

**HOUSE JOURNAL
61ST LEGISLATURE
FORTY-FIRST LEGISLATIVE DAY**

Helena, Montana
February 21, 2009

House Chambers
State Capitol

House convened at 8:00 p.m. Mr. Speaker in the Chair. Invocation by Rep. Reichner. Pledge of Allegiance to the Flag.

Roll Call. All members present. Except for Representatives Blewett, Butcher and Nooney who were excused. Quorum present.

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 12 passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 99

Nays: Butcher.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 103 passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 98

Nays: Morgan.

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Total 1

Excused: None.

Total 0

Absent or not voting: Stahl.

Total 1

HB 386 passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 97

Nays: More, Wagner.

Total 2

Excused: None.

Total 0

Absent or not voting: Hoven.

Total 1

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Jopek, Chairman):

2/21/2009

HB 418, do pass. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Noonan, Chairman):

2/21/2009

HB 584, do pass. Report adopted.

HB 593, introduced bill, be amended as follows:

1. Page 1, line 27.

Following: the second "material"

Insert: ", unless otherwise agreed to in writing by the property owner and the person conducting the remedial action"

2. Page 2, line 2.

Following: "action"

Insert: "on property owned by another"

3. Page 2, line 5.

Following: "chapter 4"

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Insert: ", or that were constructed prior to January 1, 2007"

4. Page 3, line 6.

Following: "apply"

Insert: "to reclamation of an abandoned mine site pursuant to 82-4-371 or"

5. Page 3, line 7.

Following: "part 7,"

Strike: "or"

6. Page 3, line 8.

Following: "part 4"

Insert: ", or a permit issued for reclamation of a mine site pursuant to Title 82, chapter 4, part 3"

And, as amended, do pass. Report adopted.

HUMAN SERVICES (Becker, Chairman):

2/21/2009

HB 399, do pass. Report adopted.

HB 530, do pass. Report adopted.

HB 578, do pass. Report adopted.

HJR 25, be adopted. Report adopted.

HJR 29, be adopted. Report adopted.

LOCAL GOVERNMENT (Arntzen, Chairman):

2/21/2009

HB 466, introduced bill, be amended as follows:

1. Page 1, line 16.

Strike: "15 working days"

Insert: "120 hours"

2. Page 1, line 20.

Strike: "30 days"

Insert: "240 hours"

And, as amended, do pass. Report adopted.

HB 486, introduced bill, be amended as follows:

1. Title, line 10 through line 11.

Strike: "7-2-4303" on line 10 through "7-2-4608," on line 11

2. Page 1, line 17 through page 2, line 9.

Strike: section 1 through section 3 in their entirety

Renumber: subsequent sections

3. Page 13, line 9.

Following: "30"

Insert: "working"

And, as amended, do pass. Report adopted.

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HB 522, introduced bill, be amended as follows:

1. Page 1, line 20.

Following: "chapter 2."

Insert: "A local governing body may determine that a mortgage tract or remaining parcel created upon foreclosure is a legal nonconforming parcel in applicable zoning regulations adopted under Title 76, chapter 2."

And, as amended, do pass. Report adopted.

HB 545, introduced bill, be amended as follows:

1. Page 2, line 28.

Following: "v"

Strike: "one" through "by"

Insert: "at the discretion of "

2. Page 2, line 29.

Following: "(4)(a)(ii)"

Insert: ", one resident taxpayer appointed by each of the three county officials for terms of 3 years"

And, as amended, do pass. Report adopted.

HB 623, introduced bill, be amended as follows:

1. Page 1, line 12.

Strike: "in case of"

Insert: "--"

2. Page 1, lines 14 and 15.

Following: "may" on line 14

Strike: ":", on line 14 through "(a)" on line 15

3. Page 1, line 16.

Strike: "; or"

Insert: "."

4. Page 1, line 17.

Strike: "(b)"

Insert: "(2) In lieu of the procedure in subsection (1), the board of county commissioners may"

5. Page 1, line 19.

Strike: "(i)"

Insert: "(a)"

Renumber: subsequent subsections

6. Page 1, line 27.

Strike: "(2)"

Insert: "(3)"

Strike: "(1)(b)"

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Insert: "(2)"

7. Page 3, line 14.

Following: "used to"

Insert: "permanently"

Strike: "permanent"

And, as amended, do pass. Report adopted.

TRANSPORTATION (Sonju, Chairman):

2/21/2009

HB 536, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/21/2009

SB 224, introduced by R. Brown

SB 323, introduced by Erickson

SB 330, introduced by Moss

SB 375, introduced by J. Peterson

SB 390, introduced by McGee

SB 392, introduced by Brueggeman

SB 394, introduced by Bales

SB 395, introduced by Gebhardt

SB 400, introduced by Laslovich

SB 401, introduced by Laslovich

SB 405, introduced by Moss

SB 437, introduced by Perry

Senate joint resolution passed and transmitted to the House for concurrence:

2/21/2009

SJR 22, introduced by Zinke

SB 46, introduced by McGee, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted to the House with the following vote:

2/21/2009

Yeas - 28

Nays - 22

FIRST READING AND COMMITMENT OF BILLS

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

HB 635, introduced by McChesney, referred to Appropriations.

