

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

Helena, Montana  
April 12, 2007

House Chambers  
State Capitol

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

Roll Call. All members present. Quorum present.

**REPORTS OF STANDING COMMITTEES**

**BILLS** (L. Jones, Chairman): 4/12/2007

Correctly enrolled: **HB 26, HB 83, HB 117, HB 153, HB 235, HB 300, HB 310, HB 361, HB 364, HB 450, HB 452, HB 456.** 4/11/2007

Signed by the President at 4:50 p.m., April 11, 2007: **HB 35, HB 99, HB 113, HB 348, HB 372, HB 587, HB 617, HB 629, HB 657, HB 782, HJR 22, HJR 26, HJR 33.**

Correctly enrolled: **HB 19, HB 77, HB 540, HB 583, HB 778, HJR 45, HB 272, HB 287, HB 415, HB 433, HB 435, HB 460, HB 467, HB 468, HB 487, HB 496, HB 524, HB 537, HB 633, HB 681.** 4/12/2007

Examined by the sponsor and found to be correct: **HB 83, HB 153, HB 361, HB 364, HB 450, HB 452, HB 778, HB 19, HB 26, HB 77, HB 117, HB 272, HB 287, HB 300, HB 415, HB 433, HB 435, HB 456, HB 460, HB 468, HB 487, HB 496, HB 524, HB 537, HB 540, HB 583, HB 681.**

Delivered to the Secretary of State at 11:30 a.m., April 12, 2007: **HJR 22, HJR 26, HJR 33.**

Delivered to the Governor for approval at 11:45 a.m., April 12, 2007: **HB 35, HB 99, HB 113, HB 348, HB 372, HB 587, HB 617, HB 629, HB 657, HB 782.**

**EDUCATION** (Jore, Chairman): 4/12/2007

**SB 412**, be concurred in. Report adopted.

**TAXATION** (Lake, Chairman): 4/12/2007

**SB 201**, be amended as follows:

1. Page 4.

**Following:** line 30

**Insert:** "(c) for a county, include a statement of how the governing body of the county intends to coordinate and cooperate with neighboring counties in the development of a growth policy;"

**Renumber:** subsequent subsection

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

**SB 375**, be concurred in. Report adopted.

**SB 549**, be amended as follows:

1. Page 1, line 23.

**Following:** "in"

**Insert:** "subsection"

2. Page 3, line 3.

**Following:** "in"

**Insert:** "subsection"

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3. Page 3, line 9.

**Strike:** "agricultural land"

**Following:** "classification"

**Insert:** "as agricultural land"

4. Page 3, line 11.

**Following:** "\$1,500"

**Insert:** "in"

5. Page 3, line 12.

**Following:** "economics"

**Insert:** "and economics"

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

**TRANSPORTATION** (Sonju, Chairman):

4/12/2007

**SB 271**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**House amendments to Senate bill** concurred in:

4/12/2007

**SB 291**, introduced by Perry

**MESSAGES FROM THE GOVERNOR**

April 11, 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 426, "AN ACT REMOVING THE \$500,000 LIMIT ON A COUNTY'S ROAD AND BRIDGE CAPITAL IMPROVEMENT FUND; AMENDING SECTION 7-14-2506, MCA; AND PROVIDING AN EFFECTIVE DATE."

House Bill 426 removes the current \$500,000 cap on a county's road and bridge capital improvement fund. My proposed amendment requires that before a county expend money from the road and bridge capital improvement fund, the county must determine that the public's right to access rivers and streams from county roads and bridges meets the requirements of law.

A 2000 Montana Attorney General Opinion held that the public may gain access to streams and rivers by using a

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county road and its right-of-way, and that a bridge and its abutments are part of the public highway and subject to the same public easement of passage as the highway to which the bridge is attached. 48 Op. Atty. Gen. Mont. No. 13. My proposed amendment would ensure that expenditures of money from the county road and bridge capital improvement fund are spent on county roads and bridges that are in compliance with Montana law as it concerns the public's right of access to Montana's rivers and streams.

