

**HOUSE JOURNAL
61ST LEGISLATURE
SIXTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
March 23, 2009

House Chambers
State Capitol

House convened at Rep. p.m. Mr. Speaker in the Chair. Invocation by Caferro. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representatives Lake and McGillvray. Quorum present.

Mr. Speaker introduced the pages for the week. Cameron Carpenter (Great Falls), Tyler Christensen (Sidney), McKenzi Dundas (Billings), Jaelyn Eagle Tail (Crow Agency), Cody Harris (Great Falls), Lena Heuscher (Choteau), Tyrel Obrect (Turner), Dylan Trevor (Helena).

Rep. Brown asked for a moment of silence in honor of Craig Finberg. A moment of silence ensued.

Rep. McNutt announced that Jerome Anderson is seriously ill and is in a hospital in Billings. Rep. McNutt asked for a moment of silence. A moment of silence ensued.

Rep. McChesney announced that the fire in Miles City that has consumed 8 businesses so far is still not under control.

Rep. Blasdel asked for a moment of silence for State Trooper Mike Haynes who is in critical condition after an accident and a 29 year old unidentified driver who passed away this weekend.

Rep. A. Noonan said a few words in honor of the victims of the plane crash that happened yesterday, March 23 in Butte, MT.

Mr. Speaker announced that the deadline for all appropriations bills transmittal is Thursday.

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 74, Conference Committee report, 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, 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, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 98

Nays: Mendenhall, Wagner.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 41, as amended by the Senate, passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blewett, Boland,

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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, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, Miller, More, A. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reichner, Reinhart, Roundstone, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 85

Nays: Bean, Blasdel, Butcher, Howard, Kasten, Kerns, Mendenhall, Morgan, P. Noonan, Randall, Regier, Roberts, Sales, Wagner, Warburton.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 42 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, 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

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 154 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, Jones, Jopek, Kasten, 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, 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.

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Total 93

Nays: Boniek, Kerns, Mendenhall, Randall, Regier, Sales, Wagner.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 26 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

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 82 concurred in 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, 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, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 98

Nays: Boniek, Sales.

Total 2

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

SB 108 concurred in 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, 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, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 98

Nays: Boniek, Sales.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 171 concurred in as follows:

Yeas: Ankney, Arntzen, Bean, B. Beck, P. Beck, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, Nooney, O'Hara, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson.
Total 82

Nays: Augare, Barrett, Becker, Belcourt, Caferro, Campbell, Hollenbaugh, MacDonald, Malek, McClafferty, A. Noonan, P. Noonan, Pease-Lopez, Roundstone, Van Dyk, Villa, Wiseman, Mr. Speaker.
Total 18

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 208 concurred in as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, 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, Hiner, Hollandsworth, Hollenbaugh, Hoven,

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

Total 86

Nays: Bennett, Boniek, Himmelberger, Kasten, Kerns, Mendenhall, Miller, Morgan, Randall, Sales, Sonju, Stahl, Taylor, Wagner.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 209 concurred in as follows:

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

Total 92

Nays: B. Beck, P. Beck, Boniek, Mendenhall, More, Morgan, Sonju, Vincent.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 273 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, 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 98

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Nays: Pease-Lopez, Pomnichowski.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 319 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

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 325 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, 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, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Randall, Regier, Reichner, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson.
Total 91

Nays: Campbell, McGillvray, Mendenhall, Miller, Pomnichowski, Reinhart, Wagner, Wiseman, Mr. Speaker.
Total 9

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 341 concurred in as follows:

Yeas: Ankney, Arntzen, Barrett, Bean, B. Beck, Belcourt, Bennett, Berry, 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, McNutt, Mehlhoff, Menahan, Milburn, More, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 86

Nays: Augare, P. Beck, Becker, Blasdel, Hendrick, McGillvray, Mendenhall, Miller, Morgan, Randall, Reichner, Stahl, Wagner.

Total 13

Excused: None.

Total 0

Absent or not voting: Vincent.

Total 1

SB 395 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, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, 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, 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, Mr. Speaker.

Total 96

Nays: Himmelberger, McGillvray, Wagner, Wiseman.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 432 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,

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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

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 22 concurred in as follows:

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

Total 59

Nays: Ankney, Arntzen, Bean, B. Beck, Bennett, Blasdel, Boniek, Brown, Butcher, Glaser, Hawk, Hendrick, Hoven, Howard, Ingraham, Jones, Kasten, Kerns, Lake, MacLaren, McGillvray, Mendenhall, Miller, More, Morgan, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

SB 299 - Rep. Campbell moved to reconsider the actions on **SB 299** taken on Saturday, March 21, the 63th legislative day. Motion requires simple majority. Motion carried as follows:

Yeas: Augare, Barrett, P. Beck, Becker, Belcourt, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Ebinger, Fleming, French, Furey, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hunter, Ingraham, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, Miller, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Roberts, Roundstone, Sands, Sesso, Steenson, Stoker, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 56

Nays: Ankney, Arntzen, Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Getz, Glaser, Hawk, Hendrick, Himmelberger, Hollandsworth, Hoven, Howard, Jones, Kasten, Kerns, McNutt, Mendenhall, Milburn, More, Morgan, Peterson, Randall, Regier, Reichner, Sales, Smith, Sonju, Stahl, Taylor, Vance, Vincent, Wagner,

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Warburton, Washburn, Welborn.
Total 41

Excused: Lake, McGillvray.
Total 2

Absent or not voting: Driscoll.
Total 1

Rep. Campbell moved to re-refer **SB 299** back to State Administration committee. Motion requires a 3/5th majority.
Motion carried as follows:

Yeas: Arntzen, Augare, Barrett, Bean, P. Beck, Becker, Belcourt, Blewett, Boland, Boniek, 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, Kerns, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Mendenhall, Milburn, Miller, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reinhart, Roberts, Roundstone, Sands, Sesso, Stahl, Steenson, Stoker, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 71

Nays: Ankney, B. Beck, Bennett, Berry, Blasdel, Brown, Hawk, Hendrick, Hoven, Howard, Kasten, Menahan, More, Morgan, Randall, Regier, Reichner, Sales, Smith, Sonju, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.
Total 27

Excused: Lake, McGillvray.
Total 2

Absent or not voting: None.
Total 0

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Sesso, Chairman):
HB 130, introduced bill, be amended as follows:

