

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

Helena, Montana  
March 30, 2007

House Chambers  
State Capitol

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

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

**REPORTS OF STANDING COMMITTEES**

**BILLS** (L. Jones, Chairman): 3/29/2007  
Correctly printed: **SB 200, SB 204, SB 317, SB 318, SB 465, SB 514.**  
Correctly engrossed: **SB 51, SB 103, SB 273, SB 74, SB 309.**  
Correctly engrossed: **HB 844.** 3/30/2007

**APPROPRIATIONS** (Sinrud, Chairman): 3/29/2007  
**HB 844**, introduced bill, be amended as follows:

1. Title, line 7.

**Following:** "GEOLOGY"

**Insert:** "AND ASSESSING A FEE"

2. Page 2, line 27.

**Following:** "appropriator"

**Insert:** "when the applicant's use of the water cannot be controlled to satisfy the water right of a prior appropriator"

3. Page 7, line 27.

**Following:** "use"

**Insert:** "-- fee"

4. Page 8.

**Following:** line 5

**Insert:** "(3) An entity submitting data pursuant to this section shall remit a fee in the amount of \$15 for each submittal."

And, as amended, do pass. Report adopted.

**HB 148**, introduced bill, be amended as follows: 3/30/2007

1. Page 1, line 30.

**Following:** "or"

**Insert:** "aquatic therapy or"

2. Page 2, line 7.

**Following:** "use"

**Insert:** "or therapeutic use"

3. Page 2, line 9.

**Following:** "whirlpool,"

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

**Insert:** "therapeutic pool, hydrotherapy pool, whirlpool,"  
**Following:** "tub"  
**Insert:** ", "

And, as amended, do pass. Report adopted.

**HB 273**, do pass. Report adopted.  
**HB 556**, do pass. Report adopted.  
**HB 790**, do pass. Report adopted.

**FISH, WILDLIFE AND PARKS** (Milburn, Chairman):  
**SB 100**, be amended as follows:

3/30/2007

1. Page 1, line 16.  
**Following:** "person"  
**Insert:** "who represents to the public that the person is an outfitter and"
2. Page 1, line 17.  
**Following:** "portion of"  
**Strike:** "3"  
**Insert:** "5"  
**Following:** "person"  
**Strike:** "or"  
**Insert:** "and"
3. Page 1, line 18.  
**Strike:** "\$1,000"  
**Insert:** "\$5,000"

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

**SB 115**, be concurred in. Report adopted.  
**SB 205**, be amended as follows:

1. Title, line 6.  
**Following:** "AN"  
**Insert:** "IMMEDIATE"
2. Page 2, line 2.  
**Strike:** "July 1, 2007"  
**Insert:** "on passage and approval"

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

**TAXATION** (Lake, Chairman):  
**HB 330**, do pass. Report adopted.  
**HB 828**, introduced bill, be amended as follows:

3/30/2007

1. Title, line 6.  
**Following:** "SUBCOMMITTEE;"  
**Insert:** "ASSESSING A FEE ON THE OWNER OR OPERATOR OF A COAL-FIRED ELECTRIC GENERATION"

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

UNIT;"

2. Page 2, line 13.

**Insert:** "NEW SECTION. Section 2. Coal-fired electric generation fee. The owner or operator of a coal-fired electric generation unit operating in the state on [the effective date of this act] shall pay before July 1, 2007, a one-time \$1,000 per coal-fired electric generation unit fee to the legislative services division for use by the energy and telecommunications interim committee for the purposes provided in [section 1]."

**Renumber:** subsequent sections

3. Page 2, line 26.

**Strike:** "\$50,000"

**Insert:** "\$42,000"

4. Page 4, line 24.

**Strike:** "\$50,000"

**Insert:** "\$42,000"

5. Page 4, line 25.

**Following:** "15-36-331"

**Insert:** "and up to \$8,000 pursuant to [section 2]"

**Strike:** "is"

**Insert:** "are"

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence: 3/29/2007  
**SB 201**, introduced by Laible  
**SB 210**, introduced by Laslovich  
**SB 281**, introduced by Balyeat  
**SB 549**, introduced by Story  
**SB 552**, introduced by Harrington

