

**SENATE JOURNAL
60TH LEGISLATURE
FIFTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
March 14, 2007

Senate Chambers
State Capitol

Senate convened at 1:00 p.m. President Cooney presiding. Invocation by Father Jerry Lowney. Pledge of Allegiance to the Flag.

Roll Call. Senators Tash and Schmidt. Quorum present.

Yeas: Bales, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Gallus, Gillan, Hansen, Harrington, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Moss, Murphy, Pease, Perry, Peterson, Ryan, Smith, Squires, Stapleton, Steinbeisser, Story, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 39

Nays: Balyeat, Esp, Essmann, Gebhardt, Jackson, Lind, McGee, O'Neil, Shockley.
Total 9

Absent or not voting: None.
Total 0

Excused: Schmidt, Tash.
Total 2

REPORTS OF STANDING COMMITTEES

HIGHWAYS AND TRANSPORTATION (Pease, Chairman): 3/14/2007
HB 332, be concurred in. Report adopted.
HB 531, be concurred in. Report adopted.

TAXATION (Elliott, Chairman): 3/14/2007
HB 75, be concurred in. Report adopted.
HB 623, be concurred in. Report adopted.

BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Cocchiarella, Chairman): 3/14/2007
HB 286, be concurred in. Report adopted.

FISH AND GAME (Tropila, Chairman): 3/14/2007
HB 193, be amended as follows:

1. Title, page 1, line 6.
Strike: "A LICENSED"
Insert: "AN"
Following: "VEHICLE"
Insert: "OR SNOWMOBILE"

2. Title, page 1, line 7.
Following: "VEHICLE"
Insert: "OR SNOWMOBILE"

3. Page 2, line 10.
Following: "(iii)"
Strike: "a licensed"
Insert: "an"
Following: "vehicle"
Insert: "or snowmobile"

4. Page 2, line 11.
Following: "vehicle"
Insert: "or snowmobile"

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

MESSAGES FROM THE GOVERNOR

Board & Commission Appointments Requiring Senate Confirmation, March 13, 2007, Page 730
Board of Chiropractors -- 2-15-1737

The board consists of four members serving 3-year terms. Three members must be practicing chiropractors who have practiced chiropractic continuously in this state for at least 1 year. No two members may be graduates of the same school or college of chiropractic. One member must be a representative of the public who is not engaged in the practice of chiropractic. No member may be appointed for more than two consecutive terms.

Dr. Thomas Fullerton, 720 2nd St E, Kalispell MT 59901

Contact phone(s): 406-257-7463

Appointment date: 3/8/2007; Term ends: January 1, 2010

Qualification: practicing chiropractor with at least one year experience

Fullerton is a graduate of the Western States Chiropractic College and is a diplomat of the National Board of Chiropractic Examiners. A U.S. Navy veteran, he is currently in private

practice in Kalispell. Fullerton has also served on the Montana Chiropractic Association's ethics committee and is a member of the Flathead Valley Chiropractic Association.

Coal Board -- 2-15-1821

The board is designated as quasi-judicial and consists of seven members. Statute requires two members from impact areas, two members with expertise in education, and a balance between two geographic areas as defined in statute. The statute encourages members from business, engineering, public administration and planning.

Mr. Thomas Kalakay, RMC, 1511 Poly Dr, Billings MT 59102

Contact phone(s): 406-657-1101

Appointment date: 1/30/2007; Term ends: January 1, 2011

Qualification: expertise in education (District 2)

Kalakay is on the faculty of Rocky Mountain College. He completed his PhD in geology from the University of Wyoming and has held teaching positions at Montana State University-Bozeman and Vanderbilt University. He joined Rocky Mountain College's faculty in 2004.

Ms. Julie Foley, 206 Whitaker, Missoula MT 59803

Contact phone(s): 406-543-2810

Appointment date: 1/30/2007; Term ends: January 1, 2011

Qualification: expertise in education (District 1)

Foley earned her bachelor's degree in English literature from Cornell College in Iowa and her master's degree in education from the University of Northern Colorado. She has been a teacher for 32 years, the last 29 in Montana. Foley is a member of MEA-MFT and also serves on the board for MUST and PBS.

Ms. Marcia Brown, 3040 Ottawa St, Butte MT 59701

Contact phone(s): 406-494-8669

Appointment date: 1/30/2007; Term ends: January 1, 2011

Qualification: representative from business (District 1)

Brown is the chief operating officer of the National Center for Appropriate Technology. She attended the University of Montana, majoring in political science, and has worked for Montana congressional members both in Washington, D.C., and in Montana. She's a member of state and national human resource management organizations.

