined by the sponsor and found to be correct: **HB 58, HB 86.**
Correctly engrossed: **HB 19, HB 278, HB 315.** 3/22/2007

APPROPRIATIONS (Sinrud, Chairman): 3/21/2007
HB 19, introduced bill, be amended as follows:

1. Title, line 13.

Following: "SECTIONS"

Insert: "17-1-508,"

2. Page 1, line 17.

Insert: "Section 1. Section 17-1-508, MCA, is amended to read:

"**17-1-508. Review of statutory appropriations.** (1) Each biennium, the office of budget and program planning shall, in development of the executive budget, review and identify instances in which statutory appropriations in current law do not appear consistent with the guidelines set forth in subsection (2).

(2) The review of statutory appropriations must determine whether a statutory appropriation meets the requirements of 17-7-502. ~~★~~ Except as provided in 77-1-108, a statutory appropriation from a continuing and reliable source of revenue may not be used to fund administrative costs. In reviewing and establishing statutory appropriations, the legislature shall consider the following guidelines. A statutory appropriation may be considered appropriate if:

- (a) the fund or use requires an appropriation;
- (b) the money is not from a continuing, reliable, and estimable source;
- (c) the use of the appropriation or the expenditure occurrence is not predictable and reliable;
- (d) the authority does not exist elsewhere;
- (e) an alternative appropriation method is not available, practical, or effective;
- (f) other than for emergency purposes, it does not appropriate money from the state general fund;
- (g) the money is dedicated for a specific use;
- (h) the legislature wishes the activity to be funded on a continual basis; and
- (i) when feasible, an expenditure cap and sunset date are included.

(3) The office of budget and program planning shall prepare a fiscal note for each piece of legislation that proposes to create or amend a statutory appropriation. It shall, consistent with the guidelines in this section, review each of these pieces of legislation. Its findings concerning the statutory appropriation must be contained in the fiscal note accompanying that legislation."

Renumber: subsequent sections

3. Page 4, lines 23 and 24.

Following: "biennium is" on line 23

Insert: "transferred from the state general fund to an account in the state special revenue fund. The account is"

Following: "17-7-502," on line 23

Strike: remainder of line 23 through "fund" on line 24

And, as amended, do pass. Report adopted.

HB 278, introduced bill, be amended as follows:

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1. Page 1, line 15.

Following: "50-19-211"

Insert: "or a newborn screening program"

And, as amended, do pass. Report adopted.

HB 315, introduced bill, be amended as follows:

1. Title, line 4 through line 5.

Strike: "\$50 MILLION"

Insert: "A PRESCRIBED THRESHOLD"

2. Page 1, line 13.

Strike: "\$50 million"

Insert: "6% of the revenue for the audited fiscal year"

3. Page 1, line 14.

Strike: "\$50 million"

Insert: "6% of the revenue for the audited fiscal year"

And, as amended, do pass. Report adopted.

HB 343, do pass. Report adopted.

HB 395, introduced bill, be amended as follows:

3/22/2007

1. Title, line 5.

Following: "PROGRAM;"

Insert: "PROVIDING THAT STUDENT TUITION COSTS BE PAID BY THE PROGRAM; PROVIDING FOR REPAYMENT OF TUITION IN CERTAIN CIRCUMSTANCES;"

2. Page 1.

Following: line 14

Insert: "NEW SECTION. **Section 2. Repayment requirement.** (1) Prior to expending any funds to provide tuition costs for a dental student at the university of Washington school of dentistry pursuant to the regional initiative in dental education program, the board of regents shall obtain an agreement from the student whereby the student agrees to:

(a) authorize the state of Montana to pay the tuition costs incurred in the student's dental education as determined by a contract between the state of Montana and the university of Washington school of dentistry providing that education; and

(b) actively engage in professional dental practice in Montana or repay amounts expended by the state of Montana, as provided in subsection (2).

(2)(a) A dentist, upon graduating from the university of Washington school of dentistry pursuant to the regional initiative in dental education program, who does not engage in professional dental practice within the state of Montana shall repay 100% of the amount expended by the state of Montana for tuition costs at the university of Washington school of dentistry.

(b) If a dentist, upon graduation from the university of Washington school of dentistry, engages in professional dental practice in Montana in an area other than an underserved area for at least 6 years, the dentist shall repay 50% of the amount expended by the state of Montana for tuition costs at the university of Washington school of dentistry.

