

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

Helena, Montana  
March 29, 2007

House Chambers  
State Capitol

House convened at 12:30 p.m. Mr. Speaker in the Chair. Invocation by Representative Bergren. Pledge of Allegiance to the Flag.

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

**REPORTS OF STANDING COMMITTEES**

**BILLS** (L. Jones, Chairman): 3/29/2007

Correctly printed: **SB 36, SB 305, SJR 22.**

Signed by the President at 7:30 a.m., March 29, 2007: **HB 64, HB 98, HB 118, HB 120, HB 124, HB 157, HB 260, HB 341, HB 397, HB 469, HB 497, HB 570, HB 717, HB 724, HB 770, HB 795.**

Signed by the President at 8:00 a.m., March 29, 2007: **HB 129, HB 284, HB 409, HB 412, HB 510, HB 579, HB 596, HB 664, HJR 35.**

Correctly engrossed: **SB 152.** 3/28/2007

Correctly enrolled: **HB 166, HB 206, HB 242, HB 253, HB 259, HB 427, HB 803.**

Delivered to the Governor for approval at 9:55 a.m., March 29, 2007: **HB 129, HB 284, HB 409, HB 412, HB 510, HB 579, HB 596, HB 664, HB 64, HB 98, HB 118, HB 120, HB 124, HB 157, HB 260, HB 341, HB 397, HB 469, HB 497, HB 570, HB 717, HB 724, HB 770, HB 795.**

Delivered to the Secretary of State at 10:36 a.m., March 29, 2007: **HJR 35.**

Examined by the sponsor and found to be correct: **HB 206, HB 253, HB 259, HB 166, HB 242, HB 427, HB 803.**

**BUSINESS AND LABOR** (Mendenhall, Chairman): 3/29/2007

**SB 74**, be amended as follows:

1. Page 2, line 30 through page 3, line 1.

**Strike:** "a loan" on page 2, line 30 through "year." on page 3, line 1

**Insert:** ":

(a) a nonpurchase money loan secured by an unencumbered state-issued certificate of title or certificate of ownership to personal property; or

(b) a loan that is secured in a substantially equivalent manner to a loan described in subsection (8)(a) and that is designated as a title loan by the department."

2. Page 3, line 16.

**Following:** "violation"

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

3. Page 4, line 1.

**Strike:** "finest collected"

**Insert:** "penalties collected pursuant to this section"

4. Page 4, line 26.

**Following:** "hearing."

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

5. Page 5, line 13.

**Following:** "County"

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

6. Page 5, line 15 through line 17.

**Strike:** "If" on line 15 through "costs." on line 17

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

**SB 204**, be concurred in. Report adopted.

**SB 465**, be concurred in. Report adopted.

**JUDICIARY** (Rice, Chairman):

3/29/2007

**SB 309**, be amended as follows:

1. Page 2, line 7.

**Following:** "prohibited"

**Insert:** "-- private right of action -- costs and expenses"

2. Page 2.

**Following:** line 14

**Insert:** "(3) A party awarded damages pursuant to this section must also be awarded the party's costs and expenses in bringing the action, including reasonable attorney fees."

**Renumber:** subsequent subsection

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

**SB 318**, be concurred in. Report adopted.

**NATURAL RESOURCES** (McNutt, Chairman):

3/29/2007

**SB 51**, be amended as follows:

1. Title, line 12.

**Following:** "REGULATIONS;"

**Insert:** "REQUIRING SUBDIVISION REGULATIONS TO IDENTIFY AREAS UNSUITABLE FOR DEVELOPMENT UNLESS CERTAIN MITIGATION MEASURES ARE TAKEN, INCLUDING USE OF CONSTRUCTION TECHNIQUES PROVIDED IN DEPARTMENT OF LABOR AND INDUSTRY ADMINISTRATIVE RULES; PROHIBITING A GOVERNING BODY FROM INCLUDING CERTAIN BUILDING REGULATIONS IN SUBDIVISION REGULATIONS; REQUIRING THE DEPARTMENT OF LABOR AND INDUSTRY TO ADOPT RULES THAT IDENTIFY CONSTRUCTION TECHNIQUES TO MITIGATE FIRE HAZARDS;"

