

**HOUSE JOURNAL  
61ST LEGISLATURE  
FIFTY-FIFTH LEGISLATIVE DAY**

Helena, Montana  
March 12, 2009

House Chambers  
State Capitol

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

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

**REPORTS OF STANDING COMMITTEES**

**APPROPRIATIONS** (Sesso, Chairman):

3/12/2009

**HB 12**, do pass. Report adopted.

**HB 85**, introduced bill, be amended as follows:

1. Title, lines 8 and 9.

**Following:** "RULES;" on line 8

**Strike:** remainder of line 8 through "ACCOUNT;" on line 9

**Strike:** "STATUTORY"

**Insert:** "CONTINGENT"

2. Title, line 10.

**Strike:** "AMENDING SECTION 17-7-502, MCA;"

3. Page 1, line 21.

**Strike:** "10"

**Insert:** "8"

4. Page 1, line 25.

**Strike:** "this chapter"

**Insert:** "[sections 1 through 8]"

5. Page 5, line 10.

**Insert:** "(6) Five percent of the annual appropriation for the program must be held in reserve each year to be distributed for emergency purposes only as provided in [section 8]."

6. Page 5, line 27.

**Following:** "from the"

**Insert:** "appropriation for the"

7. Page 5, line 28.

**Strike:** "account established in [section 8]"

**Insert:** "program"

8. Page 6, line 17.

**Strike:** "10"

**Insert:** "8"

9. Page 6, line 26 through page 7, line 5.

**Strike:** section 8 in its entirety

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 12, 2009

**Renumber:** subsequent sections

10. Page 7, line 15 through page 8, line 28.

**Strike:** sections 10 and 11 in their entirety

**Insert:** "COORDINATION SECTION. **Section 9. Coordination instruction.** If House Bill No. 2 is not passed and approved or if House Bill No. 2 does not contain an appropriation of \$1 million for each fiscal year for the purposes of [this act], then there is appropriated from the highway nonrestricted account provided for in 15-70-125 to the department of transportation the difference between \$1 million in each fiscal year and the amount appropriated in House Bill No. 2 for the purposes of [this act]."

11. Page 9, line 3.

**Strike:** "10"

**Insert:** "8"

12. Page 10, line 5.

**Strike:** "10"

**Insert:** "8"

And, as amended, do pass. Report adopted.

**HB 135**, do pass. Report adopted.

**HB 143**, introduced bill, be amended as follows:

1. Title, page 1, line 6 through line 7.

**Strike:** "PROVIDING A STATUTORY" on line 6 through "MCA;" on line 7

2. Page 1, line 18.

**Following:** "entities"

**Insert:** ", "

**Strike:** "or"

3. Page 1, line 19.

**Following:** "practices"

**Insert:** ", or churches"

4. Page 2, line 25.

**Strike:** "." through "must"

**Insert:** "to"

5. Page 2, line 29 through page 4, line 1.

**Strike:** section 6 in its entirety

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**HB 161**, do pass. Report adopted.