Board of Crime Control -- 2-15-2006

The board is designated as a quasi-judicial board and consists of 18 members. Statute calls for representatives of state and local law enforcement and criminal justice agencies, including agencies directly related to the prevention and control of juvenile delinquency, units of general local government, and public agencies maintaining programs to reduce and control crime and representatives of citizens and professional and community organizations, including

organizations directly related to delinquency prevention.

Mr. Mike Ferriter, Director Department of Corrections, Helena MT 59620

Contact phone(s): 406-444-3930

Appointment date: 2/5/2007; Term ends: January 1, 2011

Qualification: state law enforcement

Ferriter is a corrections veteran with 29 years in the profession. He has a degree in vocational rehabilitation (emphasis on sociology and psychology) from Montana State University-Billings. He began his corrections career as a youth court officer in 1977, was a parole officer and prerelease center director and has worked for the Department of Corrections as bureau chief, division administrator and now director.

Mr. Richard Kirn, PO Box 1267, Poplar MT 59255

Contact phone(s): 406-768-5155 406-448-2226

Appointment date: 2/5/2007; Term ends: January 1, 2011

Qualification: tribal government representative

Kirn is a councilman for the Fort Peck Tribes. He received an associate of science degree in engineering from Dawson College and has served as a trustee of the Northeastern Montana Health Services.

Mr. Godfrey Saunders, 8277 Cottonwood Road, Bozeman MT 59718

Contact phone(s): 406-522-6200 406-586-4804

Appointment date: 2/5/2007; Term ends: January 1, 2011

Qualification: educator

Saunders has been principal of Bozeman High School since 1996. He received his bachelor of science degree in science education from Western Montana College and his master of science degree (counseling and education) also from Western.

Mr. Jim Oppedahl, 1310 Lariat Rd, Helena MT 59601

Contact phone(s): 406-431-6623

Appointment date: 2/5/2007; Term ends: January 1, 2011

Qualification: public representative

Oppedahl retired as the administrator of the Montana Supreme Court in 2006. His career with state government also included stints as the director of the Montana Board of Crime Control, administrator of the Gambling Control Division, budget office analyst and senior legislative researcher, among other duties.

Ms. Lois Menzies, Montana Supreme Court, PO Box 203005, Helena MT 59620

Contact phone(s): 406-841-2957

Appointment date: 2/5/2007; Term ends: January 1, 2011

Qualification: judiciary representative

Menzies received her master degree in political science from the University of Wisconsin. She has 27 years of experience in Montana government in all three branches and currently serves as administrator of the Montana Supreme Court.

Mr. Nickolas C. Murnion, PO Box 375, Jordan MT 59337

Contact phone(s): 406-557-2480 406-997-2506

Appointment date: 2/5/2007; Term ends: January 1, 2009

Qualification: local law enforcement

Murnion is the Garfield County Attorney, and received his JD degree from the University of Montana. Murnion is the recipient of several awards, including the 1998 Profile in Courage Award from the John F. Kennedy Library. He's also the president of the Mid-Rivers Telephone Cooperative, Inc., and a member of the Montana Gambling Advisory Council and Consensus Council.

Ms. Pamela B. Kennedy, PO Box 2445, Kalispell MT 59903

Contact phone(s): 406-755-8941

Appointment date: 2/5/2007; Term ends: January 1, 2009

Qualification: local government and Youth Justice Council representative

Kennedy has been Mayor of Kalispell since 2002 and is a managing partner of Great Bear Builders, Inc. Kennedy serves as the second vice president of the Montana League of Cities and Towns, is on the board of directors for the Flathead County Peer Court and Flathead CARE, and serves as a member of the Federal Advisory Council on Juvenile Justice.

Ms. Brenda Desmond, 1301 S 5th W, Missoula MT 59801

Contact phone(s): 406-721-6717

Appointment date: 2/5/2007; Term ends: January 1, 2011

Qualification: judiciary representative

Desmond is the standing master for the Fourth Judicial District and also serves as chief justice for the Fort Peck Court of Appeals. She received her JD degree from the State University of New York at Buffalo. Desmond has been involved with the Missoula Youth Drug Court since 1996.

Ms. Sherrie Matteucci, Matteucci Law Firm, 10 N 27th St Ste 310, Billings MT 59102

Contact phone(s): 406-252-1000

Appointment date: 2/5/2007; Term ends: January 1, 2011

Qualification: public representative

Matteucci is in private law practice, and previously served as the United States Attorney for Montana. She is on the Law Enforcement Education Committee for the District of Montana and has been involved with many legal and government boards and associations.

Ms. Tracie Small, PO Box 452, Crow Agency MT 59022

Contact phone(s): 406-638-2867

Appointment date: 2/5/2007; Term ends: January 1, 2011

Qualification: tribal court representative

Small is the clerk for the Crow Tribal Court. She volunteers for the Hardin Boys and Girls Club and has an applied associate degree in Native American Studies from Little Big Horn College. She has also worked as a tutor at Lodge Grass High School and Little Big Horn College.

