

**HOUSE JOURNAL
61ST LEGISLATURE
SEVENTY-NINTH LEGISLATIVE DAY**

Helena, Montana
April 14, 2009

House Chambers
State Capitol

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

Roll Call. All members present. Quorum present.

Rep. Brown wished Representative Ankney, Tyrrell Hibbard (the Status Clerk), and Taylor Bergemann (the Bills Distribution Clerk) happy birthdays.

Mr. Speaker introduced the pages for the week: Jake Brodsky (Helena), Megan Chansler (Lolo), Alyssa Dillon (Conrad), Lucas Matelich (Missoula), Laura Miltenberger (Clancy), Ken Patrick (Big Fork), Olivia Skari (Chester), Mauro Whiteman (Great Falls).

Representatives Reinhart and P. Noonan read the following proclamation:

PROCLAMATION IN THE MONTANA HOUSE AND SENATE

WHEREAS Carroll College was founded in the year 1909 by Bishop John Patrick Carroll to advance higher education for the young men of Montana in whatever lay or spiritual vocations they would choose to pursue; and

WHEREAS under Bishop Carroll's management, construction of Carroll College's flagship edifice, St. Charles Hall, began on June 16, 1909, and the cornerstone was officially installed on September 27, 1909, by Bishop Carroll and U.S. President William Howard Taft in the presence of many distinguished Montanans and townspeople; and

WHEREAS the college has grown over the past century from a one-building institution on the periphery of the state capital with only a small number of male-only students and fewer than 10 priest faculty to a nationally recognized co-educational college with a student body of 1,400 and full-time faculty of approximately 80 scholar-professors, both lay and priestly, leaders in their fields from around the globe; and

WHEREAS over the past one-hundred years, Carroll College has earned national stature through a variety of accomplishments previously honored in these hallowed halls of the Montana Legislature; and

WHEREAS Carroll College boasts legendary alumni whose influence has extended statewide, nationally and on every continent; and

WHEREAS many of these outstanding Carroll alumni settle within Montana and in its capital city of Helena, contributing to the quality of life, economic robustness and intellectual vigor of the Treasure State, while bringing with them a solid adherence to the ethics in all of their endeavors, both professional and personal; and

WHEREAS Carroll College, its faculty, presidents, staff and students, both current and past, are now ushering in a Centennial Celebration of their college's founding to recognize and honor its legendary figures and its timeless traditions embodied in the Centennial Campaign motto "Learn-Serve-Lead,"

NOW, THEREFORE we as you Mr. Speaker to proclaim that the 2009 Montana Legislature shall hereby recognize Carroll College as a great and historic Montana institution of higher learning in this, Carroll's centennial year 2009 through 2010, with special observation of Carroll College's contribution to the State of Montana through its preparation of outstanding, ethical citizens and professionals in a broad spectrum of fields and vocations.

Mr. Speaker, "So ordered"

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Jopek, Chairman):

4/14/2009

SB 38, be concurred in. Report adopted.

SB 55, be amended as follows:

1. Page 1, line 16.

Strike: "A"

Insert: "(1) Except as provided in subsection (2), a"

2. Page 1, line 21.

Insert: "(2) (a) A political subdivision may enter into a cooperative agreement with the department concerning the use and application of commercial fertilizers or soil amendments.

(b) Nothing in subsection (1) prevents a political subdivision from adopting or implementing zoning regulations or fire codes governing the physical location or siting of fertilizer manufacturing, storage, and sales facilities."

3. Page 2, line 28.

Following: "amendments"

Insert: ", except that a local government may enter into a cooperative agreement with the department of agriculture concerning the use and application of commercial fertilizers or soil amendments. This subsection is not intended to prevent or restrict a local government from adopting or implementing zoning regulations or fire codes governing the physical location or siting of fertilizer manufacturing, storage, and sales facilities"

4. Page 5, line 9.

Following: "75-10-715(1)."

Insert: "The term also does not include the owner or operator of the Milltown dam licensed under part 1 of the Federal Power Act (FERC license No. 2543-004) if a hazardous or deleterious substance has been released into the environment upstream of the dam and has subsequently come to be located in the reservoir created by the dam unless the owner or operator is a person who would otherwise be liable for a release or threatened release under 75-10-715(1)."

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

SB 204, be concurred in. Report adopted.

