

**HOUSE JOURNAL
60TH LEGISLATURE
NINETIETH LEGISLATIVE DAY**

Helena, Montana
April 27, 2007

House Chambers
State Capitol

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

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

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the eighty-fourth, eighty-fifth, and eighty-sixth legislative days, find the same to be correct.

L. Jones, Chair

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 4/27/2007
Signed by the President at 7:11 p.m., April 26, 2007: **HB 831, HJR 59.**
Correctly enrolled: **HB 337, HB 462, HB 577, HB 829, HJR 47, HJR 48, HJR 52, HJR 57.** 4/27/2007
Examined by the sponsor and found to be correct: **HJR 47, HB 829, HJR 52, HJR 57, HJR 48, HB 337, HB 577, HB 462.**
Delivered to the Secretary of State at 11:37 a.m., April 27, 2007: **HJR 59.**
Delivered to the Governor for approval at 11:30 a.m., April 27, 2007: **HB 831.**

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/27/2007
HB 491, introduced by Sinrud
HJR 31, introduced by Everett
HJR 46, introduced by Sands

Conference Committee Reports No.1 adopted: 4/26/2007
SB 25, introduced by Larson
SB 103, introduced by Lind
SB 550, introduced by Laible

Free Conference Committee Report No.1 adopted: 4/27/2007
SB 547, introduced by Perry

House amendments to House bill concurred in: 4/27/2007
HB 357, introduced by Cohenour

Free Conference Committee Reports No.1 adopted: 4/27/2007
HB 592, introduced by Wilson
HB 316, introduced by Elliott

Conference Committee Reports No.1 adopted: 4/27/2007
HB 116, introduced by Ripley
HB 160, introduced by Stoker

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House amendments to Senate bills concurred in:

4/27/2007

SB 69, introduced by Wanzenried

SB 161, introduced by Laible

SB 393, introduced by Gillan

MESSAGES FROM THE GOVERNOR

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

Dear Speaker Sales:

You will find attached a list of bills I signed on Tuesday, April 26th, 2007 that were delivered to the Secretary of State this date.

On Thursday, April 26, 2007, I also returned House Bill 406 (Clark) and 683 (Reinhart) with Amendatory Vetoes.

Sincerely,

BRIAN SCHWEITZER
Governor

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House Bill 19 sponsored by Representative McNutt
House Bill 26 sponsored by Representative McGillvray
House Bill 77 sponsored by Representative Clark
House Bill 83 sponsored by Representative Hiner
House Bill 117 sponsored by Representative Henry
House Bill 154 sponsored by Representative Clark
House Bill 235 sponsored by Representative Dutton
House Bill 272 sponsored by Representative L. Jones
House Bill 283 sponsored by Representative Campbell
House Bill 291 sponsored by Representative Ross
House Bill 300 sponsored by Representative Milburn
House Bill 310 sponsored by Representative Dutton
House Bill 319 sponsored by Representative Glaser
House Bill 328 sponsored by Representative Stahl
House Bill 364 sponsored by Representative Malcolm
House Bill 389 sponsored by Representative Barrett
House Bill 414 sponsored by Representative Reinhart
House Bill 415 sponsored by Representative Ripley
House Bill 428 sponsored by Representative Gallik
House Bill 435 sponsored by Representative Parker
House Bill 459 sponsored by Representative Heinert
House Bill 460 sponsored by Representative Keane

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House Bill 467 sponsored by Representative K. Peterson
House Bill 468 sponsored by Representative McGillvray
House Bill 487 sponsored by Representative Hiner
House Bill 520 sponsored by Representative Arntzen
House Bill 524 sponsored by Representative Hamilton
House Bill 537 sponsored by Representative Ripley
House Bill 630 sponsored by Representative Gallik
House Bill 633 sponsored by Representative Dutton
House Bill 634 sponsored by Representative Van Dyk
House Bill 672 sponsored by Representative Glaser
House Bill 688 sponsored by Representative Olson
House Bill 690 sponsored by Representative Bergren
House Bill 742 sponsored by Representative Raser
House Bill 743 sponsored by Representative Clark
House Bill 744 sponsored by Representative Rice
House Bill 771 sponsored by Representative Jones
House Bill 778 sponsored by Representative Stahl
House Bill 781 sponsored by Representative Windy Boy
House Bill 785 sponsored by Representative Lange
House Bill 811 sponsored by Representative Wells

Majority Leader Lange announced the Republicans would caucus. Caucus Leader Villa announced the Democrats would caucus.