Mr. Steve McArthur, CCCS, 81 W Park St, Butte MT 59701

Contact phone(s): 406-782-0417

Appointment date: 2/5/2007; Term ends: January 1, 2009

Qualification: community corrections representative

McArthur has a sociology degree (emphasis on criminal justice) from Montana State University. He has worked for Community, Counseling and Correctional Services Inc., in Butte since 1983. McArthur is a member of the Montana Correctional Association and is on the board for the Port of Montana.

Electrical Board -- 2-15-1764

The board consists of five members: Two members represent the public; two members are licensed electricians and one member is a master licensed electrical contractor. Members serve 5-year terms; with one term expiring on July 1 of each year.

Ms. Dawn Achten, 4450 Vaughn Ln, Billings MT 59101

Contact phone(s): 406-252-9298; 406-698-2244

Appointment date: 07/01/2006; Term ends: July 1, 2011

Qualification: public representative

Achten has worked in the lodging industry, and has served as an officer of the Billings Hotel-Motel Association and as a member of the Billings Chamber of Commerce and the Montana Innkeepers Association. She was elected as a trustee for the Billings School District in May of 2005.

Board of Environmental Review -- 2-15-3502

The board is designated as a quasi-judicial board and consists of seven members appointed by the governor. The members must be balanced by geography and have these qualifications: one member must have expertise or background in hydrology; one member must have expertise or background in local government planning; one member must have expertise or background in one of the environmental sciences; one member must have expertise or background as a county health officer or as a medical doctor.

Ms. Heidi Kaiser, 5 Willow Run, Park City MT 59063

Contact phone(s): 406-633-2012 406-671-1069

Appointment date: 1/23/2007; Term ends: January 1, 2011

Qualification: public member

Kaiser is a senior geologist with Hydrometrics. She has a bachelor's degree in geology from Rocky Mountain College and a master's in land rehabilitation from Montana State University. She's also worked as a senior analyst on the North District Groundwater Program in Wyoming, as a senior geologist for ATC Associates and a hydro geologist for Remediation Technologies.

Mr. Joseph Russell, Flathead County, 1035 1st Ave W, Kalispell MT 59901

Contact phone(s): 406-751-8110

Appointment date: 1/23/2007; Term ends: January 1, 2011

Qualification: county health officer; Chair

Russell has been the county health officer in Flathead County since 1998. He holds a master's degree in public health from the University of Washington, after studying graduate level microbiology and chemical engineering at Montana State University and receiving a bachelor's degree from Carroll College. He is a registered sanitarian and is involved in professional and community groups.

Mr. Larry Mires, 74 4th St N, Glasgow MT 59230

Contact phone(s): 406-228-3937

Appointment date: 1/23/2007; Term ends: January 1, 2011

Qualification: public member

Mires spent 31 years in the classroom as a technology/industrial instructor at Glasgow High School. He has a master's degree in guidance and counseling from Northern Montana College (MSU-Northern). Mires currently serves as the executive director for the St. Mary Rehabilitation Working Group and is associated with Two Rivers Economic Growth.

Facility Finance Authority -- 2-15-1815

The authority is designated as a quasi-judicial board and consists of seven members who must be broadly representative of the state, balancing professional expertise and public accountability.

Ms. Kim Greco, PO Box 1173, Helena MT 59624

Contact phone(s): 406-444-1441 406-490-5199

Appointment date: 2/22/2007; Term ends: January 1, 2011

Qualification: public member

Greco is the Business Manager for the Laborers' International Union of North America #1686. She has held other leadership positions for the union, including Public Employee Field Representative and Field Agent. She has served on a number of labor-related trust boards, including service as a Trustee for the International Foundation of Employees Benefit Plans.

Mr. Joe Quilici, 3040 Kossoth, Butte MT 59701

Contact phone(s): 406-782-5772

Appointment date: 2/22/2007; Term ends: January 1, 2011

Qualification: public member

Quilici is a longtime Butte businessman and civic leader. His service in the Montana Legislature for 30 years included numerous leadership positions and extensive experience with the state's budget and other important issues.

Mr. David Dietrich, 401 North 31st Street, Box 7054, Billings MT 59103

Contact phone(s): 406-255-7150

Appointment date: 2/22/2007; Term ends: January 1, 2011

Qualification: attorney

Dietrich is the principal of Dietrich & Associates, a commercial law firm, where he practices real estate and estate planning law. He has served as chair for committees of the American Bar Association and the Montana Bar Association, and has served as a director of the Montana Land Reliance. He graduated from Whitman College in Walla Walla, Washington and his law degree is from the University of Montana Law School.