**HB 211**, introduced bill, be amended as follows:

1. Title, line 4.

**Strike:** "VENDOR"

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 12, 2009

**Insert:** "LICENSEE"

2. Title, line 7.

**Strike:** "VENDORS"

**Insert:** "LICENSEES"

**Strike:** "A DEFENSE"

**Insert:** "PROTECTION"

3. Page 1, line 17.

**Strike:** "Vendor"

**Insert:** "Licensee"

4. Page 1, line 22.

**Strike:** "vendors"

**Insert:** "licensees"

5. Page 1, line 24.

**Strike:** "vendors"

**Insert:** "licensees"

6. Page 1, line 25.

**Strike:** "vendors"

**Insert:** "licensees"

7. Page 1, line 28.

**Strike:** "Vendor"

**Insert:** "Licensee"

**Strike:** ""vendor""

**Insert:** ""licensee""

8. Page 2, line 3.

**Strike:** "vendor"

**Insert:** "licensee"

**Strike:** "vendors"

**Insert:** "licensees"

9. Page 2, line 5.

**Strike:** "vendor"

**Insert:** "licensee"

10. Page 2, line 6.

**Strike:** the first "vendor"

**Insert:** "licensee"

**Strike:** the second "vendor"

**Insert:** "licensee"

11. Page 2, line 11.

**Strike:** "vendor"

**Insert:** "licensee"

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 12, 2009

12. Page 2, line 25.

**Strike:** the first "vendor's"

**Insert:** "licensee's"

**Strike:** the second "vendor's"

**Insert:** "licensee's"

13. Page 2, line 28.

**Strike:** "vendor"

**Insert:** "licensee"

14. Page 2, line 29.

**Strike:** "vendor"

**Insert:** "licensee"

15. Page 2, line 30.

**Strike:** "vendor"

**Insert:** "licensee"

16. Page 3, line 1.

**Strike:** the first "vendor"

**Insert:** "licensee"

**Strike:** the second "vendor"

**Insert:** "licensee"

17. Page 3, line 4.

**Strike:** "VENDOR"

**Insert:** "licensee"

18. Page 3, line 5.

**Strike:** the first "VENDOR'S"

**Insert:** "licensee's"

**Strike:** the second "VENDOR'S"

**Insert:** "licensee's"

19. Page 3, line 11.

**Strike:** "defense"

**Insert:** "protection"

20. Page 3, line 12.

**Strike:** "vendor"

**Insert:** "licensee"

21. Page 3, line 16.

**Strike:** "vendor"

**Insert:** "licensee"

22. Page 4, line 2.

**Strike:** "vendors"

**Insert:** "licensees"

**Strike:** "defense"

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 12, 2009

**Insert:** "protection"

23. Page 4, line 20.

**Strike:** "vendor"

**Insert:** "licensee"

24. Page 4, line 30.

**Strike:** "vendor"

**Insert:** "licensee"

**Strike:** "defense"

**Insert:** "protection"

25. Page 5.

**Following:** line 3

**Insert:** "NEW SECTION. Section 10. No appropriation. It is the intent of the legislature that the requirements of [this act] be conducted within existing levels of funding."

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**HB 216**, do pass. Report adopted.

**HB 224**, introduced bill, be amended as follows:

1. Page 1, line 14.

**Following:** "hospital"

**Insert:** "who applies for the program and submits proof of the balance related to loans for nursing education"

2. Page 1.

**Following:** line 16

**Insert:** "(c) An individual with a loan balance of less than \$1,000 is not eligible for the program provided for in this section."

3. Page 1, line 23.

**Following:** "**Appropriation.**"

**Insert:** "(1)"

4. Page 1.

**Following:** line 25

**Insert:** "(2) The appropriation may not be spent on administrative costs related to the institutional nursing incentive program."

And, as amended, do pass. Report adopted.

**HB 262**, do pass. Report adopted.

**HB 315**, do pass. Report adopted.

**HB 356**, do pass. Report adopted.

**HB 440**, introduced bill, be amended as follows:

1. Page 1, line 10.

**Strike:** "any member"

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 12, 2009

**Insert:** "a majority of the members"

2. Page 1, line 14.

**Following:** "statement"

**Strike:** ", whenever possible, must"

**Insert:** "may"

3. Page 1, line 17.

**Following:** "business."

**Insert:** "The requester of the small business impact statement shall direct the preparer of the small business impact statement regarding the type of business and the areas of potential impact to be covered by the small business impact statement."

4. Page 1, line 22.

**Strike:** "50"

**Insert:** "20"

And, as amended, do pass. Report adopted.