**House bills** concurred in and returned to the House: 3/29/2007  
**HB 57**, introduced by Franklin  
**HB 198**, introduced by W. Jones  
**HB 437**, introduced by Gallik  
**HB 786**, introduced by Blasdel

**House joint resolutions** concurred in and returned to the House: 3/29/2007  
**HJR 1**, introduced by Keane  
**HJR 4**, introduced by Cohenour  
**HJR 7**, introduced by Ward  
**HJR 17**, introduced by Cohenour

**House bills** concurred in as amended and returned to the House for concurrence in Senate amendments:3/30/2007  
**HB 524**, introduced by Hamilton  
**HB 738**, introduced by Mendenhall

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 849**, introduced by Ripley, Brueggeman, referred to Federal Relations, Energy, and Telecommunications.

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

**SB 201**, introduced by Laible, Gillan, Hawks, Nooney, Hands, Grinde, Murphy, O'Hara, Ebinger, Wiseman, Dutton, Jacobson, referred to Taxation.

**SB 210**, introduced by Laslovich, Noonan, referred to Taxation.

**SB 281**, introduced by Balyeat, Hendrick, Koopman, Himmelberger, Steinbeisser, Heinert, Morgan, Barkus, Jent, Brown, Curtiss, Dutton, J. Peterson, K. Peterson, Lewis, McNutt, Story, Glaser, Lambert, Gebhardt, Wells, Rice, Ingraham, Ripley, Brueggeman, McGillvray, Lake, referred to Taxation.

**SB 549**, introduced by Story, referred to Taxation.

**SB 552**, introduced by Harrington, referred to Taxation.

**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 8**, requiring a three-fourths vote of each House, passed as follows:

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

Total 96

Noes: Jore, Witte, Mr. Speaker.

Total 3

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: Koopman.

Total 1

**HB 463** passed as follows:

Ayes: 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, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas,

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 82

Noes: Ankney, Barrett, Boggio, Heinert, Himmelberger, Jore, Kasten, Kerns, Malcolm, McGillvray, Morgan, Peterson, Rice, Sinrud, Wells, Witte, Mr. Speaker.  
Total 17

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.  
Total 0

Absent or not voting: Koopman.  
Total 1

**HB 529** passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Everett, French, Furey, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Pomnichowski, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.  
Total 73

Noes: Becker, Bixby, Caferro, Callahan, Cohenour, Dickenson, Erickson, Franklin, Gallik, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, McAlpin, Parker, Phillips, Raser, Reinhart, Sands, Villa, Wilmer, Wilson, Wiseman.  
Total 26

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.  
Total 0

Absent or not voting: Koopman.  
Total 1

**HB 822** passed as follows:

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

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

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

Total 38

Voted Absentee: Kottel, Aye; Clark, No.

Excused: None.

Total 0

Absent or not voting: Koopman.

Total 1

**SB 386** concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Bergren, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, 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 88

Noes: Barrett, Becker, Bixby, Boggio, Jore, Kasten, Lambert, Mendenhall, Rice, Ripley, Ross.

Total 11

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: Koopman.

Total 1

**SB 448** concurred in as follows:

Ayes: Ankney, Arntzen, Augare, 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, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 75

Noes: Barrett, Blasdel, Everett, Hawk, Heinert, Ingraham, Jore, Kasten, Kerns, Lake, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Rice, Sinrud, Sonju, Stahl, Taylor, Ward, Wells, Witte, Mr. Speaker.

Total 24

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

Total 0

Absent or not voting: Koopman.

Total 1

**SB 540** concurred in as follows:

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

Total 81

Noes: Arntzen, Branae, Callahan, Cohenour, Dutton, Erickson, Franklin, Grinde, Groesbeck, Hands, W. Jones, Keane, McChesney, McGillvray, Musgrove, Raser, Van Dyk, Wilson.

Total 18

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: Koopman.

Total 1

Democratic Caucus Leader Villa announced the Democrats would caucus. Majority Leader Lange announced the Republicans would stand at ease. House resumed at 1:35 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 Cordier in the chair.