Board of Investments -- 2-15-1808

The board is designated as a quasi-judicial board and consists of nine members. The members are: one member from the Public Employees' Retirement Board, one member from the Teachers' Retirement Board and seven members who will provide a balance of professional expertise and public interest and accountability, who are informed and experienced in the subject of investments, and who are representative of: the financial community; small business; agriculture; and labor.

Mr. James Turcotte, 1376 Beaverhead Road, Helena MT 59602

Contact phone(s): 406-442-5012 406-442-0113

Appointment date: 9/29/2006; Term ends: January 1, 2009

Qualification: TRS representative

Qualification: teachers' retirement board representative

Turcotte is a financial consultant with Raymond James Financial Services. He attended Carroll College and received a bachelor's degree in accounting from Montana State University-Billings. He pursued a career as a charter pilot, and worked for the state's retirement division until 1981.

Mr. Terrill Moore 2048 Edgewood Dr, Billings MT 59101

Contact phone(s): 406-255-5000 406-656-6231

Appointment date: 1/31/2007; Term ends: January 1, 2011

Qualification: financial representative; Chair

Moore is the Executive Vice President and Chief Financial Officer of First Interstate BancSystem Inc. At Montana State University, he majored in business administration with accounting emphasis. He is a Certified Public Accountant and is involved in faith groups and community organizations.

Ms. Maureen Fleming, 106 Ironwood, Missoula MT 59803

Contact phone(s): 406-549-7901

Appointment date: 1/31/2007; Term ends: January 1, 2011

Qualification: labor representative

Fleming has been a member of the University Teachers Union at the University of Montana for 35 years. She has served as a professor of management at UM, and also served on the boards of the Montana Economic Development and Revitalization Institute, MSE and others. She has a Ph.D in industrial and counseling psychology from the University of Southern Illinois.

Mr. Karl Englund, PO Box 8358, Missoula MT 59807

Contact phone(s): 406-721-2729

Appointment date: 1/31/2007; Term ends: January 1, 2011

Qualification: attorney

Englund is a 1974 graduate of the University of Montana and a 1982 graduate of the University of Montana Law School. He practices labor, environmental and personal injury law. Before he went to law school, Englund worked for Senator Max Baucus and the late Senator Lee Metcalf.

Mr. Jon Satre, 2028 Le Grande Cannon Blvd, Helena MT 59601

Contact phone(s): 406-442-6582

Appointment date: 1/31/2007; Term ends: January 1, 2011

Qualification: business person

Satre is a partner in Gordon-Prill-Drapes. He received his bachelor's degree in American studies from Carroll College. Satre is a board member of the Helena Education Foundation and the Archie Bray Foundation.

Board of Housing -- 2-15-1814

The board is designated as a quasi-judicial board and consists of seven members. The members shall be informed and experienced in housing, economics, or finance.

Ms. Susan Moyer, 15 Iris Court, Kalispell MT 59901

Contact phone(s): 406-752-7790

Appointment date: 1/22/2007; Term ends: January 1, 2011

Qualification: public representative

Moyer retired as the community development director for the city of Kalispell. She is secretary-treasurer of the Glacier Affordable Housing Foundation and is chair of the United Way's Food and Emergency Shelter Board. She attended San Jose State.

Mr. Bob Gauthier, 1283 Bouchard Rd, Ronan MT 59864

Contact phone(s): 406-676-8448

Appointment date: 1/22/2007; Term ends: January 1, 2011

Qualification: public representative

Gauthier is a consultant and the chair of Eagle Bank in Polson. Previously, he was a consumer

credit counselor and the housing director for the Confederated Salish and Kootenai Tribes. Gauthier also served as a presidential appointee to the Community Development Financial Institutions Advisory Board.

Ms. Jeanette McKee, 133 Creekside Dr, Hamilton MT 59840

Contact phone(s): 406-363-1010 406-363-4647

Appointment date: 1/22/2007; Term ends: January 1, 2011

Qualification: public representative

McKee is a former legislator, and has served as development officer of the Montana Historical Society Foundation and as an advisor to the National Trust for Historic Preservation. She's currently a realtor in Hamilton and serves on the Daly Mansion Board. She holds a bachelor's degree in elementary education from the University of Montana.

Board of Livestock - 2-15-3102

The board consists of seven members who serve six-year terms. Each member must be a resident of the state and an active livestock producer. A member must be appointed upon the recommendation of the related industry and must have the following qualifications: four are cattle producers; one is a dairy producer representing the dairy and poultry industry; one is a swine producer; and one is a sheep producer.