3/23/2009

1. Title, page 1, line 5.
Strike: "MATCHING"
2. Title, page 1, line 6.
Strike: "AND"
Following: "PRECOMMITMENT"
Insert: ", AND SHORT-TERM INPATIENT TREATMENT"
3. Title, page 1, line 7.
Strike: "PROVIDING AN APPROPRIATION;"
4. Page 1, line 25.
Following: "criteria"
Strike: "are"

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Insert: ", including the commitment of county and other local funds, is"

5. Page 2, line 6.

Strike: "matching fund"

6. Page 2, line 7.

Strike: "and"

Following: "precommitment"

Insert: ", and short-term inpatient treatment"

7. Page 2, line 8 through line 10.

Strike: "THROUGH" on line 8 through "53-21-1001," on line 9

Strike: "matching" on line 9

Strike: "eligible" on line 9 through "year for" on line 10

Insert: ": (a)"

8. Page 2, line 11.

Following: "53-21-139"

Insert: ";

Strike: "and for"

Insert: "(b)"

9. Page 2, line 12.

Following: "2-9-211"

Insert: "; and

(c) short-term inpatient treatment"

10. Page 2, line 12 through line 13.

Strike: "The" on line 12 through "and" on line 13

Insert: "(2) Grant amounts"

Strike: "prorated"

11. Page 2, line 13 through line 14.

Strike: "." on line 13 through "that" on line 14

Insert: "and the prospects that a county or multicounty plan submitted pursuant to subsection (3) will, if implemented,"

Strike: "their" on line 14

Renumber: subsequent subsections

12. Page 2, line 15.

Following: "evaluation"

Insert: "and ultimately result in cost savings to the state"

13. Page 2, line 16.

Strike: "matching"

14. Page 2, line 18.

Following: "funds"

Insert: "and include in the grant application a detailed plan for how the county and other local entities will collaborate

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and commit local funds for the mental health services listed in subsection (1)"

15. Page 2, line 19.

Following: "county"

Insert: "or multicounty"

16. Page 2, line 21.

Following: "services"

Insert: "and short-term inpatient treatment"

17. Page 2, line 27.

Following: "diversion"

Strike: "and"

Insert: ", "

Following: "intervention"

Insert: ", and short-term inpatient treatment"

18. Page 2, line 30.

Strike: "ADMINISTER" through "AND"

19. Page 3, line 1 through line 2.

Strike: "JULY" on line 1

Insert: "August"

Strike: "and" on line 1 through "(4)" on line 2

20. Page 3, line 5 through line 9.

Strike: subsection (4) in its entirety

21. Page 3, line 11 through line 15.

Strike: section 2 in its entirety

Renumber: subsequent sections

22. Page 3, line 19.

Strike: "July 1, 2010"

Insert: "September 1, 2009"

23. Page 3, line 20.

Strike: "As soon as possible after July 1, 2010,"

Insert: "Upon request,"

24. Page 3, line 28.

Insert: "NEW SECTION. Section 4. Coordination instruction. If both House Bill No. 645 and [this act] are passed and approved and if House Bill No. 645 does not include line item funding for a community mental health crisis services demonstration project for the purposes of [this act], then [this act] is void."

Renumber: subsequent section

25. Page 4, line 1.

Strike: "[Section]" through "section]"

Insert: "[Sections 1(4) and 4 and this section]"

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And, as amended, do pass. Report adopted.

HB 131, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "DEDICATED"

2. Title, page 1, line 7 through line 8.

Strike: "PROVIDING" on line 7 through "APPROPRIATION;" on line 8

3. Title, page 1, line 9.

Strike: "AN"

Strike: "DATE"

Insert: "DATES"

4. Page 2, line 18.

Strike: "up to three dedicated"

5. Page 2.

Following: line 23

Insert: "(2) Contracting pursuant to this section must take into consideration county strategic plans developed pursuant to 53-21-138 and 53-21-139 and local need for precommitment and short-term inpatient treatment services."

Renumber: subsequent subsections

6. Page 3, line 4 through line 8.

Strike: section 2 in its entirety

Renumber: subsequent sections

7. Page 3, line 12.

Strike: "July 1, 2010,"

Insert: "September 1, 2009,"

8. Page 3, line 13.

Strike: "2011"

Insert: "2010"

9. Page 3, line 14.

Strike: "As" through "2010,"

Insert: "Upon request,"

10. Page 3, line 19.

Insert: "NEW SECTION. **Section 4. Coordination instruction.** If both House Bill No. 645 and [this act] are passed and approved and if House Bill No. 645 does not include line item funding for a community mental health crisis services demonstration project for the purposes of [this act], then [this act] is void."

Renumber: subsequent section

11. Page 3, line 20.

Strike: "date"

Insert: "dates"

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Strike: "[This act]"

Insert: "(1) Except as provided in subsection (2), [this act]"

12. Page 3, line 21.

Insert: "(2) [Sections 1(5) and 4 and this section] are effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 132, introduced bill, be amended as follows:

1. Title, page 1, line 11.

Strike: "BEDS"

2. Title, page 1, line 12.

Strike: "PROVIDING AN APPROPRIATION;"

3. Title, page 1, line 14.

Strike: "AN"

Strike: "DATE"

Insert: "DATES"

4. Page 10, line 28 through line 29.

Strike: "up to" on line 28 through "to" on line 29

5. Page 10, line 30.

Strike: "beds"

6. Page 11, line 4.

Following: ". "

Insert: "When contracting, the department shall consider county strategic plans developed pursuant to 53-21-138 and 53-21-139 that incorporate short-term inpatient treatment as an alternative to involuntary commitment to the state hospital."

7. Page 12, line 1 through line 5.

Strike: section 12 in its entirety

Renumber: subsequent sections

8. Page 12, line 9.

Strike: "July 1, 2010,"

Insert: "September 1, 2009,"

9. Page 12, line 10.

Strike: "2012"

Insert: "2010"

10. Page 12, line 11.

Strike: "As" through "2010,"

Insert: "Upon request,"

11. Page 12, line 17.

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Insert: "NEW SECTION. **Section 14. Coordination instruction.** If both House Bill No. 645 and [this act] are passed and approved and if House Bill No. 645 does not include line item funding for a community mental health crisis services demonstration project for the purposes of [this act], then [this act] is void."

