

**HOUSE JOURNAL
61ST LEGISLATURE
EIGHTY-THIRD LEGISLATIVE DAY**

Helena, Montana
April 18, 2009

House Chambers
State Capitol

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

Roll Call. All members present, except Representatives Boniek, McAlpin, Nooney, Villa, excused. Quorum present.

Mr. Speaker introduced that Honorary pages for today:

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Sesso, Chairman): 4/18/2009
SB 343, be concurred in. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Noonan, Chairman): 4/18/2009
SB 498, be amended as follows:

1. Title, page 1, line 18.

Following: "82-11-111,"

Insert: "82-11-118,"

2. Page 2.

Following: line 21

Insert: "(3) If the ownership of the geologic storage reservoir cannot be determined from the deeds or severance documents related to the property by reviewing statutory or common law, it is presumed that the surface owner owns the geologic storage reservoir."

3. Page 3, line 4.

Following: "pursuant to"

Insert: "[section 5(2)(b)] and"

4. Page 3, line 5.

Following: "(1)"

Insert: "of this section"

5. Page 3, line 6 through line 7.

Strike: ", to" on line 6 through "82-11-136(2)" on line 7

6. Page 3, line 14.

Following: "the"

Insert: "stored"

7. Page 3, line 16.

Strike: "4(7)"

Insert: "4(8)"

8. Page 3, line 17.

Following: the second "the"

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Insert: "injected or stored"
Strike: "contained in the reservoir"

9. Page 3.

Following: line 19

Insert: "(3) For the purposes of [section 4] and this section, "title" includes title to the geologic storage reservoir and the stored carbon dioxide."

10. Page 5, line 3.

Following: "BOARD"

Strike: "MAY"

Insert: ": (a) shall"

Following: "(4)"

Insert: "of this section"

11. Page 5, line 4.

Strike: "·"

12. Page 5, line 5.

Strike: "(A)"

13. Page 5, line 6.

Following: "(B)"

Insert: "may, pursuant to 82-11-111, adopt"

14. Page 5, line 7.

Strike: "10"

Insert: "15"

15. Page 5, line 11.

Strike: "IS REASONABLY EXPECTED TO"

Insert: "will"

16. Page 5, line 19.

Strike: "BE UNLIKELY TO"

Insert: "not"

17. Page 5, line 21.

Strike: "10"

Insert: "15"

18. Page 5, line 28.

Strike: ", IN" through "OPERATOR,"

19. Page 5, line 29.

Strike: "MONITOR"

Insert: "ensure adequate monitoring by the operator of"

Strike: "10"

Insert: "15"

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20. Page 6, line 1.

Following: "(7)(C)."

Insert: "if"

Following: "OPERATOR"

Insert: "has title to the geologic storage reservoir and the stored carbon dioxide, the geologic storage operator"

21. Page 6, line 3 through line 4.

Following: "SHOW"

Strike: ", TO" on line 3 through "BOARD," on line 4

22. Page 6, line 6.

Strike: "IS REASONABLY EXPECTED TO"

Insert: "will"

23. Page 6, line 10 through line 11.

Strike: lines 10 and 11

Insert: "(ii) The board shall make a recommendation to the board of land commissioners as to whether title should transfer to the state.

(iii) Notwithstanding subsections (7)(c)(i) and (7)(c)(ii), the board of land commissioners shall make the final decision on the transfer of title."

24. Page 6, line 15.

Following: "THE"

Insert: "geologic storage reservoir and the"

25. Page 6, line 18.

Following: "RESERVOIR"

Insert: "and the stored carbon dioxide"

26. Page 6, line 20.

Following: "RESERVOIR"

Insert: "and the stored carbon dioxide"

27. Page 6, line 22.

Following: "RESERVOIRS"

Insert: "and stored carbon dioxide"

28. Page 6, line 28.

Strike: "10"

Insert: "15"

29. Page 6, line 30.

Strike: "(7)"

Insert: "(8)"

30. Page 7, line 1.

Following: "[SECTION 2(1)]"

Insert: "or [section 5(2)(b)]"

31. Page 7, line 7.

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Following: "(2)"

Insert: "(a)"

32. Page 7, line 8.

Following: "wells."

Insert: "The rules must be in accordance with all application, permitting, and regulatory requirements for carbon dioxide injection wells pursuant to this part.

(b) The rules must include provisions for a fee to be paid by the owner of a converted well in an amount equivalent to the fee required to be paid by a geologic storage operator pursuant to [section 2(1)]."

33. Page 7, line 10.

Following: "chapter"

Insert: ", including requirements for bonding or other surety, the issuance of a certificate of completion, and acceptance or transfer of liability"

34. Page 11, line 2.

Following: "within"

Insert: "the boundaries of"

35. Page 16, line 8.

Strike: "fluids"

Insert: "carbon dioxide"

36. Page 17, line 2.

Following: "(12)"

Insert: "(a)"

37. Page 17, line 3.

Strike: "oil and gas"

Insert: "vacant or filled"

38. Page 17.

Following: line 4

Insert: "(b) The term does not include a natural gas storage reservoir. However, the owner of a natural gas storage reservoir may convert a depleted natural gas storage reservoir into a geologic storage reservoir to be used pursuant to Title 82, chapter 11, parts 1 and 2."

39. Page 19, line 23.

Following: "82-11-123"

Strike: ";

Insert: ". If a permit for a carbon dioxide injection well is revoked, an operator may not seek a refund of application or permitting fees or fees paid pursuant to [section 2] or [section 5(2)(b)]."