SB 214, be amended as follows:

1. Page 2, line 1.

Following: "45-6-327;"

Insert: "and"

2. Page 2, line 4 through line 10.

Following: "45-6-327" on line 4

Strike: "; and" on line 4 through "consent" on line 10

3. Page 7, line 5.

Strike: "\$10,000"

Insert: "\$5,000"

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

4. Page 7, line 26.

Strike: "\$10,000"

Insert: "\$5,000"

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

SB 300, be concurred in. Report adopted.

SB 322, be amended as follows:

1. Title, line 7.

Strike: "REGISTRATION PROVISIONS"

Insert: "APPLICATION AND REREGISTRATION FEES"

2. Page 1, line 14.

Following: "applicant"

Insert: "who is not a hobbyist beekeeper and is"

3. Page 2, line 25.

Strike: "EXCEPT AS PROVIDED IN 80-6-114, A"

Insert: "A"

4. Page 3, line 2.

Following: "(b)"

Insert: "(i)"

Strike: "The"

Insert: "Except as provided in subsection (2)(b)(ii), the"

5. Page 3.

Following: line 3

Insert: "(ii) A hobbyist beekeeper is exempt from the registration fee required in subsection (2)(b)(i)."

6. Page 9, line 7 through line 10.

Strike: subsection (4) in its entirety

Renumber: subsequent subsection

7. Page 9, line 18 through line 21.

Strike: "-- VOLUNTARY" on line 18

Strike: "(1)" on line 18 through "80-6-102." on line 21

Renumber: subsequent subsections

8. Page 10, line 14.

Following: "bees"

Strike: ":",

Insert: ". The department shall provide at least 24 hours' notice to a private landowner before entering private land."

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

SB 343, be concurred in. Report adopted.

APPROPRIATIONS (Sesso, Chairman):

4/14/2009

STATE INTERNET/BBS COPY

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

SB 263, be amended as follows:

1. Page 12.

Following: line 8

Insert: "NEW SECTION. Section 3. Contingent voidness. If House Bill No. 2 is passed and approved and does not include the restoration of the \$250,000 per year general fund reduction in the Office of State Public Defender related to the passage and approval of [this act], then [this act] is void."

Renumber: subsequent section

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

SB 460, be amended as follows:

1. Page 1, line 14.

Strike: "13"

Insert: "10"

2. Page 1, line 15 through line 24.

Strike: line 15 through line 24 in their entirety

Insert: "(a) five members of the house of representatives appointed by the speaker of the house from the following committees:

(i) one republican member from the revenue and transportation committee;

(ii) one democratic member from the education and local government committee;

(iii) one republican member from the children, families, health, and human services committee;

(iv) one democratic member from the legislative finance committee; and

(v) one democratic member from the legislative council; and

(b) five members of the senate appointed by the president of the senate from the following committees:

(i) one democratic member from the revenue and transportation committee;

(ii) one republican member from the education and local government committee;

(iii) one democratic member from the children, families, health, and human services committee;

(iv) one republican member from the legislative finance committee; and

(v) one republican member from the legislative council."

3. Page 1, line 28 through line 29.

Strike: "Other" on line 28 through "2-18-503." on line 29

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

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (A. Noonan, Chairman) 4/14/2009

SB 291, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House amendments to Senate bills concurred in: 4/9/2009

SB 65, introduced by Hawks

SB 231, introduced by Laible

SB 430, introduced by Hamlett

House bills concurred in and returned to the House: 4/9/2009

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

HB 280, introduced by Hunter
HB 356, introduced by Wagner

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/9/2009

HB 3, introduced by Ankney
HB 4, introduced by Jones
HB 8, introduced by McNutt
HB 42, introduced by Vincent
HB 110, introduced by Sesso
HB 173, introduced by Hendrick
HB 333, introduced by P. Noonan
HB 583, introduced by Fleming
HB 634, introduced by McAlpin

Governor's amendments to House bill concurred in and returned to the House: 4/9/2009

HB 322, introduced by Blewett

Conference Committee Report No.1 adopted: 4/9/2009

SB 73, introduced by Hawks

Free Conference Committee Report No.1 adopted: 4/9/2009

SB 108, introduced by Jent

Conference Committee Report No.1 adopted: 4/9/2009

HB 228, introduced by Kerns

Free Conference Committee Report No.1 adopted: 4/9/2009

HB 622, introduced by Himmelberger

House bill not concurred in and returned to the House: 4/9/2009

HB 12, introduced by Wilmer

MESSAGES FROM THE GOVERNOR

April 10, 2009

The Honorable Bob Bergren
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable Robert Story

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Bergren and President Story:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return with amendments House Bill 301, "**AN ACT INCLUDING REASONABLE PARALEGAL FEES AS A COMPONENT OF ATTORNEY FEES THAT MAY BE AWARDED TO A PREVAILING PARTY IN CERTAIN CASES; DEFINING "PARALEGAL"; AMENDING SECTIONS 25-10-302 AND 37-61-215, MCA; AND PROVIDING AN APPLICABILITY DATE**" for the following reasons.