Renumber: subsequent section

12. Page 12, line 18.

Strike: "date"

Insert: "dates"

Strike: "[This act]"

Insert: "(1) Except as provided in subsection (2), [this act]"

13. Page 12, line 19.

Insert: "(2) [Sections 10 and 14 and this section] are effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 152, introduced bill, be amended as follows:

1. Title, page 1, line 15 through line 16.

Following: "PROVIDING" on line 15

Insert: "AN IMMEDIATE"

Strike: "DATES" on line 16

Insert: "DATE"

2. Page 11, line 16 through line 18.

Strike: "dates."

Insert: "date."

Strike: "(1)" on line 16 through "are" on line 18

Insert: "[This act] is"

And, as amended, do pass. Report adopted.

HB 213, introduced bill, be amended as follows:

1. Page 2, line 1.

Following: "the"

Strike: "Montana board of veterans' affairs"

Insert: "senior and long-term care division of the department of public health and human services"

And, as amended, do pass. Report adopted.

HB 250, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Strike: "APPROPRIATING FUNDS;"

2. Page 6, line 4 through 7.

Strike: section 4 in its entirety

Renumber: subsequent section

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And, as amended, do pass. Report adopted.

HB 258, introduced bill, be amended as follows:

1. Page 1, line 12.

Following: "appropriated" on line 12

Strike: "\$6,288,208" on page 1, line 12 through "\$6,288,408" on line 16.

Insert: "\$6 million"

Renumber: subsequent subsection

2. Page 1, line 20.

Following: "The"

Strike: "appropriations" through "are"

Insert: "appropriation in subsection (1) is"

And, as amended, do pass. Report adopted.

HB 487, introduced bill, do pass. Report adopted.

HB 577, introduced bill, be amended as follows:

1. Page 2, line 5.

Strike: "scholarships"

Insert: "assistance"

2. Page 2, lines 8 and 9.

Strike: ";" on line 8 through "be" on line 9

Insert: "or must be"

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HB 583, introduced bill, be amended as follows:

1. Title, line 6.

Following: "AGRICULTURE;"

Insert: "PROVIDING A FUND TRANSFER;"

2. Page 2.

Following: line 13

Insert: "NEW SECTION. Section 2. Fund transfer. There is transferred \$740,000 from the research and commercialization state special revenue account established in 90-3-1002 to the state general fund."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

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HB 611, introduced bill, be amended as follows:

1. Page 1, line 21.

Strike: "50%"

Insert: "55%"

2. Page 1, line 22.

Strike: "15%"

Insert: "10%"

And, as amended, do pass. Report adopted.

HB 629, introduced bill, do pass. Report adopted.

HB 659, introduced bill, do pass. Report adopted.

BUSINESS AND LABOR (Wilson, Chairman):

3/23/2009

SB 176, be concurred in. Report adopted.

SB 308, be concurred in. Report adopted.

EDUCATION (Grinde, Chairman):

3/23/2009

SJR 3, be concurred in. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

3/23/2009

SB 156, be concurred in. Report adopted..

SB 227, be concurred in. Report adopted.

SB 276, be concurred in. Report adopted.

SB 367, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

3/23/2009

SB 343, introduced by Jackson

SB 350, introduced by Gillan

SB 460, introduced by Story

House bills concurred in and returned to the House:

3/23/2009

HB 24, introduced by Morgan

HB 58, introduced by Ingraham

HB 106, introduced by French

HB 214, introduced by MacDonald

HB 230, introduced by McClafferty

HB 367, introduced by McGillvray

HJR 7, introduced by Vincent

HJR 25, introduced by Warburton

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

3/23/2009

HB 55, introduced by Hawk

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HB 133, introduced by Stoker
HB 623, introduced by Milburn

FIRST READING AND COMMITMENT OF BILLS

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

HB 666, introduced by Stahl, referred to Taxation.
HB 669, introduced by Vincent, Cohenour, Nooney, Pomnichowski, Van Dyk, Reinhart, Hands, Blewett, Milburn, Menahan, Hendrick, Dickenson, Belcourt, Mehlhoff, Bennett, McGillvray, Warburton, referred to Natural Resources.
HB 670, introduced by Vincent, referred to Taxation.
HB 671, introduced by Stahl, referred to Education.
HB 672, introduced by Jopek, referred to Taxation.
HB 673, introduced by Hoven, Jopek, Tutvedt, referred to Taxation.
HB 674, introduced by Vincent, Cohenour, Pomnichowski, Hendrick, Miller, Mendenhall, Belcourt, Nooney, Blewett, Mehlhoff, Bennett, Menahan, Reinhart, Van Dyk, Hands, Hoven, referred to Taxation.
HB 675, introduced by Wiseman, referred to Taxation.

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

SB 343, introduced by Jackson, Ankney, Bales, B. Beck, Belcourt, Bennett, Black, Blasdel, Boss Ribs, Brenden, D. Brown, Brueggeman, Butcher, Driscoll, Glaser, Hinkle, Ingraham, MacLaren, Nooney, Pease-Lopez, Pomnichowski, Regier, Reichner, Roberts, Taylor, Wanzenried, Zinke, referred to Agriculture.
SB 350, introduced by Gillan, referred to Appropriations.
SB 460, introduced by Story, Zinke, J. Peterson, R. Brown, Barkus, McGee, Bales, Laible, Hinkle, Brenden, Black, Esp, Tutvedt, Brueggeman, Gebhardt, Lewis, Shockley, Kerns, Sales, McGillvray, Kasten, Hollandsworth, D. Brown, Mendenhall, 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 Hunter in the chair.

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

HB 6 - Representative McNutt introduced **HB 6** do pass. Motion carried as follows:

HB 6 - Representative Kasten moved that **HB 6** be amended as follows:

1. Page 7, line 27.

Strike: "(Increasing Pump Discharge Line Efficiency: Phase II)"

Insert: "(Fish Screen Buffalo Rapids Irrigation District)"

Motion to amend, 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,

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MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, 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: Lake, McGillvray.

Total 2

Absent or not voting: None.