40. Page 20, line 18.

Strike: "For"

Insert: "Solely for"

Following: "wells"

Insert: "under this part"

Following: the second "dioxide"

Insert: "within a geologic storage reservoir"

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41. Page 20.

Following: line 19

Insert: "**Section 15.** Section 82-11-118, MCA, is amended to read:

"82-11-118. Fees for processing applications. (1) The board shall establish a fee schedule to defray the expenses incurred for processing an application from a geologic storage operator or an operator or producer of oil seeking approval of a new or expanded enhanced recovery project, as defined in 15-36-303. The fee must be paid by the owner, geologic storage operator, or operator seeking approval of the project.

(2) The board shall, by rule, determine the amount of the fee based on the complexity of processing the application.""

Renumber: subsequent sections

42. Page 21, line 9 through line 10.

Strike: "carbon dioxide storage properties"

Insert: "geologic storage reservoirs"

43. Page 22, line 6.

Strike: "4(7)"

Insert: "4(8)"

44. Page 22, line 7 through line 8.

Strike: "and" on line 7 through "completion" on line 8

45. Page 22, line 27.

Strike: "and"

Insert: "(e) adequate baseline monitoring of drinking water wells within 1 mile of the perimeter of the geologic storage reservoir; and"

46. Page 22, line 28.

Strike: "(e)"

Insert: "(f)"

47. Page 24, line 7 through line 8.

Strike: "and" on line 7 through "[SECTION 2]" on line 8

48. Page 28, line 19.

Strike: "4(7)"

Insert: "4(8)"

49. Page 29, line 14.

Strike: "25"

Insert: "26"

50. Page 29, line 17.

Strike: "26"

Insert: "27"

Strike: "29"

Insert: "30"

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

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SB 475, be amended as follows:

1. Page 2.

Following: line 10

Insert: "COORDINATION SECTION. **Section 4. Coordination instruction.** If both House Bill No. 425 and [this act] are passed and approved, then [section 1] of House Bill No. 425 and [section 1 of this act] are void and [section 1] must read as follows:

NEW SECTION. **Section 1. Notice of lease sale required.** (1) Within 15 days of the previous oil and gas lease sale, the department shall publish the date and place of the upcoming sale in a publication of general circulation in Montana and on the department's website.

(2) (a) The department shall accept nominations of tracts for an upcoming sale until 77 days prior to the date of the sale.

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

(3) At least twice, the department shall publish in a publication of general circulation in Montana and on the department's website a notice containing the time and place of the sale, a statement that all sales will be by competitive oral bidding, and the number of tracts in each county offered for sale at the time of the notice. The notice must be published:

(a) not less than 63 days before the date of an upcoming sale; and

(b) between 21 days and 35 days before the date of the sale.

(4) In a publication of general circulation in each county where a tract is nominated for sale, the department shall publish a notice in compliance with the provisions and timeframes of subsection (3), except that each notice must contain the number of tracts nominated for sale in that county and notice that a description and maps of tracts nominated are available on the department's website.

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

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

(b) The notice in subsection (6)(a) is not required if the surface is managed by the department pursuant to Title 77, chapter 1.

(7) The notice required by subsection ~~(5)~~ (6) must contain the time and place of the sale, a statement that all sales will be by competitive oral bidding, and a description and area map of each tract offered for sale that initiated the notice requirements of subsection (6)."

"

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

JUDICIARY (Stoker, Chairman):

4/18/2009

HJR 40, be adopted. Report adopted.

TAXATION (Lake, Chairman):

4/18/2009

SJR 37, be concurred in. Report adopted.

HJR 43, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 486**
Report No. 0, April 17, 2009

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 486** (reference copy --

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salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 486** (reference copy -- salmon) be amended as follows:

1. Title, lines 9 and 10.

Strike: "PROVIDING" on line 9 through "REGULATIONS;" on line 10

Following: "COMPLIANCE WITH" on line 10

Insert: "CERTAIN"

2. Title, lines 15 and 16.

Strike: "PROVIDING" on line 15 through "NOT BE" on line 16

Insert: "ESTABLISHING WHEN A PARK DEDICATION MAY BE"

3. Title, line 17.

Strike: "76-2-113,"

4. Title, line 20.

Following: "DATE"

Insert: "AND APPLICABILITY DATES"

5. Page 8, line 6 through line 22.

Strike: sections 6 and 7 in their entirety

Renumber: subsequent sections

6. Page 11, line 3.

Following: "PLACES"

Insert: ", including but not limited to public buildings and adjacent to public rights-of-way,"

7. Page 12, line 14.

Strike: "(3)(c)"

Insert: "(3)"

8. Page 13, line 14.

Strike: "The"

Insert: "For the purposes of enforcing subsections (1)(a) through (1)(c), the"

9. Page 25, line 21.

Following: "(e)"

Insert: "except as provided in subsection (8),"

10. Page 27, line 1 through line 3.

Strike: subsection (8) in its entirety

Insert: "(8) (a) A local governing body may, at its discretion, require a park dedication for:

(i) a subsequent minor subdivision as described in 76-3-

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609(3); or

(ii) a first minor subdivision from a tract of record as described in 76-3-609(2) if:

(A) the subdivision plat indicates development of condominiums or other multifamily housing;

(B) zoning regulations permit condominiums or other multifamily housing; or

(C) any of the lots are located within the boundaries of a municipality.

(b) A local governing body that chooses to require a park dedication shall specify in regulations the circumstances under which a park dedication will be required."

11. Page 28, line 9 through line 11.

Strike: section 26 in its entirety

Renumber: subsequent sections

12. Page 28, line 15.

Following: "APPLICABILITY."