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

SB 46, introduced by McGee, referred to Judiciary.

SB 224, introduced by R. Brown, Esp, referred to Appropriations.

SB 323, introduced by Erickson, Kottel, referred to Judiciary.

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SB 330, introduced by Moss, referred to Human Services.
SB 375, introduced by J. Peterson, referred to Business and Labor.
SB 390, introduced by McGee, Ripley, referred to Local Government.
SB 392, introduced by Brueggeman, referred to Natural Resources.
SB 394, introduced by Bales, referred to State Administration.
SB 395, introduced by Gebhardt, referred to Business and Labor.
SB 400, introduced by Laslovich, referred to Judiciary.
SB 401, introduced by Laslovich, referred to Human Services.
SB 405, introduced by Moss, referred to Judiciary.
SB 437, introduced by Perry, Story, McNutt, Cohenour, referred to Fish, Wildlife and Parks.

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

SJR 22, introduced by Zinke, referred to Appropriations.

Mr. Speaker thanked everyone for their hard work and their dedication to the process. He personally thanked Rep. Sales, Mendenhall, and McGillvray for their cooperation across the isle and their ability to communicate with the Democratic leadership in order to keep everything running smoothly.

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

Majority Leader Campbell moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hoven in the chair.

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

HB 194 - Representative Mendenhall moved **HB 194** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 98

Nays: None.

Total 0

Excused: Butcher, Howard.

Total 2

Absent or not voting: None.

Total 0

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HB 420 - Representative Reinhart moved **HB 420** do pass. Motion carried as follows:

y, Arntzen, Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blewett, Boland, Boss Ribs, Brown, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Steenson, Vance, Van Dyk, Villa, Vincent, Wagner, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 75

Nays: Bean, Blasdel, Boniek, Hawk, Hendrick, Himmelberger, Kasten, Kerns, Lake, McGillvray, Mendenhall, Miller, More, Morgan, Randall, Sales, Smith, Sonju, Stoker, Taylor, Warburton, Welborn.

Total 22

Excused: Butcher, Howard.

Total 2

Absent or not voting: Stahl.

Total 1

HB 432 - Representative Mehlhoff moved **HB 432** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, Miller, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Sonju, Stahl, Steenson, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 91

Nays: McGillvray, Mendenhall, More, Sales, Smith, Stoker.

Total 6

Excused: Butcher, Howard.

Total 2

Absent or not voting: McAlpin.

Total 1

HB 490 - Representative Van Dyk moved **HB 490** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, B. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boss Ribs, Brown, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

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Total 89

Nays: Bean, Boniek, Hawk, Lake, Mendenhall, Sales, Wagner, Warburton.

Total 8

Excused: Butcher, Howard.

Total 2

Absent or not voting: P. Beck.

Total 1

HB 515 - Representative McAlpin moved **HB 515** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boss Ribs, Brown, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 94

Nays: Boniek, Mendenhall, Peterson, Randall.

Total 4

Excused: Butcher, Howard.

Total 2

Absent or not voting: None.

Total 0

HB 531 - Rep. Campbell moved to pass consideration for the day on **HB 531**. Motion carried.

HB 544 - Representative Vincent moved **HB 544** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 97

Nays: None.

Total 0

Excused: Butcher, Howard.

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Total 2

Absent or not voting: Hands.

Total 1

HB 563 - Rep. Campbell moved to pass consideration for the day on **HB 563**. Motion carried.

HB 567 - Representative Sonju moved **HB 567** do pass. Motion carried as follows:

Yeas: Arntzen, Augare, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 95

Nays: None.

Total 0

Excused: Butcher, Howard.

Total 2

Absent or not voting: Ankney, Barrett, Ingraham.

Total 3

HJR 22 - Representative O'Hara moved **HJR 22** be adopted. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 92

Nays: Hawk, Kasten, Kerns, Lake, Mendenhall, Sales.

Total 6

Excused: Butcher, Howard.

Total 2

Absent or not voting: None.

Total 0

Majority Leader Campbell moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Hoven moved the Committee of the Whole report be adopted. Report adopted

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as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Boland, Boss Ribs, Brown, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 92

Nays: Boniek, McGillvray.

Total 2

Excused: Blewett, Butcher, Howard, Nooney.

Total 4

Absent or not voting: Hawk, Hoven.

Total 2

MOTIONS

Rep. Campbell moved that **HB 12** be moved to the Appropriations Committee. Motion carried.

Rep. Campbell moved that **HB 85** be moved to the Appropriations Committee. Motion carried.

REPORTS OF STANDING COMMITTEES

HUMAN SERVICES (Becker, Chairman):

2/21/2009

HB 453, introduced bill, be amended as follows:

1. Page 2, line 20.

Following: "resources"

Insert: "and using existing personnel"

And, as amended, do pass. Report adopted.

EDUCATION (Grinde, Chairman):

2/21/2009

HB 512, do pass. Report adopted.

HB 611, do pass. Report adopted.