Total 0

HB 6 - Representative McNutt moved **HB 6** do pass, as amended. 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, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jones, Jopek, Kasten, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Mendenhall, 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, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 93

Nays: Boniek, Ingraham, Kerns, McGillvray, More, Randall, Sales.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 7 - Representative McNutt moved **HB 7** 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, 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, Jones, Jopek, Kasten, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, 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, 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, Ingraham, Kerns, McGillvray, More, Sales.

Total 6

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 8 - Representative McNutt moved **HB 8** do pass. Motion requires a **3/4** majority vote from each House. 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, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jones, Jopek, Kasten, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, 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, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 92

Nays: Boniek, Ingraham, Kerns, McGillvray, More, Sales.
Total 6

Excused: None.
Total 0

Absent or not voting: Phillips, Welborn.
Total 2

HB 9 - Representative Hollenbaugh moved **HB 9** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blewett, Boland, Boss Ribs, 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, McNutt, Mehlhoff, Menahan, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Sonju, Stahl, Steenson, Stoker, Van Dyk, Villa, Vincent, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 74

Nays: Bean, Blasdel, Boniek, Brown, Butcher, Hawk, Hendrick, Hoven, Howard, Kasten, Kerns, Lake, McGillvray, Mendenhall, Milburn, Miller, More, Randall, Regier, Sales, Smith, Taylor, Vance, Wagner, Warburton, Washburn.
Total 26

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 548 - Representative McAlpin moved **HB 548** do pass. Motion carried as follows:

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

Total 54

Nays: Ankney, Arntzen, Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Glaser, Hawk, Hendrick, Hollandsworth, Hoven, Howard, Jones, Kasten, Kerns, Klock, Lake, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Miller, More, Morgan, Nooney, Peterson, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stahl, Stoker, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 73 - Representative Pomnichowski moved **SB 73** be concurred in. Motion carried as follows:

Yeas: Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, Blewett, Boland, Boss Ribs, Butcher, 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, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Randall, Reichner, Reinhart, Roundstone, Sales, Sands, Sesso, Sonju, Steenson, Taylor, Vance, Van Dyk, Villa, Vincent, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 71

Nays: Ankney, Arntzen, Bean, Bennett, Berry, Blasdel, Boniek, Brown, Hawk, Howard, Kerns, Klock, McGillvray, McNutt, Mendenhall, Milburn, Miller, More, Morgan, Peterson, Regier, Smith, Stahl, Stoker, Wagner, Warburton, Washburn, Welborn.

Total 28

Excused: None.

Total 0

Absent or not voting: Roberts.

Total 1

SB 111 - Representative Vincent moved **SB 111** 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, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

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Total 97

Nays: Kerns.

Total 1

Excused: None.

Total 0

Absent or not voting: McNutt, Roberts.

Total 2

SB 143 - Representative Cohenour moved **SB 143** be concurred in. Motion carried 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, 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, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Stahl, Steenson, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 92

Nays: Becker, Kerns, More, Randall, Sales, Sonju, Stoker, Taylor.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 185 - Representative Van Dyk moved **SB 185** be concurred in. Motion carried as follows:

Yeas: Arntzen, Augare, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Caferro, Campbell, Cohenour, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kerns, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, 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, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 86

Nays: Barrett, Bean, B. Beck, Brown, Butcher, Dickenson, Hawk, Hollandsworth, Kasten, Lake, Menahan, Sales, Sonju.

Total 13

Excused: None.

Total 0

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Absent or not voting: Ankney.
Total 1

SB 188 - Representative Van Dyk moved **SB 188** 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, 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, 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: Dickenson.
Total 1

Excused: None.
Total 0

Absent or not voting: Campbell.
Total 1

SB 250 - Representative McClafferty introduced **SB 250**.
SB 250 - Representative Blewett moved **SB 250** be amended as follows:

1. Title, page 1, line 7.
Strike: "APPROPRIATING FUNDS;"

2. Page 6, line 4 through 7.
Strike: section 4 in its entirety
Renumber: subsequent section

Motion to amend 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, Kasten, Kerns, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, 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, 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: Hawk, Mendenhall, More.
Total 3

Excused: Lake, McGillvray.

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Total 2

Absent or not voting: None.

Total 0

SB 250 - Representative McClafferty moved **SB 250** do pass, as amended. 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, Kasten, Kerns, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, 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, Sales, Sands, Sesso, Smith, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 94

Nays: Hawk, Lake, McGillvray, Mendenhall, More.

Total 5

Excused: None.

Total 0

Absent or not voting: Sonju.

Total 1

SB 340 - Representative McClafferty moved **SB 340** 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, 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 98

Nays: Hawk, Pomnichowski.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 9 - Representative Grinde moved **SJR 9** be concurred in. Motion carried as follows:

Yeas: Arntzen, Augare, Barrett, Bean, P. Beck, Becker, Belcourt, Berry, Blewett, Boland, Boss Ribs, Brown,

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Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Hiner, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, Lake, MacDonald, Malek, McAlpin, McChesney, McClafferty, McGillvray, Mehlhoff, Menahan, Milburn, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Sesso, Stahl, Steenson, Van Dyk, Villa, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 67

Nays: Ankney, B. Beck, Bennett, Blasdel, Boniek, Hawk, Hendrick, Himmelberger, Hoven, Howard, Kasten, Kerns, MacLaren, McNutt, Mendenhall, Miller, More, Morgan, Peterson, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Welborn.
Total 33

Excused: None.
Total 0

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

Yeas: 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, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Peterson, Phillips, Pomnichowski, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Villa, Warburton, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 79

Nays: Boniek, Kasten, Kerns, Mendenhall, Miller, More, Randall, Regier, Sales, Taylor, Vance, Van Dyk, Vincent.
Total 13

Excused: Lake, McGillvray.
Total 2

Absent or not voting: Ankney, Hollandsworth, McChesney, Pease-Lopez, Wagner, Welborn.
Total 6

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Sesso, Chairman): 3/23/2009
HB 5, introduced bill, be amended as follows:

1. Title, line 14.
Following: "MCA"
Insert: ", AND SECTION 2, CHAPTER 560, LAWS OF 2005"

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Following: "DATE"

Insert: "AND A RETROACTIVE APPLICABILITY DATE"

2. Page 1, line 18.

Strike: "10"

Insert: "12"

3. Page 2, line 1.

Strike: "10"

Insert: "12"

4. Page 2, line 21.

Strike: "1,533,000"

Insert: "1,924,000" [Federal Special Revenue]

Strike: "3,133,000"

Insert: "3,524,000"

5. Page 3, line 1.

Strike: line 1 in its entirety

6. Page 3, line 3.

Strike: both "3,150,000"

Insert: "870,000 [LRBP Fund] 1,500,000 [Federal Special Revenue] 2,370,000[Total]"

Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, for state energy programs."