Insert: "(1)"

Strike: "15, 22, AND 24"

Insert: "13, 20, and 22"

13. Page 28, line 17.

Strike: "15"

Insert: "13"

14. Page 28.

Following: line 17

Insert: "(2) [Section 2] applies upon adoption of a new growth policy or upon revision of an existing growth policy.

(3) [Section 21] applies upon revision of subdivision regulations or on December 31, 2010, whichever occurs first."

For the Senate:

Gillan, Chairman

Esp

Tutvedt

For the House:

Reinhart, Vice Chair

Ebinger

MacLaren

Vance

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 531**
Report No. 0, April 17, 2009

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 531** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 531** (reference copy -- salmon) be amended as follows:

1. Page 2, line 10 through line 13.

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Strike: section 3 in its entirety
Renumber: subsequent section

For the Senate:

Brueggeman, Chairman
Hinkle
Windy Boy

For the House:

Kottel, Vice Chair
Nooney
Phillips
Sonju

FREE CONFERENCE COMMITTEE
on **Senate Bill 348**
Report No. 0, April 17, 2009

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 348** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 348** (reference copy -- salmon) be amended as follows:

1. Page 1, line 24.

Following: "budget session"

Insert: "of not more than 45 days"

2. Page 1, line 26.

Strike: "to increase or decrease an appropriation or"

Insert: "that appropriates money or a bill"

3. Page 1, line 29 through line 30.

Strike: "primarily" on line 29 through "reconciliation" on line 30

Insert: "a general session"

4. Page 2, line 11 through line 14.

Strike: line 11 through line 14 in their entirety

Insert: " FOR splitting the current 90-day legislative session into two annual sessions with one budget session and one general session.

AGAINST splitting the current 90-day legislative session into two annual sessions with one budget session and one general session."

For the Senate:

Essmann, Chairman
Williams
Black

For the House:

Wilmer, Vice Chair
Mendenhall
Himmelberger
Malek

MESSAGES FROM THE SENATE

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

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SJR 35, introduced by Schmidt

House amendments to Senate bills concurred in: 4/17/2009

SB 131, introduced by Williams
SB 176, introduced by Perry
SB 260, introduced by Gillan
SB 271, introduced by Squires
SB 369, introduced by Esp
SB 403, introduced by Gebhardt
SB 460, introduced by Story
SB 465, introduced by Hamlett
SB 467, introduced by Balyeat
SB 489, introduced by Essmann
SB 491, introduced by Lewis
SB 508, introduced by Brueggeman

House bills concurred in and returned to the House: 4/17/2009

HB 655, introduced by Belcourt
HB 656, introduced by Stahl
HB 657, introduced by Stahl

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/17/2009

HB 636, introduced by Dickenson
HB 658, introduced by Jopek
HB 662, introduced by Arntzen
HB 669, introduced by Vincent
HB 678, introduced by Pomnichowski

Governor's amendments to House bill concurred in and returned to the House: 4/17/2009

HB 55, introduced by Hawk

Conference Committee Report No.1 adopted: 4/17/2009

SB 48, introduced by Essmann
SB 305, introduced by Tutvedt
SB 310, introduced by Shockley
SB 404, introduced by Brueggeman
SB 457, introduced by Branae

Free Conference Committee Report No.1 adopted: 4/17/2009

SB 427, introduced by Laslovich

House joint resolution not concurred in and returned to the House: 4/17/2009

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HJR 31, introduced by McGillvray

HB 2 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 2**:

4/17/2009

Senator Bales, Chair
Senator Lewis
Senator Schmidt

MESSAGES FROM THE GOVERNOR

April 17, 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 85, "**AN ACT CREATING A GRANT PROGRAM FOR EMERGENCY MEDICAL SERVICE PROVIDERS; ESTABLISHING ELIGIBILITY REQUIREMENTS AND REVIEW CRITERIA; CREATING A GRANT REVIEW COMMITTEE; AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO ADOPT RULES; PROVIDING A CONTINGENT APPROPRIATION; PROVIDING DEFINITIONS; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE**" for the following reasons.

My amendments to House Bill 85 accomplish two things. First, the bill establishes a small grant program to spend \$1 million each year of the biennium for emergency service providers. The bill contains a coordination section to provide funding either through House Bill 2 or through House Bill 85, itself. If funded through House Bill 2, the Department of Transportation can use either federal or state special revenue funds to pay for the grants. My first amendment would provide the same option if funding comes through House Bill 85. In other words, it provides flexibility to allow the Montana Department of Transportation to use federal money, to the extent it is available, for the grants, not only state money from the highway nonrestricted account.

My second amendment would eliminate the grant review committee established in the bill. It consists of 10 members and, according to the fiscal note, is anticipated to cost the program \$70,000 each year of the biennium. I would rather see that money go directly to the emergency medical service providers.