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

**SB 71** - Representative Olson moved **SB 71** 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.

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

Speaker.  
Total 100

Noes: None.  
Total 0

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 92** - Representative McNutt moved **SB 92** 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, French, Furey, Gallik, 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, 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, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.  
Total 94

Noes: Franklin, Glaser, Jayne, Jore, Koopman, Ward.  
Total 6

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 153** - Representative Milburn moved **SB 153** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 85

Noes: Beck, Becker, Dickenson, Everett, Hendrick, Hilbert, Jayne, Jore, Kasten, Koopman, Sinrud, Sonju, Wells, Witte, Mr. Speaker.  
Total 15



HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 165** - Representative Milburn moved **SB 165** be concurred in. 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, 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, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.  
Total 94

Noes: Becker, Jayne, Jore, Kerns, Koopman, Peterson.  
Total 6

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 248** - Representative McNutt moved **SB 248** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, 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, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 85

Noes: Beck, Caferro, Furey, Hands, Hendrick, Jayne, Jore, Koopman, Reinhart, Sinrud, Sonju, Wells, Witte, Mr. Speaker.  
Total 14

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.  
Total 0

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

Absent or not voting: Stahl.  
Total 1

**SB 270** - Representative Ingraham moved **SB 270** 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, 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: Jore.  
Total 1

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 279** - Representative Wilmer moved **SB 279** be concurred in.

**SB 279** - Representative Wilmer moved **SB 279**, second reading copy, be amended as follows:

1. Page 2, line 20.  
**Following:** "chapter"  
**Insert:** ", "  
**Strike:** "or"  
**Following:** "31"  
**Insert:** ", or 13-35-225"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.  
Total 89

Noes: Blasdel, Boggio, Butcher, Hendrick, Hilbert, Himmelberger, Jayne, Mendenhall, Peterson, Sinrud, Mr.

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

Speaker.  
Total 11

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 279** - The motion that **SB 279** be concurred in 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, 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, Kottel, Ayes.

Excused: None.  
Total 0

Absent or not voting: Small-Eastman.  
Total 1

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Cordier 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, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, 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, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, 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, Witte, Mr. Speaker.  
Total 90

Noes: Furey, Jore, Koopman.  
Total 3

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

Excused: Clark, Kottel.  
Total 2

Absent or not voting: Cordier, Dutton, Lambert, McNutt, Morgan.  
Total 5

**MOTIONS**

**HB 236** - Representative Jacobson moved **HB 236** be taken from the table in the Committee on Appropriations, be printed and placed on second reading on the 69th 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, Jore, Jones, Jopek, Keane, McAlpin, McChesney, Musgrove, Noonan, Phillips, Pommichowski, Raser, Reinhart, Ross, 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, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.  
Total 47

Excused: Clark, Kottel.  
Total 2

Absent or not voting: Parker, Stoker.  
Total 2

**SB 332** - Representative Augare moved **SB 332** be taken from the table in the Committee on Taxation, be printed and placed on second reading on the 69th 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, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pommichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 48

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.  
Total 50

Excused: Clark, Kottel.  
Total 2

Absent or not voting: None.

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

Total 0

**HB 719**, Representative Wilmer moved **HB 719** be taken from the table in the Committee on Appropriations, be printed and placed on second reading on the 69th 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, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

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

Total 49

Excused: Clark, Kottel.

Total 2

Absent or not voting: Sonju.

Total 1

**HB 258**, Representative Reinhart moved **HB 258** be taken from the table in the Committee on Taxation, be printed and placed on second reading on the 69th 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, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

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

Total 49

Excused: Clark, Kottel.

Total 2

Absent or not voting: Hands.

Total 1

**MESSAGES FROM THE GOVERNOR**

March 29, 2007

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

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

The Honorable Mike Cooney  
President of the Senate  
State Capitol  
Helena, MT 59620

Dear Speaker Sales and President Cooney:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill 357, "AN ACT REVISING LAWS PERTAINING TO BLIND VENDORS; PROVIDING FOR THE PLACEMENT OF VENDING MACHINES ON STATE HIGHWAYS BY BLIND VENDORS; AND AMENDING SECTION 60-5-110, MCA." My proposed amendment adds an immediate effective date to the bill, and is attached to this letter.