**HB 499**, do pass. Report adopted.

**HB 585**, do pass. Report adopted.

**HB 635**, do pass. Report adopted.

**SJR 22**, be concurred in. Report adopted.

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

3/12/2009

**SB 141**, be concurred in. Report adopted.

**SB 269**, be amended as follows:

1. Page 6, line 25.

**Strike:** "department"

**Insert:** "board"

2. Page 7, line 8.

**Strike:** "(1)(e)"

**Insert:** "(2)(e)"

3. Page 8, line 1.

**Following:** "safety"

**Strike:** "in"

**Insert:** "as those practices apply to"

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

**JUDICIARY** (Stoker, Chairman):

3/12/2009

**SB 197**, be concurred in. Report adopted.

**SB 209**, be concurred in. Report adopted.

**SB 250**, be concurred in. Report adopted.

**SB 323**, be concurred in. Report adopted.

**SB 340**, be concurred in. Report adopted.

**SB 341**, be concurred in. Report adopted.

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 12, 2009

**SB 368**, be concurred in. Report adopted.

**TAXATION** (Lake, Chairman):

3/12/2009

**HB 360**, do pass. Report adopted.

**HB 413**, introduced bill, be amended as follows:

1. Title, page 1, line 7.

**Strike:** "UP TO \$50 MILLION"

**Insert:** "A PORTION"

2. Page 1, line 29.

**Following:** "(b)"

**Insert:** "(i)"

**Strike:** "up to \$50 million"

**Insert:** "a portion"

3. Page 2.

**Following:** line 2

**Insert:** "(ii) If the board approves a loan to a school district, it shall establish a repayment term, not to exceed 15 years, that is based upon the pledge made under [section 1] and upon other financial resources of the school district. The interest rate for the term of the loan is the intercap rate that is in effect at the time the loan is approved."

And, as amended, do pass. Report adopted.

**HB 508**, introduced bill, be amended as follows:

1. Page 1, line 18.

**Following:** ","

**Insert:** "and"

2. Page 1, line 20.

**Following:** "four"

**Insert:** "commercial and industrial"

3. Page 1, line 21.

**Following:** "(ii)"

**Insert:** "the"

**Strike:** "as an"

4. Page 1, line 21 through 22.

**Strike:** "; and" on line 21 through "(f)" on line 22

**Insert:** ", including"

**Strike:** "industrial and commercial" on line 22

5. Page 1, line 23.

**Strike:** "(1)(f)"

**Insert:** "(1)(e)(ii)"

6. Page 1, line 30.

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 12, 2009

**Strike:** "(i)"

7. Page 2, line 2 through line 3.

**Strike:** subsection (ii) in its entirety

8. Page 2, line 4.

**Strike:** "subsections"

**Insert:** "subsection"

**Strike:** "and"

9. Page 2, line 5.

**Strike:** "(1)(f)"

And, as amended, do pass. Report adopted.

**HB 631**, do pass. Report adopted.

**HB 636**, introduced bill, be amended as follows:

1. Title, page 1, line 5.

**Strike:** "REALIZED"

**Insert:** "RECOGNIZED"

2. Page 1, line 12.

**Strike:** "realized"

**Insert:** "recognized"

**Following:** "from"

**Insert:** "adjusted gross income or"

3. Page 1, line 13.

**Strike:** "corporate"

**Strike:** "in computing net income"

**Strike:** the first "this"

**Following:** "chapter"

**Insert:** "30 or 31"

4. Page 1.

**Following:** line 24

**Insert:** "(3) For the purpose of this section, "tenants' association" or "mobile home park residents' association" means a group of two or more tenants who reside in a mobile home park, have organized for the purpose of eventual purchase of the mobile home park, and have established bylaws of the association."

5. Page 4, line 11.

**Strike:** "realized"

**Insert:** "recognized"

And, as amended, do pass. Report adopted.

