

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

Helena, Montana
March 23, 2007

House Chambers
State Capitol

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

Roll Call. All members present, except Representative Clark, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):

Signed by the President at 4:45 p.m., March 21, 2007: **HB 70**. 3/21/2007

Signed by the President at 5:00 a.m., March 21, 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**.

Delivered to the Secretary of State at 1:55 p.m., March 22, 2007: **HB 51, HB 67, HB 70, 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**.

Correctly printed: **HB 343, HB 390, HB 443, HB 444, HB 627, HB 630, HB 644, SB 102, SB 150, SB 168, SB 175, SB 178, SB 219, SB 239, SB 248, SB 295, SB 322, SB 364, SB 378**. 3/22/2007

Correctly engrossed: **HB 395, HB 131, SB 51, SB 95**.

Correctly enrolled: **HB 64, HB 92, HB 105, HB 177, HB 207, HB 400, HB 521**.

Signed by the Chief Clerk of the House at 2:00 p.m., March 22, 2007: **HB 28, HB 31, HB 58, HB 75, HB 86, HB 149, HB 193, HB 347, HB 357, HB 378, HB 623, HB 662, HJR 20**.

Signed by the Speaker at 2:30 p.m., March 22, 2007: **HB 28, HB 31, HB 58, HB 75, HB 86, HB 149, HB 193, HB 347, HB 357, HB 378, HB 623, HB 662, HJR 20**.

Signed by the President at 9:30 a.m., March 23, 2007: **HB 28, HB 31, HB 58, HB 75, HB 86, HB 149, HB 193, HB 347, HB 357, HB 378, HB 623, HB 662, HJR 20**.

Delivered to the Governor for approval at 11:20 a.m., March 23, 2007: **HB 28, HB 31, HB 58, HB 75, HB 86, HB 149, HB 193, HB 347, HB 357, HB 378, HB 623, HB 662**.

Delivered to the Secretary of State at 12:41 p.m., March 23, 2007: **HJR 20**.

BUSINESS AND LABOR (Mendenhall, Chairman):

3/22/2007

SB 209, be concurred in. Report adopted.

SB 214, be amended as follows:

1. Page 5, line 17.

Strike: "~~39-71-417(1)(c)(v)~~"

Insert: "39-71-417(1)(a)(ii)"

2. Page 5, line 24.

Following: "(a)"

Strike: "A"

Insert: "(i) Except as provided in subsection (1)(a)(ii), a"

3. Page 5, following line 27.

Insert: "(ii) An officer or manager who is exempt under 39-71-401(2)(r)(iii) or (2)(r)(iv) may apply, but is not required to apply, to the department for an independent contractor exemption certificate."

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4. Page 6, line 3.

Following: ";"

Insert: "or"

5. Page 6, line 4.

Strike: "; or"

Insert: "."

6. Page 6, line 5.

Strike: subsection (v) in its entirety.

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

SB 341, be concurred in. Report adopted.

SB 485, be concurred in. Report adopted.

SJR 10, be concurred in. Report adopted.

NATURAL RESOURCES (McNutt, Chairman):

3/22/2007

SB 145, be amended as follows:

1. Title, line 16.

Following: "WILDFIRE;"

Insert: "ESTABLISHING A FORMULA FOR DETERMINING ASSESSMENTS FOR FIRE PROTECTION;"

2. Page 5, line 24.

Strike: "shall"

Insert: "has the authority to"

Following: "appoint"

Insert: "state or federal employees as"

Following: "necessary"

Strike: "z"

3. Page 5, line 25.

Strike: "SUBJECT TO CONFIRMATION BY THE LOCAL COUNTY GOVERNMENT."

Insert: "for meeting department firefighting responsibilities"

4. Page 5, line 26.

Following: "7]"

Insert: "Local county governments shall retain sole authority for designation and appointment of county fire chiefs or firewardens."

5. Page 8, line 16.

Following: "waste."

