

**HOUSE JOURNAL  
61ST LEGISLATURE  
FIFTIETH LEGISLATIVE DAY**

Helena, Montana  
March 6, 2009

House Chambers  
State Capitol

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

Roll Call. All members present, except Rep. Nooney, excused. Quorum present.

Rep. French introduced Jason Deshaw, a native Montana country singer songwriter. He preformed a song for the body.

Rep. Pomnichowski updated the body on the Bozeman explosion and fire that destroyed 5 buildings and gave praise to all who were involved in the emergency response effort.

Mr. Speaker recognized and thanked the pages for the week.

**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:

**SB 18** concurred in 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, 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 99

Nays: None.

Total 0

Excused: Nooney.

Total 1

Absent or not voting: None.

Total 0

**SB 23** concurred in 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,

HOUSE JOURNAL  
FIFTIETH LEGISLATIVE DAY - MARCH 6, 2009

Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, 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, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 96

Nays: Mendenhall, Sales, Wagner.  
Total 3

Excused: Nooney.  
Total 1

Absent or not voting: None.  
Total 0

**SB 42** concurred in as follows:

Yeas: Ankney, Augare, Barrett, P. Beck, Becker, Belcourt, Berry, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Howard, Hunter, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, Morgan, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roundstone, Sands, Sesso, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 70

Nays: Arntzen, Bean, B. Beck, Bennett, Blasdel, Boniek, Brown, Butcher, Hawk, Hendrick, Hoven, Ingraham, Kasten, Kerns, Lake, Mendenhall, Miller, More, Randall, Roberts, Sales, Smith, Sonju, Vincent, Wagner, Warburton, Washburn, Welborn.  
Total 28

Excused: Nooney.  
Total 1

Absent or not voting: Stahl.  
Total 1

**SB 53** concurred in as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, Berry, Blewett, Boland, Boss Ribs, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, More, Morgan, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Wagner, Warburton, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 79

Nays: Bean, Bennett, Blasdel, Boniek, Brown, Hawk, Hendrick, Hoven, Howard, Kasten, Kerns, Lake, Mendenhall, Miller, Randall, Reichner, Sales, Sonju, Vincent, Welborn.  
Total 20

HOUSE JOURNAL  
FIFTIETH LEGISLATIVE DAY - MARCH 6, 2009

Excused: Nooney.  
Total 1

Absent or not voting: None.  
Total 0

**SB 88** concurred in as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, Miller, 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, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 89

Nays: Bennett, Brown, Hawk, Kerns, Lake, MacLaren, Mendenhall, More, Wagner.  
Total 9

Excused: Nooney.  
Total 1

Absent or not voting: Klock.  
Total 1

**SB 117** concurred in 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, 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 99

Nays: None.  
Total 0

Excused: Nooney.  
Total 1

Absent or not voting: None.  
Total 0

**SB 130** concurred in as follows:

HOUSE JOURNAL  
FIFTIETH LEGISLATIVE DAY - MARCH 6, 2009

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, 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 99

Nays: None.

Total 0

Excused: Nooney.

Total 1

Absent or not voting: None.

Total 0

**SB 152** concurred in 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, 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, 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 97

Nays: Hawk, Sales.

Total 2

Excused: Nooney.

Total 1

Absent or not voting: None.

Total 0

**COMMUNICATIONS AND PETITIONS**

The House journals from legislative days 24 - 35 have been found to be correct and have been filed with the Secretary of State

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Jopek, Chairman):

3/6/2009

**HB 290**, do pass. Report adopted.

**STATE INTERNET/BBS COPY**

HOUSE JOURNAL  
FIFTIETH LEGISLATIVE DAY - MARCH 6, 2009

**HB 416**, do pass. Report adopted.

**HB 478**, do pass. Report adopted.

**BUSINESS AND LABOR** (Wilson, Chairman):

3/6/2009

**SB 47**, be amended as follows:

1. Title, page 1, line 5.

**Strike:** "ALLOW"

**Insert:** "REQUIRE"

2. Page 1, line 17.

**Following:** "(1)"

**Insert:** "(a)"

**Strike:** "The"

**Insert:** "Except as provided in subsection (1)(b), the"

**Strike:** "may"

**Insert:** "shall"

3. Page 1, line 19.

**Strike:** "(a)"

**Insert:** "(i)"

**Renumber:** subsequent subsections

4. Page 1.

**Following:** line 25

**Insert:** "(b) A denial is not required pursuant to subsection (1)(a)(ii) if the department finds that the applicant dismissed the employee promptly upon learning of the employee's conviction involving fraud or financial dishonesty or of civil judgments involving fraudulent or dishonest financial dealings by the employee."