(c) If a dentist, upon graduation from the university of Washington school of dentistry, engages in professional dental practice in Montana in an underserved area for at least 6 years, the dentist is not required to repay

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any of the amount expended by the state of Montana for tuition costs at the university of Washington school of dentistry.

(d) Repayment of amounts expended by the state of Montana on the student's dental education, together with interest, must be made according to a repayment schedule and terms specified by the board of regents. However, interest begins to accrue if the board finds that the student has withdrawn from the university of Washington school of dentistry or is otherwise not making satisfactory progress toward completion of the degree or program. Interest charged under this section accrues at an annual interest rate equal to that charged for federal Stafford loans at the time that the interest begins to accrue, and the rate must be adjusted annually to match the federal Stafford loan rate. The interest rate may not be greater than 8%.

(e) Upon recommendation of the dean of the university of Washington school of dentistry, the board of regents may relieve a student of the obligation to repay amounts expended under this section, in whole or in part, if repayment would cause undue hardship.

(3) For the purposes of this section, the Montana board of dentistry shall identify and define an "underserved area" in Montana.

(4) Any amounts paid by dental students in accordance with the contractual arrangements authorized under this section must be deposited into a special revenue account designated as the dental school student fund, maintained and separately accounted for by the board of regents. The fund may be added to by specific contributions from other sources. The fund must be expended by the board of regents for tuition costs related to the regional initiative in dental education program."

Renumber: subsequent sections

3. Page 1, line 21.

Strike: "[Section 1] is"

Insert: "[Sections 1 and 2] are"

4. Page 1, line 22.

Strike: "[section 1]"

Insert: "[sections 1 and 2]"

5. Page 1.

Following: line 22

Insert: "NEW SECTION. **Section 5. Contingent voidness.** If House Bill No. 807 is not passed and approved, then [this act] is void."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 627, do pass. Report adopted.

HB 644, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

3/21/2007

SB 219, be concurred in. Report adopted.

SB 295, be concurred in. Report adopted.

SB 364, be concurred in. Report adopted.

SJR 25, be concurred in. Report adopted.

HUMAN SERVICES (Stoker, Chairman):

3/22/2007

SB 95, be amended as follows:

1. Title, page 1, line 6.

Strike: "AND"

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2. Title, page 1, line 7.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 3.

Following: line 20

Insert: "NEW SECTION. **Section 4. Effective date.** [This act] is effective July 1, 2007."

And, as amended, be concurred in. Report adopted.

NATURAL RESOURCES (McNutt, Chairman):

3/22/2007

SB 51, be amended as follows:

1. Title, line 7.

Following: "THAT"

Insert: "LOCAL"

2. Title, line 8 through line 12.

Strike: "REQUIRING" on line 8 through "REGULATIONS;" on line 12

3. Title, line 14 through line 15.

Strike: "REQUIRING" on line 14 through "HAZARDS;" on line 15

4. Title, line 16.

Strike: "76-3-504,"

5. Page 4, line 16 through page 7, line 27.

Strike: section 3 in its entirety

Renumber: subsequent sections

6. Page 8, line 8 through line 22.

Strike: sections 5, 6, and 7 in their entirety

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

SB 178, be concurred in. Report adopted.

SB 248, be concurred in. Report adopted.

TAXATION (Lake, Chairman):

3/21/2007

SB 150, be concurred in. Report adopted.

SB 378, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:3/21/2007

HB 83, introduced by Hiner

House bills concurred in and returned to the House:

3/21/2007

HB 64, introduced by Clark

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HB 92, introduced by Franklin
HB 105, introduced by Windy Boy
HB 177, introduced by Boggio
HB 207, introduced by Ingraham
HB 400, introduced by Villa
HB 521, introduced by Arntzen

FIRST READING AND COMMITMENT OF BILLS

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

HB 834, introduced by Cohenour, referred to Taxation.
HB 835, introduced by Stahl, Sesso, referred to Appropriations.
HB 836, introduced by L. Jones, Lange, Black, Sesso, MacLaren, Nooney, Windy Boy, Stahl, referred to Appropriations.
HB 837, introduced by McChesney, Larson, Bales, Gallus, McChesney, Lind, referred to Appropriations.

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

HJR 48, introduced by MacLaren, McGee, referred to Human Services.
HJR 49, introduced by Thomas, Windy Boy, Olson, Groesbeck, Klock, referred to Federal Relations, Energy, and Telecommunications.
HJR 50, introduced by Becker, Stahl, Arntzen, Grinde, referred to Local Government.

**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 Dutton in the chair.

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

HB 131 - Representative Sesso moved **HB 131** do pass.