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

Sincerely,

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BRIAN SCHWEITZER
Governor

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 85

2. Title, lines 6 and 7.

Following: "CRITERIA;" on line 6

Strike: remainder of line 6 through "COMMITTEE;" on line 7

3. Page 1, line 22.

Strike: "8"

Insert: "7"

4. Page 1, line 26.

Strike: "8"

Insert: "7"

5. Page 5, line 10.

Strike: ", using the review process provided for in [sections 4 and 5],"

6. Page 5, line 11.

Following: "basis"

Insert: "using the criteria contained in [section 4]"

7. Page 5, line 13.

Strike: "8"

Insert: "7"

8. Page 5, line 15 through page 6, line 3.

Strike: section 4 in its entirety

Re-number: subsequent sections

9. Page 6, lines 5 and 6.

Following: "applications" on line 5

Strike: remainder of line 5 through "and" on line 6

10. Page 6, line 14 through line 16.

Following: "department" on line 14

Strike: remainder of line 14 through "award" on line 16

Insert: "denies an application for a grant, the applicant"

11. Page 6, line 22.

Strike: "8"

Insert: "7"

12. Page 6, line 24.

Strike: subsection (a) in its entirety

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Renumber: subsequent subsections

13. Page 6, line 25.

Strike: "5"

Insert: "4"

14. Page 6, line 26.

Strike: "as recommended by the grant review committee"

15. Page 6, lines 27 and 28.

Strike: "as" on line 27 through "committee" on line 28

16. Page 9, line 5.

Following: "INSTRUCTION."

Insert: "(1)"

17. Page 9.

Following: line 9

Insert: "(2) The department of transportation is authorized to decrease the contingent appropriation from the highway nonrestricted account in subsection (1) and there is appropriated from the federal special revenue fund the amount of money appropriated in subsection (1) if federal funds are available for the purposes of [this act]."

18. Page 9, line 14.

Strike: "8"

Insert: "7"

19. Page 9, line 16.

Strike: "8"

Insert: "7"

20. Page 9, line 26.

Strike: "8"

Insert: "7"

- END -

April 17, 2009

The Honorable Robert Story, Jr.
President of the Senate
State Capitol
Helena, MT 59620

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

Dear President Story and Speaker Bergren:

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In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments Senate Bill 235, **“AN ACT EXPANDING THE EXEMPTION FROM LICENSING AS A PSYCHOLOGIST TO INCLUDE PSYCHOLOGICAL TESTING, EVALUATION, AND ASSESSMENT BY QUALIFIED MEMBERS OF OTHER PROFESSIONS; CLARIFYING THAT THE QUALIFIED MEMBERS OF OTHER PROFESSIONS INCLUDE LICENSED PROFESSIONAL COUNSELORS; AND AMENDING SECTIONS 37-17-104 AND 37-23-102, MCA.”**

SB 235, as passed by the legislature, expands the list of those who are authorized to do “work of a psychological nature” without being licensed by the Board of Psychologists. It includes professional counselors licensed under Title 37, chapter 23, MCA. Under the bill, professional counselors would be allowed to perform psychological testing, evaluation, and assessment as described in § 37-17-102(4)(b), MCA.

As written, the bill authorizes this practice if it is consistent with the training of the professional counselors. However, there is no direction as to who or what entity determines whether a professional counselor has received adequate training or what training is considered to be adequate. My amendment would require the Board of Social Work Examiners and Professional Counselors to promulgate rules that articulate the minimum standards of education and training required for their licensees to be authorized to conduct psychological testing. I believe that such standards are necessary and appropriate, and would ensure that consumers of mental health services receive the safe care they deserve and expect from a professional licensed by the State of Montana

I have discussed the amendment with the bill’s sponsor, Senator Murphy.

Sincerely,

BRIAN SCHWEITZER
GOVERNOR

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 235

1. Page 2.

Following: line 8

Insert: "(3) The board of social work examiners and professional counselors shall adopt rules that qualify a licensee under Title 37, chapter 22 or 23, to perform psychological testing, evaluation, and assessment. The rules for licensed clinical social workers and professional counselors must be consistent with the guidelines of their respective national associations. Final rules must be adopted by October 1, 2010. A qualified licensee providing services under this exemption shall comply with the rules no later than 1 year from the date of adoption of the rules."

- END -

April 17, 2009

The Honorable Robert Story, Jr.
President of the Senate
State Capitol
Helena, MT 59620

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

Dear President Story and Speaker Bergren:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments Senate Bill 290, "**AN ACT REQUIRING THE ENERGY AND TELECOMMUNICATIONS INTERIM COMMITTEE TO REVIEW THE STATE ENERGY POLICY EACH INTERIM AND RECOMMEND CHANGES TO THE LEGISLATURE; AMENDING SECTIONS 90-4-1001 AND 90-4-1003, MCA; REPEALING SECTION 90-4-1002, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**"

SB 290 amends the statutory duties of the energy and telecommunications interim committee and establishes specific duties for the 2009-10 interim to be used in devising a revised state energy policy. My amendment adds to the list of issues to be studied by the committee and included in a revised policy the integration of wind energy, a key renewable resource for Montana's energy and economic future.

I have discussed my amendment with the sponsor of the bill, Senator Jackson, who supports the amendment.

Sincerely,

BRIAN SCHWEITZER
GOVERNOR

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 290

21. Page 2, line 19.

Strike: "AND"

22. Page 2, line 20.

Following: "costs"

Insert: "; and
(ix) integrating wind energy"

-END-

FIRST READING AND COMMITMENT OF BILLS

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

SJR 35, introduced by Schmidt, referred to Human Services.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the

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following manner:

HB 4, as amended by the Senate, passed as follows:

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

Total 76

Nays: Bennett, Blasdel, Brown, Hendrick, Howard, Kasten, Kerns, McGillvray, Mendenhall, Milburn, Miller, More, Morgan, Randall, Regier, Sales, Smith, Sonju, Taylor, Vance, Wagner, Warburton.

Total 22

Excused: Boniek, Villa.

Total 2

Absent or not voting: None.