Mr. Stan Boone, PO Box 96, Ingomar MT 59039

Contact phone(s): 406-354-6641

Appointment date: 3/1/2007; Term ends: March 1, 2013

Qualification: cattle producer

Boone, a cattle producer, runs 1,000 cow/calf pairs under the VX Ranch brand. From 1972-1989, he ranched near Darby, where he served as Chairman of the Ravalli County Planning Board. A member of the Montana Cattlemen's Association, he served on the Board of Directors and held the office of President. He also served on the Governor's Council for Landowner's and Sportsmen's Relations in the 1980s. Boone graduated from the University of California and is a Marine Corps veteran.

Ms. Rebecca Weed, 13000 Springhill Rd, Belgrade MT 59714

Contact phone(s): 406-388-4945

Appointment date: 3/1/2007; Term ends: March 1, 2013

Qualification: sheep producer

Weed and her husband have owned the Thirteen Mile Lamb and Wool Co. since 1987. She holds a bachelor's degree in geochemistry from Harvard University and a master's degree in geology from the University of Maine. She is a founding member of the Lava Lake Land and Livestock, L.L.C., and currently serves on its science and conservation advisory board. She has also been active in the Wild Farm Alliance, the Alternative Energy Resources Organization and the Organic Meat Co-op among other agriculture/conservation groups.

Milk Control Board -- 2-15-3105

The board is designated as a quasi-judicial board and consists of five members. A member may not be connected in any way with the production, processing, distribution, or wholesale or retail sale of milk or dairy products. A member may not have held an elective or appointive public office during the 2 years immediately preceding appointment, and a member may not hold a public office, either elective or appointive, during a term on the board. Not more than three members may be of the same political party.

Mr. Clyde Greer, 1412 S Bozeman Ave, Bozeman MT 59715

Contact phone(s): 406-586-5121

Appointment date: 1/22/2007; Term ends: January 1, 2011

Qualification: public representative; Independent

Greer received his undergraduate degree from Colorado State University and went to graduate school at the University of Minnesota, majoring in agriculture economics. He's a Department Head Emeritus from Montana State University, and served on MSU's agriculture economics faculty for 25 years.

Mr. Michael Kleese, 4341 Lone Rock Schl Rd, Stevensville MT 59870

Contact phone(s): 406-541-3284 406-777-3619

Appointment date: 1/22/2007; Term ends: January 1, 2011

Qualification: attorney; Democrat

Kleese is the state manager and state legal counsel for First American Title Insurance Company in Montana. He received his JD from Indiana University and is currently active in the Montana Land Title Association. He is a guest lecturer at the UM's School of Law and is a member of the American College of Real Estate Lawyers.

Board of Personnel Appeals -- 2-15-1705

The board is designated as a quasi-judicial board and consists of five members and two substitute members. Two members are required to be full-time management employees in organizations with collective bargaining units or who represent management in collective bargaining activities; two members are required to be full-time employees or elected officials of a labor union or an association recognized by the board; and one member is required to have general labor-management experience, who is the presiding officer.

Mr. Patrick Dudley, PO Box 3300, Butte MT 59702

Contact phone(s): 406-723-2484 406-782-3688

Appointment date: 2/22/2007; Term ends: January 1, 2011

Qualification: substitute management representative with collective bargaining experience

Dudley is the human resources director for St. James Healthcare, and has held various positions at St. James Community Hospital. He graduated from Montana State University with a B.S.

degree in microbiology.

Mr. Steve Johnson, Missoula County, 200 W Broadway, Missoula MT 59807

Contact phone(s): 406-258-3293 406-542-8688

Appointment date: 2/22/2007; Term ends: January 1, 2011

Qualification: management representative with collective bargaining experience

Johnson is director of human resources for Missoula County. He also served as chief of the labor and employee relations bureau for the state personnel division, and worked in the private sector as a human resource manager. He is a graduate of the University of Montana with a BA degree in political science.

Ms. Robyn Rowe, 1023 Missouri, Deer Lodge MT 59722

Contact phone(s): 406-442-1192 406-491-7184

Appointment date: 2/22/2007; Term ends: January 1, 2011

Qualification: full-time employee of a labor union or an association recognized by the board

Rowe is an organizer and representative for the American Federation of State, County and Municipal Employees. Her background also includes work as a corporate trainer for a company that sent her to hire and train employees at facilities throughout the U.S.

Board of Plumbers -- 2-15-1765

The board consists of nine members who serve 4-year terms. The members are: two master plumbers and two journeyman plumbers who are 18 years of age or older, who have been residents of this state for more than 1 year, and who have been duly licensed master or journeyman plumbers at least 5 out of the last 8 years immediately preceding their appointment; one registered professional engineer qualified in mechanical engineering; three representatives of the public who are not engaged in the business of installing or selling plumbing equipment; and one representative of the department of environmental quality, who must have experience in the regulation of drinking water systems.