I urge your passage of HB 426 with my proposed amendments, a copy of which are attached to this letter.

Sincerely,

BRIAN SCHWEITZER  
GOVERNOR

cc: Legislative Services Division

Amendments to House Bill No. 426  
Reference Copy  
Requested by the Governor  
For the House Committee of the Whole  
Prepared by Greg Petesch  
May 4, 2007 (9:34am)

1. Title, line 5.

**Following:** "FUND;"

**Insert:** "REQUIRING THAT BEFORE A COUNTY MAY EXPEND MONEY FROM THE ROAD AND BRIDGE CAPITAL IMPROVEMENT FUND, THE COUNTY IS REQUIRED TO DETERMINE THAT THE ROAD OR BRIDGE CONFORMS TO THE RIGHT OF THE PUBLIC TO ACCESS MONTANA'S STREAMS AND RIVERS; CODIFYING AN ATTORNEY GENERAL'S OPINION REGARDING THE PUBLIC'S RIGHT TO ACCESS STREAMS AND RIVERS FROM A COUNTY BRIDGE AND ITS RIGHT-OF-WAY;"

**Following:** "AN"

**Insert:** "IMMEDIATE"

2. Page 1, line 16.

**Following:** "limitation."

**Insert:** "(1)"

3. Page 1, line 19.

**Following:** line 18

**Insert:** "(2) Before it may expend money from the road and bridge capital improvement fund, the governing body of a county shall make a determination that the public's ability to access the stream or river from the county road or bridge or from the rights-of-way of the county road or bridge on which the governing body intends to expend the money conforms to the requirements of [section 2]."

**Insert:** "NEW SECTION. Section 2. Stream access from county roads and bridges. (1) Subject to subsection (6), a person may gain access to a stream or river by using a county bridge, its right-of-way, and its abutments.

(2) Subject to subsection (6), a person may gain access to a stream or river by use of a county road right-of-way as described in 7-14-2112 and acquired pursuant to 7-14-2107.

(3) With approval by the board of county commissioners and if necessary for livestock control, a landowner or lessee of land adjacent to or underlying a county bridge may attach a fence or other obstruction to the bridge in a manner that is least restrictive to the public's ability to access a stream or river. The board may approve the fence or other obstruction with conditions ensuring public access. The board may consult with the department on

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conditions of public access.

(4) A person is required to stay within the road and bridge easement or right-of-way to gain access to a stream or river. Absent any definition in an easement or deed to the contrary, the width of a bridge right-of-way easement is the same as the right-of-way easement for the county road to which it is connected. The standard width of a right-of-way is provided for in 7-14-2112, and a right-of-way is acquired pursuant to 7-14-2107.

(5) The board of county commissioners of a county where a bridge on a county road is located, by a reasonable exercise of the board's police power, may condition the access, as described in subsections (1) through (4), for purposes of public safety, but only to the extent necessary for public safety.

(6) Access to streams and rivers from a county road or bridge created by prescription is dependent upon the use of the road or bridge during the prescription period.

(7) This section may not be construed to require the county to construct or maintain areas for parking, paths, walkways, steps, ramps, or other accommodations in the county's reasonable exercise of its police power as provided in subsection (5), but the county may do so if the county chooses.

(8) For purposes of this section, "access" means access to streams and rivers for recreational use.

"

**Insert:** "NEW SECTION. Section 3. {standard} Codification instruction. [Section 2] is intended to be codified as an integral part of Title 23, chapter 2, part 3, and the provisions of Title 23, chapter 2, part 3, apply to [section 2].

"

Renumber: subsequent section

4. Page 1, line 20.

**Strike:** "July 1, 2007"

**Insert:** "on passage and approval"

-END-

April 11, 2007

Representative Scott Sales, Speaker  
Montana House of Representatives  
Capitol Building  
Helena, Montana 59601

Dear Speaker Sales:

Today, April 11, 2007, I signed **HB 242** (Ripley) and delivered it to the Secretary of State.