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

**SB 54**, be amended as follows:

1. Title, page 1, line 6.

**Strike:** "ALLOW"

**Insert:** "REQUIRE"

2. Page 1, line 22.

**Following:** "(1)"

**Insert:** "(a)"

**Strike:** "The"

**Insert:** "Except as provided in subsection (1)(b), the"

**Strike:** "may"

**Insert:** "shall"

3. Page 1, line 24.

HOUSE JOURNAL  
FIFTIETH LEGISLATIVE DAY - MARCH 6, 2009

**Strike:** "(a)"

**Insert:** "(i)"

**Renumber:** subsequent subsections

4. Page 2.

**Following:** line 8

**Insert:** "(b) A denial is not required pursuant to subsection (1)(a)(ii) if the department finds that the applicant dismissed the employee promptly upon learning of the employee's conviction involving fraud or financial dishonesty or of civil judgments involving fraudulent or dishonest financial dealings by the employee."

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

**JUDICIARY** (Stoker, Chairman):

3/6/2009

**SB 182**, be concurred in. Report adopted.

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

3/6/2009

**HB 449**, introduced bill, be amended as follows:

1. Title, line 10.

**Following:** "WATER AND SEWER DISTRICT;"

**Insert:** "CLARIFYING THE LEVY OF DISTRICT WATER OR SEWER TAX TO PAY EXPENSES OF OR CLAIMS AGAINST THE DISTRICT;"

2. Title, line 11.

**Following:** "CLARIFYING THE"

**Insert:** "ACCOUNTS FOR DEPOSIT OF PROCEEDS OF, AND THE"

3. Title, line 12.

**Following:** "PREMIUMS ON"

**Insert:** ", "

4. Title, line 16.

**Following:** "7-13-2301,"

**Insert:** "7-13-2302,"

5. Page 3, line 28 through line 29.

**Strike:** lines 28 and 29 in their entirety

**Insert:** "the owners of property in the proposed district to be assessed for more than 50% of the cost of the proposed program or improvements as determined by the method or methods of assessment described in the resolution of intention"

6. Page 7.

**Following:** line 7

**Insert:** "**Section 7.** Section 7-13-2302, MCA, is amended to read:

**"7-13-2302. Levy of taxes to meet bond obligations and other expenses.** (1) If for any reason the revenue of the district is inadequate to pay the interest or principal of any bonded debt as it becomes due, exclusive of revenue or special assessment bonded indebtedness incurred pursuant to 7-13-2333 or bonded indebtedness incurred to refund the revenue or special assessment bonded indebtedness without authorization at an election, or any other expenses or claims against the district, then the board of directors shall, at least 15 days before the first day of the

HOUSE JOURNAL  
FIFTIETH LEGISLATIVE DAY - MARCH 6, 2009

month in which the board of county commissioners of the county, city and county, or counties in which the district is located are required by law to levy the amount of taxes required for county or city and county purposes, furnish to the board or boards of county commissioners and to the auditor or auditors, respectively, an estimate in writing:

(a) of the amount of money required by the district for the payment of the principal of or interest on any bonded debt as it becomes due;

(b) of the amount of money required to establish reasonable reserve funds for either purpose, together with a description of the lands benefited by the bonds, as stated by the board of directors in the resolution declaring the necessity to incur bonded indebtedness; and

(c) of the amount of money required by the district for any other purpose set forth in this section.

(2) The board of county commissioners of the county or city and county, annually, at the time and in the manner of levying other county or city and county taxes, shall:

(a) until any bonded debt is fully paid, levy upon the benefited lands and collect the proportionate share to be borne by the land located in their county of a tax sufficient for the payment of the bonded debt, to be known as the ..... district bond tax; and

(b) until all other expenses or claims are fully paid, levy upon all of the lands of the district and collect the proportionate share to be borne by the land located in their county of a tax sufficient for the payment of the ~~bonded debt~~ other expenses or claims, to be known as the ..... district water and/or sewer tax.

(3) Taxes for the payment of any bonded debt must be levied on the property benefited, as stated by the board of directors in the resolution declaring the necessity for the bonds, and all taxes for other purposes must be levied on all property in the territory comprising the district."

**Renumber:** subsequent sections

7. Page 8, line 8.

**Following:** "projects account"

**Insert:** "or in a separate general obligation bond or note account created in the state special revenue fund established in 17-2-102"

And, as amended, do pass. Report adopted.