My amendment to HB 301 is offered to affirm and reinforce that paralegals must work under the supervision of a licensed attorney and may not engage in the unauthorized practice of law. I have discussed the amendment with the sponsor of the bill, Rep. Kottel, as well as with a representative of the State Bar of Montana, and the Board of the Paralegal Section of the State Bar, and all support the amendment.

Sincerely,

BRIAN SCHWEITZER
Governor

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 301

2. Page 2, line 3.

Following: line 2

Insert: "(3) A person may not practice as a paralegal except under the supervision of a licensed attorney and is prohibited from engaging in the unauthorized practice of law."

- END -

April 10, 2009

The Honorable Bob Bergren
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable Robert Story
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Bergren and President Story:

STATE INTERNET/BBS COPY

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return with amendments House Bill 150, "**AN ACT CREATING THE MONTANA RECREATION RESPONSIBILITY ACT; PROVIDING THAT A PERSON WHO ENGAGES IN A SPORT OR RECREATIONAL OPPORTUNITY ASSUMES THE INHERENT RISKS IN THAT SPORT OR RECREATIONAL OPPORTUNITY AND IS RESPONSIBLE FOR INJURIES AND DAMAGES RESULTING FROM THOSE INHERENT RISKS; LIMITING THE LIABILITY OF THE NONGOVERNMENTAL PROVIDERS OF A SPORT OR RECREATIONAL OPPORTUNITY; CLARIFYING THAT A PROVIDER IS NOT REQUIRED TO ELIMINATE, ALTER, OR CONTROL THE INHERENT RISKS WITHIN A PARTICULAR SPORT OR RECREATIONAL OPPORTUNITY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE**" for the following reasons.

My amendments to HB 150 accomplish three things. First and foremost, they add governmental entities within the protections of the bill. When Montanans adopted their Constitution in 1972, they abolished the doctrine of sovereign immunity under state law. That doctrine traces its origins to English common law, under which the government, i.e., the King, could do no wrong. Under the 1972 Constitution, Montanans decided that governmental entities would be responsible for their wrongdoings just as are private actors. A primary objection of mine to HB 150 in its current form is that it turns the 1972 Montana Constitution's abolition of sovereign immunity on its head, since all actors *except* the government are relieved from liability for inherent risks in sports and recreational activities. My amendment would treat the government the same as all other private parties.

1. As you know, under Article II, section 18 of the Montana Constitution, my amendment requires a 2/3 vote of each house of the legislature. I ask you to join me in treating government providers of recreational activities, such as Universities and schools, in the same manner as private persons.

While offering an amendment to add governmental entities among those subject to the protections of this bill, I also proposed adding language to make clear that a provider is not only a "person" but includes corporations, partnerships, and other business entities.

Second, my amendments clarify that the Act does not apply to sports equipment or products in their design, manufacture, provision, or maintenance. In its current form, the bill states only that the Act does not apply to the design and manufacture of sports equipment or products. It is my understanding that the bill was never intended to apply to any aspect of deficient sports equipment. Rather, it was intended to apply to the inherent risk of the recreation activity, itself. My amendment ensures this result.

Finally, my amendments strike provisions in the first section of the bill that are of a philosophical nature. The limits on liability for providers of sports or recreational opportunity involving inherent risk are contained in section 3 of HB 150. Those limits are clear and, I believe, do not require further embellishment in section 1.

I believe these amendments are fair and, if adopted, will result in a clear and sound policy recognizing limits on liability of providers for risks inherent in recreational activities and sports.

I have discussed the amendments with the sponsor of the bill, Rep. Dee Brown, who supports the amendments. Please join her with your support, as well.