Today, I also returned **HB 426** (Ross), along with a Veto message, to the Chief Clerk of the House.

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 60**, introduced by Dickenson, Perry, Jent, Phillips, McAlpin, Jacobson, French, Ebinger, Wiseman, Driscoll, Shockley, Van Dyk, Branae, referred to Federal Relations, Energy and Telecommunications.

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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 Bergren in the chair.

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

**SB 157** - Representative Augare moved **SB 157** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, 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, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 86

Noes: Beck, Blasdel, Everett, Hendrick, Jore, Kasten, Koopman, Peterson, Ripley, Sinrud, Sonju, Wells, Witte, Mr. Speaker.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 185** - Representative Phillips moved **SB 185** be concurred in. Motion carried as follows:

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

Total 68

Noes: Barrett, Beck, Blasdel, Boggio, Clark, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Kerns, Klock, Koopman, Lake, Mendenhall, Milburn, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells.

Total 30

Excused: None.

Total 0

Absent or not voting: McGillvray, Mr. Speaker.

Total 2

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**SB 192** - Representative McGillvray moved **SB 192** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.  
Total 94

Noes: Hawk, Jayne, Small-Eastman.  
Total 3

Excused: None.  
Total 0

Absent or not voting: Himmelberger, Sinrud, Mr. Speaker.  
Total 3

**SB 209** - Representative Boggio moved consideration of **SB 209** be passed for the day. There being no objection, so ordered.

**SB 243** - Representative Vincent moved **SB 243** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, 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 87

Noes: Becker, Butcher, Dickenson, Driscoll, Erickson, Jayne, Raser.  
Total 7

Excused: None.  
Total 0

Absent or not voting: Dutton, Hilbert, L. Jones, Milburn, Sinrud, Mr. Speaker.  
Total 6

**SB 253** - Representative Himmelberger moved consideration of **SB 253** be placed at the bottom of the second reading board. There being no objection, so ordered.

**SB 261** - Representative Hendrick moved **SB 261** be concurred in. Motion carried as follows:

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

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Caferro, Callahan, Campbell, 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, 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, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.  
Total 93

Noes: Jore, Koopman, Witte.  
Total 3

Excused: None.  
Total 0

Absent or not voting: Clark, Cohenour, Noonan, Villa.  
Total 4

**SB 287** - Representative Becker moved **SB 287** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.  
Total 95

Noes: Jayne, Jore, Koopman, Windy Boy.  
Total 4

Excused: None.  
Total 0

Absent or not voting: O'Hara.  
Total 1

**SB 296** - Representative Dutton moved **SB 296** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Small-Eastman, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte.  
Total 83

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Noes: Caferro, Gallik, Hawk, Jayne, Jore, Lake, Lambert, McGillvray, Peterson, Ross, Sinrud, Sonju, Stahl, Stoker, Windy Boy, Mr. Speaker.

Total 16

Excused: None.

Total 0

Absent or not voting: W. Jones.

Total 1

**SB 314** - Representative Stahl moved **SB 314** be concurred in. Motion carried as follows:

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

Total 92

Noes: Beck, Blasdel, Jore, Mendenhall, Ripley, Stoker, Witte, Mr. Speaker.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 321** - Representative Mendenhall moved **SB 321** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, 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, Jacobson, L. Jones, W. Jones, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 84

Noes: Beck, Blasdel, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, McGillvray, Peterson, Sinrud, Taylor, Wells, Witte, Mr. Speaker.

Total 15

Excused: None.

Total 0

Absent or not voting: Jopek.



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Total 1

**SB 350** - Representative O'Hara moved **SB 350** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, 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, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 86

Noes: Barrett, Beck, Everett, Hawk, Jayne, Jore, Kasten, Kerns, Mendenhall, Rice, Sinrud, Ward, Wells, Mr. Speaker.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 372** - Representative Milburn moved **SB 372** be concurred in. Motion carried as follows:

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

Total 92

Noes: Bixby, Caferro, Dickenson, Erickson, Hands, Jayne, MacLaren, Nooney.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 253** - Representative Wilmer moved **SB 253** be concurred in.