HB 131 - Representative Sesso moved **HB 131**, second reading copy, be amended as follows:

1. Page 3, line 20.

Strike: "(4)"

Insert: "(5)"

2. Page 4, line 1.

Following: page 3, line 30

Insert: "(5)(a) The applicable percentage rate for a contingent annuitant described in subsection (2)(c) is 3% if the original payee:

(i) was hired or assumed office before July 1, 2007; or

(ii) was an existing member of a benefit plan for which the applicable percentage is 3%.

(b) Except as provided in subsection (5)(a)(ii), the applicable percentage rate for a contingent annuitant described in subsection (2)(c) is 1.5% if the original payee was hired or assumed office on or after July 1, 2007."

Renumber: subsequent subsection

3. Page 7, line 7.

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Strike: "(4)"

Insert: "(5)"

4. Page 7, line 23.

Following: line 22

Insert: "(5)(a) The applicable percentage rate for a contingent annuitant described in subsection (2)(c) is 3% if the original payee:

(i) was hired or assumed office before July 1, 2007; or

(ii) was an existing member of a benefit plan for which the applicable percentage is 3% .

(b) Except as provided in subsection (5)(a)(ii), the applicable percentage rate for a contingent annuitant described in subsection (2)(c) is 1.5% if the original payee was hired or assumed office on or after July 1, 2007."

Renumber: subsequent subsection

5. Page 12, line 13.

Strike: "(4)"

Insert: "(5)"

6. Page 12, line 24.

Following: line 23

Insert: "(5)(a) The applicable percentage rate for a contingent annuitant described in subsection (2)(c) is 3% if the original payee:

(i) was hired or assumed office before July 1, 2007; or

(ii) was an existing member of a benefit plan for which the applicable percentage is 3% .

(b) Except as provided in subsection (5)(a)(ii), the applicable percentage rate for a contingent annuitant described in subsection (2)(c) is 1.5% if the original payee was hired or assumed office on or after July 1, 2007."

Renumber: subsequent subsection

7. Page 13, line 11.

Strike: "(4)"

Insert: "(5)"

8. Page 13, line 22.

Following: line 21

Insert: "(5)(a) The applicable percentage rate for a contingent annuitant described in subsection (2)(c) is 3% if the original payee:

(i) was hired or assumed office before July 1, 2007; or

(ii) was an existing member of a benefit plan for which the applicable percentage is 3% .

(b) Except as provided in subsection (5)(a)(ii), the applicable percentage rate for a contingent annuitant described in subsection (2)(c) is 1.5% if the original payee was hired or assumed office on or after July 1, 2007."

Renumber: subsequent subsection

Amendment adopted as follows:

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

Total 77

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Noes: Blasdel, Boggio, Everett, Glaser, Hawk, Jacobson, Jore, Kasten, Kerns, Lake, Lambert, Mendenhall, Morgan, Peterson, Pomnichowski, Sinrud, Sonju, Taylor, Vincent, Wells, Mr. Speaker.

Total 21

Voted Absentee: Clark, Rice, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: Dutton, Milburn.

Total 2

HB 131 - Representative Himmelberger moved **HB 131**, second reading copy, be amended as follows:

1. Page 11, line 16.

Strike: "2007"

Insert: "2009"

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, 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, Rice, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: Milburn.

Total 1

HB 131 - Representative Glaser moved **HB 131**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: 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 50

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Noes: Ankney, 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 50

Voted Absentee: Clark, Rice, Ayes; Windy Boy, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 131 - Representative Olson moved **HB 131**, second reading copy, be amended.

HB 131 - Representative Keane moved for cloture. Motion carried.

Amendment **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Klock, Kottel, Lambert, Musgrove, Nooney, Olson, Parker, Pomnichowski, Raser, Reinhart, Ripley, Sands, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 42

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Branae, Butcher, Clark, Dutton, Everett, Franklin, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Koopman, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, O'Hara, Peterson, Phillips, Rice, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 58

Voted Absentee: Windy Boy, Aye; Clark, Rice, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 131 - Representative Ripley moved **HB 131**, 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:

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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; Windy Boy, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 131 - Representative Bergren moved **HB 131**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Driscoll, Ebinger, Erickson, French, Gallik, Glaser, Grinde, Hands, Henry, Hilbert, Hollenbaugh, Jacobson, Jopek, Klock, Kottel, Lambert, Lange, McAlpin, McNutt, Morgan, Nooney, Olson, Parker, Pomnichowski, Raser, Reinhart, Ripley, Sands, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 49