**SB 255**, be concurred in. Report adopted.

**SB 262**, be concurred in. Report adopted.

**SB 296**, be concurred in. Report adopted.

**SB 390**, be concurred in. Report adopted.

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

3/6/2009

**SB 49**, be amended as follows:

1. Title, page 1, line 7.

**Following:** "AN"

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

2. Page 2, line 17.

**Insert:** "NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval."

**Renumber:** subsequent section

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

**SB 196**, be concurred in. Report adopted.

**SB 331**, be concurred in. Report adopted.

HOUSE JOURNAL  
FIFTIETH LEGISLATIVE DAY - MARCH 6, 2009

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 643**, introduced by Furey, Caferro, Fleming, French, McAlpin, referred to Appropriations.

**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 Belcourt in the chair.

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

**SB 35** - Representative Driscoll moved **SB 35** be concurred in. 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, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, 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, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wiseman, Mr. Speaker.  
Total 96

Nays: None.  
Total 0

Excused: Nooney.  
Total 1

Absent or not voting: Himmelberger, Van Dyk, Wilson.  
Total 3

**SB 40** - Representative Kottel moved **SB 40** be concurred in. 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, 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, Mehlhoff, Menahan, Milburn, Miller, Morgan, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, 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 94

Nays: Mendenhall, More, Reichner, Wagner.  
Total 4



HOUSE JOURNAL  
FIFTIETH LEGISLATIVE DAY - MARCH 6, 2009

Excused: Nooney.  
Total 1

Absent or not voting: McNutt.  
Total 1

**SB 78** - Representative Ingraham moved **SB 78** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, 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, Morgan, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman.  
Total 93

Nays: B. Beck, Reichner, Sales, Sonju, Vincent, Mr. Speaker.  
Total 6

Excused: Nooney.  
Total 1

Absent or not voting: None.  
Total 0

**SB 90** - Representative Ingraham moved **SB 90** be concurred in. 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, 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, McChesney, McClafferty, McGillvray, 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 98

Nays: McAlpin.  
Total 1

Excused: Nooney.  
Total 1

Absent or not voting: None.  
Total 0

**SB 98** - Representative MacLaren moved **SB 98** be concurred in. Motion carried as follows:

HOUSE JOURNAL  
FIFTIETH LEGISLATIVE DAY - MARCH 6, 2009

Yeas: Arntzen, Augare, Barrett, P. Beck, Belcourt, Berry, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Hoven, Hunter, Jopek, Kasten, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, A. Noonan, P. Noonan, Pease-Lopez, Phillips, Reinhart, Roundstone, Sands, Sesso, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 54

Nays: Ankney, Bean, B. Beck, Becker, Bennett, Blasdel, Boniek, Brown, Butcher, Glaser, Hawk, Himmelberger, Hollandsworth, Howard, Ingraham, Jones, Kerns, Klock, Lake, McGillvray, McNutt, Mendenhall, Milburn, Miller, More, Morgan, O'Hara, Peterson, Pomnichowski, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.

Total 45

Excused: Nooney.

Total 1

Absent or not voting: None.

Total 0

**SB 140** - Representative Menahan moved **SB 140** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, P. Beck, Becker, Belcourt, Blewett, Boland, Boss Ribs, Brown, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, Morgan, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Sesso, Stahl, Steenson, Stoker, Taylor, Van Dyk, Villa, Warburton, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 68

Nays: Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Butcher, Hawk, Hollandsworth, Howard, Kasten, Kerns, Lake, McGillvray, McNutt, Mendenhall, Milburn, Miller, More, Peterson, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Vance, Vincent, Wagner, Welborn.

Total 31

Excused: Nooney.

Total 1

Absent or not voting: None.

Total 0

**SB 215** - Representative Menahan moved **SB 215** be concurred in. 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, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, 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, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

HOUSE JOURNAL  
FIFTIETH LEGISLATIVE DAY - MARCH 6, 2009

Total 96

Nays: Hawk, Kasten, Sales.  
Total 3

Excused: Nooney.  
Total 1

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

Yeas: Ankney, Augare, Barrett, Bean, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, 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, More, Morgan, A. Noonan, P. Noonan, 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, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 93

Nays: Boniek, Miller, Sales, Vincent.  
Total 4

Excused: Nooney.  
Total 1

Absent or not voting: Arntzen, B. Beck.  
Total 2

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Representative Campbell moved that the House adjourn until 10:30 a.m., Saturday, March 7, 2009. Motion carried.

House adjourned at 2:14 p.m.

DAVE HUNTER  
Chief Clerk of the House

BOB BERGREN  
Speaker of the House