**SB 253** - Representative Sinrud moved **SB 253**, second reading copy, be amended as follows:

1. Page 1, lines 24 and 25.

**Following:** "ATTORNEY" on line 24

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**Strike:** remainder of line 24 through "ATTORNEY" on line 25

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, 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, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, 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, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Caferro, Jayne, Jopek, McAlpin, Van Dyk, Villa.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 253** - The motion to concur in **SB 253**, as amended, 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, 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, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Butcher, Everett, Franklin, Hawk, Jayne, Jore, Nooney, Sonju.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 139 - Senate Amendments** - Representative Branae moved Senate amendments to **HB 139** be concurred in. Motion carried 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, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange,

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MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 81

Noes: Barrett, Beck, Blasdel, Everett, Groesbeck, Hawk, Heinert, Jore, Koopman, Lake, Mendenhall, Ripley, Sinrud, Sonju, Taylor, Vincent, Wells, Witte, Mr. Speaker.  
Total 19

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 362 - Senate Amendments** - Representative Olson moved Senate amendments to **HB 362** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.  
Total 100

Noes: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 439 - Senate Amendments** - Representative Koopman moved Senate amendments to **HB 439** be concurred in. Motion carried as follows:

Ayes: Arntzen, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Campbell, Cordier, Dutton, Ebinger, Erickson, Everett, Glaser, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, Kasten, Keane, Kerns, Klock, Koopman, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Phillips, Rice, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Ward, Wells, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.  
Total 62

Noes: Ankney, Barrett, Bixby, Caferro, Callahan, Clark, Cohenour, Dickenson, Driscoll, Franklin, French, Furey, Gallik, Grinde, Hawk, Heinert, Ingraham, Jayne, W. Jones, Jopek, Jore, Kottel, Lake, McChesney,

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Mendenhall, Noonan, Peterson, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sonju, Van Dyk, Villa, Vincent, Wilmer.

Total 37

Excused: None.

Total 0

Absent or not voting: Augare.

Total 1

**HB 522 - Senate Amendments** - Representative Sinrud moved Senate amendments to **HB 522** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cordier, Dutton, Everett, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Reinhart, Rice, Ripley, Ross, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 72

Noes: Augare, Becker, Bixby, Caferro, Callahan, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Henry, Jayne, W. Jones, Jopek, Noonan, Pomnichowski, Raser, Sands, Sesso, Sonju, Villa, Vincent, Wiseman.

Total 28

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

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

Total 88

Noes: Franklin, Gallik, Jayne, Koopman, Mendenhall.

Total 5

Excused: None.

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Total 0

Absent or not voting: Bergren, Hilbert, Jore, MacLaren, Phillips, Sesso, Ward.

Total 7

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

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 269** 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, 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

Excused: None.

Total 0

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Absent or not voting: None.  
Total 0

**HB 299** passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cordier, Dutton, Ebinger, Everett, French, Glaser, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Phillips, Raser, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Wilmer, Witte, Mr. Speaker.  
Total 66

Noes: Augare, Becker, Bergren, Bixby, Caferro, Callahan, Cohenour, Dickenson, Driscoll, Erickson, Franklin, Furey, Gallik, Grinde, Hands, Henry, Hollenbaugh, Jayne, Keane, McAlpin, McChesney, Musgrove, Noonan, Parker, Peterson, Pomnichowski, Reinhart, Sands, Sesso, Van Dyk, Villa, Wilson, Windy Boy, Wiseman.  
Total 34

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 357, Governor's amendments** concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.  
Total 88

Noes: Boggio, Everett, Himmelberger, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Milburn, Sonju, Mr. Speaker.  
Total 12

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 369** passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, 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.