Mr. Steve Carey, PO Box 326, Frenchtown MT 59834

Contact phone(s): 406-549-3479 406-626-4715

Appointment date: 2/14/2007; Term ends: May 4, 2007

Qualification: journeyman plumber

Carey is a journeyman plumber and received that license in 1996. He started his apprenticeship training in 1980, fulfilling those requirements in 1984, the same year he received his plumbing license. Carey worked for 4G Plumbing and Heating in Missoula prior to being elected in 2004 as business manager for Plumbers and Pipefitters Local 459.

Board of Public Accountants -- 2-15-1756

The seven-member board serves staggered 5-year terms and consists of: 4 certified public accountants, 1 licensed public accountant and 2 public members. The CPAs must be actively

engaged in the profession, and have been certified for 5 years prior to appointment. These members cannot be from the same county. The LPA also must have had a valid license for 5 years prior to appointment and public members cannot be engaged in public accounting. Members cannot serve two full five-year terms, but can be reappointed after one or more years have elapsed.

Mr. Michael Johns, PO Box 850, Deer Lodge MT 59722

Contact phone(s): 406-846-3733

Appointment date: 11/22/2005; Term ends: July 1, 2010

Qualification: Certified Public Accountant

Johns graduated from the University of Montana with a bachelor degree in business administration/accounting emphasis. He is a member of the American Institute of Certified Public Accountants and the Montana Society of Certified Public Accountants. Johns is active in the Deer Lodge and Race Track Fire Departments, the Rialto Community Theatre and the Baghdad Shrine Center.

Ms. Pamela K. Lynch, PO Box 1313, Plains MT 59859

Contact phone(s): 406-826-1984

Appointment date: 11/22/2005; Term ends: July 1, 2010

Qualification: Certified Public Accountant

Lynch earned her master's degree in business administration (major study was taxation) from CSU-Sacramento. She is a self-employed CPA and has served as secretary of the Plains Planning Board. She was a CPA in California, where she was active in the Chamber of Commerce, before she moved to Montana.

Ms. Irma Paul, 1713 Highland, Helena MT 59601

Contact phone(s): 406-443-2524

Appointment date: 11/22/2005; Term ends: July 1, 2010

Qualification: public representative

Paul is a retired state employee and volunteers at Fort Harrison VA Hospital in addition to service on the Liberty House Foundation and the VFW auxiliary. She also served for a number of years as secretary-treasurer of the Legal Secretaries Association.

Mr. Gary Kasper, PO Box 308, Fairfield MT 59436

Contact phone(s): 406-467-2410

Appointment date: 8/15/2006; Term ends: July 1, 2007

Qualification: Licensed Public Accountant

Kasper was nominated by the Montana Society of Public Accountants for this slot, after having served a full five-year term on the Board of Public Accountants. He is one of the few remaining active LPAs in Montana, and will serve a partial term for this appointment. Kasper is an active member of the MSPA and the National Society of Accountants, and has also served as

chairperson of the Fairfield Public Schools Board of Trustees.

Board of Public Education -- 2-15-1508

The board consists of seven members who serve seven-year terms. Statute requires a geographic and political party balance.

Ms. Patty Myers, 369 Carol Dr, Great Falls MT 59405

Contact phone(s): 406-268-6725 406-761-0874

Appointment date: 2/12/2007; Term ends: February 1, 2014

Qualification: District 2; Democrat

Myers is a classroom teacher in Great Falls. She has two master's degrees – one in education, curriculum and instruction, and one in technology in education, both from Lesley University in Cambridge, Massachusetts. Her undergraduate degree is from the University of Montana. Myers has been named Montana Teacher of the Year (1998), Who's Who Among America's Teachers (2004) and Distinguished Alumna for the University of Montana (2000), among numerous other awards.

Ms. Sharon Carroll, PO Box 463, Ekalaka MT 59324

Contact phone(s): 406-775-8767 406-775-6642

Appointment date: 2/12/2007; Term ends: February 1, 2012

Qualification: District 2; Independent

Carroll teaches math in Ekalaka, Montana, and received her bachelor's degree from Montana State University-Bozeman. She's active in the Montana Council of Teachers of Math and is a site director of the Southeast Regional Math Contest in Miles City. She's an officer of the Ekalaka Teachers' Association and is certified in 5-12 English and math. She is active in 4-H, has served on the local hospital board and belongs to other community organizations.

Board of Regents -- 2-15-1508

The Board of Regents requires political and geographic balance. Each member serves a 7-year term, except for the student regent who serves from one to four years (July 1-June 30). A regent may not be a member of the Board of Public Education. The student regent must be a registered, full-time student at a unit of higher education under the jurisdiction of the regents. The student regent appointment is not subject to geographic and political balance and is to be chosen from a list of 3 students submitted by a student organization designated by the Board of Regents.