Sincerely,

BRIAN SCHWEITZER
Governor

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 150

2. Title, line 8.

Strike: "NONGOVERNMENTAL"

Following: "OPPORTUNITY;"

Insert: "PROVIDING GOVERNMENTAL IMMUNITY;"

3. Page 1, line 27.

Strike: "(1)"

4. Page 1, line 29 through page 2, line 8.

Strike: subsections (2) through (4) in their entirety

5. Page 2, line 14.

Strike: "other than"

Insert: "corporation, partnership, or other business entity, including"

Following: "entity"

Insert: "as defined in 2-9-111"

6. Page 3, line 2.

Following: "design"

Strike: "or"

Insert: ", "

Following: "manufacture"

Insert: ", provision, or maintenance"

7. Page 3, line 5 through line 6.

Strike: subsection (5) in its entirety

8. Page 4, line 1.

Insert: "NEW SECTION. Section 7. Two-thirds vote required. Because [section 3] limits governmental liability, Article II, section 18, of the Montana constitution requires a vote of two-thirds of the members of each house of the legislature for passage."

Renumber: subsequent sections

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

- END -

April 10, 2009

The Honorable Bob Bergren
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable Robert Story
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Bergren and President Story:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return with amendments House Bill 98, "**AN ACT AUTHORIZING STATE AGENCIES TO ENTER INTO ENERGY PERFORMANCE CONTRACTS; AND AMENDING SECTIONS 18-2-101, 18-4-132, 90-4-1101, 90-4-1102, 90-4-1103, 90-4-1104, 90-4-1105, 90-4-1106, 90-4-1107, 90-4-1108, AND 90-4-1109, MCA**" for the following reasons.

House Bill 98 authorizes state agencies to enter into energy performance contracts, which under current law may be entered into by local governments. My amendment provides an immediate effective date, in order that contracts can be entered into by the state immediately under the American Recovery and Reinvestment Act of 2009.

1. I have discussed my proposed amendment with the sponsor of the bill, Rep. Dick Barrett, who supports the amendment.

Sincerely,

BRIAN SCHWEITZER
Governor

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 98

2. Title, line 6.

1. **Strike:** "AND"

3. Title, line 7.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

4. Page 8, line 20.

Insert: "NEW SECTION. Section 14. {standard} **Effective date.** [This act] is effective on passage and approval."

- END -

April 9, 2009

The Honorable Bob Bergren
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Bergren:

Please be informed that I have signed the following bills, and all have been delivered to the Office of the Secretary of State: 4/9/2009

House Bill 133 sponsored by Representative Stoker,
House Bill 144 sponsored by Representative McAlpin,
House Bill 163 sponsored by Representative Cohenour,
House Bill 195 sponsored by Representative Hamilton,
House Bill 197 sponsored by Representative Ebinger et al.,
House Bill 221 sponsored by Representative Cohenour et al.,
House Bill 243 sponsored by Representative Hunter et al.,
House Bill 290 sponsored by Representative Grinde et al.,
House Bill 291 sponsored by Representative Sonju,
House Bill 317 sponsored by Representative Furey et al.,
House Bill 354 sponsored by Representative Glaser et al.,
House Bill 365 sponsored by Representative Roberts,
House Bill 397 sponsored by Representative Kottel,
House Bill 400 sponsored by Representative Kottel et al.,
House Bill 407 sponsored by Representative MacDonald et al.,
House Bill 530 sponsored by Representative Arntzen,
House Bill 593 sponsored by Representative Villa et al.

Sincerely,

BRIAN SCHWEITZER
Governor

FIRST READING AND COMMITMENT OF BILLS

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

HJR 40, introduced by Menahan, referred to Judiciary.
HJR 41, introduced by Pomnichowski, referred to Natural Resources.

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

**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 Randall in the chair.

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

SB 305 - Conference Committee Report No. 1 - Representative Reinhart moved the Conference Committee report to **SB 305** be adopted. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, 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, 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, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 97

Nays: Mendenhall, Peterson, Welborn.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 404 - Conference Committee Report No. 1 - Representative Van Dyk moved the Conference Committee report to **SB 404** be adopted. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, 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: Sales.

Total 1

Excused: None.