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Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 77

Noes: Barrett, Beck, Blasdel, Boggio, Everett, Hawk, Heinert, Hilbert, Himmelberger, Jore, Kasten, Koopman, Lange, McGillvray, Mendenhall, Peterson, Rice, Ripley, Sinrud, Sonju, Taylor, Witte, Mr. Speaker.

Total 23

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 425** passed as follows:

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

Total 65

Noes: Arntzen, Barrett, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, Rice, Ripley, Stahl, Taylor, Wells, Witte, Mr. Speaker.

Total 34

Excused: None.

Total 0

Absent or not voting: Keane.

Total 1

**HB 514** 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, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: None.

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Total 0

Excused: None.

Total 0

Absent or not voting: Himmelberger, Milburn.

Total 2

**HB 526** 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, 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, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Ripley, Sinrud, Sonju.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 609** 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, 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, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Boggio, Jore, Kasten, Koopman, Mendenhall, Ripley, Sinrud, Sonju.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0



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**HB 683** 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, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 96

Noes: Jore, Koopman, Wells, Mr. Speaker.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 706** passed as follows:

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

Total 85

Noes: Beck, Cordier, Everett, Hands, Hawk, Hollenbaugh, Kasten, Lake, Malcolm, Musgrove, Rice, Ripley, Sinrud, Wells, Mr. Speaker.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 727** passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, 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, Milburn, Morgan,

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Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.  
Total 91

Noes: Cohenour, Gallik, Henry, Jayne, Jore, Koopman, Mendenhall, Ripley, Mr. Speaker.  
Total 9

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 737** passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.  
Total 90

Noes: Bergren, Everett, Jore, Kasten, Kerns, Koopman, Mendenhall, Ripley, Sinrud, Mr. Speaker.  
Total 10

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 738** passed as follows:

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

Noes: Bixby, Callahan, Cohenour, Jayne, Jore.  
Total 5

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

**HB 755** passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, 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, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Beck, Cohenour, Dickenson, Hands, Jayne, Kerns, Musgrove, Raser.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 759** 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, 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: Jore, Koopman, Mendenhall, Mr. Speaker.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 764** passed as follows:

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

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Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, 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, 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 96

Noes: Augare, Jore, Koopman.  
Total 3

Excused: None.  
Total 0

Absent or not voting: Kerns.  
Total 1

**HB 765** 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, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 91

Noes: Everett, Jore, Kasten, Koopman, Mendenhall, Sinrud, Wells, Witte, Mr. Speaker.  
Total 9

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 781** passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.  
Total 71

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Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Ebinger, Everett, Groesbeck, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Lake, Malcolm, Mendenhall, Milburn, O'Hara, Ripley, Sesso, Sinrud, Stoker, Wells, Witte, Mr. Speaker.  
Total 29

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HJR 16** adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, 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, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, 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, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.  
Total 90

Noes: Cohenour, Everett, Jayne, Jore, Koopman, Lake, Mendenhall, Stoker, Van Dyk, Windy Boy.  
Total 10

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HJR 39** adopted 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, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, MacLaren, 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 62

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Heinert, Hilbert, Himmelberger, Jayne, Jore, Kerns, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.  
Total 38

Excused: None.  
Total 0

Absent or not voting: None.

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Total 0

**HJR 41** adopted as follows:

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

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SJR 15** concurred in 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, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 71

Noes: Barrett, Blasdel, Butcher, Everett, Hawk, Heinert, Hendrick, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, Lange, Malcolm, Mendenhall, Morgan, Nooney, Peterson, Rice, Ripley, Ross, Sinrud, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 29

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Lange moved to re-refer **SB 524** to the committee on Business and Labor. There being no objections, so ordered.

Representative French moved to take **SB 306** from the table in the Committee on Judiciary, be printed and placed on

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second reading on Legislative Day 78. The motion, requiring a three-fifths vote, **failed** as follows:

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

Total 51

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

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Friday, April 13, 2007. Motion carried.

House adjourned at 2:55 p.m.

MARILYN MILLER  
Chief Clerk of the House

SCOTT SALES  
Speaker of the House