2. Title, line 16.

**Following:** "~~76-3-504~~;"

**Insert:** "76-3-504,"

3. Page 7, following line 27.

**Insert:** "Section 3. Section 76-3-504, MCA, is amended to read:

**"76-3-504. Subdivision regulations -- contents.** (1) The subdivision regulations adopted under this chapter must, at a minimum:

(a) list the materials that must be included in a subdivision application in order for the application to be determined to contain the required elements for the purposes of the review required in 76-3-604(1);

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(b) except as provided in 76-3-210, 76-3-509, or 76-3-609, require the subdivider to submit to the governing body an environmental assessment as prescribed in 76-3-603;

(c) establish procedures consistent with this chapter for the submission and review of subdivision applications and amended applications;

(d) prescribe the form and contents of preliminary plats and the documents to accompany final plats;

(e) provide for the identification of areas that, because of natural or human-caused hazards, are unsuitable for subdivision development. ~~and~~ The regulations must prohibit subdivisions in these areas unless the hazards can be eliminated or overcome by approved construction techniques; or other mitigation measures authorized under 76-3-608(4) and (5). Approved construction techniques or other mitigation measures may not include building regulations as defined in 50-60-101 other than those identified by the department of labor and industry as provided in [section 5].

(f) prohibit subdivisions for building purposes in areas located within the floodway of a flood of 100-year frequency, as defined by Title 76, chapter 5, or determined to be subject to flooding by the governing body;

(g) prescribe standards for:

(i) the design and arrangement of lots, streets, and roads;

(ii) grading and drainage;

(iii) subject to the provisions of 76-3-511, water supply and sewage and solid waste disposal that meet the:

(A) regulations adopted by the department of environmental quality under 76-4-104 for subdivisions that will create one or more parcels containing less than 20 acres; and

(B) standards provided in 76-3-604 and 76-3-622 for subdivisions that will create one or more parcels containing 20 acres or more and less than 160 acres; and

(iv) the location and installation of public utilities;

(h) provide procedures for the administration of the park and open-space requirements of this chapter;

(i) provide for the review of subdivision applications by affected public utilities and those agencies of local, state, and federal government identified during the preapplication consultation conducted pursuant to subsection (1)(q) or those having a substantial interest in a proposed subdivision. A public utility or agency review may not delay the governing body's action on the application beyond the time limits specified in this chapter, and the failure of any agency to complete a review of an application may not be a basis for rejection of the application by the governing body.

(j) when a subdivision creates parcels with lot sizes averaging less than 5 acres, require the subdivider to:

(i) reserve all or a portion of the appropriation water rights owned by the owner of the land to be subdivided and transfer the water rights to a single entity for use by landowners within the subdivision who have a legal right to the water and reserve and sever any remaining surface water rights from the land;

(ii) if the land to be subdivided is subject to a contract or interest in a public or private entity formed to provide the use of a water right on the subdivision lots, establish a landowner's water use agreement administered through a single entity that specifies administration and the rights and responsibilities of landowners within the subdivision who have a legal right and access to the water; or

(iii) reserve and sever all surface water rights from the land;

(k) (i) except as provided in subsection (1)(k)(ii), require the subdivider to establish ditch easements in the subdivision that:

(A) are in locations of appropriate topographic characteristics and sufficient width to allow the physical placement and unobstructed maintenance of open ditches or belowground pipelines for the delivery of water for irrigation to persons and lands legally entitled to the water under an appropriated water right or permit of an irrigation district or other private or public entity formed to provide for the use of the water right on the subdivision lots;

(B) are a sufficient distance from the centerline of the ditch to allow for construction, repair, maintenance, and inspection of the ditch; and

(C) prohibit the placement of structures or the planting of vegetation other than grass within the ditch easement without the written permission of the ditch owner.