Mr. Todd Buchanan, Buchanan Capital, 201 N Broadway, Billings MT 59101

Contact phone(s): 406-294-3000

Appointment date: 2/12/2007; Term ends: February 1, 2014

Qualification: District 2; Independent

Buchanan is the co-owner and financial advisor with Buchanan Capital LLC in Billings. In addition to other investment experience, Buchanan was the executive director of ZooMontana.

He graduated from Montana State University-Bozeman with a bachelor of science in business marketing. Following graduation, he spent over two years with the U.S. Peace Corps in Nicaragua as a small business development specialist. Buchanan currently serves on the board of directors for the Montana Conservation Corps, Parmlly Billings Library Foundation, Downtown Billings Association, Downtown Billings Rotary and the Magic Magazine (Lee Enterprises).

Board of Social Work Examiners and Professional Counselors -- 2-15-1744

The board is designated as a quasi-judicial board and consists of seven members. Three members must be licensed social workers, and three must be licensed professional counselors. (A person may be appointed to the board without being licensed as a professional counselor if she or he is issued a license within 30 days after appointment.) One member must be appointed from and represent the general public and may not be engaged in social work.

Ms. Sherry Meador, 68 Hill Brothers Rd, Clancy MT 59634

Contact phone(s): 406-442-1531

Appointment date: 3/8/2007; Term ends: January 1, 2011

Qualification: attorney

Meador is a private practice attorney, specializing in working with nonprofit organizations and small businesses. She received her JD from the University of Montana, and worked for the Montana Supreme Court from 1996-2003. Meador helped found the state's Court Appointed Special Advocates' program for children, and has served on the 5th Judicial District's Voice for Children since 2004.

Mr. Peter Degel, 5975 Black Bear Rd, Helena MT 59602

Contact phone(s): 406-245-6539

Appointment date: 3/8/2007; Term ends: January 1, 2011

Qualification: licensed counselor

Degel is a licensed professional counselor, and earned a doctorate in psychology from California Coast University in 1991. He currently serves as administrator for Youth Dymanics, Inc., in Billings. Degel's previous service includes an appointment to the Mental Disabilities Board of Visitors and work with the Montana Children's Initiative and other organizations.

Ms. Jill Thorngren, PO Box 5337, Bozeman MT 59717

Contact phone(s): 406-994-6489

Appointment date: 3/8/2007; Term ends: January 1, 2011

Qualification: licensed counselor

Thorngren has a Ph.D in counselor education and counseling from Idaho State University, with specializations in mental health, couple and family work, career counseling and supervision. She is an associate dean with the College of education, Health and Human Development at Montana State University-Bozeman. She is a published author and presenter at the state and national level.

State Tax Appeals Board -- 15-2-1015

The board consists of three members who serve six-year staggered terms.

Mr. Doug Kaercher, 716 Summit Ave, Havre MT 59501

Contact phone(s): 406-265-8308

Appointment date: 1/30/2007 (to commence duties March 1, 2007); Term ends: January 1, 2013

Qualification: public representative

Kaercher has served as a Hill County Commissioner since 1997. He is a past president of the Montana Association of Counties and also served on the boards of the Golden Triangle Community Mental Health Center and Bear Paw Development Corporation, as well as the Public Defender Commission. Prior to becoming a county commissioner, Kaercher was on the Havre City Council and the Hill County Study Commission, and was involved with Topflight Properties and Burnham Farms Inc. of Havre. He studied at the Helena College of Technology as an aviation maintenance technician.

MESSAGES FROM THE OTHER HOUSE

House bill passed and transmitted to the Senate for concurrence: 3/14/2007

HB 811, introduced by Wells

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments:

3/13/2007

SB 21, introduced by Larson

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments:

3/13/2007

SB 88, introduced by Hawks

Senate bill concurred in and returned to the Senate:

3/13/2007

SB 44, introduced by Larson

Senate bill concurred in and returned to the Senate:

3/13/2007

SB 59, introduced by Hansen

Senate bill concurred in and returned to the Senate:

3/13/2007

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SB 76, introduced by Gillan

Senate bill concurred in and returned to the Senate: 3/14/2007

SB 19, introduced by Shockley

Senate bill concurred in and returned to the Senate: 3/14/2007

SB 29, introduced by Smith

Senate bill concurred in and returned to the Senate: 3/14/2007

SB 30, introduced by Smith

Senate bill concurred in and returned to the Senate: 3/14/2007

SB 62, introduced by Cobb

Senate bill concurred in and returned to the Senate: 3/14/2007

SB 73, introduced by McGee

Senate bill concurred in and returned to the Senate: 3/14/2007

SB 83, introduced by Schmidt

Senate bill concurred in and returned to the Senate: 3/14/2007

SB 84, introduced by Elliott

Senate bill concurred in and returned to the Senate: 3/14/2007

SB 85, introduced by Schmidt

FIRST READING AND COMMITMENT OF BILLS

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

SB 553, introduced by Black, Lind, L. Jones, Bales, Hansen, Essmann, referred to Taxation.
SB 554, introduced by Essmann, referred to Taxation.