House reconvened at 1:25 p.m.

Majority Leader Lange moved to bring **HB 491** with **Senate amendments** to the floor and have it placed on second reading. Without objections, so ordered.

**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 Sales in the chair.

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

HB 491 - Representative Sinrud moved **HB 491**, as amended, do pass. Motion carried as follows:

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

Total 99

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Noes: Jayne.
Total 1

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report.

Representative Bergren made a **substitute motion** that the Committee rise, report and beg sit again. Motion **failed** as follows:

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

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

Excused: Ross.
Total 1

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

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

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

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Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

**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 Sales in the chair.

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

SB 155 - Representative Hiner moved **SB 155** be concurred in.

SB 155 - Representative Hiner moved to amend **SB 155**.

1. Title, line 8.

Following: "~~MCA~~;"

Insert: "PROVIDING FOR A TRANSFER OF FUNDS FROM THE HEALTH AND MEDICAID INITIATIVES ACCOUNT TO THE OLDER MONTANANS TRUST FUND; AMENDING SECTIONS 17-7-302, 17-7-304, AND 53-6-1201, MCA;"

2. Title, line 9.

Following: "~~DATE~~"

Insert: "AND A TERMINATION DATE"

3. Page 5.

Following: line 9

Insert: "**Section 2.** Section 17-7-302, MCA, is amended to read:

"17-7-302. Encumbrance of fiscal yearend obligations. (1) Any valid obligation not paid within the fiscal year, including valid written interagency or intra-agency service agreements for systems development, ~~shall be~~ is encumbered for payment ~~thereof~~ of the obligation at the end of each fiscal year in the department of administration's accounts. Except as provided in subsection (2), an appropriation ~~shall be deemed to be~~ is considered encumbered at the time and to the extent that a valid obligation against the appropriation is created.

(2) An appropriation may be encumbered by a written interagency or intra-agency agreement with the department for the alteration, repair, maintenance, or renovation of a building pursuant to the provisions of Title 18, chapter 2. ~~If Except as provided in 53-6-1201(4), if~~ the appropriation is not encumbered by a valid obligation at the end of the next fiscal year, the appropriation reverts to the fund from which it was originally appropriated.""

Insert: "**Section 3.** Section 17-7-304, MCA, is amended to read:

"17-7-304. Disposal of unexpended appropriations. (1) All money appropriated for any specific purpose except that appropriated for the university system units listed in subsection (2) [or state money appropriated for the state children's health insurance program provided for in Title 53, chapter 4, part 10,] and except as provided in subsection (4) ~~and 53-6-1201(4)~~ must, after the expiration of the time for which appropriated, revert to the several funds and accounts from which originally appropriated. However, any unexpended balance in any specific appropriation may be used for the years for which the appropriation was made or may be used to fund the provisions of 2-18-1203 through 2-18-1205 and 19-2-706 in the succeeding year.

(2) Except as provided in 17-2-108 and subsection (3) of this section, all money appropriated for the university of Montana campuses at Missoula, Butte, Dillon, and Helena and the Montana state university campuses

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at Bozeman, Billings, Havre, and Great Falls, the agricultural experiment station with central offices at Bozeman, the forest and conservation experiment station with central offices at Missoula, the cooperative extension service with central offices at Bozeman, and the bureau of mines and geology with central offices in Butte must, after the expiration of the time for which appropriated, revert to an account held by the board of regents. The board of regents is authorized to maintain a fund balance. There is a statutory appropriation, as provided in 17-7-502, to use the funds held in this account in accordance with a long-term plan for major and deferred maintenance expenditures and equipment or fixed assets purchases prepared by the affected university system units and approved by the board of regents. The affected university system units may, with the approval of the board of regents, modify the long-term plan at any time to address changing needs and priorities. The board of regents shall communicate the plan to each legislature, to the finance committee when requested by the committee, and to the office of budget and program planning.

(3) Subsection (2) does not apply to reversions that are the result of a reduction in spending directed by the governor pursuant to 17-7-140. Any amount that is a result of a reduction in spending directed by the governor must revert to the fund or account from which it was originally appropriated.