(ii) Establishment of easements pursuant to this subsection (1)(k) is not required if:

(A) the average lot size is 1 acre or less and the subdivider provides for disclosure, in a manner acceptable to the governing body, that adequately notifies potential buyers of lots that are classified as irrigated land and may continue to be assessed for irrigation water delivery even though the water may not be deliverable; or

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(B) the water rights are removed or the process has been initiated to remove the water rights from the subdivided land through an appropriate legal or administrative process and if the removal or intended removal is denoted on the preliminary plat. If removal of water rights is not complete upon filing of the final plat, the subdivider shall provide written notification to prospective buyers of the intent to remove the water right and shall document that intent, when applicable, in agreements and legal documents for related sales transactions.

(l) require the subdivider, unless otherwise provided for under separate written agreement or filed easement, to file and record ditch easements for unobstructed use and maintenance of existing water delivery ditches, pipelines, and facilities in the subdivision that are necessary to convey water through the subdivision to lands adjacent to or beyond the subdivision boundaries in quantities and in a manner that are consistent with historic and legal rights;

(m) require the subdivider to describe, dimension, and show public utility easements in the subdivision on the final plat in their true and correct location. The public utility easements must be of sufficient width to allow the physical placement and unobstructed maintenance of public utility facilities for the provision of public utility services within the subdivision.

(n) establish whether the governing body, its authorized agent or agency, or both will hold public hearings;

(o) establish procedures describing how the governing body or its agent or agency will address information presented at the hearing or hearings held pursuant to 76-3-605 and 76-3-615;

(p) establish criteria that the governing body or reviewing authority will use to determine whether a proposed method of disposition using the exemptions provided in 76-3-201 or 76-3-207 is an attempt to evade the requirements of this chapter. The regulations must provide for an appeals process to the governing body if the reviewing authority is not the governing body.

(q) establish a preapplication process that:

(i) allows a subdivider to meet with the agent or agency, other than the governing body, that is designated by the governing body to review subdivision applications prior to the subdivider submitting the application;

(ii) requires, for informational purposes only, identification of the state laws, local regulations, and growth policy provisions, if a growth policy has been adopted, that may apply to the subdivision review process;

(iii) requires a list to be made available to the subdivider of the public utilities, those agencies of local, state, and federal government, and any other entities that may be contacted for comment on the subdivision application and the timeframes that the public utilities, agencies, and other entities are given to respond. If, during the review of the application, the agent or agency designated by the governing body contacts a public utility, agency, or other entity that was not included on the list originally made available to the subdivider, the agent or agency shall notify the subdivider of the contact and the timeframe for response.

(iv) requires that a preapplication meeting take place no more than 30 days from the date that the agent or agency receives a written request for a preapplication meeting from the subdivider; and

(v) establishes a time limit after a preapplication meeting by which an application must be submitted as provided in 76-3-604.

(2) In order to accomplish the purposes described in 76-3-501, the subdivision regulations adopted under 76-3-509 and this section may include provisions that are consistent with this section that promote cluster development.

(3) The governing body may establish deadlines for submittal of subdivision applications."

"

**Renumber:** subsequent sections

4. Page 8, following line 6.

**Insert:** "(3) Rules promulgated under subsection (2) may be enforced only by a local government body as provided in Title 76."

5. Page 8, following line 22.

**Insert:** "NEW SECTION. Section 5. Purpose -- rulemaking. (1) The purpose of [sections 5 and 6] is to provide specific rulemaking authority to the department of labor and industry for the purposes of 76-3-504(1)(e).

(2) By October 1, 2008, the department shall adopt rules identifying appropriate construction techniques that may be used by a local government in mitigation of identified fire hazards pursuant to 76-3-504(1)(e). Rules adopted under this section may not be construed to be part of the state building code as provided in 50-60-203. The adoption,

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amendment, or repeal of a rule under this section is of significant public interest for the purposes of 2-3-103."

