

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

Helena, Montana  
February 13, 2009

House Chambers  
State Capitol

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

Roll Call. All members present. Quorum present.

Mr. Speaker thanked the pages for the week.

**THIRD READING OF BILLS**

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

**HB 160** passed as follows:

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

Total 82

Nays: Bennett, Brown, Hawk, Kasten, Kerns, Lake, Mendenhall, More, Nooney, Randall, Sales, Sonju, Stahl, Stoker, Vincent, Warburton.

Total 16

Excused: None.

Total 0

Absent or not voting: Blewett, Mehlhoff.

Total 2

**HB 274** passed 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, Ingraham, Jopek, Kottel, MacDonald, 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 51

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

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Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 278** passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Belcourt, Bennett, Berry, Blasdel, Blewett, Boniek, Boss Ribs, Brown, Butcher, Campbell, Driscoll, Glaser, Hamilton, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Lake, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Peterson, Randall, Regier, Reichner, Roberts, Sales, Sands, Sesso, Smith, Sonju, Steenson, Stoker, Taylor, Vance, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Mr. Speaker.

Total 76

Nays: Becker, Boland, Caferro, Cohenour, Dickenson, Ebinger, Fleming, French, Furey, Getz, Grinde, Hands, Hollenbaugh, Kottel, MacDonald, Nooney, Phillips, Pomnichowski, Reinhart, Roundstone, Van Dyk, Wilson, Wiseman.

Total 23

Excused: None.

Total 0

Absent or not voting: Stahl.

Total 1

**HB 285** passed as follows:

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

Total 99

Nays: Stoker.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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**HB 340 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, 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 50

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, McGillvray, McNutt, Mendenhall, Milburn, Miller, More, Morgan, Nooney, O'Hara, Peterson, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.

Total 50

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 365 passed** as follows:

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

Total 88

Nays: B. Beck, Boniek, Brown, Hawk, Kasten, Kerns, Lake, Mendenhall, Randall, Reichner, Sales, Sonju.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 367 passed** as follows:

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

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Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn, Wilson, Wiseman.  
Total 96

Nays: Van Dyk, Villa, Wilmer, Mr. Speaker.  
Total 4

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 400** passed as follows:

Yeas: Ankney, Barrett, Bean, B. Beck, P. Beck, Becker, Berry, Blasdel, Blewett, Boland, Boniek, Brown, Butcher, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Kasten, Kerns, Klock, Kottel, MacDonald, MacLaren, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Randall, Reinhart, Roberts, Sales, Sands, Sesso, Sonju, Stahl, Steenson, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 80

Nays: Arntzen, Augare, Belcourt, Bennett, Boss Ribs, Caferro, Campbell, Hawk, Hendrick, Howard, Ingraham, Lake, Malek, McGillvray, Peterson, Regier, Reichner, Roundstone, Smith, Stoker.  
Total 20

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HJR 4** adopted as follows:

Yeas: Ankney, Arntzen, Augare, Bean, B. Beck, P. Beck, Belcourt, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Campbell, Getz, Glaser, Hawk, Hendrick, Himmelberger, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kasten, Kerns, Klock, Lake, MacLaren, McChesney, McGillvray, McNutt, Mehlhoff, Mendenhall, Milburn, Miller, More, Morgan, Nooney, O'Hara, Peterson, Randall, Regier, Reichner, Reinhart, Roberts, Sales, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.  
Total 59

Nays: Barrett, Becker, Blewett, Boland, Boss Ribs, Caferro, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hunter, Jopek, Kottel, MacDonald, Malek, McAlpin, McClafferty, Menahan, A. Noonan, P. Noonan, Pease-Lopez, Phillips, Pomnichowski, Roundstone, Sands, Sesso, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 41

Excused: None.  
Total 0

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Absent or not voting: None.  
Total 0

**SB 39** concurred in as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, Berry, Blasdel, Blewett, Boland, Boss, Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, More, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Taylor, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 81