Total 0

HB 6, as amended by the Senate, 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, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Sonju, Stahl, Steenson, Stoker, Taylor, Van Dyk, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 87

Nays: Hendrick, Howard, Ingraham, Kasten, McGillvray, Mendenhall, Miller, More, Morgan, Smith, Vance.

Total 11

Excused: Boniek, Villa.

Total 2

Absent or not voting: None.

Total 0

HB 7, as amended by the Senate, passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, A. Noonan, P. Noonan, Nooney, O'Hara,

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Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 83

Nays: Bean, Hendrick, Howard, Ingraham, Kasten, Kerns, McGillvray, Mendenhall, Miller, More, Morgan, Randall, Sales, Smith, Wagner.
Total 15

Excused: Boniek, Villa.
Total 2

Absent or not voting: None.
Total 0

HB 8, as amended by the Senate. Motion requires 3/4 majority of each House, passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Berry, Blewett, Boland, 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, Hunter, Jones, Jopek, Kasten, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 84

Nays: Bennett, Blasdel, Hendrick, Howard, Ingraham, Kerns, Mendenhall, Miller, More, Morgan, Randall, Sales, Smith, Sonju.
Total 14

Excused: Boniek, Villa.
Total 2

Absent or not voting: None.
Total 0

HB 9, as amended by the Senate, passed as follows:

Yeas: Ankney, Augare, Barrett, P. Beck, Becker, Belcourt, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Sesso, Steenson, Van Dyk, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 61

Nays: Arntzen, Bean, B. Beck, Bennett, Berry, Blasdel, Brown, Butcher, Hawk, Hendrick, Howard, Kasten, Kerns, Lake, MacLaren, McGillvray, Mendenhall, Milburn, Miller, More, Morgan, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.
Total 37

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Excused: Boniek, Villa.
Total 2

Absent or not voting: None.
Total 0

HB 10, as amended by the Senate. Motion requires 2/3 majority of each House, **failed** as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, P. Beck, Becker, Belcourt, Blewett, Boland, Boss Ribs, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Sesso, Steenson, Stoker, Van Dyk, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 63

Nays: Bean, B. Beck, Bennett, Berry, Blasdel, Brown, Hawk, Hendrick, Howard, Ingraham, Kasten, Kerns, Lake, McGillvray, Mendenhall, Milburn, Miller, More, Morgan, Nooney, Peterson, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stahl, Taylor, Vance, Vincent, Wagner, Warburton, Washburn.
Total 35

Excused: Boniek, Villa.
Total 2

Absent or not voting: None.
Total 0

HB 11, as amended by the Senate, passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, 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, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 82

Nays: Bean, Bennett, Hendrick, Howard, Ingraham, Kasten, Kerns, Mendenhall, Miller, More, Morgan, Randall, Sales, Smith, Sonju, Vincent.
Total 16

Excused: Boniek, Villa.
Total 2

Absent or not voting: None.
Total 0

HB 98, as amended by the Governor, passed as follows:

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

Total 67

Nays: Bean, B. Beck, Bennett, Berry, Blasdel, Brown, Butcher, Hendrick, Howard, Kasten, Kerns, Klock, Lake, McGillvray, Mendenhall, Miller, More, Morgan, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Taylor, Vance, Vincent, Wagner, Warburton, Welborn.

Total 31

Excused: Boniek, Villa.

Total 2

Absent or not voting: None.

Total 0

HB 110, as amended by the Senate, passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, P. Beck, Becker, Belcourt, Blasdel, Blewett, Boland, 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, Hunter, Ingraham, Jones, Jopek, Kasten, 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, Reinhart, Roberts, Roundstone, Sands, Sesso, Sonju, Steenson, Stoker, Taylor, Vance, Van Dyk, Warburton, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 80

Nays: B. Beck, Bennett, Berry, Hendrick, Howard, Kerns, Mendenhall, Miller, More, Randall, Regier, Sales, Smith, Stahl, Vincent, Wagner, Welborn.

Total 17

Excused: Boniek, Villa.

Total 2

Absent or not voting: Reichner.

Total 1

HB 128, as amended by the Senate, passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, Berry, Blewett, Boland, Boss Ribs, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, 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, Roundstone, Sands, Sesso, Stahl, Steenson, Stoker, Vance, Van Dyk, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

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Total 77

Nays: Bean, Bennett, Blasdel, Brown, Hendrick, Howard, Kasten, Kerns, Lake, Mendenhall, Miller, Morgan, Randall, Roberts, Sales, Smith, Sonju, Taylor, Vincent, Wagner, Warburton.

Total 21

Excused: Boniek, Villa.

Total 2

Absent or not voting: None.

Total 0

HB 224, as amended by the Senate, passed as follows:

Yeas: Ankney, Arntzen, 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, Hawk, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hunter, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Steenson, Stoker, Taylor, Van Dyk, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 71

Nays: Bean, Bennett, Berry, Blasdel, Brown, Hendrick, Howard, Ingraham, Kasten, Kerns, Lake, McGillvray, Mendenhall, Miller, More, Morgan, Randall, Sales, Smith, Sonju, Stahl, Vance, Vincent, Wagner, Warburton, Welborn.

Total 26

Excused: Boniek, Villa.

Total 2

Absent or not voting: Hoven.

Total 1

HB 258, as amended by the Senate, passed as follows:

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

Total 75

Nays: Bean, Blasdel, Butcher, Caferro, Hawk, Hendrick, Howard, Ingraham, Kasten, Kerns, Lake, McGillvray, Mendenhall, Miller, More, Morgan, Randall, Roberts, Sales, Smith, Vance, Wagner, Warburton.

Total 23

Excused: Boniek, Villa.