**Insert:** "NEW SECTION. Section 6. Enforcement. Rules promulgated under [section 5] may be enforced only as provided in Title 76, chapter 3, part 5. The powers and duties for enforcement provided in 76-3-501 apply to rules adopted under [section 5] and do not apply to or include any rules adopted under Title 50, chapter 60, parts 1 through 8."

**Insert:** "NEW SECTION. Section 7. Codification instruction. [Sections 5 and 6] are intended to be codified as an integral part of Title 50, chapter 60, and the provisions of Title 50, chapter 60, apply to [sections 5 and 6]."

**Renumber:** subsequent section

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

**SB 103**, be amended as follows:

1. Title, line 8.

**Following:** "~~REQUIRED;~~"

**Insert:** "CHANGING THOSE WHO MAY PETITION FOR CREATION, ANNEXATION, DIVISION, AND DISSOLUTION OF RURAL FIRE DISTRICTS FROM FREEHOLDERS TO REGISTERED VOTERS AND CHANGING THE PERCENTAGE OF PETITIONERS REQUIRED;"

2. Page 2, line 4 through line 6.

**Strike:** "THE OWNERS OF" on line 4 through "AREA" on line 6

**Insert:** "40% or more of the registered voters residing in the proposed district"

3. Page 2, line 17.

**Strike:** "REAL PROPERTY OWNER"

**Insert:** "registered voter residing"

4. Page 3, line 1.

**Strike:** "REAL PROPERTY OWNER"

**Insert:** "registered voter who resides"

5. Page 3, line 2.

**Following:** "~~district~~"

**Insert:** "and who owns parcels of land in the proposed district"

**Strike:** "OWNER'S"

**Insert:** "voter's"

6. Page 6, line 29.

**Strike:** "REAL PROPERTY OWNERS OF"

**Insert:** "Registered voters residing in"

7. Page 7, line 1.

**Strike:** "MORE THAN 50%"

**Insert:** "40% or more"

8. Page 7, line 2.

**Strike:** "REAL PROPERTY OWNERS"

**Insert:** "registered voters"

9. Page 7, line 14.

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**Strike:** "MORE THAN" through "OWNERS"

**Insert:** "40% or more of the registered voters"

10. Page 8, line 7 through line 9.

**Strike:** "THE OWNERS OF" on line 7 through "OWNERS IN" on line 9

**Insert:** "40% or more of the registered voters residing in"

11. Page 8, line 29 through line 30.

**Strike:** "THE OWNERS OF" on line 29 through "PROPERTY OWNERS" on line 30

**Insert:** "40% or more of the registered voters who reside"

12. Page 9, line 11 through line 12.

**Strike:** "A MAJORITY" on line 11 through "OWNERS OF" on line 12

**Insert:** "at least 40% of the registered voters residing in"

13. Page 9, line 28 through line 29.

**Strike:** "THE OWNERS OF" on line 28 through "PROPERTY OWNERS" on line 29

**Insert:** "40% or more of the registered voters residing"

14. Page 10, line 8 through line 9.

**Strike:** "THE OWNERS OF" on line 8 through "PROPERTY OWNERS OF" on line 9

**Insert:** "40% or more of the registered voters in"

15. Page 10, line 30 through page 11, line 1.

**Strike:** "THE OWNERS OF" on page 10, line 30 through "PROPERTY OWNERS OF THE" on page 11, line 1

**Insert:** "40% or more of the registered voters residing in the"

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

**SB 200**, be concurred in. Report adopted.

**SB 293**, be amended as follows:

1. Page 2, line 15.

**Strike:** "RECREATIONAL"

**Insert:** "multiple"

2. Page 2, line 17.

**Following:** "with"

**Insert:** "local,"

**Following:** ",-"

**Insert:** ",,"

3. Page 2, line 28.

**Following:** "BUSINESSES"

**Insert:** "and individual activities"

4. Page 3, line 5.

**Following:** "WHICH"

**Insert:** "local and"

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

**SB 317**, be concurred in. Report adopted.

**TAXATION** (Lake, Chairman): 3/29/2007  
**SB 514**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**House bills** concurred in and returned to the House: 3/28/2007