Noes: Ankney, Arntzen, Beck, Blasdel, Boggio, Butcher, Clark, Dickenson, Dutton, Everett, Franklin, Furey, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Himmelberger, Hiner, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Koopman, Lake, MacLaren, Malcolm, McChesney, McGillvray, Mendenhall, Milburn, Musgrove, Noonan, O'Hara, Peterson, Phillips, Rice, Ross, Sesso, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Mr. Speaker.
Total 51

Voted Absentee: Windy Boy, Aye; Clark, Rice, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 131 - The motion to pass **HB 131**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark,

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Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Franklin, French, Furey, Grinde, Groesbeck, Hamilton, Heinert, Hendrick, Henry, Himmelberger, Hiner, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, O'Hara, Olson, Peterson, Phillips, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 76

Noes: Augare, Becker, Bergren, Caferro, Cordier, Erickson, Everett, Gallik, Glaser, Hands, Hawk, Hilbert, Hollenbaugh, Jacobson, Jore, Lambert, Morgan, Nooney, Parker, Pomnichowski, Van Dyk, Villa, Wilmer, Wilson.

Total 24

Voted Absentee: Clark, Rice, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 390 - Representative Nooney moved **HB 390** do pass. Motion carried as follows:

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

Total 78

Noes: Cohenour, Dutton, Franklin, Gallik, Hands, Himmelberger, Ingraham, W. Jones, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Musgrove, Peterson, Sinrud, Stoker, Van Dyk, Ward, Wells, Mr. Speaker.

Total 22

Voted Absentee: Clark, Rice, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 443 - Representative Taylor moved **HB 443** do pass. Motion carried as follows:

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

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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: Jore.

Total 1

Voted Absentee: Clark, Rice, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 444 - Representative Taylor moved **HB 444** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, 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, Musgrove, Noonan, Nooney, 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, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 93

Noes: Campbell, Jore, Mendenhall, Morgan, Ross, Wells, Mr. Speaker.

Total 7

Voted Absentee: Clark, Rice, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 630 - Representative Gallik moved **HB 630** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, 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 96

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Noes: Everett, Hawk, Jayne.
Total 3

Voted Absentee: Clark, Rice, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: Lange.
Total 1

SB 102 - Representative Ingraham moved **SB 102** 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, 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, 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, Rice, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: Stahl.
Total 1

SB 168 - Representative Dickenson moved **SB 168** 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, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 89

Noes: Boggio, Everett, Jore, Kasten, Koopman, Mendenhall, Ripley, Sinrud, Wells, Witte, Mr. Speaker.
Total 11

Voted Absentee: Clark, Rice, Windy Boy, Ayes.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 175 - Representative McNutt moved **SB 175** 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, 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, Rice, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 239 - Representative Hendrick moved **SB 239** 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, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 99

Noes: None.

Total 0

Voted Absentee: Clark, Rice, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

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Total 1

SB 322 - Representative Taylor moved **SB 322** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, 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 92

Noes: Bixby, Campbell, Grinde, Groesbeck, Jayne, Jopek, Keane, Noonan.

Total 8

Voted Absentee: Clark, Rice, Windy Boy, 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 Dutton moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Everett, French, Furey, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hiner, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Pomnichowski, Reinhart, Ripley, Ross, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Wiseman, Witte, Mr. Speaker.

Total 74

Noes: Bergren, Bixby, Callahan, Cordier, Franklin, Gallik, Grinde, Hilbert, Hollenbaugh, Jacobson, Jopek, Parker, Phillips, Raser, Sesso, Van Dyk, Villa, Wilmer, Wilson.

Total 19

Excused: Clark, Rice, Windy Boy.

Total 3

Absent or not voting: Caferro, Dutton, Himmelberger, Thomas.

Total 4

MOTIONS

Majority Leader Lange moved that **SB 51** be re-referred back to the Committee on Natural Resources for the purpose

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of the amendment removal. There being no objections, so ordered.

UNFINISHED BUSINESS

SB 497, introduced by Linda Moss, the following sponsors were added:

Reps. Arntzen, Barrett, Becker, Bixby, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Franklin, French, Grinde, Hands, Henry, Hiner, Ingraham, Jayne, Kottel, Lambert, Morgan, Pomnichowski, Raser, Reinhart, Rice, Sands, Small-Eastman, Taylor, Wilmer.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Friday, March 23, 2007. Motion carried.

House adjourned at 3:00 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House