House Bill 357 authorizes the Montana Department of Transportation to contract with blind vendors, under the state's certification program, to install vending machines on highway right-of-ways. My proposed amendment would make this law effective on passage and approval so that the Department of Transportation can begin immediate contract negotiations with the blind vendors. With this amendment, the blind vendors will be able to reap the benefit of this law this coming summer, when the volume of traffic on our state highways will be at its usual high levels.

I have discussed my proposed amendment with the sponsor of the bill, Representative Cohenour, who has expressed her support.

Sincerely,

BRIAN SCHWEITZER  
GOVERNOR

cc: Legislative Services Division

Amendments to House Bill No. 357  
Reference Copy

Requested by the Governor

For the House Committee of the Whole

Prepared by Greg Petesch  
March 29, 2007 (2:25pm)

1. Title, line 9.  
**Strike: "AND"**
2. Title, line 10.

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

**Following:** "MCA"

**Insert:** "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 3, line 11.

**Insert:** "NEW SECTION. Section 2. {standard} Effective date.

[This act] is effective on passage and approval."

- END -

**REPORTS OF STANDING COMMITTEES**

**BILLS** (Jones, Chairman):

3/30/2007

Correctly printed: **HB 273, HB 556, HB 790, HB 330, SB 115, SB 253, SB 374, SB 181, SB 443, SB 406, HJR 50, HB 840, SB 251, 414, 422, 266.**

Correctly enrolled: **HB 57, HB 198, HB 437, HB 786, HJR 1, HJR 4, HJR 7, HJR 17.**

Correctly engrossed: **HB 148, HB 828, SB 100, 205.**

Examined by the sponsor and found to be correct: **HB 57, HB 198, HB 437, HB 786, HJR 1, HJR 4, HJR 7, HJR 17.**

Correctly engrossed: **SB 27, SB 31, SB 133, SB 172, SB 489, SB 497, SB 527.**

Signed by the Chief Clerk of the House at 3:00 p.m., March 28, 2007: **HB 37, HB 91, HB 532, HB 756, HB 789.**

Signed by the Speaker at 2:00 p.m., March 30, 2007: **HB 37, HB 91, HB 756, HB 789, HB 532.**

Signed by the Speaker at 2:30 p.m., March 30, 2007: **HB 166, HB 206, HB 242, HB 253, HB 259, HB 427, HB 803.**

Signed by the Chief Clerk of the House at 4:10 p.m., March 29, 2007: **HB 166, HB 206, HB 242, HB 253, HB 259, HB 427, HB 803.**

**APPROPRIATIONS** (Sinrud, Chairman):

3/30/2007

**HB 27**, introduced bill, be amended as follows:

1. Page 1, line 17.

**Following:** "(1)"

**Insert:** "(a)"

**Following:** "actual"

**Insert:** "monthly"

2. Page 1, line 17 through line 18.

**Strike:** "upgrading." on line 17 through "comply" on line 18

**Insert:** "providing public safety answering points with access to phase II wireless enhanced 9-1-1 service in compliance"

3. Page 1.

**Following:** line 19

**Insert:** "(b) The term does not include costs associated with carrier cost self-recovery as permitted by federal communications commission orders."

And, as amended, do pass. Report adopted.

**HB 801**, introduced bill, be amended as follows:

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

1. Title, line 4.

**Strike:** "REFUNDABLE"

2. Title, line 5.

**Following:** "TAXPAYER"

**Insert:** ";

3. Title, line 5 through line 6.

**Strike:** "WHOSE" on line 5 through "MCA;" on line 6

4. Page 1, line 11.

**Strike:** "Low-income credit"

**Insert:** "Credit"

5. Page 1, line 25 through line 27.

**Strike:** subsection (2) in its entirety

**Renumber:** subsequent subsections

6. Page 1, line 28.

**Strike:** "50% "

**Insert:** "20% "

7. Page 2, line 4 through line 6.

**Strike:** subsection (5) in its entirety

**Insert:** "(4) The credit allowed under this section may not exceed the taxpayer's income tax liability, and there is no carryback or carryforward of the credit permitted under this section."