7. Page 3, line 14.

Strike: line 14 in its entirety

8. Page 3, line 21.

Strike: "1,260,000"

Strike: "2,620,000"

Insert: "3,870,000" [Federal Special Revenue]

Insert: "10,000" [Other Funding Sources]

9. Page 3.

Following: line 21

Insert: "Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, for state energy programs and other federal funds received pursuant to the Act."

10. Page 4, line 6.

Strike: the first "1,660,000"

Insert: "1,660,000 [Federal Special Revenue]"

Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5."

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11. Page 4, line 20.

Following: line 20

Insert: "Animal Bioscience Facility, MSU-Bozeman 2,500,000 [LRBP Fund] 2,500,000 [Total]

Renovate Existing Laboratory Facilities, MSU-Bozeman 7,500,000[Authority Only] 7,500,000[Total]

Authority is hereby granted to Montana state university to convert existing laboratories to long-term use and to make capital improvements in the indicated amount contingent upon receipt of federal special revenue, grants, or both.

Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

Simulated Hospital and Child Care Center, MSU-Great Falls College of Technology 2,000,000 [Federal Special Revenue] 2,000,000 [Total]

Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5. Funds must be used for construction costs. Any remaining federal authority will be redirected to construction projects at Montana colleges of technology."

12. Page 5.

Following: line 6

Insert: "Building Addition, Billings Oil and Gas Office 1,300,000 [State Special Revenue] 1,300,000 [Total]"

13. Page 7, line 17.

Following: line 16

Insert: "(4) Authority is being granted to Montana state university in the indicated amount for the purpose of making capital improvements to campus facilities. Authority-only funds may include federal special revenue, donations, grants, and higher education funds. All costs for the operations and maintenance of new improvements constructed under this authorization must be paid by Montana state university from nonstate sources.

Agency/Project	LRBP	State	Federal	Other	Authority	Total
		Fund	Special	Special	Funding	Only
			Revenue	Revenue	Revenue	Sources

General Spending Authority, MSU-All Campuses 5,000,000 [Authority Only] 5,000,000 [Total]"

ReNUMBER: subsequent subsections

14. Page 8, line 3.

Following: line 2

Insert: "Interdisciplinary Science Building Finish Out, UM-Missoula 8,000,000 [Authority Only] 8,000,000 [Total]

Authority is hereby granted to the university of Montana to make capital improvements for the interdisciplinary science building finish out in the indicated amount contingent upon receipt of special revenue as part of funds made available pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, through competitive grants. All costs for the operation and maintenance of the improvements constructed under this appropriation must be paid by the university of Montana from nonstate sources."

15. Page 8, line 15.

Strike: the first "1,589,000"

Insert: "2,132,000" [Federal Special Revenue]

Strike: the second "1,589,000"

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Insert: "2,132,000"

16. Page 8, line 16.

Strike: line 16 in its entirety

Insert: "Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, for state energy programs."

17. Page 8, line 17.

Strike: the first "600,000"

Insert: "1,000,000" [Federal Special Revenue]

Strike: the second "600,000"

Insert: "1,000,000"

18. Page 8, line 18.

Strike: line 18 in its entirety

Insert: "Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, for state energy programs."

19. Page 8, line 19.

Strike: the first "5,525,000"

Insert: "5,375,000" [Federal Special Revenue]

Strike: the second "5,525,000"

Insert: "5,375,000"

20. Page 8, line 20.

Strike: line 20 in its entirety

Insert: "Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, for state energy programs."

Energy Conservation Improvements, Montana University System 9,697,000 [Federal Special Revenue] 9,697,000 [Total]

Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, for state energy programs."

(8) The following money is appropriated to the department of natural resources and conservation in the indicated amounts for the purpose of making capital improvements as indicated:

Agency/Project LRBP State Federal Other Authority Total

Fund Special Special Funding Only

Revenue Revenue Sources

Rehabilitation of State-Owned Dams 575,000[State Special Revenue] 575,000[Total]

Rehabilitation of Ruby Dam 2,000,000[State Special Revenue] 2,000,000[Total]

21. Page 9, line 9.

Strike: the first "2,000,000"

Insert: "3,000,000"

Strike: the second "2,000,000"

Insert: "3,000,000"

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22. Page 9, line 11.

Insert: "NEW SECTION. Section 6. Montana stimulus capital improvements. (1) The following money is appropriated for the indicated capital projects from the indicated sources to the department of administration. Funds not requiring legislative appropriation are included for the purpose of authorization. The department of administration is authorized to transfer the appropriations, authority, or both among the necessary fund types for these projects.

Agency/Project	LRBP	State	Federal	Other	Authority	Total
		Fund	Special	Special	Funding	Only
			Revenue		Revenue	Sources

Exterior Envelope Improvements, Montana Law Enforcement Academy 425,000 [Federal Special Revenue] 425,000 [Total]

Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

Facility Repairs and Improvements, WATCH East 650,000 [Federal Special Revenue] 650,000 [Total]

Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

Facility Repairs and Improvements, DNRC Swan and Stillwater Units 335,172 [LRBP Fund] 64,828 [Federal Special Revenue] 400,000 [Total]

Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

Renovate Low Support, Phase 2, Montana State Prison 1,240,000 [Federal Special Revenue] 1,240,000 [Total]

Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

Renovate Main Hall, Phase 2, UM-Western 6,000,000 [Federal Special Revenue] 6,000,000 [Total]

Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

Renovation/Addition to Spratt Building, Montana State Hospital 1,640,000 [Federal Special Revenue] 1,640,000 [Total]

Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

Montana Veterans' Home Improvements, Statewide 1,200,000 [Federal Special Revenue] 1,200,000 [Total]

Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

Consolidate DNRC Divisions, Missoula 350,000 [LRBP Fund] 350,000 [Total]

Office of Public Assistance, Wolf Point 2,250,000 [Federal Special Revenue] 2,250,000 [Total]

Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

Statewide Facilities Planning 400,000 [LRPB Fund] 400,000 [Total]

Central Land Office Building Renovation/Replacement, DNRC 1,600,000 [Federal Special Revenue] 1,600,000 [Total]

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Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

Energy Conservation Improvements, Montana University System 12,300,000 [Federal Special Revenue] 4,500,000 [Authority Only] 16,800,000 [Total]

Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5. The highest priority use of funds provided in this appropriation is to augment projects initiated with the state energy program funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, and appropriated in [section 4] for the Montana university system to address related modernization, repairs, and renovation costs that the department of administration considers prudent to construct within the same project. If the federal state energy program funds are exhausted, the remaining funds in this appropriation may be used to entirely fund additional energy conservation projects and related improvements.