**TRANSPORTATION** (Sonju, Chairman):

3/12/2009

**SB 73**, be amended as follows:



HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 12, 2009

1. Title, page 1, line 5.

**Strike:** "ALLOWING" through "REGISTERED;"

**Insert:** "AND"

2. Title, page 1, line 6.

**Strike:** "SECTIONS"

**Insert:** "SECTION"

**Strike:** "AND 61-3-562"

**Strike:** "; AND PROVIDING A DELAYED EFFECTIVE DATE"

3. Page 14, line 5 through page 15, line 7.

**Strike:** sections 2 and 3 in their entirety

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

**SB 319**, be concurred in. Report adopted.

**SB 409**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

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

3/12/2009

**HB 80**, introduced by Kottel

**House bills** concurred in and returned to the House:

3/12/2009

**HB 94**, introduced by McNutt

**HB 140**, introduced by Vincent

**HB 151**, introduced by Becker

**HB 247**, introduced by Bergren

**HB 273**, introduced by O'Hara

**HB 293**, introduced by Hiner

**HB 298**, introduced by Blewett

**House joint resolution** concurred in and returned to the House:

3/12/2009

**HJR 17**, introduced by French

**MESSAGES FROM THE GOVERNOR**

March 12, 2009

The Honorable Bob Bergren, Speaker

Speaker of the House

State Capitol

Helena, Montana 59620

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 12, 2009

Dear Speaker Bergren:

Please be informed that I have signed **House Bill 13** sponsored by Representative Hunter on March 12, 2009.

Sincerely,

BRIAN SCHWEITZER  
Governor

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 649**, introduced by Cohenour, Roundstone, Hamilton, A. Noonan, Grinde, Wiseman, De. Barrett, McAlpin, Pomnichowski, referred to Taxation.

**HB 650**, introduced by French, Hamilton, Roundstone, Wiseman, A. Noonan, Pomnichowski, Cohenour, De. Barrett, Grinde, McAlpin, referred to Taxation.

**HB 651**, introduced by Cohenour, Hamilton, Roundstone, Pomnichowski, McAlpin, Grinde, De. Barrett, A. Noonan, referred to Taxation.

**HB 652**, introduced by McAlpin, Cohenour, Roundstone, A. Noonan, Pomnichowski, Wiseman, De. Barrett, Grinde, Hamilton, referred to Taxation.

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

**HJR 33**, introduced by Bergren referred to Appropriations.

**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 287** passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, P. Beck, Becker, Belcourt, Bennett, Berry, Blewett, Boland, Boss Ribs, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Henry, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, 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, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Washburn, Welborn, Wilmer, Wilson, Mr. Speaker.

Total 85

Nays: Bean, B. Beck, Blasdel, Boniek, Brown, Hendrick, Himmelberger, Ingraham, Miller, Randall, Reichner, Sales, Sonju, Warburton, Wiseman.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 12, 2009

Total 0

**HB 588** 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, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, 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, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 98

Nays: Pease-Lopez.

Total 1

Excused: None.

Total 0

Absent or not voting: Washburn.

Total 1

**HB 630** passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, 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, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, 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, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 95

Nays: Boniek, Mendenhall, More, Sales.

Total 4

Excused: None.

Total 0

Absent or not voting: Jones.

Total 1

**SB 5** concurred in as follows:

Yeas: 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, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven,

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 12, 2009

Howard, Hunter, Ingraham, Jones, Jopek, 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, Regier, Reichner, Reinhart, Roundstone, Sands, Sesso, Smith, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 89

Nays: Ankney, B. Beck, Hawk, Hendrick, Kasten, Lake, Mendenhall, Randall, Roberts, Sales, Sonju.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 47** 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, 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: Hendrick.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 182** 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, 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 100

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 12, 2009

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 201** 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, 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, 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: Kerns, Sales.  
Total 2

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 296** concurred in as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blewett, Boland, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, Miller, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 86

Nays: Bean, Blasdel, Boniek, Hawk, Hendrick, Kasten, Kerns, Lake, Mendenhall, More, Randall, Sales, Villa, Wagner.  
Total 14

Excused: None.  
Total 0

Absent or not voting: None.