8. Page 2, line 8 through line 10.

**Strike:** subsection (7) in its entirety

9. Page 2, line 12 through page 6, line 21.

**Strike:** section 2 in its entirety

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**JUDICIARY** (Rice, Chairman):

3/30/2007

**SB 27**, be amended as follows:

1. Title, lines 7 through 10.

**Strike:** "; REQUIRING" on line 7 through "COURT" on line 10

2. Page 1, line 30.

**Strike:** "IN THE CASE OF AN"

**Insert:** ", if the District Court determines the parent to be a fit parent and an"

3. Page 2, line 1.

**Following:** "PARENT"

**Insert:** ", "



HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

4. Page 2, line 19.

**Following:** "if"

**Insert:** "the parent is found to be unfit and the contact is in the best interest of the child or, if the court determines the parent to be a fit parent,"

5. Page 2.

**Following:** line 30

**Insert:** "(2) Before a court may grant a petition brought pursuant to this section for grandparent-grandchild contact over the objection of a parent whose parental rights have not been terminated, the court shall make a determination whether the objecting parent is a fit parent. A determination of fitness and granting of the petition may be made only after a hearing, upon notice as determined by the court.

(3) A determination of unfitness may be made only if the court, based upon clear and convincing evidence, makes one or more of the determinations provided in 42-2-608(1) or finds that one or more of the events provided for in that subsection have occurred.

(4) Grandparent-grandchild contact may be granted over the objection of a parent determined by the court pursuant to subsection (2) to be unfit only if the court also determines by clear and convincing evidence that the contact is in the best interest of the child."

**Renumber:** subsequent subsections

6. Page 3, line 2.

**Strike:** "after a hearing and"

7. Page 3.

**Following:** line 17

**Insert:** "(9) A determination pursuant to subsection (2) that a parent is unfit has no effect upon the rights of a parent, other than with regard to grandparent-grandchild contact if a petition pursuant to this section is granted, unless otherwise ordered by the court."

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

**SB 31**, be amended as follows:

1. Page 1, line 12 through page 2, line 7.

**Strike:** "WHEREAS" on line 12 through "CONSTITUTION." on page 2, line 7

2. Page 3.

**Following:** line 6

**Insert:** "NEW SECTION. Section 1. Legislative finding and purpose -- definitions. (1) The legislature recognizes that the right of parents to the custody and control of their children is based upon the liberties secured by the United States and Montana constitutions and that a parent's right to that custody and control is therefore normally supreme to the interests of other persons. The legislature also recognizes a growing phenomenon in which absent or otherwise unavailable parents have temporarily surrendered the custody and care of a child to a grandparent or other caretaker relative for a lengthy period of time. The legislature finds that a caretaker relative frequently offers a child a loving, stable, and secure environment in which to live, make friends, and attend school, which is an environment not provided by a parent who temporarily abandons a child. However, a child is deprived of that caring and safe environment when a parent returns to claim the child with little or no notice to the caretaker relative. This situation, which in some instances has occurred multiple times with the same child, is disruptive to the more stable life offered by the caretaker relative and may violate the child's rights ensured by Article II, section 15, of the Montana constitution, such as the right under Article II, section 3, of the Montana constitution of seeking safety, health, and happiness. For these reasons, it is the purpose of the legislature in enacting [section 2] and this section to exercise its police

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

powers for the health and welfare of children who have been abandoned by their parents to the care of relatives and to create a procedure, applicable in limited situations caused by the voluntary surrender of a child by a parent, under circumstances indicating abandonment, whereby a child in the care of a relative may remain with that relative while the issue of abandonment by the parent is reviewed and determined by a court of law. The legislature believes that this temporary infringement on the right of a parent to the custody and control of a minor child is justified by the possibility of abandonment by the parent, because the welfare of the child is at stake, and because of the likely violation of the child's rights ensured by Article II, section 15, of the Montana constitution.

(2) As used in [section 2] and this section, the following definitions apply:

(a) "Caretaker relative" or "relative" means an individual related to a child by blood, marriage, or adoption by another individual, who has care and custody of a child but who is not a parent, foster parent, stepparent, or legal guardian of the child.

(b) "Parent" means a biological or adoptive parent or other legal guardian of a child."