Rose Creek Hatchery 5,000,000 [Federal Special Revenue] 5,000,000 [Total]

Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

(2) The following money is appropriated to the department of military affairs in the indicated amounts for the purpose of making capital improvements to statewide facilities. Funds not requiring legislative appropriation are included for the purpose of authorization. All costs for the operation and maintenance of any new improvements constructed with these funds must be paid by the department of military affairs with nonstate revenue.

Agency/Project	LRBP	State Fund	Federal Special Revenue	Other Special	Authority Funding Revenue	Total Only Sources
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Construct Female Latrines – Department of Military Affairs, Culbertson and Malta 451,800 [Federal Special Revenue] 451,800 [Total]

Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, for national guard operations and maintenance.

Helicopter Dip Site – Department of Military Affairs, Fort Harrison 279,268 [Federal Special Revenue] 279,268 [Total] Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, for national guard operations and maintenance.

Vault Modifications – Department of Military Affairs, Statewide 500,000 [Federal Special Revenue] 500,000 [Total] Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, for national guard operations and maintenance.

(3) The following money is appropriated to the department of fish, wildlife, and parks in the indicated amounts for the purpose of making capital improvements to statewide facilities. Funds not requiring legislative appropriation are included for the purpose of authorization.

Agency/Project	LRBP	State Fund	Federal Special Revenue	Other Special	Authority Funding Revenue	Total Only Sources
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Mobley Diversion Watershed 300,000 [Federal Special Revenue] 300,000 [Total]

Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

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Fort Peck Hatchery Infrastructure 720,000 [Federal Special Revenue] 720,000 [Total]
Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

Fort Peck Hatchery Hydroelectric Generation 9,200,000 [Federal Special Revenue] 9,200,000 [Total]
Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

Willow Creek Feeder Canal Project 1,250,000 [Federal Special Revenue] 1,250,000 [Total]
Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

Vandalia Fish Passage 5,000,000 [Federal Special Revenue] 5,000,000 [Total]
Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5."

Renumber: subsequent sections

23. Page 9, line 19.

Following: line 18

Insert: "(3) The department of administration may transfer appropriations and authority, as appropriate, between projects in [section 2 or 6] to maximize utilization of the federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5."

24. Page 9, line 19.

Insert: "NEW SECTION. **Section 8. Reappropriation of remaining balance to Montana tech.** (1) Any portion of the Augment Petroleum, Bureau of Mines and Geology, UM-MT Tech project appropriation of \$5.2 million of long-range building program (LRBP) funds appropriated in section 2, Chapter 3, Special Laws of May 2007, that is unexpended for the project is reappropriated for the following projects:

Mining and Geology Building, HVAC Upgrade, UM-MT Tech \$530,000

Health Sciences Building, ADA Accessible Bathrooms on Floors 1 and 2 and Elevator, UM-MT Tech
\$1,930,000

Evaluation of Main Hall Structure, UM-MT Tech \$40,000

(2) There are no additional operations and maintenance costs associated with the new projects, and energy upgrades will offset the costs of operating the new elevator."

Renumber: subsequent sections

25. Page 10, line 12.

Strike: "4"

Insert: "7"

26. Page 10, line 18.

Strike: "9"

Insert: "11"

27. Page 10, line 19.

Strike: "9"

Insert: "11"

28. Page 12, line 20.

Strike: "15"

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Insert: "17"

29. Page 15, line 10.

Strike: "15"

Insert: "17"

30. Page 16, line 19.

Strike: "16"

Insert: "18"

31. Page 17, line 11.

Strike: "16"

Insert: "18"

32. Page 18.

Following: line 10

Insert: "**Section 20.** Section 2, Chapter 560, Laws of 2005, is amended to read:

"**Section 2. Capital projects appropriations and authorizations.**(1) Subject to [section 9(2)], the following money is appropriated for the indicated capital projects from the indicated sources to the department of administration. Funds not requiring legislative appropriation are included for the purpose of authorization. The department of administration is authorized to transfer either or both the appropriations and authority among the necessary fund types for these projects:

Agency/Project	LRBP	Other Funding Sources
MONTANA SCHOOL FOR THE DEAF AND BLIND		
Facility Improvements, Montana School for the Deaf and Blind	\$398,000	
DEPARTMENT OF ADMINISTRATION		
Roof Repair and Replacement, Statewide	3,076,242	\$206,500
Federal Special Revenue		
Repair/Preserve Building Exteriors, Statewide	497,500	
Window Repairs and Replacement, Statewide	1,268,625	
Deferred Maintenance, Montana Law Enforcement Academy	761,175	
Hazardous Materials Abatement, Statewide	497,500	
Code/Deferred Maintenance Projects, Statewide	1,255,989	
90,000 Federal Special Revenue		
Repair Deteriorated Campus Infrastructure, Statewide	547,250	
Major Maintenance and Repairs to State Capitol	497,500	
Upgrade Fire Alarm Systems, Statewide	398,000	
Repair Elevators, Capitol Complex	796,000	
Upgrade 1100 North Last Chance Gulch	1,201,960	
DPHHS Commodity Warehouse Expansion, Helena	2,000,000	Federal Special Revenue
Public Restrooms, Virginia City and Nevada City	99,450	
Public Safety Learning Center, Montana Law Enforcement Academy	3,450,000	Federal Special Revenue
Long-range Building Program Funding Interim Project	8,000	
Capitol Annex or Alternatives Feasibility Study	500,000	
Capitol Land Grant Funds		
MONTANA HISTORICAL SOCIETY		