Insert: "(1)"

6. Page 8, line 18.

Following: "areas"

Insert: "within the forest areas"

7. Page 8, following line 25.

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Insert: "(2) A sawmill located within or contiguous to forest lands may not accumulate in one pile sawdust in excess of an amount resulting from the sawing of 500,000 feet log scale of sawlogs. However, a larger sawdust pile may be accumulated when there is no reasonable danger of fire from the sawdust pile and a permit for the additional accumulation is granted by the department. If burning is the disposal method elected, each sawdust pile must be prepared for burning by cribbing the base of each pile with slabs and burned in accordance with rules adopted by the department."

8. Page 9, line 16.

Strike: "\$30"

Insert: "\$45"

9. Page 9, line 17.

Strike: the first "20"

Insert: "25"

10. Page 13, following line 10.

Insert: "NEW SECTION. **Section 29. Formula to set landowner assessments for fire protection.** (1) The department shall, pursuant to 76-13-207, set the annual fire assessment fee due from landowners pursuant to Title 76, chapter 13, parts 1 and 2. The total of all statewide landowner assessments may be no greater than one-third of the amount appropriated by the legislature to fund the protection costs.

(2) The individual assessments must be established using the following criteria:

(a) Each person or corporation who is responsible for fire protection pursuant to 76-13-108 and 76-13-201 and for whom the department provides fire protection must be assessed a per capita landowner fee. The total per capita landowner assessments statewide from persons or corporations who own 20 acres or less of land for which the department provides protection must be as close as administratively possible to 60% of the total private landowner assessments.

(b) A person or corporation who owns more than 20 acres of land for which the department provides protection shall, in addition to the fee assessed pursuant to subsection (2)(a), pay a per-acre fee for each whole acre that the person owns in excess of 20 acres. The total of all assessments statewide from persons or corporations that own more than 20 acres must be as close as administratively possible to 40% of the total private landowner assessments.

(3) (a) Except as provided in subsection (3)(b), the per capita and per-acre fees must remain in effect for subsequent years.

(b) The department shall reset the per capita and per-acre fees whenever it is necessary to obtain up to one-third of the amount appropriated by the legislature.

(c) Whenever the department resets the fees pursuant to subsection (3)(b), it shall do so in accordance with 76-13-201(2)."

Renumber: subsequent sections

11. Page 13, line 18.

Strike: "Section"

Insert: "Sections"

Following: "16"

Insert: " and 29"

Strike: "is"

Insert: "are"

12. Page 13, line 19.

Strike: "section"

Insert: "sections"

Following: "16"

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Insert: "and 29"

13. Page 14, following line 16.

Insert: "COORDINATION SECTION. Section 34. Coordination instruction. If Senate Bill No. 51 and [this act] are passed and approved and [this act] repeals 76-13-109, then the section in [this act] amending 76-13-104 is void and 76-13-104 must be amended as follows:

"76-13-104. Functions of department -- rulemaking. (1) The department has the duty to ensure the protection of land under state and private ownership and to suppress wildfires on land under state and private ownership. No fees may be collected for this purpose except fees provided for in 76-13-201.

(2) (a) The department shall adopt rules to protect the natural resources of the state, especially the natural resources owned by the state, from destruction by fire and for that purpose, in declared emergencies, may employ personnel and incur other expenses when necessary.

(b) The department may adopt and enforce reasonable rules for the purpose of enforcing and accomplishing the provisions and purposes of part 2 and this part.

(3) The duty imposed on the department under this section is not exclusive to the department and does not absolve private property owners or local governmental fire agencies organized under Title 7, chapter 33, from any fire protection or suppression responsibilities.

(4) The department may give technical and practical advice concerning forest, range, water, and soil conservation and the establishment and maintenance of woodlots, windbreaks, shelterbelts, and forest fire protection.

~~(2)~~(5) The department shall cooperate with all public and other agencies in the development, protection, and conservation of the forest, range, and water resources in this state.

(6) The department shall establish and maintain wildland fire control training programs.

~~(3) The department shall require an owner or operator to provide a notification prior to conducting forest practices as provided in 76-13-131, shall adapt as necessary any procedure used for notification with respect to an agreement under 76-13-408 to ensure that the operator provides information on the location of the forest practices in relation to watershed features, and shall conduct onsite consultations as provided for in 76-13-132.~~

(7) The department shall appoint firewardens in the number and localities that it considers necessary, subject to confirmation by the local county government, and shall adopt rules prescribing the qualifications and duties of firewardens that are in addition to those provided in [section 7 of Senate Bill No. 145].