(4) (a) Subject to subsection (4)(b), after the end of a fiscal year, 30% of the money appropriated to an agency for that year by the general appropriations act for personal services, operating expenses, and equipment, by fund type, and remaining unexpended and unencumbered at the end of the year may be reappropriated to be spent during the following 2 years for any purpose that is consistent with the goals and objectives of the agency. The dollar amount of the 30% amount that may be carried forward and spent must be determined by the office of budget and program planning.

(b) (i) Any portion of the 30% of the unexpended and unencumbered money referred to in subsection (4)(a) that was appropriated to a legislative branch entity may be deposited in the account established in 5-11-407.

(ii) After the end of a biennium, any portion of the unexpended and unencumbered money appropriated for the operation of the preceding legislature in a separate appropriation act may be deposited in the account established in 5-11-407. The approving authority shall determine the portion of the unexpended and unencumbered money that is deposited in the account. (Bracketed language terminates on occurrence of contingency--sec. 7, Ch. 565, L. 2005.)"

Insert: "Section 4. Section 53-6-1201, MCA, is amended to read:

"53-6-1201. Special revenue fund -- health and medicaid initiatives. (1) There is a health and medicaid initiatives account in the state special revenue fund established by 17-2-102. This account is to be administered by the department of public health and human services.

(2) There must be deposited in the account:

(a) money from cigarette taxes deposited under 16-11-119(1)(c);

(b) money from taxes on tobacco products other than cigarettes deposited under 16-11-119(3)(b); and

(c) any interest and income earned on the account.

(3) This account may be used only to provide funding for:

(a) the state funds necessary to take full advantage of available federal matching funds in order to maximize enrollment of eligible children under the children's health insurance program, provided for under Title 53, chapter 4, part 10, and to provide outreach to the eligible children. The increased revenue in this account is intended to increase enrollment rates for eligible children in the program and not to be used to support existing levels of enrollment based upon appropriations for the biennium ending June 30, 2005.

(b) a new need-based prescription drug program established by the legislature for children, seniors, chronically ill, and disabled persons that does not supplant similar services provided under any existing program;

(c) increased medicaid services and medicaid provider rates. The increased revenue is intended to increase medicaid services and medicaid provider rates and not to supplant the general fund in the trended traditional level of appropriation for medicaid services and medicaid provider rates.

(d) an offset to loss of revenue to the general fund as a result of new tax credits;

(e) to fund new programs to assist eligible small employers with the costs of providing health insurance benefits to eligible employees;

(f) the cost of administering the tax credit, the purchasing pool, and the premium incentive payments and premium assistance payments as provided in Title 33, chapter 22, part 20; and

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(g) to provide a state match for the medicaid program for premium incentive payments or premium assistance payments to the extent that a waiver is granted by federal law as provided in 53-2-216.

(4) Money appropriated but not expended for the prescription drug program described in subsection (3)(b) must be transferred annually to the older Montanans trust fund provided for in [section 1].

~~(4)(5) (a) Except for \$1 million appropriated for the startup costs of 53-6-1004 and 53-6-1005, the money appropriated for fiscal year 2006 for the programs in subsections (3)(b) and (3)(d) through (3)(g) may not be expended until the office of budget and program planning has certified that \$25 million has been deposited in the account provided for in this section or December 1, 2005, whichever occurs earlier.~~

~~(b)(a) On or before July 1, the budget director shall calculate a balance required to sustain each program in subsection (3) for each fiscal year of the biennium. If the budget director certifies that the reserve balance will be sufficient, then the agencies may expend the revenue for the programs as appropriated. If the budget director determines that the reserve balance of the revenue will not support the level of appropriation, the budget director shall notify each agency. Upon receipt of the notification, the agency shall adjust the operating budget for the program to reflect the available revenue as determined by the budget director.~~

~~(b) Until the programs or credits described in subsections (3)(b) and (3)(d) through (3)(g) are established, the funding must be used exclusively for the purposes described in subsections (3)(a) and (3)(c).~~

~~(5)(6) The phrase "trended traditional level of appropriation", as used in subsection (3)(c), means the appropriation amounts, including supplemental appropriations, as those amounts were set based on eligibility standards, services authorized, and payment amount during the past five biennial budgets.~~

~~(6)(7) The department of public health and human services may adopt rules to implement this section."~~

Renumber: subsequent sections

4. Page 5.

Following: line 16

Insert: "NEW SECTION. Section 7. Termination. [Sections 2 through 4] terminate July 1, 2007."