**HB 166**, introduced by Raser  
**HB 206**, introduced by Ingraham  
**HB 242**, introduced by Ripley  
**HB 253**, introduced by Ross  
**HB 259**, introduced by Reinhart  
**HB 427**, introduced by Bergren  
**HB 803**, introduced by Himmelberger

**House bills** concurred in as amended and returned to the House for concurrence in Senate amendments: 3/28/2007

**HB 526**, introduced by Groesbeck  
**HB 683**, introduced by Reinhart  
**HB 764**, introduced by Milburn

**MESSAGES FROM THE GOVERNOR**

March 28, 2007

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

Dear Representative Sales:

Please be informed that I have signed **House Bill 13** sponsored by Representative Sesso on March 28, 2007.

Sincerely,

BRIAN SCHWEITZER  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 53**, introduced by Grinde, referred to State Administration.

The following House bill was introduced, read first time, and referred to committee:

**HB 847**, introduced by Pomnichowski.  
**HB 848**, introduced by Olson, referred to Appropriations.

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**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 MacLaren in the chair.

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

**HB 529** - Representative Lake moved **HB 529** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Campbell, Clark, Cordier, Dutton, Ebinger, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Pomnichowski, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 69

Noes: Becker, Bixby, Branae, Caferro, Callahan, Cohenour, Dickenson, Driscoll, Erickson, Franklin, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, McAlpin, Musgrove, Parker, Phillips, Raser, Reinhart, Sands, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

Total 31

Voted Absentee: Clark, Aye; Phillips, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 63** - Representative Musgrove moved **HB 63** do pass. 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, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 88

Noes: Boggio, Everett, Glaser, Hawk, Jore, Mendenhall, Morgan, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 12

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0



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Absent or not voting: None.  
Total 0

**HB 330** - Representative Bergren moved **HB 330** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 79

Noes: Barrett, Everett, Hawk, Heinert, Hilbert, Himmelberger, Jore, Kerns, Koopman, MacLaren, McGillvray, Mendenhall, Morgan, Peterson, Rice, Sinrud, Stoker, Taylor, Wells, Witte, Mr. Speaker.  
Total 21

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 539** - Representative Groesbeck moved **HB 539** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, 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, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 76

Noes: Barrett, Blasdel, Boggio, Clark, Everett, Hawk, Himmelberger, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Milburn, Morgan, Peterson, Sinrud, Stoker, Taylor, Wells, Witte, Mr. Speaker.  
Total 22

Voted Absentee: Phillips, Aye; Clark, No.

Excused: None.  
Total 0

Absent or not voting: Lambert, Lange.  
Total 2

**HB 828** - Representative Olson moved **HB 828** do pass. Motion carried as follows:

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

Total 77

Noes: Barrett, Blasdel, Callahan, Everett, Gallik, Hawk, Jayne, Jore, Kasten, Kerns, Koopman, Mendenhall, Morgan, Rice, Ripley, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 21

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0

Absent or not voting: Lambert, Sesso.

Total 2

**HB 463** - Representative Villa moved **HB 463** do pass. 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, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 86

Noes: Barrett, Boggio, Hilbert, Jore, Kasten, Kerns, Koopman, Malcolm, McGillvray, Peterson, Rice, Wells, Witte.

Total 13

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

**HB 822** - Representative Reinhart moved **HB 822** do pass. Motion carried as follows:

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

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Total 60

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Morgan, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 40

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 8** - Representative Kasten moved **HB 8** do pass. Motion, which requires a three-fourths vote of each House, carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, 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, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 92

Noes: Barrett, Jayne, Jore, Koopman, Vincent, Wells, Mr. Speaker.