(8) By October 1, 2008, the department shall adopt rules addressing development within the wildland-urban interface, including but not limited to:

(a) best practices for development within the wildland-urban interface; and

(b) criteria for providing grant and loan assistance to local government entities to encourage adoption of best practices for development within the wildland-urban interface."

Renumber: subsequent section

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

FISH, WILDLIFE AND PARKS (Milburn, Chairman):

3/23/2007

SB 77, be concurred in. Report adopted.

SB 314, be concurred in. Report adopted.

TAXATION (Lake, Chairman):

3/23/2007

HB 824, introduced bill, be amended as follows:

1. Title, line 4.

Following: "EXEMPTING"

Insert: "A CERTAIN AMOUNT OF"

Strike: "OR"

Insert: "AND"

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2. Page 2, line 22.

Following: "(A)"

Insert: "the first \$15,000 of"

Strike: "or"

Insert: "and other military"

3. Page 2, line 25.

Following: "(B)"

Insert: "the first \$15,000 of"

And, as amended, do pass. Report adopted.

APPROPRIATIONS (Sinrud, Chairman):

3/23/2007

HB 808, introduced bill, be amended as follows:

1. Page 14, line 4.

Strike: "1,396,131 1,400,969" [state special revenue FY08 and FY09]

Insert: "1,296,148 1,296,426" [state special revenue FY08 and FY09]

2. Page 14.

Strike: line 6 in its entirety

Insert: "27,571,098 27,618,115" [general fund FY08 and FY09]

"185,131,982 196,985,099" [federal special revenue FY08 and FY09]

3. Page 14, line 18.

Strike: "2,393,118 2,393,119" [state special revenue FY08 and FY09]

Insert: "2,126,331 2,126,332" [state special revenue FY08 and FY09]

4. Page 14.

Strike: line 19 in its entirety

Insert: "22,944,738 24,000,616" [general fund FY08 and FY09]

"29,270,349 30,177,629" [federal special revenue FY08 and FY09]

5. Page 15, line 14.

Strike: "2,876,136 2,681,679" [general fund FY08 and FY09]

"6,792,940 6,201,063" [federal special revenue FY08 and FY09]

Insert: "2,726,136 2,731,679" [general fund FY08 and FY09]

"6,242,940 6,251,063" [federal special revenue FY08 and FY09]

6. Page 15, line 20.

Strike: "1,602,945 1,606,036" [state special revenue FY08 and FY09]

Insert: "1,702,663 1,708,818" [state special revenue FY08 and FY09]

7. Page 15, line 21.

Strike: "1,545,677 1,553,263" [general fund FY08 and FY09]

"4,491,263 3,978,167" [federal special revenue FY08 and FY09]

Insert: "0 0" [general fund FY08 and FY09]

"6,112,004 6,132,731" [federal special revenue FY08 and FY09]

8. Page 15, line 25.

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Strike: "1,620,765 2,154,589" [general fund FY08 and FY09]
Insert: "1,258,921 1,263,443" [general fund FY08 and FY09]

9. Page 16.

Strike: line 5 in its entirety
Insert: "2,735,149 2,577,985" [general fund FY08 and FY09]
"907,864 906,007" [state special revenue FY08 and FY09]
"3,388,931 3,302,130" [federal special revenue FY08 and FY09]

10. Page 16.

Strike: line 12 in its entirety
Insert: "1,890,101 1,893,724" [general fund FY08 and FY09]
"7,479,021 7,350,190" [state special revenue FY08 and FY09]
"29,706,090 29,735,600" [federal special revenue FY08 and FY09]

11. Page 17.

Strike: line 4 in its entirety
Insert: "2,097,140 2,089,133" [general fund FY08 and FY09]
"99,474 99,985" [state special revenue FY08 and FY09]
"5,137,164 5,116,529" [federal special revenue FY08 and FY09]

12. Page 17.

Strike: line 13 in its entirety
Insert: "7,299,947 7,378,252" [general fund FY08 and FY09]
"714,220 720,260" [state special revenue FY08 and FY09]
"10,721,453 10,802,365" [federal special revenue FY08 and FY09]