Total 0

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

Absent or not voting: Butcher.
Total 1

HB 123 - Senate Amendments - Representative Jones moved Senate amendments to **HB 123** 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, 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, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Randall, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Mr. Speaker.
Total 93

Nays: McGillvray, Peterson, Regier, Sales, Smith, Wiseman.
Total 6

Excused: None.
Total 0

Absent or not voting: Butcher.
Total 1

HB 670 - Senate Amendments - Representative Vincent moved Senate amendments to **HB 670** 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, 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, 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, Mr. Speaker.
Total 97

Nays: Phillips, Wiseman.
Total 2

Excused: None.
Total 0

Absent or not voting: Butcher.
Total 1

SB 257 - Representative Vincent moved **SB 257**.
SB 257 - Representative Hands moved **SB 257** be amended as follows:

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

1. Title, page 1, line 13.

Following: "SERVICES;"

Insert: "INCREASING THE RENEWABLE PORTFOLIO STANDARD TO COMPLY WITH THE ADDITION OF UPGRADES TO THE DEFINITION OF "ELIGIBLE RENEWABLE RESOURCE";"

2. Title, page 1, line 16.

Following: "69-3-2004,"

Insert: "69-3-2005,"

3. Page 3, line 30.

Strike: "(11) and (12)"

Insert: "(13) and (14)"

4. Page 4, line 1.

Strike: "(4)"

Insert: "(6)"

5. Page 4, line 5.

Strike: "2014"

Insert: "2011"

6. Page 4.

Following: line 12

Insert: "(4) In each compliance year beginning January 1, 2012, through December 31, 2014, each public utility and competitive electricity supplier shall procure a minimum of 15% of its retail sales of electrical energy in Montana from eligible renewable resources."

Renumber: subsequent subsections

7. Page 4, line 13.

Strike: "the"

Insert: "each"

Strike: "and" through "year"

Insert: "through December 31, 2019"

8. Page 4, line 14.

Strike: "15%"

Insert: "20%"

9. Page 4, line 16.

Strike: "(4)(a)"

Insert: "(5)(a)"

10. Page 4, line 19.

Strike: "(4)(b)(i)"

Insert: "(5)(b)(i)"

11. Page 4, line 21.

Strike: "(4)(b)"

Insert: "(5)(b)"

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

12. Page 4.

Following: line 22

Insert: "(6) In the compliance year beginning January 1, 2020, and in each succeeding compliance year, each public utility and competitive electricity supplier shall procure a minimum of 25% of its retail sales of electrical energy in Montana from eligible renewable resources."

Renumber: subsequent subsections

13. Page 4, line 23.

Strike: "(4)"

Insert: "(6)"

14. Page 4, line 27.

Strike: "(4)"

Insert: "(6)"

15. Page 5, line 1.

Strike: "(4)"

Insert: "(6)"

16. Page 5, line 7.

Strike: "(7)(a)(i) and (7)(a)(ii)"

Insert: "(9)(a)(i) and (9)(a)(ii)"

17. Page 5, line 10.

Strike: "(4)"

Insert: "(6)"

18. Page 5, line 13.

Strike: "(4)"

Insert: "(6)"

19. Page 5, line 20.

Strike: "(4)"

Insert: "(6)"

20. Page 5, line 22.

Strike: "(4)"

Insert: "(6)"

21. Page 5, line 25.

Strike: "(11) and (12)"

Insert: "(13) and (14)"

22. Page 5, line 26.

Strike: "(4)"

Insert: "(6)"

23. Page 6, line 2.

Strike: "(4)"

Insert: "(6)"

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

24. Page 6, line 3.

Strike: "(10)"

Insert: "(12)"

25. Page 6, line 13.

Strike: "(4)"

Insert: "(6)"

26. Page 6, line 14.

Strike: "(12)(a)"

Insert: "(14)(a)"

27. Page 6.

Following: line 15

Insert: "Section 3. Section 69-3-2005, MCA, is amended to read:

"69-3-2005. Procurement -- cost recovery -- reporting. (1) In meeting the requirements of this part, a public utility shall:

(a) conduct renewable energy solicitations under which the public utility offers to purchase renewable energy credits, either with or without the associated electricity, under contracts of at least 10 years in duration; and

(b) consider the importance of geographically diverse rural economic development when procuring renewable energy credits.

(2) A public utility that intends to enter into contracts of less than 10 years in duration shall demonstrate to the commission that these contracts will provide a lower long-term cost of meeting the standard established in 69-3-2004.

(3) (a) Contracts signed for projects located in Montana must require all contractors to give preference to the employment of bona fide Montana residents, as defined in 18-2-401, in the performance of the work on the projects if the Montana residents have substantially equal qualifications to those of nonresidents.

(b) Contracts signed for projects located in Montana must require all contractors to pay the standard prevailing rate of wages for heavy construction, as provided in 18-2-401(13)(a), during the construction phase of the project.