Total 2

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Absent or not voting: None.
Total 0

HB 315, as amended by the Senate, passed as follows:

Yeas: Ankney, Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boss Ribs, 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, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roundstone, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 88

Nays: Arntzen, Bean, Brown, Butcher, Kerns, Lake, Morgan, Roberts, Sales, Wagner.
Total 10

Excused: Boniek, Villa.
Total 2

Absent or not voting: None.
Total 0

HB 583, as amended by the Senate, passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, Bennett, Blewett, Boland, Boss Ribs, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Klock, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roundstone, Sands, Sesso, Stahl, Steenson, Taylor, Vance, Van Dyk, Warburton, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 71

Nays: Bean, Berry, Blasdel, Brown, Hawk, Hendrick, Howard, Ingraham, Kasten, Kerns, Lake, MacLaren, McGillvray, Mendenhall, Miller, More, Morgan, Peterson, Randall, Roberts, Sales, Smith, Sonju, Stoker, Vincent, Wagner, Welborn.
Total 27

Excused: Boniek, Villa.
Total 2

Absent or not voting: None.
Total 0

Rep. Sales rose on a point of order to ask that his vote was not recorded for **HB 11**, and he would like to be recorded as a '**NO**' vote.

Rep. Sales rose on a point of order to announced that **HB 10** did not get a 2/3 majority and Mr. Speaker announced that it had passed the House but it did in fact fail.

Rep. Wiseman rose to clarify that **HB 10**, which failed, requires a 2/3 majority vote.

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Rep. Sesso asked that we reconsider actions on **HB 10** during motions.

MOTIONS

Rep. Sesso moved to reconsider actions on **HB 10** and that it be placed on 3rd reading. Motion requires a simple majority. Motion carried as follows:

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

Total 62

Nays: Bean, B. Beck, Bennett, Berry, Blasdel, Brown, Butcher, Hawk, Hendrick, Howard, Ingraham, Kasten, Kerns, Lake, McGillvray, Mendenhall, Milburn, Miller, More, Morgan, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn.

Total 35

Excused: Boniek, McAlpin, Nooney.

Total 3

Absent or not voting: None.

Total 0

Rep. Reinhart moved that her vote be recorded for **SB 509** as a 'NO' vote. Motion carried.

**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 McNutt in the chair.

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

HB 483 - Governor's Amendments - Representative Jones moved Governor's amendments to **HB 483** 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, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, Morgan, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 95

Nays: Lake, Mendenhall, Miller, More.

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Total 4

Excused: Nooney.

Total 1

Absent or not voting: None.

Total 0

HB 152 - Senate Amendments - Representative Hamilton moved Senate amendments to **HB 152** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, P. Beck, Becker, Belcourt, 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, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reinhart, Roberts, Roundstone, Sands, Sesso, Steenson, Stoker, Van Dyk, Villa, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 71

Nays: B. Beck, Bennett, Blasdel, Boniek, Butcher, Hendrick, Ingraham, Kasten, Kerns, Lake, McGillvray, Mendenhall, Miller, More, Morgan, Randall, Regier, Reichner, Sales, Smith, Sonju, Stahl, Taylor, Vance, Vincent, Wagner, Warburton, Welborn.

Total 28

Excused: Nooney.

Total 1

Absent or not voting: None.

Total 0

HB 331 - Senate Amendments - Representative Morgan moved Senate amendments to **HB 331** be **not** concurred in. Motion carried as follows:

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

Total 86

Nays: B. Beck, Blasdel, Boniek, Brown, Butcher, Hendrick, Himmelberger, Randall, Regier, Reichner, Sales, Sonju, Stahl.

Total 13

Excused: Nooney.

Total 1

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Absent or not voting: None.
Total 0

HB 459 - Senate Amendments - Representative Grinde moved Senate amendments to **HB 459** 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, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Sonju, Stahl, Steenson, Stoker, Taylor, Van Dyk, Villa, Vincent, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 81

Nays: Boniek, Hawk, Hendrick, Ingraham, Kasten, Kerns, Lake, McGillvray, Mendenhall, Miller, More, Morgan, Randall, Sales, Smith, Vance, Wagner, Warburton.
Total 18

Excused: Nooney.
Total 1

Absent or not voting: None.
Total 0

HB 464 - Senate Amendments - Representative O'Hara moved Senate amendments to **HB 464** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boss Ribs, Brown, Butcher, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jones, Jopek, Kasten, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, More, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Peterson, 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 85

Nays: B. Beck, Boniek, Caferro, Hawk, Hendrick, Ingraham, Kerns, Lake, Mendenhall, Miller, Morgan, Sales, Sonju, Vincent.
Total 14

Excused: Nooney.
Total 1

Absent or not voting: None.
Total 0

HJR 32 - Representative Ebinger moved **HJR 32** be adopted. Motion carried as follows:

Yeas: Augare Barrett, P. Beck, Becker, Belcourt, Blewett, Boland, Boniek, Boss Ribs, Caferro, Campbell,

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Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hunter, Jopek, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Sesso, Sonju, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 57

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

Total 42

Excused: Nooney.

Total 1

Absent or not voting: None.