13. Page 17.

Strike: line 22 in its entirety
Insert: "44,790,709 44,892,549" [general fund FY08 and FY09]
"163,261 1,224,221" [state special revenue FY08 and FY09]
"75,922,210 75,909,709" [federal special revenue FY08 and FY09]

14. Page 18.

Strike: line 12 in its entirety
Insert: "122,566,064 133,889,043" [general fund FY08 and FY09]
"8,671,035 4,316,885" [state special revenue FY08 and FY09]
"308,498,123 323,301,601" [federal special revenue FY08 and FY09]

15. Page 19.

Strike: line 2 in its entirety
Insert: "45,265,295 45,241,838" [general fund FY08 and FY09]
"21,741,688 20,161,985" [state special revenue FY08 and FY09]
"139,303,678 135,302,358" [federal special revenue FY08 and FY09]

16. Page 19.

Strike: line 25 in its entirety
Insert: "45,350,396 47,509,052" [general fund FY08 and FY09]
"6,595,846 6,320,124" [state special revenue FY08 and FY09]
"41,831,565 42,692,354" [federal special revenue FY08 and FY09]

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And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/22/2007
HB 120, introduced by Henry
HB 409, introduced by Sinrud
HB 633, introduced by Dutton

House bills concurred in and returned to the House: 3/22/2007
HB 22, introduced by McAlpin
HB 503, introduced by Gallik
HB 555, introduced by Grinde
HB 703, introduced by Ripley

FIRST READING AND COMMITMENT OF BILLS

The following House bill was introduced, read first time, and referred to committee:
HB 838, introduced by French, Cohenour, Erickson, referred to Taxation.

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

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hollenbaugh in the chair.

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

SB 369 - Representative L. Jones moved **SB 369** 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, Aye.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 385 - Representative French moved **SB 385** 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, 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 98

Noes: Hawk, Jayne.
Total 2

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 21 - Representative Hendrick moved **SJR 21** 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, 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, Aye.

Excused: None.
Total 0

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Absent or not voting: Lange.
Total 1

HB 315 - Representative Koopman moved **HB 315** do pass.

HB 315 - Representative Gallik moved **HB 315**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Augare, Becker, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Driscoll, Ebinger, Erickson, French, Furey, Gallik, Hamilton, Hands, Hiner, Hollenbaugh, Jacobson, Jayne, Keane, Kottel, McChesney, Musgrove, Noonan, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilson, Windy Boy, Wiseman.
Total 38

Noes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Clark, Dickenson, Dutton, Everett, Franklin, Glaser, Grinde, Groesbeck, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Wilmer, Witte, Mr. Speaker.
Total 62

Voted Absentee: Clark, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 315 - The motion to pass **HB 315 failed** 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, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, MacLaren, 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, Aye.

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

HB 343 - Representative Lange moved consideration of **HB 343** be passed for the day. Motion carried.

HB 473 - Representative Ross moved **HB 473** 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, 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 98

Noes: Franklin.

Total 1

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Glaser.

Total 1

HB 4 - Representative Musgrove moved **HB 4** 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, 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, 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 93

Noes: Everett, Jore, Koopman, Mendenhall, Peterson, Mr. Speaker.

Total 6

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Kasten.

Total 1

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HB 7 - Representative Kasten moved **HB 7** do pass.

HB 7 - Representative Windy Boy moved **HB 7**, second reading copy, be amended as follows:

1. Page 2, line 29.
Strike: "\$150,000"
Insert: "\$300,000"

2. Page 3, line 4.
Strike: "\$300,000"
Insert: "\$150,000"

Amendment adopted as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, 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, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 53

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 46

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: L. Jones.
Total 1

HB 7 - The motion to pass **HB 7**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, 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

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Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 19 - Representative McNutt moved **HB 19** 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, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Jore.
Total 1

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Kasten.
Total 1

HB 114 - Representative Olson moved **HB 114** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Campbell, Clark, Cordier, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jayne, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Peterson, Phillips, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Witte.
Total 65

Noes: Augare, Becker, Bixby, Branae, Caferro, Callahan, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Hollenbaugh, Jacobson, Jopek, Jore, Koopman, McAlpin, Noonan, Parker, Pomnichowski, Raser, Reinhart, Van Dyk, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 34

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

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Absent or not voting: Ripley.
Total 1

HB 278 - Representative Stoker moved consideration of **HB 278** be passed for the day. Motion carried.