**Renumber:** subsequent sections

3. Page 3, line 16.

**Following:** "file"

**Insert:** ", without payment of a filing fee,"

4. Page 4, line 7.

**Strike:** "10-point"

**Insert:** "14-point"

5. Page 5, line 1.

**Following:** "3"

**Insert:** "business"

6. Page 5, line 6.

**Following:** "3"

**Insert:** "business"

7. Page 5, line 12.

**Strike:** "the clerk shall send"

8. Page 5, line 13.

**Following:** "order"

**Insert:** "must be sent"

9. Page 5, line 30 through page 6, line 4.

**Strike:** subsection (9) in its entirety

**Insert:** "(9) Subject to availability of appropriations, the attorney general shall prepare a form for the affidavit provided for in this section and shall distribute the form as the attorney general determines appropriate."

10. Page 6, line 6.

**Strike:** "[SECTION 1] IS"

**Insert:** "[Sections 1 and 2] are"

11. Page 6, line 7.

**Strike:** "CHAPTER 9"

12. Page 6, lines 7 and 8.

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

**Strike:** ", CHAPTER 9,"

13. Page 6, line 8.

**Strike:** "[SECTION 1]"

**Insert:** "[sections 1 and 2]"

14. Page 6, line 11.

**Strike:** "1(8)(B)"

**Insert:** "2(8)(b)"

15. Page 6, line 13.

**Strike:** "1(8)"

**Insert:** "2(8)"

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

**SB 133**, be amended as follows:

1. Page 2, line 22.

**Following:** the first "the"

**Insert:** "first \$2,000 of the cash value of the"

**Following:** "contracts"

**Insert:** ", considered together, that are"

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

**LOCAL GOVERNMENT** (Arntzen, Chairman):

3/30/2007

**SJR 26**, be amended as follows:

1. Page 1, line 13 through line 14.

**Strike:** "AND A LACK OF A CLEAR AND FAIR CITY-COUNTY PLANNING PROCESS TO GUIDE ANNEXATIONS HAVE"

**Insert:** "has"

2. Page 1, line 26.

**Strike:** ", PLANNING, AND ANNEXATION LAWS OVERLAP"

**Insert:** "overlaps"

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

**EDUCATION** (Jore, Chairman):

3/30/2007

**SB 266**, be concurred in. Report adopted.

**SJR 4**, be concurred in. Report adopted.

**LOCAL GOVERNMENT** (Arntzen, Chairman):

3/30/2007

**HJR 50**, be adopted. Report adopted.

**SB 406**, be concurred in. Report adopted.

**SB 527**, be amended as follows:

1. Title, page 1, line 7.

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

**Strike:** "AND"

**Following:** "MCA"

**Insert:** "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 1, line 19.

**Insert:** "NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval."

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

**STATE ADMINISTRATION** (Himmelberger, Chairman):

3/30/2007

**SB 172**, be amended as follows:

1. Title, page 1, line 6.

**Strike:** ", 5-7-208,"

**Insert:** "AND"

2. Title, page 1, line 7.

**Strike:** "AND 5-7-210,"

3. Page 2, line 22.

**Following:** the second "official"

**Strike:** the first "₂"

**Insert:** "or"

4. Page 2, line 22 through line 23.

**Strike:** ", or" on line 22 through "legislators" on line 23

5. Page 2, line 25.

**Strike:** "a legislator,"

6. Page 3, line 1.

**Following:** "official"

**Strike:** the first "₂"

**Insert:** "or"

**Strike:** ", or legislators"

7. Page 3, line 6.

**Strike:** the first "₂"

**Insert:** "or"

**Strike:** ", or legislators"

8. Page 3, line 9.

**Following:** the second "₂"

**Insert:** "or"

9. Page 3, line 10.

**Strike:** ", or legislators"

10. Page 3, line 23.

**Following:** "government"

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

**Insert:** "or a legislator"

11. Page 3, line 28.

**Strike:** the first "₂"

**Insert:** " or"

**Strike:** "₂ or a legislator"

12. Page 3, line 30.

**Strike:** the first "₂"

**Insert:** "or"

**Strike:** "₂ or a legislator"

13. Page 4, line 5.

**Strike:** the first "₂"

**Insert:** "or"

**Strike:** "₂ or legislators"

14. Page 4, line 7.

**Strike:** the first "₂"

**Insert:** "or"

**Strike:** "₂ or legislators"

15. Page 4, line 9 through page 5, line 21.

**Strike:** section 2 in its entirety

**Renumber:** subsequent sections

16. Page 5, line 25.