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Montana Historical Society Building, Helena	30,000,000		
Donations and Grants			
Authority is granted to the department of administration in the indicated amount for the construction of a new historical society building.			
DEPARTMENT OF CORRECTIONS			
Improve Water System, Montana State Prison	124,375		
Improve High-Side Kitchen Ventilation,			
Montana State Prison	116,714		
Improve Perimeter Security, Montana State Prison	1,393,000		
DEPARTMENT OF FISH, WILDLIFE, AND PARKS			
Hatchery Maintenance, Statewide	575,000	State Special Revenue	
	575,000	Federal Special Revenue	
Rose Creek Hatchery	1,700,000	State Special Revenue	
Fort Peck Storage/Office Space	50,000	State Special Revenue	
	150,000	Federal Special Revenue	
Administrative Facilities Repair, Maintenance and Improvements	800,000	State Special Revenue	
DEPARTMENT OF MILITARY AFFAIRS			
Federal Spending Authority	2,100,000	Federal Special Revenue	
Western Montana Veterans' Cemetery, Missoula	3,200,000		
Federal Special Revenue			
Montana State Veterans' Cemetery Columbarium, Fort Harrison	500,000	Federal Special Revenue	
MONTANA UNIVERSITIES AND COLLEGES			
ADA/Code/Deferred Maintenance Projects,			
Montana University System	1,393,000		
Upgrade Steam Distribution System,			
UM-Missoula	5,905,325	3,060,000	Auxiliary Funds
Upgrade HVAC Systems, Pershing and Brockman Halls, MSU-Northern	521,380		
Heating System Improvements, Academic Center and McMullen Halls, MSU-Billings	243,775		
Mining and Geology Building Mechanical System Renovation, UM-Butte	915,400		
Upgrade Health Sciences HVAC System, Phase 2, UM-Missoula	965,150		
Renovate Domestic Water Distribution System, UM-Dillon	182,185		
Classroom/Laboratory Upgrades, Montana University System	995,000		
Facility Repairs and Improvements, MSU-Billings	542,275		
Heating Plant Phase 3, MSU-Bozeman	945,250		
Renovate HVAC Systems, Science Complex 3rd and 4th Floors, UM-Missoula	606,950		
Water/Sewer System Repairs and Maintenance, MSU-Bozeman	248,750	250,000	Auxiliary Funds
Upgrade Primary Electrical Distribution, MSU-Bozeman	746,250	750,000	Auxiliary Funds
Facility Repairs and Improvements, MSU-Agricultural Experiment Stations	477,600		
MSU-Agricultural Experiment Station Projects	646,750		

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Campus Improvements, MSU-Northern 636,800 300,000 Auxiliary Funds

New Construction, Consolidate Campus,

UM-Missoula College of Technology 24,500,000

Federal Special Revenue, Donations, Grants, and

Higher Education Funds

Authority is granted to the department of administration in the indicated amount for the purpose of constructing a new university of Montana-Missoula college of technology.

Native American Study Center, UM-Missoula 2,500,000

Federal Special Revenue,

Donations, Grants, and

Higher Education Funds

Authority is granted to the department of administration in the indicated amount for the purpose of constructing the Native American center. This authority augments \$3,500,000 of existing authority for this capital improvement.

New Gallery Space, UM-Missoula 6,000,000 Federal Special Revenue,

Donations, Grants, and

Higher Education Funds

Authority is granted to the department of administration in the indicated amount for the purpose of constructing new gallery space.

New Forestry Complex, UM-Missoula 20,000,000

Federal Special Revenue, Donations, Grants, and

Higher Education Funds

Authority is granted to the department of administration in the indicated amount for the purpose of constructing the new forestry complex.

MBMG/Petroleum Building, UM-Tech, Butte 5,400,000

Federal Special Revenue, Donations, Grants, and

Higher Education Funds

Authority is granted to the department of administration in the indicated amount for the purpose of constructing the MBMG/petroleum building.

Research Lab Facility, UM-Missoula 3,000,000 Federal Special Revenue,

Donations, Grants, and

Higher Education Funds

Authority is granted to the department of administration in the indicated amount for the purpose of constructing the research lab facility. Any increase in costs for the operations and maintenance of the research lab facility must be paid by the university of Montana with nonstate revenue.

Law Building ADA Improvements/

Renovation/Expansion, UM-Missoula 500,000

This state money augments \$5,000,000 of existing authority for this project.

School of Journalism Building, UM-Missoula 500,000

This state money augments \$12,000,000 of existing authority for this project.

VisComm Black Box Theater,

MSU-Bozeman 2,750,000 Federal Special Revenue,

Donations, Grants, and Higher Education Funds

Authority is granted to the department of administration in the indicated amount for the purpose of constructing the new viscomm black box theater.

Animal Bioscience Building, MSU-Bozeman 7,500,000 Federal Special Revenue, Donations, Grants, and Higher Education Funds

Authority is granted to the department of administration in the indicated amount for the purpose of constructing the new animal bioscience building. This authority augments \$5,000,000 of existing authority for this capital improvement.

Museum of the Rockies, MSU-Bozeman 12,000,000 Federal Special Revenue,

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Donations, Grants, and
Higher Education Funds

Authority is granted to the department of administration in the indicated amount for the purpose of constructing improvements to the museum of the rockies.

Native American Student Center, MSU-Bozeman 8,000,000
Federal Special Revenue, Donations, Grants, and
Higher Education Funds

Authority is granted to the department of administration in the indicated amount for the purpose of constructing the new Native American student center.

DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

Facility Improvements, Montana

State Hospital, Warm Springs 592,523

Facility Improvements, Montana

Developmental Center, Boulder 218,044

Demolish Abandoned Buildings,

Public Health and Human Services 1,741,250

Stabilize Old Administration Building, Montana

Developmental Center, Boulder 179,100

Housing for High-Risk Behaviors 2,529,290

Special Care Unit Renovations,

Eastern Montana Veterans' Home, Glendive 475,000

State Special Revenue

Facility Renovation and Improvements,

Montana Veterans' Home, Columbia Falls 465,000

State Special Revenue

Construct Chapel, Montana State Hospital,

Warm Springs 350,000 Donations and Grants

Authority is granted to the department of administration in the indicated amount for the purpose of constructing the chapel at the Montana state hospital in Warm Springs.