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 12, 2009

Total 0

**SB 331** concurred in as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, Becker, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Brown, Butcher, Caferro, 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, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman.

Total 93

Nays: P. Beck, Belcourt, Boss Ribs, Campbell, Sales, Villa, Mr. Speaker.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 390** concurred in as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, P. Beck, Becker, Belcourt, Bennett, Berry, 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, 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, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 93

Nays: B. Beck, Blasdel, Boniek, Mendenhall, Sales, Sonju, Wagner.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SJR 8** concurred in as follows:

Yeas: Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, Berry, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Hawk, Henry, Hiner, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jopek, Klock, Kottel, Lake, MacDonald, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, Morgan, A. Noonan, P. Noonan, Pease-Lopez, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roundstone, Sands, Sesso, Steenson, Stoker, Van Dyk, Vincent, Wilmer,

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 12, 2009

Wilson, Wiseman, Mr. Speaker.  
Total 62

Nays: Ankney, Arntzen, Bean, Bennett, Blasdel, Boniek, Brown, Butcher, Glaser, Hendrick, Himmelberger, Hollandsworth, Jones, Kasten, Kerns, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Miller, More, Nooney, O'Hara, Peterson, Randall, Roberts, Sales, Smith, Sonju, Stahl, Taylor, Vance, Villa, Wagner, Warburton, Washburn, Welborn.  
Total 38

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**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 Regier in the chair.

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

**HB 172 - Senate Amendments** - Representative Arntzen moved Senate amendments to **HB 172** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, B. Beck, 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, McNutt, Mehlhoff, Menahan, Milburn, Miller, 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, Van Dyk, Villa, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 90

Nays: Bean, Boniek, McGillvray, Mendenhall, More, Sales, Vance, Vincent, Wagner.  
Total 9

Excused: None.  
Total 0

Absent or not voting: Nooney.  
Total 1

**HB 318** - Representative Kottel moved **HB 318** do pass. Motion carried as follows:

Yeas: Arntzen, Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, Bennett, Blewett, Boland, Boss Ribs, Brown, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jones,

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 12, 2009

Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Stahl, Steenson, Stoker, Vance, Van Dyk, Villa, Warburton, Washburn, Wilmer, Wilson, Wiseman.

Total 79

Nays: Ankney, Bean, Berry, Blasdel, Boniek, Butcher, Hawk, Hendrick, Ingraham, Kasten, Kerns, Lake, Miller, Randall, Sales, Sonju, Taylor, Vincent, Wagner, Welborn.

Total 20

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

**HB 449** - Representative McChesney moved **HB 449** do pass.

**HB 449** - Representative Milburn moved **HB 449**, second reading copy, be amended as follows:

1. Title, line 9.

**Following:** "CAUSING"

**Insert:** "CERTAIN"

2. Page 5, line 22.

**Following:** "bonds"

**Insert:** "except that the provisions of this subsection (3) do not apply to a nonprofit organization exempt from taxation under section 26 U.S.C. 501(c)(3)"

Amendment adopted as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, 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, 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 96

Nays: Becker, Dickenson.

Total 2

Excused: Phillips.

Total 1

Absent or not voting: Nooney.

Total 1

**HB 449** - Representative Villa moved **HB 449**, second reading copy, be amended as follows:

**STATE INTERNET/BBS COPY**



HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 12, 2009

1. Title, line 17.

**Following:** "CIRCUMSTANCES;"

**Insert:** "REQUIRING COUNTIES TO REPORT EXPENDITURES FOR CONSULTING SERVICES;"

2. Page 11, line 29.

**Insert:** "NEW SECTION. Section 12. Report on consulting services. On or before January 21 and July 21 of each year, a county shall compile a report on expenses for consulting services incurred by the county in the preceding 6 months. The report must include the name of each consultant, including compensated staff, and the amount expended. The report must be made available to the public."