**Strike:** the first "₂"

**Insert:** "or"

**Strike:** the second "₂"

17. Page 5, line 26.

**Strike:** "or a legislator"

18. Page 6, line 1 through line 6.

**Strike:** section 4 in its entirety

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

**SB 181**, be concurred in. Report adopted.

**SB 253**, be concurred in. Report adopted.

**SB 374**, be concurred in. Report adopted.

**SB 443**, be concurred in. Report adopted.

**SB 489**, be amended as follows:

1. Page 1, line 17.

**Strike:** "SUBSECTION (2)"

**Insert:** "subsections (3) and (4)"

2. Page 1, line 18.

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

**Following:** "stock"

**Insert:** "in the same manner that a prudent expert acting in a fiduciary capacity and familiar with the circumstances would use"

3. Page 1.

**Following:** line 26

**Insert:** "(2) The public school fund and the permanent funds of the Montana university system and all other state institutions of learning shall be safely and conservatively invested in:

(a) Public securities of the state, its subdivisions, local government units, and districts within the state, or

(b) Bonds of the United States or other securities fully guaranteed as to principal and interest by the United States, or

(c) Such other safe investments that a prudent expert acting in a fiduciary capacity and familiar with the circumstances would use in investing a fund guaranteed against loss or diversion."

**Renumber:** subsequent sections

4. Page 2, line 3.

**Following:** "fund"

**Insert:** "state compensation insurance fund"

5. Page 2, line 5.

**Following:** "organization"

**Insert:** "in the conduct of a private insurance organization. State compensation insurance fund assets may be invested in private corporate capital stock. However, the stock investments shall not exceed 25 percent of the book value of the state compensation insurance fund's total invested assets"

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

**SB 497**, be amended as follows:

3/30/2007

1. Title, page 1, line 6.

**Following:** "CAPITOL"

**Insert:** "OR CAPITOL COMPLEX"

2. Page 2, line 11.

**Strike:** "and"

3. Page 2, line 12.

**Following:** "engineering"

**Insert:** "; and

(i) a community representative"

4. Page 2, line 19.

**Strike:** "outside"

**Insert:** "nonstate"

5. Page 2, line 25.

**Strike:** "COMMISSION IN CONSULTATION WITH THE"

6. Page 4, line 16.

**Strike:** "EXCEPT AS PROVIDED IN [SECTION 1(4)], THE"

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

**Insert:** "The"

7. Page 4, line 19 through line 20.

**Strike:** section 3 in its entirety

**Renumber:** subsequent sections

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

**TRANSPORTATION** (Sonju, Chairman):

3/30/2007

**HB 840**, do pass. Report adopted.

**SB 251**, be concurred in. Report adopted.

**SB 414**, be concurred in. Report adopted.

**SB 422**, be concurred in. Report adopted.

**SPECIAL ORDERS OF THE DAY**

**HB 848**, introduced by Olson, the following sponsor was added: Representative French.

**HJR 52**, introduced by Dickenson, the following sponsors were added:

Reps. Augare, Caferro, Callahan, Campbell, Cohenour, Ebinger, Erickson, French, Furey, Hamilton, Hands, Hawk, Henry, Hollenbaugh, McAlpin, McChesney, Noonan, O'Hara, Parker, Raser, Reinhart, Sands, Van Dyk, Wiseman.

**SB 562**, introduced by Laslovich, the following sponsors were added:

Reps. Augare, Ebinger, Hollenbaugh, Phillips, Sesso, Wiseman.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved the House stand in recess until 5:45 p.m.

House resumed at 5:45 p.m. Mr. Speaker in the chair. All members present except for Representative Clark, Representative Himmelberger, Representative Olson and Representative Kottel, excused.

**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 Cordier in the chair.

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

**SB 36** - Representative Nooney moved **SB 36** 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,

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, 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, Himmelberger, Kottel, Olson, Ayes.