HB 348 - Representative Keane moved **HB 348** do pass. Motion carried 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, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, 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 94

Noes: Becker, Everett, Hawk, Ingraham, Jore, Koopman.
Total 6

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 395 - Representative W. Jones moved **HB 395** 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, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 94

Noes: Everett, Hawk, Jore, Koopman, Mendenhall.
Total 5

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Thomas.
Total 1

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HB 480 - Representative Lake moved **HB 480** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Clark, Cohenour, Cordier, Dickenson, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Keane, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Windy Boy, Witte, Mr. Speaker.
Total 72

Noes: Augare, Barrett, Becker, Callahan, Campbell, Driscoll, Dutton, Everett, Hands, Henry, Jayne, Jore, Kasten, Kerns, Koopman, McAlpin, McGillvray, Mendenhall, Reinhart, Ripley, Van Dyk, Wells, Wilmer, Wiseman.
Total 24

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Jopek, Lange, Phillips, Wilson.
Total 4

HB 540 - Representative Groesbeck moved **HB 540** 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, 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, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Windy Boy, Wiseman, Witte.
Total 89

Noes: Everett, Jore, Kasten, Koopman, McGillvray, Mendenhall, Peterson, Wells, Mr. Speaker.
Total 9

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Hands, Wilson.
Total 2

HB 315 - Representative MacLaren moved reconsideration of **HB 315** and that it be placed at the top of the second reading board. 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,

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Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

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

Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

HB 315 - Representative Koopman moved **HB 315** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 51

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

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 592 - Representative Wilson moved **HB 592** 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, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

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Total 98

Noes: Erickson, McGillvray.
Total 2

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 627 - Representative Hilbert moved **HB 627** do pass.

HB 627 - Representative Hilbert moved **HB 627**, second reading copy, be amended as follows:

1. Page 1, line 15.

Following: "appropriated"

Insert: "to the department of transportation"

2. Page 1, line 16.

Strike: "fiscal years 2008 and 2009"

Insert: "the 2009 biennium"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilson, Windy Boy, Wiseman, Witte.

Total 84

Noes: Augare, Campbell, Dutton, Grinde, Hands, Jopek, Kerns, McAlpin, Morgan, Phillips, Sinrud, Stoker, Van Dyk, Wilmer, Mr. Speaker.

Total 15

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Jayne.
Total 1

HB 627 - The motion to pass **HB 627**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Branae, Butcher, Caferro, Clark, Cohenour, Ebinger, Erickson,

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Total 55

Noes: Augare, Becker, Bergren, Bixby, Boggio, Callahan, Campbell, Cordier, Dickenson, Driscoll, Dutton, Franklin, Furey, Gallik, Grinde, Hands, Jacobson, Jayne, Jopek, Jore, Keane, Kerns, Koopman, Kottel, McAlpin, McGillvray, Mendenhall, Milburn, Morgan, Musgrove, Peterson, Phillips, Raser, Reinhart, Rice, Ripley, Sands, Van Dyk, Wells, Wilmer, Wiseman, Witte, Mr. Speaker.

Total 43

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Himmelberger, Sinrud.

Total 2

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

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Driscoll, Dutton, Everett, Franklin, French, Glaser, Groesbeck, Hands, Hawk, Hendrick, Henry, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 69

Noes: Becker, Bergren, Bixby, Caferro, Callahan, Cohenour, Cordier, Dickenson, Ebinger, Erickson, Furey, Gallik, Grinde, Heinert, Hollenbaugh, Jacobson, Jayne, Keane, Parker, Phillips, Raser, Sesso, Sinrud, Villa, Wiseman.

Total 25

Excused: Clark.

Total 1

Absent or not voting: Branae, Hamilton, Hilbert, Himmelberger, Musgrove.

Total 5

THIRD READING OF BILLS

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

HB 390 passed as follows:

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

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Callahan, Campbell, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, 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, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy.

Total 77

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

Total 21

Excused: Clark.

Total 1

Absent or not voting: Hendrick.