Nays: Bean, Bennett, Boniek, Brown, Butcher, Hawk, Howard, Kasten, Kerns, Lake, McGillvray, Mendenhall, Miller, Morgan, Nooney, Randall, Sales, Stoker, Vance.  
Total 19

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence: 2/13/2009

**SB 124**, introduced by Squires  
**SB 229**, introduced by Perry  
**SB 268**, introduced by R. Brown  
**SB 273**, introduced by Laslovich  
**SB 294**, introduced by Gillan

**Senate joint resolution** passed and transmitted to the House for concurrence: 2/13/2009

**SJR 10**, introduced by Perry

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 598**, introduced by P. Noonan, Jopek, McClafferty, Sands, French, Hamilton, A. Noonan, Wilmer, Sesso, Dickenson, Phillips, Wiseman, Hiner, referred to Business and Labor.  
**HB 599**, introduced by Hamilton, referred to Business and Labor.  
**HB 600**, introduced by Miller, referred to Transportation.  
**HB 601**, introduced by Cohenour, referred to Transportation.  
**HB 602**, introduced by Cohenour, referred to State Administration.  
**HB 603**, introduced by Hollenbaugh, Cooney, Branae, Caferro, Schmidt, Sesso, Wilson, Hamilton, Wanzenried, Hollenbaugh, A. Noonan, Williams, McChesney, Cohenour, Hiner, Villa, P. Noonan, Hunter, McClafferty,

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McAlpin, Getz, referred to Business and Labor.

**HB 604**, introduced by Hamilton, Wilmer, referred to Education.

**HB 605**, introduced by Augare, Stewart-Peregoy, Windy Boy, Campbell, Belcourt, Boss Ribs, Juneau, Roundstone, Pease-Lopez, referred to Fish, Wildlife and Parks.

**HB 606**, introduced by Mendenhall, referred to Local Government.

**HB 607**, introduced by Wagner, referred to Transportation.

**HB 608**, introduced by Sesso, referred to Business and Labor.

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

**HJR 23**, introduced by Augare, Boss Ribs, Juneau, Pease-Lopez, MacDonald, Belcourt, Roundstone, Campbell, Stewart-Peregoy, referred to Judiciary.

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

**SB 124**, introduced by Squires, referred to State Administration.

**SB 229**, introduced by Perry, referred to State Administration.

**SB 268**, introduced by R. Brown, referred to Transportation.

**SB 273**, introduced by Laslovich, referred to Education.

**SB 294**, introduced by Gillan, referred to Local Government.

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

**SJR 10**, introduced by Erickson, referred to Business and Labor.

Rep. Phillips requested a caucus for the House Democrats for 15 minutes.

Rep. Mendenhall announced that the House Republicans will stand at ease and read poetry.

Mr. Speaker announced that the House will stand at ease and recess for 15 minutes and reconvene at 1:30 p.m.

Mr. Speaker called the House to order at 1:29 p.m.

Rep. Reinhart requested a moment of silence to honor Lt. Col. Garnet Derby of Missoula. She read the following remarks and submitted the following article from the Missoulian a moment of silence ensued.

"A soldier from Montana has been killed in Iraq.

The Defense Department says 44-year-old Lt. Col. Garnet Derby of Missoula died Feb. 9 in Mosul, after being wounded by an improvised explosive device. Derby was one of four soldiers killed by the explosion near their vehicle. They were assigned to an Army division at Fort Hood, Texas.

The others killed were from Kentucky, Arizona and Massachusetts."

Missoula soldier killed in Iraq

Feb. 13, 2009

By the Missoulian

A Missoula soldier was among four U.S. soldiers killed in Iraq on Monday when a homemade bomb blew up near their vehicle in Mosul, according to the Department of Defense.

Lt. Col. Garnet R. Derby, 44, is the 19th lieutenant colonel killed in Iraq since the war started, according to the Army Times. Its story added he may be one of just three battalion commanders killed by enemy fire in the war.