Excused: None.  
Total 0

Absent or not voting: Stoker.  
Total 1

**SB 47** - Representative Ankney moved **SB 47** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, 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 96

Noes: Hendrick, Lambert.  
Total 2

Voted Absentee: Clark, Himmelberger, Kottel, Olson, Ayes.

Excused: None.  
Total 0

Absent or not voting: Branae, Mr. Speaker.  
Total 2

**SB 51** - Representative Dickenson moved **SB 51** be concurred in.

**SB 51** - Representative Keane moved for cloture. Motion carried.

**SB 51** - The motion that **SB 51** be concurred in, carried as follows:

Ayes: Ankney, 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, Jacobson, Jayne, W. Jones, Jopek, Kottel, McAlpin, McNutt, Musgrove, Noonan, O'Hara, Parker, Phillips, Pomnichowski, Raser, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Wiseman.  
Total 53



HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Clark, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, Mendenhall, Milburn, Morgan, Noonney, Olson, Peterson, Reinhart, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Ward, Wells, Windy Boy, Witte, Mr. Speaker.  
Total 47

Voted Absentee: Kottel, Aye; Clark, Himmelberger, Olson, Noes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 74** - Representative Keane moved **SB 74** be concurred in. 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, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Noonney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 87

Noes: Butcher, Everett, Hawk, Hendrick, Ingraham, Jore, Kasten, Kerns, Koopman, Sinrud, Wells, Witte, Mr. Speaker.  
Total 13

Voted Absentee: Clark, Himmelberger, Kottel, Olson, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 103** - Representative Dickenson moved **SB 103** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Noonney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 86

Noes: Beck, Hilbert, Ingraham, Jore, Kasten, Koopman, Lake, Rice, Sonju, Taylor, Wells, Witte.  
Total 12

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

Voted Absentee: Clark, Himmelberger, Kottel, Olson, Ayes.

Excused: None.  
Total 0

Absent or not voting: Sinrud, Mr. Speaker.  
Total 2

**SB 150** - Representative Lake moved **SB 150** 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, Kasten, Keane, 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, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.  
Total 96

Noes: Jore, Kerns, Koopman, Lange.  
Total 4

Voted Absentee: Clark, Himmelberger, Kottel, Olson, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 160** - Representative Sonju moved **SB 160** 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, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 88

Noes: Everett, Hawk, Jore, Kasten, Kerns, Koopman, Sinrud, Stoker, Wells, Witte, Mr. Speaker.  
Total 11

Voted Absentee: Clark, Himmelberger, Kottel, Olson, Ayes.

Excused: None.  
Total 0

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

Absent or not voting: L. Jones.  
Total 1

**SB 169** - Representative K. Peterson moved **SB 169** 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, 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, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 95

Noes: Mendenhall, Taylor, Wells, Windy Boy, Witte.  
Total 5

Voted Absentee: Clark, Himmelberger, Kottel, Olson, Ayes.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Representative Augare assumed the chair.

**SB 177** - Representative Gallik moved **SB 177** 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, 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, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.  
Total 98

Noes: Wells.  
Total 1

Voted Absentee: Clark, Himmelberger, Kottel, Olson, Ayes.

Excused: None.  
Total 0

Absent or not voting: Keane.  
Total 1

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

**SB 193** - Representative Cordier moved **SB 193** 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, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 98

Noes: None.

Total 0

Voted Absentee: Clark, Himmelberger, Kottel, Olson, Ayes.

Excused: None.

Total 0

Absent or not voting: Sinrud, Mr. Speaker.

Total 2

**SB 200** - Representative Lambert moved consideration of **SB 200** be passed for the day. Motion carried.

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Augare 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, 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, Jayne, L. Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Jore, Koopman.

Total 2

Voted Absentee: Clark, Himmelberger, Kottel, Olson, Ayes.

Excused: None.

Total 0

Absent or not voting: Hawk, W. Jones, Keane, Mendenhall, Sinrud.

Total 5

HOUSE JOURNAL  
SIXTY-EIGHTH LEGISLATIVE DAY - MARCH 30, 2007

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 9:00 a.m., Saturday, March 31, 2007. Motion carried.

House adjourned at 7:00 p.m.

MARILYN MILLER  
Chief Clerk of the House

SCOTT SALES  
Speaker of the House