Total 1

HB 443 passed as follows:

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

Total 95

Noes: Campbell, Jore, Windy Boy, Mr. Speaker.

Total 4

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

HB 444 passed as follows:

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

Total 90

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Noes: Barrett, Bixby, Jore, Koopman, Mendenhall, Ripley, Ross, Wells, Mr. Speaker.
Total 9

Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

HB 630 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, 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 95

Noes: Everett, Hawk, Jayne.
Total 3

Excused: Clark.
Total 1

Absent or not voting: Hollenbaugh.
Total 1

SB 12 concurred in as amended, as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, 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, 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, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 95

Noes: Hawk, Jore, McGillvray, Peterson.
Total 4

Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

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SB 50 concurred in as amended, as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, 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, 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 98

Noes: Jayne.

Total 1

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

SB 102 concurred in as amended, as follows:

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

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

SB 118 concurred in as amended, as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser,

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Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 80

Noes: Augare, Bergren, Blasdel, Everett, Hendrick, Hilbert, Himmelberger, Jayne, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Rice, Sinrud, Sonju, Wells, Mr. Speaker.

Total 19

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

SB 168 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, 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, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 81

Noes: Blasdel, Boggio, Dutton, Everett, Jore, Kasten, Koopman, Lambert, Mendenhall, Milburn, Ripley, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 17

Excused: Clark.

Total 1

Absent or not voting: O'Hara.

Total 1

SB 175 concurred in as amended, as follows:

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

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Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

SB 239 concurred in as follows:

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

Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

SB 322 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, 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, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 93

Noes: Bixby, Campbell, Groesbeck, Jayne, Jopek, Keane.
Total 6

Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

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HB 773, introduced by MacLaren, the following sponsors were added:
Senator J. Tropila.

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Butcher, Chairman):
SB 544, be amended as follows:

3/23/2007

1. Page 1, line 16.
Following: "Montana"
Insert: "following naturally raised protocols"

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

BUSINESS AND LABOR (Mendenhall, Chairman):
HB 69, introduced bill, be amended as follows:

3/23/2007

1. Page 1, line 20.
Strike: "2007"
Insert: "2008"
2. Page 3, line 26 through line 27.
Strike: "made" on page 3, line 26 through "use and" on page 3, line 27
3. Page 3, line 27.
Following: "mortgage"
Insert: ", "
Strike: "or"
Following: "trust"
Insert: ", or trust indenture"
4. Page 4, line 3.
Following: "state"
Insert: "that is"
5. Page 4, line 4.
Following: "four-family dwelling"
Insert: "or a manufactured home, as defined by 24 CFR 3280, either of which is intended to be the borrower's primary residence"
6. Page 4, line 29.
Following: "(2)"
Insert: "(a)"
7. Page 5, line 2.
Following: "by"
Strike: "fingerprints,"
Insert: "an examination of"

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8. Page 5, line 3.

Following: "character,"

Strike: "and"

Following: "fitness"

Insert: ", and criminal records"

9. Page 5, line 5.

Insert: "(b)(i) As a prerequisite to the issuance of a license, the department shall require the applicant to submit fingerprints for the purpose of fingerprint checks by the Montana department of justice and the federal bureau of investigation.

(ii) The applicant shall sign a release of information to the department and is responsible to the department of justice for the payment of all fees associated with the criminal background check.

(iii) Upon completion of the criminal background check, the department of justice shall forward all criminal justice information, as defined in 44-5-103, concerning the applicant that involves the conviction of a criminal offense in any jurisdiction to the department, as authorized in 44-5-303.

(iv) At the conclusion of any background check required by this section, the department must receive the criminal background check report but may not receive the fingerprint card of the applicant. Upon receipt of the criminal background check report, the department of justice shall promptly destroy the fingerprint card of the applicant."

10. Page 5, following line 8.

Insert: "(5) A mortgage broker and its branches licensed under Title 32, chapter 9, is exempt from licensing fees under [sections 1 through 32]. A licensed mortgage broker that engages in mortgage lending shall comply with the provisions of [sections 1 through 32]."

11. Page 7, following line 17.

Insert: "(8) A person is exempt who is licensed under Title 32, chapter 9, if the person is engaged solely in the business of mortgage brokering and does not advance funds, offer to advance funds, or commit to advancing funds.