(4) All contracts signed by a public utility to meet the requirements of this part are eligible for advanced approval under procedures established by the commission. Upon advanced approval by the commission, these contracts are eligible for cost recovery from ratepayers, except that nothing in this part limits the commission's ability to subsequently, in any future cost-recovery proceeding, inquire into the manner in which the public utility has managed the contract and to disallow cost recovery if the contract was not reasonably administered.

(5) A public utility or competitive electricity supplier shall submit renewable energy procurement plans to the commission in accordance with rules adopted by the commission. The plans must be submitted to the commission on or before:

~~(a) January 1, 2007, for the standard required in 69-3-2004(2);~~

~~_____ (b) June 1, 2008, for the standard required in 69-3-2004(3);~~

~~(c) (a) June 1, 2013, for the standard required in 69-3-2004(4); and~~

~~(b) June 1, 2013, for the standard required in 69-3-2004(5);~~

~~_____ (c) June 1, 2018, for the standard required in 69-3-2004(6); and~~

~~(d) any additional future dates as required by the commission.~~

(6) A public utility or competitive electricity supplier shall submit annual reports, in a format to be determined by the commission, demonstrating compliance with this part for each compliance year. The reports must be filed by March 1 of the year following the compliance year.

(7) For the purpose of implementing this part, the commission has regulatory authority over competitive electricity suppliers."

Renumber: subsequent sections

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

Motion to amend, **failed** as follows:

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

Total 47

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

Total 53

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 257 - Representative Vincent moved **SB 257** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Bean, B. Beck, Belcourt, Bennett, Berry, Blasdel, Boniek, Boss Ribs, Brown, Butcher, Campbell, Driscoll, French, Glaser, Hawk, Hendrick, Himmelberger, Hiner, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kasten, Kerns, Klock, Lake, MacLaren, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Mendenhall, Milburn, Miller, More, Morgan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.

Total 62

Nays: Barrett, P. Beck, Becker, Blewett, Boland, Caferro, Cohenour, Dickenson, Ebinger, Fleming, Furey, Getz, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Hunter, Jopek, Kottel, MacDonald, Malek, McAlpin, Menahan, A. Noonan, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Sesso, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 260 - Representative A. Noonan moved **SB 260** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray,

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

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 418 - Representative Cohenour moved **SB 418** 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, Jones, Jopek, Kasten, 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, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 94

Nays: Ingraham, Kerns, McGillvray, Regier, Reichner, Smith.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 464 - Representative A. Noonan moved **SB 464** be concurred in. Motion carried as follows:

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

Total 82

Nays: Blasdel, Boniek, Hendrick, Ingraham, Kasten, Kerns, Mendenhall, Milburn, Miller, Randall, Regier, Reichner, Smith, Taylor, Wagner, Warburton.

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

Total 16

Excused: None.

Total 0

Absent or not voting: Arntzen, Butcher.

Total 2

SB 465 - Representative Cohenour moved **SB 465** 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, 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, 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, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 96

Nays: Pease-Lopez, Villa.

Total 2

Excused: None.

Total 0

Absent or not voting: Butcher, A. Noonan.

Total 2

SB 467 - Representative Wiseman moved **SB 467** 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, 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 96

Nays: Brown, Campbell.

Total 2

Excused: None.

Total 0

Absent or not voting: Butcher, Caferro.

Total 2

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

SB 489 - Representative Lake moved **SB 489** 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, 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, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 97

Nays: Boniek, Mendenhall, Stahl.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 491 - Representative Stahl moved **SB 491** 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, 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, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 98

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Butcher, Steenson.

Total 2

SB 507 - Representative Di. Barrett moved **SB 507**.

SB 507 - Representative Di. Barrett moved **SB 507** be amended as follows:

1. Page 4, line 16.

Following: "are"

Insert: "proposed to be"

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

2. Page 4, line 17.

Following: "easement"

Insert: "for water diversion structures associated with a water right"

3. Page 4, line 29.

Following: "easement"

Insert: "for water diversion structures associated with a water right"

Motion to amend, carried as follows:

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

Total 91

Nays: Pease-Lopez, Randall, Sales, Sonju, Taylor, Wagner.

Total 6

Excused: None.

Total 0

Absent or not voting: B. Beck, Butcher, Welborn.

Total 3

SB 507 - Representative Villa moved to pass consideration on **SB 507** for the day. Motion requires a simple majority vote. Motion **failed** as follows:

Yeas: Becker, Blewett, Campbell, Driscoll, Getz, Grinde, Hands, Hiner, Hollenbaugh, Jopek, MacDonald, McChesney, McClafferty, A. Noonan, P. Noonan, Pease-Lopez, Phillips, Sands, Sesso, Steenson, Van Dyk, Villa, Wilmer, Wilson, Mr. Speaker.