Total 0

HJR 37 - Representative Arntzen moved **HJR 37** be adopted. Motion carried as follows:

Yeas: Arntzen, Barrett, Becker, Belcourt, Berry, Blasdel, Blewett, Boland, Boss Ribs, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollandsworth, Hoven, Howard, Hunter, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Morgan, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Peterson, Pomnichowski, Randall, Reinhart, Roundstone, Sands, Sonju, Stahl, Steenson, Taylor, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

Total 64

Nays: Ankney, Augare, Bean, B. Beck, P. Beck, Bennett, Boniek, Brown, Butcher, Caferro, Hawk, Hendrick, Hollenbaugh, Ingraham, Kasten, Kerns, Lake, McGillvray, Miller, More, Phillips, Regier, Roberts, Sales, Sesso, Smith, Stoker, Vance, Vincent, Wagner, Warburton, Washburn, Welborn, Mr. Speaker.

Total 34

Excused: Nooney.

Total 1

Absent or not voting: Reichner.

Total 1

HJR 38 - Representative Ingraham moved **HJR 38** be adopted. Motion **failed** as follows:

Yeas: Arntzen, Barrett, Becker, Berry, Blewett, Boland, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Henry, Hiner, Hoven, Hunter, Ingraham, MacDonald, MacLaren, Malek, McAlpin, McChesney, McNutt, Menahan, Milburn, More, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Villa, Wilmer.

Total 41

Nays: Ankney, Augare, Bean, B. Beck, P. Beck, Belcourt, Bennett, Blasdel, Boniek, Boss Ribs, Brown, Butcher, Campbell, Glaser, Hawk, Hendrick, Himmelberger, Hollandsworth, Hollenbaugh, Howard, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, McClafferty, McGillvray, Mehlhoff, Mendenhall, Miller, Morgan, A.

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Noonan, P. Noonan, Randall, Regier, Reichner, Roberts, Sales, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Vincent, Wagner, Warburton, Washburn, Welborn, Wilson, Wiseman, Mr. Speaker.
Total 57

Excused: Nooney.
Total 1

Absent or not voting: Caferro.
Total 1

HJR 39 - Representative P. Noonan moved **HJR 39** be adopted. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, P. Beck, Becker, Belcourt, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, More, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Sesso, Stahl, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 62

Nays: Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Hawk, Himmelberger, Hollandsworth, Howard, Ingraham, Kasten, Kerns, Lake, McGillvray, Mendenhall, Milburn, Miller, Morgan, Peterson, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.
Total 37

Excused: Nooney.
Total 1

Absent or not voting: None.
Total 0

HJR 41 - Representative Pomnichowski moved **HJR 41** be adopted. Motion **failed** as follows:

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, Hiner, Hollenbaugh, Hunter, Jopek, Kottel, MacDonald, Malek, McAlpin, McClafferty, Menahan, More, A. Noonan, P. Noonan, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Sesso, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 49

Nays: Ankney, Arntzen, Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Glaser, Hawk, Hendrick, Himmelberger, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kasten, Kerns, Klock, Lake, MacLaren, McChesney, McGillvray, McNutt, Mehlhoff, Mendenhall, Milburn, Miller, Morgan, O'Hara, Peterson, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.
Total 50

Excused: Nooney.
Total 1

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Absent or not voting: None.
Total 0

HJR 42 - Representative Reinhart moved **HJR 42** be adopted. Motion carried as follows:

Yeas: Ankney, Augare, Barrett, P. Beck, Becker, Belcourt, Berry, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hunter, Jopek, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, A. Noonan, P. Noonan, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Sesso, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 53

Nays: Arntzen, Bean, B. Beck, Bennett, Blasdel, Boniek, Brown, Butcher, Glaser, Hawk, Hendrick, Himmelberger, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kasten, Kerns, Klock, Lake, McGillvray, McNutt, Mendenhall, Milburn, Miller, More, Morgan, O'Hara, Peterson, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.
Total 46

Excused: Nooney.
Total 1

Absent or not voting: None.
Total 0

Mr. Speaker resumed the chair.

SB 425 - Representative Peterson moved **SB 425** be concurred.

SB 425 - Representative Cohenour moved **SB 425**, second reading copy, be amended as follows:

1. Title, page 1, line 5 through line 6.

Strike: "REPEALING" on line 5 through "MCA;" on line 6

2. Title, page 1, line 6.

Following: "PROVIDING"

Insert: "AN IMMEDIATE"

Strike: "DATES"

Insert: "DATE"

3. Page 2, line 7 through page 3, line 3.

Strike: section 2 through section 3 in their entirety

Renumber: subsequent section

4. Page 3, line 5.

Strike: "(1)" through "[this" on line 5

Insert: "[This"

5. Page 3, line 7.

Strike: subsection (2) in its entirety

Amendment **failed** as follows:

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Yeas: P. Beck, Blasdel, Blewett, Boland, Caferro, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, Hamilton, Hands, Hiner, Hollenbaugh, Jopek, MacLaren, McAlpin, McClafferty, Menahan, A. Noonan, P. Noonan, Phillips, Pomnichowski, Reichner, Reinhart, Roundstone, Sales, Sesso, Sonju, Steenson, Vance, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

Total 36

Nays: Ankney, Arntzen, Augare, Bean, B. Beck, Becker, Belcourt, Bennett, Berry, Boss Ribs, Brown, Butcher, Campbell, French, Getz, Glaser, Grinde, Hawk, Hendrick, Henry, Himmelberger, Hollandsworth, Howard, Hunter, Ingraham, Jones, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, McChesney, McGillvray, McNutt, Mehlhoff, Mendenhall, Milburn, Miller, More, Morgan, O'Hara, Pease-Lopez, Peterson, Randall, Regier, Roberts, Sands, Stahl, Stoker, Taylor, Vincent, Wagner, Warburton, Washburn, Welborn, Mr. Speaker.

Total 57

Excused: Boniek, Nooney.