(9) A person is exempt who is a retail seller, as defined in 31-1-102, if the person complies with the provisions of Title 31, chapter 1, part 2.

(10) A person is exempt who sells the person's own real property."

12. Page 9, line 18.

Following: "department."

Insert: "The department may accept the audit of a parent company of the licensee in lieu of an audit of the licensee if the department determines that the parent company's audit is sufficient for the department's purposes."

13. Page 19, line 18.

Following: "hearing."

Insert: "The order may apply only to the alleged act or practice constituting a violation of [sections 1 through 32]."

14. Page 20, line 7.

Following: "County"

Insert: "if the person is not a resident of this state or does not maintain a place of business in this state"

And, as amended, do pass. Report adopted.

HB 141, introduced bill, be amended as follows:

1. Page 5, line 13.

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Following: "chapter"

Insert: ", not to exceed \$5,000 for each administrative action,"

2. Page 15, line 8.

Following: "hearing."

Insert: "The order may apply only to the alleged act or practice constituting a violation of this chapter."

3. Page 16, line 1.

Following: "County"

Insert: "if the person is not a resident of this state or does not maintain a place of business in this state"

4. Page 16, line 4 through line 5.

Strike: "If" on line 4 through "costs." on line 5

And, as amended, do pass. Report adopted.

EDUCATION (Jore, Chairman):

3/23/2007

SB 289, be amended as follows:

1. Page 1, line 25.

Following: "medication"

Insert: ", as prescribed,"

2. Page 1, line 29.

Following: "medication"

Insert: ", as prescribed"

3. Page 2, line 5.

Strike: "administered"

Insert: ", as prescribed"

4. Page 2, line 11.

Following: "use"

Insert: ", as prescribed,"

5. Page 2, line 27.

Following: "medication"

Insert: ", as prescribed"

6. Page 3, line 7.

Strike: "immediate"

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

JUDICIARY (Rice, Chairman):

3/23/2007

SB 164, be concurred in. Report adopted.

SB 170, be concurred in. Report adopted.

LOCAL GOVERNMENT (Arntzen, Chairman):

3/23/2007

SB 203, be concurred in. Report adopted.

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SB 245, be concurred in. Report adopted.
SB 261, be concurred in. Report adopted.

TRANSPORTATION (Sonju, Chairman):
SB 160, be concurred in. Report adopted.

3/23/2007

MOTIONS

Representative Lange moved **HB 808** be re-referred to the Committee on Appropriations. 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, Noonan, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

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

Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

Representative French moved **HB 179** be taken from the table in the Committee on Appropriations, be printed and placed on second reading on the 63rd Legislative Day. Motion, requiring a three-fifths vote, **failed** as follows:

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

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, Noonan, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

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Representative Villa moved **HB 331** be taken from the table in the Committee on Appropriations, be printed and placed on second reading on the 63rd Legislative Day. Motion, requiring a three-fifths vote, **failed** as follows:

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

Total 53

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, 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, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 46

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

Representative Everett moved **HB 659** be taken from the table in the Committee on Federal Relations, Energy and Telecommunications, be printed and placed on second reading on the 63rd Legislative Day. Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Arntzen, Barrett, Beck, Blasdel, Butcher, Caferro, Cohenour, Dutton, Everett, Franklin, Furey, Gallik, Groesbeck, Hands, Hawk, Hendrick, Hilbert, Ingraham, Jacobson, Jayne, Jopek, Jore, Kasten, Koopman, Lange, McGillvray, Mendenhall, Nooney, O'Hara, Peterson, Phillips, Reinhart, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 43

Noes: Ankney, Augare, Becker, Bergren, Bixby, Boggio, Branae, Callahan, Campbell, Cordier, Dickenson, Driscoll, Ebinger, Erickson, French, Glaser, Grinde, Hamilton, Heinert, Henry, Himmelberger, Hiner, Hollenbaugh, L. Jones, W. Jones, Keane, Kerns, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Olson, Parker, Pomnichowski, Raser, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 56

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

Majority Leader Lange announced the House would stand at recess until 5:30 p.m.

House resumed at 5:30 p.m. Mr. Speaker in the chair. Representative Ward was excused.