Total 25

Nays: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Belcourt, Bennett, Berry, Blasdel, Boland, Boniek, Boss Ribs, Brown, Caferro, Cohenour, Dickenson, Ebinger, Fleming, French, Furey, Glaser, Hamilton, Hawk, Hendrick, Henry, Himmelberger, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jones, Kasten, Kerns, Klock, Kottel, Lake, MacLaren, Malek, McAlpin, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, Nooney, O'Hara, Peterson, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn, Wiseman.

Total 74

Excused: None.

Total 0

Absent or not voting: Butcher.

Total 1

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

SB 507 - Representative -Di. Barrett moved **SB 507** as amended, be concurred in. Motion carried as follows:

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

Total 84

Nays: Blewett, Hands, Himmelberger, Hollenbaugh, Jopek, McClafferty, A. Noonan, P. Noonan, Nooney, Pease-Lopez, Pomnichowski, Sesso, Villa, Wilmer, Wilson, Mr. Speaker.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 508 - Representative Sonju moved **SB 508** be concurred in. Motion carried as follows:

Yeas: Augare, Barrett, Bean, B. Beck, P. Beck, Belcourt, Berry, Blasdel, Blewett, Boland, Boss Ribs, Butcher, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jones, Jopek, Kasten, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Reichner, Reinhart, Roundstone, Sands, Sesso, Sonju, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Washburn, Welborn, Wilmer, Wilson.

Total 74

Nays: Ankney, Arntzen, Becker, Bennett, Boniek, Brown, Caferro, Campbell, Getz, Henry, Ingraham, Kerns, McGillvray, Mendenhall, Miller, More, Regier, Roberts, Sales, Smith, Stahl, Vincent, Wagner, Warburton, Wiseman, Mr. Speaker.

Total 26

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 263 - Representative Menahan moved **SB 263** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Blasdel, Blewett, Boland, Boss Ribs, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, More, Morgan, A.

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

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 92

Nays: Augare, Berry, Boniek, Brown, Howard, Hunter, Miller, Wagner.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 460 - Representative Sesso moved **SB 460** 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, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Mr. Speaker.
Total 95

Nays: Boniek, Malek, Peterson, Villa, Wiseman.
Total 5

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 Randall moved the Committee of the Whole report be adopted. Report .

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, Milburn, More, Morgan, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Warburton, Washburn, Welborn, Wilmer, Wilson, Mr. Speaker.
Total 89

Nays: Boniek, Mendenhall, Miller, Sales, Villa, Vincent, Wagner, Wiseman.

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

Total 8

Excused: None.

Total 0

Absent or not voting: Nooney, Randall, Reichner.

Total 3

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 602, Conference Committee report, passed as follows:

Yeas: 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, 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, Vincent, Wagner, Warburton, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 94

Nays: Ankney, Mendenhall, Miller, More, Villa, Welborn.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 36 adopted as follows:

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

Total 82

Nays: Bean, B. Beck, Blasdel, Brown, Butcher, Hawk, Himmelberger, Ingraham, Lake, McNutt, Mendenhall, Miller, Morgan, Peterson, Sales, Smith, Sonju, Wagner.

Total 18

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 18, as amended by the Governor, concurred in as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, 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, Hunter, Ingraham, Jones, Jopek, Kerns, 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, Randall, Regier, Reinhart, Roberts, Roundstone, Sands, Sesso, Stahl, Steenson, Stoker, Vance, Van Dyk, Villa, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 80

Nays: Bean, Bennett, Berry, Blasdel, Boniek, Hawk, Hendrick, Howard, Kasten, Lake, McGillvray, Mendenhall, Miller, More, Reichner, Sales, Smith, Sonju, Taylor, Vincent.
Total 20

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 48, Conference Committee report, 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, Hands, Hawk, Hendrick, Henry, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Sonju, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 90

Nays: Boniek, Himmelberger, Mendenhall, Miller, More, Sales, Stahl, Wagner.
Total 8

Excused: None.
Total 0

Absent or not voting: Hamilton, Welborn.
Total 2

SB 271, concurred in as follows:

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

Yeas: Arntzen, 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, Hiner, Hollenbaugh, Hoven, Hunter, Jopek, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, McGillvray, Mehlhoff, Menahan, Morgan, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Reichner, Reinhart, Roundstone, Sands, Sesso, Steenson, Van Dyk, Villa, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 58

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

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 310, Conference Committee report, concurred in as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, 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, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 93

Nays: B. Beck, Caferro, Mendenhall, Peterson, Sales, Sonju, Vincent.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 369, 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,

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

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 427, Conference Committee report, 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, MacDonald, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 94

Nays: Lake, MacLaren, Morgan, Sonju, Wagner.
Total 5

Excused: None.
Total 0

Absent or not voting: Boniek.
Total 1

SB 451 concurred in as follows:

Yeas: 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, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 98

Nays: Ankney.
Total 1

Excused: None.