Total 2

Absent or not voting: Barrett, Furey, Hoven, Malek, Smith.

Total 5

SB 425 - Representative Phillips moved **SB 425**, second reading copy, be amended as follows:

1. Page 1, line 25.

Following: "muskellunge,"

Insert: "and"

2. Page 1, line 26.

Strike: ", and bait fish, including cisco (*Coregonus artedii*)"

3. Page 2, line 22.

Following: "muskellunge,"

Insert: "and"

4. Page 2, line 23.

Strike: ", and bait fish, including cisco (*Coregonus artedii*)"

Amendment **failed** as follows:

Yeas: Barrett, P. Beck, Blewett, Boland, Caferro, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, Furey, Hamilton, Hands, Hiner, Hollenbaugh, Jopek, MacLaren, Malek, McAlpin, McClafferty, Menahan, A. Noonan, P. Noonan, Phillips, Pomnichowski, Reinhart, Roundstone, Sales, Sesso, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

Total 35

Nays: Ankney, Arntzen, Augare, Bean, B. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Boss Ribs, Brown, Butcher, Campbell, French, Getz, Glaser, Grinde, Hawk, Hendrick, Henry, Himmelberger, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jones, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, McChesney, McGillvray, McNutt, Mehlhoff, Mendenhall, Milburn, Miller, More, Morgan, O'Hara, Pease-Lopez, Peterson, Randall, Regier, Reichner, Roberts, Sands, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn, Mr. Speaker.

Total 63

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Excused: Boniek, Nooney.
Total 2

Absent or not voting: None.
Total 0

SB 425 - Representative K. Peterson moved **SB 425** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Bean, B. Beck, Becker, Belcourt, Bennett, Berry, Boniek, Boss Ribs, Brown, Butcher, Campbell, Driscoll, Ebinger, French, Getz, Glaser, Grinde, Hawk, Hendrick, Himmelberger, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, McChesney, McGillvray, McNutt, Mehlhoff, Mendenhall, Milburn, Miller, Morgan, P. Noonan, O'Hara, Pease-Lopez, Peterson, Randall, Reichner, Roberts, Roundstone, Sands, Smith, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn, Mr. Speaker.
Total 61

Nays: Barrett, P. Beck, Blasdel, Blewett, Boland, Caferro, Cohenour, Dickenson, Fleming, Furey, Hamilton, Hands, Henry, Hollenbaugh, Hunter, Jopek, MacLaren, Malek, McAlpin, McClafferty, Menahan, More, A. Noonan, Phillips, Pomnichowski, Regier, Reinhart, Sales, Sesso, Sonju, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman.
Total 36

Excused: Nooney.
Total 1

Absent or not voting: Hiner, Stahl.
Total 2

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

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Milburn, More, Morgan, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Sonju, Steenson, Stoker, Taylor, Vance, Villa, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Mr. Speaker.
Total 89

Nays: Menahan, Miller, Sales, Van Dyk, Vincent, Wiseman.
Total 6

Excused: Boniek, McAlpin, Nooney.
Total 3

Absent or not voting: Mendenhall, Stahl.
Total 2

MESSAGES FROM THE GOVERNOR

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April 18, 2009

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

The Honorable Robert Story, Jr.
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Bergren and President Story:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill 557, **“AN ACT DIRECTING THE BOARD OF ENVIRONMENTAL REVIEW TO ADOPT RULES FOR THE APPROVAL OF REGIONAL PUBLIC WATER SUPPLY SYSTEMS; AMENDING SECTION 75-6-103, MCA; AND PROVIDING AN APPLICABILITY DATE.”**

House Bill 557, sponsored by Representative Tony Belcourt, directs the Board of Environmental Review to adopt rules pertaining to the Department of Environmental Quality's review of regional water systems under the statutes governing public water supplies. The bill directs the Board to establish procedures that take into account the special needs of regional water systems that result from the length of time it takes to complete the construction of these systems.

In addition to the amendments dealing with those special needs, House Bill 557 directs the Board to set review periods for plans and specifications for regional water systems at 40 calendar days for the initial review and 10 working days for subsequent reviews. This differs from the review periods contained in the current rules adopted by the Board for all systems, which are 60 calendar days for the initial review and 60 calendar days for subsequent reviews. While the Department of Environmental Quality can comply with the 40-day period for initial reviews and still meet its deadlines for other systems, the 10-working day timeframe for subsequent reviews is one that the Department cannot assure me can be met. My amendment would give the Department 20 working days for subsequent reviews. This amendment will still provide an expedited review of regional water systems while ensuring that the Department of Environmental Quality can comply with its regulatory deadlines.

I ask you to work with me and with Representative Belcourt in supporting the proposed amendment.

Sincerely,

BRIAN SCHWEITZER
GOVERNOR

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 557

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1. Page 1, line 26.

Strike: "10"

Insert: "20"

- END -

MOTIONS

Rep. Campbell moved that the Speaker be authorized to appoint a **FREE** Conference Committee on **HB 331** and request the Senate to appoint a like committee.

The Speaker Appoints:

Rep. Grinde, Vice Chair

Rep. Hamilton

Rep. Morgan

Rep. Klock

Rep. Sales moved that his vote on **HB 6** be changed to a '**NO**'. Motion carried.

SPECIAL ORDERS OF THE DAY

Rep. Himmelberger read a House rule **H40-230**.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Campbell moved that the House adjourn until 1:00 p.m., Monday, April 20, 2009. Motion carried.

House adjourned at 9:56 p.m.

DAVE HUNTER
Chief Clerk of the House

BOB BERGREN
Speaker of the House