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for the purpose of doing business on second reading. Motion carried. Representative Hollenbaugh in the chair.

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

SB 359 - Representative Olson moved **SB 359** 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, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, 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, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy.
Total 86

Noes: Everett, Hawk, Jore, Kerns, Koopman, Lake, McGillvray, Sinrud, Van Dyk, Wiseman, Witte.
Total 11

Voted Absentee: Clark, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: Hiner, Ripley, Mr. Speaker.
Total 3

HB 644 - Representative Sonju moved **HB 644** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, 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, 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, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.
Total 93

Noes: Augare, Bixby, Caferro, Cohenour, Jopek, Vincent, Wiseman.
Total 7

Voted Absentee: Clark, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 559 - Representative Rice moved **HB 559** do pass. Motion carried as follows:

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

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Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, 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 91

Noes: Franklin, Gallik, Hands, Hilbert, Jopek, Jore, Koopman, Musgrove, Mr. Speaker.

Total 9

Voted Absentee: Clark, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 824 - Representative Ingraham moved **HB 824** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Ebinger, French, Furey, Glaser, Groesbeck, Hawk, Hendrick, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McChesney, McNutt, Morgan, Noonan, Olson, Parker, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilson, Witte.

Total 61

Noes: Becker, Bixby, Branae, Butcher, Dickenson, Driscoll, Dutton, Erickson, Everett, Franklin, Gallik, Grinde, Hamilton, Hands, Heinert, Henry, Himmelberger, Jayne, Kasten, Koopman, Malcolm, McAlpin, McGillvray, Mendenhall, Musgrove, Nooney, O'Hara, Peterson, Phillips, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Wilmer, Windy Boy, Wiseman, Mr. Speaker.

Total 38

Voted Absentee: Clark, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: Milburn.

Total 1

HB 120 - Senate Amendments - Representative Henry moved Senate amendments to **HB 120** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso,

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Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 72

Noes: Barrett, Beck, Boggio, Everett, Grinde, Hawk, Hilbert, Himmelberger, Hiner, Jore, Kasten, Koopman, Lake, Lambert, Lange, McGillvray, Mendenhall, Milburn, Morgan, Rice, Ripley, Sinrud, Small-Eastman, Sonju, Stahl, Wells, Witte, Mr. Speaker.
Total 28

Voted Absentee: Clark, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 124 - Senate Amendments - Representative French moved Senate amendments to **HB 124** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, 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, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 84

Noes: Beck, Blasdel, Boggio, Everett, Hawk, Jore, Kasten, Mendenhall, Nooney, Ripley, Sinrud, Sonju, Taylor, Witte, Mr. Speaker.
Total 15

Voted Absentee: Clark, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: Butcher.
Total 1

HB 409 - Senate Amendments - Representative Sinrud moved Senate amendments to **HB 409** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, 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, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa,

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Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 94

Noes: Bixby, Boggio, Dickenson, Sonju, Vincent, Wilson.
Total 6

Voted Absentee: Clark, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 178 - Representative Lange moved consideration of **SB 178** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

SB 208 - Representative Kottel moved **SB 208** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 78

Noes: Barrett, Boggio, Groesbeck, Hawk, Hendrick, Jayne, Jopek, Jore, Kasten, Keane, Koopman, Lake, McGillvray, McNutt, Mendenhall, Ripley, Van Dyk, Vincent, Wells, Witte, Mr. Speaker.
Total 21

Voted Absentee: Clark, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: Stoker.
Total 1

SB 269 - Representative Ingraham moved **SB 269** as amended, be concurred in. Motion carried as follows:

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

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Total 99

Noes: Jayne.

Total 1

Voted Absentee: Clark, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 178 - Representative Parker moved **SB 178** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, 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 97

Noes: Butcher, Hawk.

Total 2

Voted Absentee: Clark, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: Ebinger.

Total 1

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Hollenbaugh moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, 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, 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, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Mendenhall, O'Hara, Sinrud.

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Total 3

Excused: Clark, Ward.
Total 2

Absent or not voting: Stahl.
Total 1

MOTIONS

Majority Leader Lange moved that **SB 359** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 824** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 9:00 a.m., Saturday, March 24, 2007. Motion carried.

House adjourned at 6:10 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House