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

Total 0

Absent or not voting: Van Dyk.

Total 1

SB 462 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, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Reichner.

Total 1

SB 476 concurred in as follows:

Yeas: Ankney, P. Beck, Becker, Belcourt, Blewett, Boland, Boniek, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, Getz, Grinde, Hands, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jopek, Kottel, MacDonald, MacLaren, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Mendenhall, Milburn, More, Morgan, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reinhart, Roundstone, Sesso, Stahl, Steenson, Taylor, Van Dyk, Villa, Warburton, Wilmer, Wiseman, Mr. Speaker.

Total 56

Nays: Arntzen, Augare, Barrett, Bean, B. Beck, Bennett, Berry, Blasdel, Brown, Butcher, French, Furey, Glaser, Hamilton, Hawk, Hendrick, Henry, Himmelberger, Howard, Jones, Kasten, Kerns, Klock, Lake, Malek, McAlpin, Menahan, Miller, Nooney, Randall, Regier, Reichner, Roberts, Sales, Sands, Smith, Sonju, Stoker, Vance, Vincent, Wagner, Washburn, Welborn, Wilson.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

FIRST READING AND COMMITMENT OF BILLS

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

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

HB 42, introduced by Reinhart, Arntzen, Stahl, Ebinger, Grinde, Hands, MacLaren, Sands, Vance, Berry, Menahan, Bennett, Driscoll, Becker, Hamilton, Reichner referred to Local Government.

MOTIONS

Rep. Kottel moved that we reconsider actions taken on **SB 249** on the 78th Legislative Day, April 9th, 2009. Motion requires simple majority vote. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, P. Beck, Becker, Bennett, Berry, Boniek, Brown, Butcher, Campbell, Ebinger, Fleming, Furey, Getz, Glaser, Grinde, Hamilton, Henry, Himmelberger, Hoven, Howard, Ingraham, Jones, Jopek, Kerns, Klock, Kottel, MacDonald, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Randall, Regier, Roundstone, Sesso, Smith, Stahl, Taylor, Vance, Wagner, Warburton.

Total 57

Nays: B. Beck, Belcourt, Blasdel, Blewett, Boland, Boss Ribs, Caferro, Cohenour, Dickenson, Driscoll, French, Hands, Hawk, Hendrick, Hiner, Hollandsworth, Hollenbaugh, Hunter, Kasten, Lake, MacLaren, Malek, McAlpin, Menahan, Mendenhall, Pomnichowski, Reichner, Reinhart, Roberts, Sales, Sands, Sonju, Steenson, Stoker, Van Dyk, Villa, Vincent, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Rep. Peterson moved to take **SB 425** from the Fish, Wildlife, and Parks Committee and be placed on 2nd reading on the 80th Legislative Day. Motion requires 3/5 majority vote. Motion **failed** as follows:

Yeas: Ankney, Arntzen, Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Campbell, French, Getz, Glaser, Hawk, Hendrick, Himmelberger, Hiner, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kasten, Kerns, Klock, Lake, MacLaren, McChesney, McGillvray, McNutt, Mehlhoff, Mendenhall, Milburn, Miller, More, Nooney, O'Hara, Peterson, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.

Total 55

Nays: Augare, Barrett, P. Beck, Becker, Belcourt, Blewett, Boland, Boss Ribs, Caferro, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, Furey, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Hunter, Jopek, Kottel, MacDonald, Malek, McAlpin, McClafferty, Menahan, Morgan, A. Noonan, P. Noonan, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Sesso, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 45

Excused: None.

Total 0

Absent or not voting: None.

HOUSE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Campbell moved that the House adjourn until 1:00 p.m., Wednesday, April 15, 2009. Motion carried.

House adjourned at 3:56 p.m.

DAVE HUNTER
Chief Clerk of the House

BOB BERGREN
Speaker of the House