Total 7

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0

Absent or not voting: Lange.

Total 1

**SB 386** - Representative Malcolm moved **SB 386** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Blasdel, Branae, Butcher, Caferro, 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, Jacobson, L. Jones, W. Jones, Keane, Kerns, Klock, Kottel, Lake, MacLaren, Malcolm, McAlpin, McChesney, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 75

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Total 24

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0

Absent or not voting: Lange.

Total 1

**SB 448** - Representative Olson moved **SB 448** be concurred in. Motion carried as follows:

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

Total 77

Noes: Blasdel, Callahan, Clark, Everett, Hawk, Heinert, Hendrick, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, Mendenhall, Milburn, Morgan, Rice, Sinrud, Taylor, Wells, Witte, Mr. Speaker.

Total 23

Voted Absentee: Phillips, Aye; Clark, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 540** - Representative Beck moved **SB 540** be concurred in. Motion carried as follows:

Ayes: Ankney, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Butcher, Caferro, Campbell, Clark, Cordier, Dickenson, Driscoll, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 81

Noes: Arntzen, Bixby, Branae, Callahan, Cohenour, Dutton, Erickson, Grinde, Groesbeck, Hands, W. Jones, Keane, McChesney, McGillvray, Musgrove, O'Hara, Raser, Van Dyk, Windy Boy.

Total 19

Voted Absentee: Clark, Phillips, Ayes.

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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 MacLaren 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, 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, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.  
Total 90

Noes: French, Jore, Koopman, McGillvray, Mendenhall, Raser.  
Total 6

Excused: Clark, Phillips.  
Total 2

Absent or not voting: MacLaren, Sinrud.  
Total 2

**THIRD READING OF BILLS**

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

**HB 3** passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, 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, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 77

Noes: Barrett, Beck, Blasdel, Everett, Hawk, Himmelberger, Jore, Kasten, Koopman, Lake, McGillvray, Mendenhall, Morgan, Rice, Sinrud, Sonju, Taylor, Vincent, Wells, Witte, Mr. Speaker.  
Total 21

Voted Absentee: Clark, Phillips, Ayes.

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Excused: None.  
Total 0

Absent or not voting: Nooney, Van Dyk.  
Total 2

**HB 49** passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 73

Noes: Barrett, Blasdel, Boggio, Butcher, Clark, Everett, Hawk, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, Mendenhall, Milburn, Peterson, Rice, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.  
Total 27

Voted Absentee: Phillips, Aye; Clark, No.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 155** passed 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, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, 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, Mr. Speaker.  
Total 94

Noes: Boggio, Koopman, Morgan, Peterson, Witte.  
Total 5

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.  
Total 0

Absent or not voting: Everett.  
Total 1

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**HB 304** passed as follows:

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

Total 79

Noes: Blasdel, Boggio, Butcher, Everett, Glaser, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Lange, Malcolm, McGillvray, Mendenhall, Peterson, Sonju, Stoker, Taylor, Wells, Witte.

Total 21

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 343** passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Clark, Cordier, Dutton, Ebinger, Everett, French, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 63

Noes: Becker, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Erickson, Franklin, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

Total 37

Voted Absentee: Clark, Aye; Phillips, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 406** passed as follows:

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

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

Total 87

Noes: Barrett, Glaser, Hawk, Himmelberger, Jore, Kerns, Koopman, Lange, McGillvray, Mendenhall, Rice, Wells, Mr. Speaker.

Total 13

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 418** passed as follows:

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

Total 80

Noes: Barrett, Caferro, Clark, Erickson, Everett, Franklin, Hands, Hawk, Jayne, W. Jones, Jore, Lambert, McGillvray, Mendenhall, Morgan, Musgrove, Raser, Ripley, Windy Boy, Mr. Speaker.