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

HB 695, introduced by McNutt, referred to Judiciary.

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

Senator Williams moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Gallus in the chair.

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

HB 286 - Senator Laslovich moved **HB 286** be concurred in. Motion carried as follows:

Yeas: Black, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Gallus, Gillan, Hansen, Harrington, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Moss, Murphy, Pease, Perry, Peterson, Ryan, Schmidt, Smith, Squires, Steinbeisser, Story, J.Tropila, Wanzenried, Weinberg, Williams, Mr. President.
Total 36

Nays: Bales, Balyeat, Barkus, Brown, Esp, Essmann, Gebhardt, Jackson, McGee, O'Neil, Shockley, Stapleton, M.Tropila.
Total 13

Absent or not voting: None.
Total 0

Excused: Tash.
Total 1

HJR 20 - Senator Ryan moved **HJR 20** be concurred in. Motion carried unanimously.

HB 244 - Senator Esp moved **HB 244** be concurred in. Motion carried unanimously.

HB 149 - Senator Wanzenried moved **HB 149**, second reading copy, be amended as follows:

1. Title, line 5.
Strike: "AND"

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2. Title, line 6.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 1, line 18.

Following: line 17

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

Amendment adopted unanimously.

HB 149 - Senator Wanzenried moved **HB 149**, as amended, be concurred in. Motion carried as follows:

Yeas: Brueggeman, Cobb, Cocchiarella, Curtiss, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Juneau, Kaufmann, Kitzenberg, Larson, Laslovich, Lewis, Lind, McGee, Moss, Murphy, Pease, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, J. Tropila, M. Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 34

Nays: Bales, Balyeat, Barkus, Black, Brown, Elliott, Esp, Jackson, Jent, Laible, O'Neil, Perry, Stapleton, Steinbeisser, Story.

Total 15

Absent or not voting: None.

Total 0

Excused: Tash.

Total 1

HB 145 - Senator Gillan moved **HB 145** be concurred in. Motion carried with Senator Hansen voting nay.

HB 102 - Senator Moss moved **HB 102** be concurred in. Motion carried unanimously.

HB 128 - Senator O'Neil moved **HB 128** be concurred in. Motion carried with Senator McGee voting nay.

HB 51 - Senator Hawks moved **HB 51** be concurred in. Motion carried unanimously.

HB 67 - Senator J. Tropila moved **HB 67** be concurred in. Motion carried unanimously.

HB 31 - Senator Cocchiarella moved **HB 31** be concurred in. Motion carried unanimously.

Senator Williams moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Cooney in the chair. Chairman Gallus moved the Committee of the Whole report be adopted. Report adopted unanimously.

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 62 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Brown, Brueggeman, Cobb, Cocchiarella, Curtiss, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Moss, Murphy, O'Neil, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 48

Nays: McGee.

Total 1

Absent or not voting: None.

Total 0

Excused: Tash.

Total 1

HB 13 passed as follows:

Yeas: Brueggeman, Cocchiarella, Gallus, Gillan, Hansen, Harrington, Hawks, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Moss, Murphy, Pease, Peterson, Ryan, Schmidt, Smith, Squires, Steinbeisser, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams, Mr. President.

Total 31

Nays: Bales, Balyeat, Barkus, Black, Brown, Cobb, Curtiss, Elliott, Esp, Essmann, Gebhardt, Jackson, McGee, O'Neil, Perry, Shockley, Stapleton, Story, Tash.

Total 19

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Paired: Brueggeman, Aye; Tash, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 65 passed as follows:

Yeas: Bales, Balyeat, Black, Brown, Brueggeman, Cobb, Cocchiarella, Elliott, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Harrington, Hawks, Jackson, Jent, Juneau, Kaufmann, Kitzenberg, Laible, Larson, Laslovich, Lewis, Lind, Moss, Murphy, Pease, Perry, Peterson, Ryan, Schmidt, Shockley, Smith, Squires, Stapleton, Steinbeisser, Story, J.Tropila, M.Tropila, Wanzenried, Weinberg, Williams.

Total 44

Nays: Barkus, Curtiss, McGee, O'Neil.

Total 4

Absent or not voting: Mr. President.

Total 1

Excused: Tash.

Total 1

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Williams moved that the Senate adjourn until 1:00 p.m., Thursday, March 15, 2007. Motion carried.

Senate adjourned at 2:31 p.m.

JOHN MUDD
Secretary of the Senate

MIKE COONEY
President of the Senate