**Insert:** "NEW SECTION. Section 13. Codification instruction. [Section 12] is intended to be codified as an integral part of Title 7, chapter 6, part 22, and the provisions of Title 7, chapter 6, part 22, apply to [section 12]."

**Renumber:** subsequent sections

Amendment adopted 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, McNutt, Mehlhoff, Menahan, Milburn, Miller, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 91

Nays: Himmelberger, McGillvray, Mendenhall, More, Peterson, Sales, Smith, Wagner.

Total 8

Excused: Phillips.

Total 1

Absent or not voting: None.

Total 0

**HB 449** - Representative McChesney moved **HB 449** do pass, as amended. Motion carried as follows:

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

Total 81

Nays: Bean, Blasdel, Hawk, Hendrick, Himmelberger, Kasten, Kerns, Lake, McGillvray, Mendenhall, Miller, More, Randall, Sales, Smith, Sonju, Taylor, Vincent, Wagner.

Total 19

Excused: None.

Total 0

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 12, 2009

Absent or not voting: None.

Total 0

**SB 25** - Representative Pomnichowski moved **SB 25** be concurred in. Motion carried as follows:

Yeas: Arntzen, Augare, Barrett, Bean, P. Beck, Becker, Belcourt, Bennett, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, 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, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 88

Nays: Ankney, B. Beck, Berry, Blasdel, Hawk, Hendrick, Lake, Randall, Sales, Sonju, Wagner.

Total 11

Excused: None.

Total 0

Absent or not voting: French.

Total 1

**SB 49** - Representative Hands moved **SB 49** be concurred in. Motion carried as follows:

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

Total 69

Nays: Bean, B. Beck, Blasdel, Boniek, Butcher, Campbell, Hawk, Howard, Ingraham, Kasten, Kerns, Lake, MacLaren, McGillvray, McNutt, Miller, More, Nooney, Peterson, Randall, Regier, Reichner, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Wagner, Warburton.

Total 31

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 89** - Representative Milburn moved **SB 89** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, 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, Hendrick, Henry, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney,

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 12, 2009

McClafferty, McNutt, Mehlhoff, Menahan, Milburn, Miller, More, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 83

Nays: Boniek, Hawk, Himmelberger, Howard, Kasten, Kerns, McGillvray, Mendenhall, Morgan, Peterson, Randall, Sales, Smith, Sonju, Stahl, Wagner, Warburton.  
Total 17

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 102** - Representative Warburton moved **SB 102** be concurred in. Motion carried as follows:

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

Nays: Arntzen, Bean, Bennett, Brown, Butcher, Hawk, Hendrick, Himmelberger, Hoven, Howard, Kasten, Kerns, Lake, Mendenhall, Morgan, Randall, Reichner, Sales, Vance, Wagner, Washburn.  
Total 21

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 120** - Representative Cohenour moved **SB 120** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blewett, Boland, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Phillips, Pomnichowski, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Stahl, Steenson, Stoker, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 76

Nays: Bean, Blasdel, Boniek, Boss Ribs, Brown, Butcher, Hawk, Hendrick, Himmelberger, Hollandsworth, Kasten, Kerns, Lake, Miller, More, Pease-Lopez, Peterson, Randall, Regier, Reichner, Sales, Sonju, Taylor, Wagner.  
Total 24

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 12, 2009

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 135** - Representative Hunter moved **SB 135** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Berry, Blewett, Boland, Boss Ribs, Butcher, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jones, Jopek, Klock, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roundstone, Sands, Sesso, Sonju, Stahl, Steenson, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 74

Nays: Bennett, Blasdel, Boniek, Brown, Caferro, Hawk, Hendrick, Himmelberger, Ingraham, Kasten, Kerns, Lake, MacLaren, McGillvray, Mendenhall, Milburn, Miller, More, Randall, Roberts, Sales, Smith, Stoker, Taylor, Wagner, Welborn.  
Total 26

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 255** - Representative Reichner moved **SB 255** be concurred in. Motion carried as follows:

Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, 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, 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 96

Nays: Boniek, McGillvray, Mendenhall, Sales.  
Total 4

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 376** - Representative Stahl moved **SB 376** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel,

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 12, 2009

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, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, 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: Pomnichowski.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Mr. Speaker moved to pass consideration of **SB 438** for the day. Motion carried.