DEPARTMENT OF TRANSPORTATION

Equipment Storage Buildings, Statewide 635,000 State Special Revenue

Chiller/Cooling Towers Replacement,

Helena Headquarters 350,000 State Special Revenue

Office Addition, Billings 500,000 State Special Revenue

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

Replace Clearwater Unit Fire Cache 248,750

OFFICE OF THE GOVERNOR

Historic and Cultural Properties Interim Study 20,000

(2) (a) For the purpose of constructing a privately funded chapel at the Montana state hospital in Warm Springs, the department of administration may waive, in whole or in part, the requirements pertaining to:

(i) bidding and bonding for state building projects in Title 18;

(ii) labor requirements in Title 18; and

(iii) contractor registration in Title 39.

(b) The waiver pursuant to subsection (2)(a) may be exercised in the following circumstances:

(i) to obtain the volunteer services and donated materials from members of the public, civic organizations, and other entities;

(ii) to obtain the compensated services of contractors who are donating significant amounts of labor, time, and materials; and

(iii) to meet the terms and conditions for receipt of major sums of money from private or public funding sources, including individual donations.

(3) (a) For the purpose of selling the Jocko fish hatchery to the Confederated Salish and Kootenai tribes and

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in exchange for constructing and improving the fish hatchery at the Rose Creek hatchery, the department of fish, wildlife, and parks may waive, in whole or in part, the requirements pertaining to:

- (i) public bids for land disposal in 87-1-209(3); and
- (ii) the real property trust fund in 87-1-601.

(b) The waiver pursuant to subsection (3)(a) may be exercised only under the circumstances described in subsection (3)(a). The waiver does not affect the department's requirement to obtain full market value pursuant to Article X, section 11, of the Montana constitution.

(4) It is the intent of the legislature that the department of administration plan and construct a Montana historical society building at the 6th avenue and Roberts street site in Helena, Montana, with the remaining balance of the \$7.5 million of bonds authorized in Chapter 499, Laws of 2005, and the \$30 million in donation and grant authority in this section."

Renumber: subsequent sections

33. Page 18, line 12.

Strike: "15"

Insert: "17"

Strike: "17"

Insert: "19"

34. Page 18, line 13.

Strike: "15"

Insert: "17"

Strike: "17"

Insert: "19"

35. Page 18.

Following: line 20

Insert: "NEW SECTION. **Section 24. Retroactive applicability.** [Section 18] applies retroactively, within the meaning of 1-2-109, to May 2, 2005."

And, as amended, do pass. Report adopted.

HB 152, introduced bill, be amended as follows:

1. Title, page 1, line 15 through line 16.

Following: "PROVIDING" on line 15

Insert: "AN IMMEDIATE"

Strike: "DATES" on line 16

Insert: "DATE"

2. Page 11, line 16 through line 18.

Strike: "dates."

Insert: "date."

Strike: "(1)" on line 16 through "are" on line 18

Insert: "[This act] is"

And, as amended, do pass. Report adopted.

HB 173, introduced bill, be amended as follows:

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1. Title, line 5.

Strike: "APPROPRIATING"

Insert: "PROVIDING FOR AN ALLOCATION OF"

2. Page 3, lines 21 and 22.

Strike: "Appropriation" on line 21

Insert: "Allocation of available funds"

Following: "Appropriation." on line 21

Strike: remainder of line 21 through "used" on line 22

Insert: "(1) If funds are made available for the program in [section 1], then the funds must be allocated"

3. Page 3, line 24.

Strike: "(1)"

Insert: "(a)"

Renumber: subsequent subsection

4. Page 3.

Following: line 28

Insert: "(2) If less than \$450,000 is available for the program provided for in [section 1], then the funding must be prorated on the basis of the allocations in subsection (1)."

5. Page 4.

Following: line 2

Insert: "NEW SECTION. **Section 4. Contingent voidness.** If funding for the program established in [section 1] is not included as an item in House Bill No. 645, then [this act] is void."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 213, introduced bill, be amended as follows:

1. Page 2, line 1.

Following: "the"

Strike: "Montana board of veterans' affairs"

Insert: "senior and long-term care division of the department of public health and human services"

And, as amended, do pass. Report adopted.

HB 258, introduced bill, be amended as follows:

1. Page 1, line 12.

Following: "appropriated" on line 12

Strike: "\$6,288,208" on page 1, line 12 through "\$6,288,408" on line 16.

Insert: "\$6 million"

Renumber: subsequent subsection

2. Page 1, line 20.

Following: "The"

Strike: "appropriations" through "are"

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Insert: "appropriation in subsection (1) is"

And, as amended, do pass. Report adopted.

HB 333, introduced bill, be amended as follows:

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

Strike: "APPROPRIATING" on line 6 through "RESEARCH;" on line 7

2. Page 2, line 28 through page 3, line 2.

Strike: section 3 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 411, introduced bill, be amended as follows:

1. Page 2, line 24.

Strike: "-- review by governor --"

Insert: "for"

2. Page 2, lines 25 through 29.

Strike: subsection (1) in its entirety

Insert: "(1) For large projects as described in [section 2(3)], the department shall prepare and submit a list to the legislature, prioritized pursuant to rules adopted pursuant to [section 1], containing the recommended projects and the recommended form and amount of financial assistance for each project."

3. Page 6, line 3.

Insert: "NEW SECTION. **Section 5. Contingent voidness.** If funding for the program established in [sections 1 through 3] is not included as an item in House Bill No. 645, then [this act] is void."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 459, introduced bill, be amended as follows:

1. Title, page 1, line 9.

Strike: "PROVIDING AN APPROPRIATION;"

2. Page 2, line 18 through line 21.

Strike: section 2 in its entirety

3. Page 2.

Following: line 27

Insert: "NEW SECTION. **Section 4. Coordination instruction.** If both House Bill No. 645 and [this act] are passed and approved and if House Bill No. 645 does not include line item funding for the Montana virtual academy for the purposes of [this act], then [this act] is void."

And, as amended, do pass. Report adopted.

ANNOUNCEMENTS

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Committee meetings were announced by the committee chairs.

Representative Campbell moved that the House adjourn until 1:00 p.m., Tuesday, March 24, 2009. Motion carried.

House adjourned at 2:33 p.m.

DAVE HUNTER
Chief Clerk of the House

BOB BERGREN
Speaker of the House