Total 20

Voted Absentee: Phillips, Aye; Clark, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 488** passed as follows:

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

Total 59

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Hawk, Heinert, Hilbert,



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Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 41

Voted Absentee: Phillips, Aye; Clark, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 512** passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, 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, 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.

Total 95

Noes: Barrett, Jore, Morgan, Witte, Mr. Speaker.

Total 5

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 519** passed as follows:

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

Total 66

Noes: Barrett, Beck, Blasdel, Butcher, Caferro, Dutton, Everett, Gallik, Grinde, Hands, Hawk, Heinert, Ingraham, Jayne, Jore, Kerns, Koopman, Lake, Lange, McGillvray, Mendenhall, Morgan, Nooney, Rice, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Wilson, Witte, Mr. Speaker.

Total 34

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Voted Absentee: Clark, Phillips, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 574** passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 64

Noes: Barrett, Blasdel, Boggio, Butcher, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kerns, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, Peterson, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Mr. Speaker.  
Total 35

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.  
Total 0

Absent or not voting: Witte.  
Total 1

**HB 680** passed as follows:

Ayes: Arntzen, 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, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 54

Noes: Ankney, 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, Mendenhall, Milburn, Morgan, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.  
Total 46

Voted Absentee: Phillips, Aye; Clark, No.

Excused: None.  
Total 0

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Absent or not voting: None.  
Total 0

**HB 732** passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 70

Noes: Barrett, Beck, Blasdel, Boggio, Clark, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Peterson, Ripley, Sinrud, Sonju, Stahl, Taylor, Wells, Witte, Mr. Speaker.  
Total 30

Voted Absentee: Phillips, Aye; Clark, No.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 797** passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.  
Total 76

Noes: Barrett, Blasdel, Butcher, Everett, Hawk, Heinert, Ingraham, Jayne, Jore, Kerns, Koopman, Lake, Lambert, McGillvray, Mendenhall, Musgrove, O'Hara, Pomnichowski, Rice, Ripley, Ross, Sinrud, Ward, Witte.  
Total 24

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 823** passed as follows:

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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, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, 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, Wilmer, Wilson, Windy Boy, Wiseman.

Total 87

Noes: Everett, Hawk, Hendrick, Himmelberger, Ingraham, Jore, Lake, McGillvray, Mendenhall, Morgan, Wells, Witte, Mr. Speaker.

Total 13

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 826** passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Blasdel, Boggio, Butcher, Caferro, Callahan, Campbell, Cordier, Dickenson, Ebinger, Everett, Franklin, Gallik, Groesbeck, Hawk, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Keane, Kerns, Klock, Kottel, Lake, Lambert, MacLaren, McChesney, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, Olson, Pomnichowski, Raser, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Vincent, Wilmer, Windy Boy, Wiseman.

Total 56

Noes: Barrett, Beck, Bergren, Bixby, Branae, Clark, Cohenour, Driscoll, Dutton, Erickson, French, Furey, Glaser, Grinde, Hamilton, Hands, Heinert, Hendrick, Himmelberger, Jayne, Jopek, Jore, Kasten, Koopman, Lange, Malcolm, McAlpin, McGillvray, Morgan, O'Hara, Parker, Peterson, Phillips, Reinhart, Rice, Sinrud, Stoker, Van Dyk, Villa, Ward, Wells, Wilson, Witte, Mr. Speaker.