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

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, 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, 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, Milburn, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, 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 91

Nays: Boniek, Hendrick, Kasten, Mendenhall, Miller, More, Sales.

Total 7

Excused: Phillips.

Total 1

Absent or not voting: Hawk.

Total 1

**REPORTS OF STANDING COMMITTEES**

**EDUCATION** (Grinde, Chairman):

3/12/2009

**HB 629**, do pass. Report adopted.

**SB 173**, be concurred in. Report adopted.

**SB 273**, be concurred in. Report adopted.

**STATE INTERNET/BBS COPY**

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 12, 2009

**HUMAN SERVICES** (Becker, Chairman):  
**SB 26**, be amended as follows:

3/12/2009

1. Page 1, line 19 through line 20.  
**Following:** "HOSPITALS OR" on line 19  
**Strike:** "BY the" on line 19 through "health care" on line 20  
**Insert:** "outpatient centers for surgical services"

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

**SB 82**, be concurred in. Report adopted.  
**SB 119**, be amended as follows:

1. Page 6.  
**Following:** line 15  
**Insert:** "NEW SECTION. Section 4. Transition. During the biennium beginning July 1, 2009, the department shall implement the program provided for in [this act] using existing staff and available resources."  
**Renumber:** subsequent sections

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

**SB 208**, be concurred in. Report adopted.  
**SB 325**, be concurred in. Report adopted.  
**SB 432**, be concurred in. Report adopted.

**JUDICIARY** (Stoker, Chairman):  
**SB 108**, be amended as follows:

3/12/2009

1. Title, line 6.  
**Following:** "SERVICE"  
**Insert:** "ALONE"

2. Title, line 12.  
**Following:** "SERVICE"  
**Insert:** "ALONE"

3. Page 2, lines 14 and 15.  
**Strike:** "A court" on line 14 through "child" on line 15  
**Insert:** "When determining the best interest of the child of a parent in military service, the court shall consider all relevant parenting factors provided in subsection (1) and may not determine the best interest of the child based only upon the parent's military service"

4. Page 7, lines 19 and 20.  
**Strike:** "A court" on line 19 through "plan" on line 20

HOUSE JOURNAL  
FIFTY-FIFTH LEGISLATIVE DAY - MARCH 12, 2009

**Insert:** "In approving a final parenting plan for a child of a parent in military service, the court may not disapprove the plan only because of the parent's military service"

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

**SB 171**, be amended as follows:

1. Page 1, line 12.

**Following:** "~~to do so~~"

**Insert:** "with a value of at least \$500 over the amount of any damage deposit or, if no damage deposit was paid, a value of at least \$500"

2. Page 1, lines 15 and 16.

**Strike:** "THAT" on line 15 through "VALUE" on line 16

3. Page 1, lines 17 through 19.

**Strike:** "A PERSON" on line 17 through "BOTH." ON LINE 19

4. Page 1, lines 22 and 23.

**Strike:** "THE COURT SHALL" on line 22 through "RESTITUTION." on line 23

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

**ANNOUNCEMENTS**

Mr. Speaker reminded the body that the U.S. Representative Rehberg will address the body tomorrow.

Committee meetings were announced by the committee chairs.

Representative Campbell moved that the House adjourn until 1:00 p.m., Friday, March 13, 2009. Motion carried.

House adjourned at 2:30 p.m.

DAVE HUNTER  
Chief Clerk of the House

BOB BERGREN  
Speaker of the House