Amendment adopted as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 58

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lange, MacLaren, McGillvray, Mendenhall, Milburn, Nooney, O'Hara, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 40

Excused: Ross.
Total 1

Absent or not voting: Sesso.
Total 1

SB 155 - The motion to concur in **SB 155**, as amended, carried as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier,

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Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, Lange, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 59

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Kerns, Klock, Koopman, Lake, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Nooney, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 41

Voted Absentee: Ross, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Pursuant to House Rule 41-60, Subsection 1, Subsection B, Representative Gallik moved to reconsider action taken on **HB 820** and that it be taken from the Speaker's desk and placed on second reading this day. Motion **failed** as follows:

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

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 49

Excused: Ross.
Total 1

Absent or not voting: Olson.
Total 1

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 116 passed as follows:

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

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Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, 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, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: Jore, Koopman.
Total 2

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

HB 160 - Conference Committee Report No. 1 - passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, 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, 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: Jore, Koopman, Mendenhall.
Total 3

Excused: Ross.
Total 1

Absent or not voting: Dickenson.
Total 1

HB 592 - Free Conference Committee Report No. 1 - 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, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 92

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Noes: Everett, Jore, Kasten, Lake, McGillvray, Mendenhall, Mr. Speaker.
Total 7

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

SB 205 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 84

Noes: Boggio, Butcher, Callahan, Everett, Glaser, Jore, Kasten, Kerns, Lake, Lambert, Mendenhall, Morgan, Raser, Stahl, Wells.
Total 15

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

SJR 26 concurred in as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 58

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Lambert, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, O'Hara, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 41

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

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SB 25 - Conference Committee Report No. 1 - concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, 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, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Jore.
Total 1

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

SB 103 - Conference Committee Report No. 1 - concurred in 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, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 73

Noes: Barrett, Beck, Blasdel, Boggio, Everett, Glaser, Hawk, Jore, Kasten, Koopman, Lake, Lambert, Lange, McGillvray, Mendenhall, Morgan, Pomnichowski, Rice, Ripley, Sinrud, Sonju, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 26

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

SB 316 - Free Conference Committee Report No. 1 - concurred in as follows:

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

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

Total 94

Noes: Boggio, McGillvray, Mendenhall, Sinrud, Sonju.

Total 5

Excused: Ross.

Total 1

Absent or not voting: None.

Total 0

SB 547 - Free Conference Committee Report No. 1 - concurred in 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, 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, 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: Caferro, Jayne, W. Jones, Jopek.

Total 4

Excused: Ross.

Total 1

Absent or not voting: None.

Total 0

SB 550 - Conference Committee Report No. 1 - concurred in as follows:

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

Total 82

Noes: Blasdel, Everett, Jore, Kasten, Kerns, Koopman, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Ripley, Sinrud, Stahl, Taylor, Witte, Mr. Speaker.

Total 17

Excused: Ross.

Total 1

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Absent or not voting: None.
Total 0

SB 22 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 63

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Nooney, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Vincent, Wells, Witte, Mr. Speaker.
Total 36

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

HB 491 - Senate amendments - concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, 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, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 96

Noes: Jayne, Jore.
Total 2

Excused: Ross.
Total 1

Absent or not voting: Stahl.
Total 1

SB 155 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips,

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Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 61

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Nooney, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 38

Excused: Ross.

Total 1

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

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cordier, Dutton, Ebinger, Erickson, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Hiner, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Reinhart, Rice, Ripley, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Wiseman, Witte, Mr. Speaker.

Total 66

Noes: Augare, Becker, Bixby, Callahan, Cohenour, Dickenson, Driscoll, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Himmelberger, Hollenbaugh, Jacobson, Jopek, Keane, Kottel, McChesney, Parker, Phillips, Pomnichowski, Raser, Sands, Van Dyk, Villa, Wilmer, Wilson, Windy Boy.

Total 33

Excused: Ross.

Total 1

Absent or not voting: None.

Total 0

Representative Parker gave his closing remarks.

Majority Leader Lange gave his closing remarks.

Representative Glaser moved to Sine Die. Representative Parker made a substitute motion to Sine Die at 11:00 on Saturday. Representative Parker's substitute motion **failed** as follows:

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

Total 49

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

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

Representative Glaser's motion to Sine Die passed as follows:

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

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

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

House adjourned sine die at 2:45 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House