Total 44

Voted Absentee: Clark, Phillips, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 830** passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, 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, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, 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.  
Total 87

Noes: Blasdel, Everett, Hawk, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Koopman, Lake, McGillvray, Mendenhall, Mr. Speaker.  
Total 13

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 831** passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wiseman.  
Total 61

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Gallik, Glaser, Hawk, Hendrick, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, McGillvray, Mendenhall, Morgan, Nooney, O'Hara, Peterson, Raser, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Ward, Wells, Wilson, Windy Boy, Witte, Mr. Speaker.  
Total 39

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 835 failed** as follows:

Ayes: Ankney, Barrett, Blasdel, Boggio, Butcher, Clark, Cordier, Dutton, Everett, Groesbeck, Hawk, Heinert, Hendrick, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Lambert, Lange, MacLaren, Malcolm, McChesney, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, Olson, Peterson, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Mr. Speaker.  
Total 50

Noes: Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Henry, Hilbert, Himmelberger, Hollenbaugh, Jacobson, Jayne, Jore, Kasten, Kottel, Lake, McAlpin, McGillvray, Musgrove, O'Hara,

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Parker, Phillips, Pomnichowski, Raser, Reinhart, Sinrud, Van Dyk, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 50

Voted Absentee: Clark, Aye; Phillips, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 841** passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Dickenson, Driscoll, Dutton, Ebinger, Everett, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Klock, Koopman, Lake, Lange, MacLaren, Malcolm, McChesney, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Wells, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 74

Noes: Becker, Caferro, Callahan, Cohenour, Cordier, Erickson, Franklin, French, Hands, Ingraham, Jacobson, Jayne, Kerns, Kottel, Lambert, McAlpin, McGillvray, Musgrove, Noonan, Pomnichowski, Raser, Reinhart, Villa, Ward, Wilmer, Wilson.

Total 26

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Speaker Sales announced the House would stand in recess.

House resumed at 3:50 p.m. Speaker in the chair. All members present except for Representative Clark and Representative Phillips, excused.

**MOTIONS**

Representative Lange moved to reconsider actions taken on **HB 835** and that it be placed on Third Reading today. There being no objections, so ordered.

Majority Leader Lange moved to suspend the rules and have **HB 63** placed on Third Reading today. There being no objections, so ordered.

Majority Leader Lange moved to suspend the rules and have **HB 539** be placed on Third Reading today. There being no objections, so ordered.

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Majority Leader Lange moved **HB 330** and **HB 828** be re-referred to the Committee on Taxation. There being no objections, so ordered.

Majority Leader Lange moved **SB 423, SB 442, SB 461, SB 391** and **SB 407** be taken from the Committee on Natural Resources and re-referred to the Committee on Federal Relations, Energy and Telecommunications. There being no objections, so ordered.

**THIRD READING OF BILLS**

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

**HB 835** passed as follows:

Ayes: Ankney, Arntzen, Augare, Bergren, Blasdel, Boggio, Butcher, Campbell, Cordier, Dutton, Everett, Franklin, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Reinhart, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Villa, Vincent, Ward, Windy Boy, Mr. Speaker.

Total 60

Noes: Barrett, Beck, Becker, Bixby, Branae, Caferro, Callahan, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Himmelberger, Hollenbaugh, Jacobson, Jayne, Jore, McAlpin, McGillvray, Musgrove, Parker, Pomnichowski, Raser, Sands, Taylor, Van Dyk, Wells, Wilmer, Wilson, Wiseman, Witte.

Total 38

Excused: Clark, Phillips.

Total 2

Absent or not voting: None.

Total 0

**HB 63** passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, 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, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, 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, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 87

Noes: Dutton, Everett, Hawk, Jayne, Jore, Morgan, Sinrud, Taylor, Wells, Witte, Mr. Speaker.

Total 11

Excused: Clark, Phillips.

Total 2

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Absent or not voting: None.  
Total 0

**HB 539** passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 75

Noes: Barrett, Blasdel, Butcher, Dickenson, Everett, Hawk, Himmelberger, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Milburn, Morgan, Peterson, Sinrud, Stoker, Taylor, Wells, Witte, Mr. Speaker.  
Total 22

Excused: Clark, Phillips.  
Total 2

Absent or not voting: L. Jones.  
Total 1

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Friday, March 30, 2007. Motion carried.

House adjourned at 4:00 p.m.

MARILYN MILLER  
Chief Clerk of the House

SCOTT SALES  
Speaker of the House