NATURAL RESOURCES (Milburn, Chairman):

2/21/2009

HB 402, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "TO 500,000 ACRES"

2. Page 1, line 13.

Strike: "500,000"

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Insert: "250,000"

And, as amended, do pass. Report adopted.

HB 425, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "HEARINGS"

Insert: "MEETINGS"

2. Page 1, line 13.

Following: "(2)"

Insert: "(a)"

Strike: "40"

Insert: "77"

3. Page 1.

Following: line 14

Insert: "(b) Upon receipt of a nomination by the department, the location of the tracts is public information."

4. Page 1, line 16.

Strike: "a description of each tract"

Insert: "the number of tracts in each county"

5. Page 1, line 18.

Strike: "70"

Insert: "not less than 63"

6. Page 1, line 19.

Strike: "at least twice not more than"

Insert: "between 21 days and"

7. Page 1, line 22.

Strike: "a description and an area map"

Insert: "the number"

Following: "county"

Insert: "and notice that a description and maps of tracts nominated are available on the department's website"

8. Page 1.

Following: line 22

Insert: "(5) The department shall publish on its website a description and maps of tracts to be offered for sale."

Renumber: subsequent subsections

9. Page 1, line 23 through line 29.

Strike: subsection (5) in its entirety

Insert: " (6) (a) Except as provided in subsection (6)(b), the department shall provide notice by first-class mail to the surface owner of a tract being offered for sale using the most current known property owners of record as shown in the records of the county clerk and recorder of the county where the tract is located.

(b) The notice in subsection (6)(a) is not required if the surface is managed by the department pursuant to

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Title 77, chapter 1."

10. Page 1, line 30.

Strike: "(5)"

Insert: "(6)"

11. Page 2, line 1.

Following: "offered for sale"

Insert: "that initiated the notice requirements of subsection (6)"

12. Page 2, line 5.

Strike: "hearing"

Insert: "meeting"

Strike: "hearings"

Insert: "meetings"

13. Page 2, line 7.

Strike: "hearing"

Insert: "meeting"

And, as amended, do pass. Report adopted.

HB 557, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "AND"

2. Title, line 6.

Following: "MCA"

Insert: "; AND PROVIDING AN APPLICABILITY DATE"

3. Page 1, line 11.

Following: "systems"

Insert: "established by a regional water authority pursuant to Title 75, chapter 6, part 3"

4. Page 1, line 12.

Strike: "development"

Insert: "construction"

Following: "regional"

Insert: "public"

Following: "water"

Insert: "supply"

5. Page 1, line 13.

Strike: "development"

Insert: "construction"

6. Page 1, line 15.

Strike: "application"

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Insert: "approval"

Strike: "for the development period of the project"

Insert: "that may not be subject to change for 72 months"

7. Page 1, line 16 through line 17.

Strike: "the development" on line 16 through "project" on line 17

Insert: "72 months"

8. Page 1, line 18.

Following: "approval of"

Insert: "an individual regional water supply system's"

Following: "standard construction"

Strike: "specifications"

Insert: "contract documents and provisions for amendments to those documents to remain in effect"

Strike: "development"

Insert: "construction"

9. Page 1, line 19.

Following: "storage"

Insert: "pumping"

10. Page 1, line 20.

Following: "regional"

Insert: "public"

Following: "water"

Insert: "supply"

Strike: "20 working"

Insert: "60 calendar"

11. Page 1, line 22 through line 24.

Strike: subsection (3) in its entirety

Renumber: subsequent subsection

12. Page 1, line 26.

Following: "regional"

Insert: "public"

Following: "water"

Insert: "supply"

13. Page 3.

Following: line 9

Insert: "NEW SECTION. **Section 4. Applicability.** [This act] applies to plans and specifications for a regional public water supply system submitted after [the effective date of this act]."

And, as amended, do pass. Report adopted.

TRANSPORTATION (Sonju, Chairman):

2/21/2009

HB 526, introduced bill, be amended as follows:

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1. Title, page 1, line 4.

Following: "USE OF"

Insert: "CERTAIN"

2. Page 1, line 9.

Following: "Use of"

Insert: "certain"

Strike: the second "salt"

Insert: "magnesium chloride or calcium chloride"

3. Page 1, line 12.

Following: "Use of"

Insert: "certain"

Strike: the second "salt"

Insert: "magnesium chloride or calcium chloride"

4. Page 1, line 15.

Following: "Use of"

Insert: "certain"

Strike: the second "salt"

Insert: "magnesium chloride or calcium chloride"

And be amended as follows:

1. Title, page 1, line 5.

Strike: "DURING THE WINTER MONTHS"

2. Page 1, line 10.

Strike: "during the winter months"

3. Page 1, line 13.

Strike: "during the winter months"

4. Page 1, line 16.

Strike: "during the winter months"

And, as amended, do pass. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Campbell moved that the House adjourn until 1:00 p.m., Monday, February 23, 2009. Motion carried.

House adjourned at 8:38 p.m.

DAVE HUNTER

BOB BERGREN

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Chief Clerk of the House

Speaker of the House