Derby was assigned to the 3rd Battalion, 8th Cavalry Regiment, which is part of the 3rd Brigade Combat Team of

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the 1st Cavalry Division from Fort Hood, Texas. That brigade was on its third tour of Iraq, having deployed in December 2008, the story said.

Derby joined the Montana National Guard in 1985 as a cavalry scout, according to the Army Times. He served in Schweinfurt, Germany; Sacramento, Calif.; Fort Stewart, Ga.; and Fort Irwin, Calif.

He earned the Bronze Star with oak leaf cluster, Purple Heart, Army Meritorious Service Medal with three oak leaf clusters, Army Commendation Medal, combat action badge and numerous other decorations.

Also killed were Sgt. Joshua A. Ward, 30, of Scottsville, Ky.; Pfc. Albert R. Jex, 23, of Phoenix; and Pfc. Jonathan R. Roberge, 22, of Leominster, Mass.

**REPORTS OF STANDING COMMITTEES**

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

2/13/2009

**HB 426**, do pass. Report adopted.

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 609**, introduced by Hamilton, McAlpin referred to Business and Labor.

**HB 610**, introduced by Villa, Hiner, Laslovich referred to Federal Relations, Energy, and Telecommunications.

**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 Malek in the chair.

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

**HB 74** - Representative Van Dyk moved **HB 74** do pass. 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, 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.

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Total 0

Absent or not voting: None.

Total 0

**HB 230** - Representative McClafferty moved **HB 230** do pass. Motion **failed** as follows:

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

Total 76

Nays: Bean, Blasdel, Brown, Butcher, Hawk, Hendrick, Himmelberger, Kasten, Kerns, Lake, McGillvray, Mendenhall, Milburn, Miller, More, Peterson, Randall, Sales, Stahl, Stoker, Vance, Wagner, Washburn.

Total 23

Excused: None.

Total 0

Absent or not voting: Boniek.

Total 1

**HB 291** - Representative Sonju moved **HB 291** do pass. Motion carried as follows:

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

Total 92

Nays: Boniek, Ingraham, McGillvray, Milburn, Roberts, Wagner, Washburn.

Total 7

Excused: None.

Total 0

Absent or not voting: P. Beck.

Total 1

**HB 293** - Representative Hiner moved **HB 293** do pass. Motion carried as follows:

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

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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, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 99

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: McChesney.  
Total 1

**HB 317** - Representative Furey moved **HB 317** do pass. 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, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 328** - Representative MacLaren moved **HB 328** do pass. Motion carried as follows:

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

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Mr. Speaker.  
Total 93

Nays: B. Beck, More, Pease-Lopez, Roberts, Sales, Vance.  
Total 6

Excused: None.  
Total 0

Absent or not voting: Sonju.  
Total 1

**HB 345** - Representative K. Peterson moved **HB 345** do pass. Motion carried 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, Howard, Hunter, Jopek, Kottel, MacDonald, Malek, McAlpin, McClafferty, Mehlhoff, Menahan, More, Morgan, A. Noonan, P. Noonan, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Sesso, Sonju, Stahl, Steenson, Van Dyk, Villa, Wagner, Warburton, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 57

Nays: Ankney, Arntzen, Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Glaser, Hawk, Hendrick, Himmelberger, Hollandsworth, Hoven, Ingraham, Jones, Kasten, Kerns, Klock, Lake, MacLaren, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Miller, Nooney, O'Hara, Randall, Regier, Reichner, Roberts, Sales, Smith, Stoker, Taylor, Vance, Vincent, Washburn, Welborn.  
Total 43

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 366** - Representative McGillvray moved **HB 366** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bean, B. Beck, P. Beck, Becker, Bennett, Berry, Blasdel, Boland, Boniek, Brown, Butcher, Caferro, Campbell, Cohenour, Driscoll, Ebinger, Fleming, Furey, Getz, Glaser, Grinde, Hawk, Hendrick, Himmelberger, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jones, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Menahan, Mendenhall, Milburn, Miller, More, Morgan, Nooney, O'Hara, Peterson, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Sales, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Vincent, Wagner, Warburton, Washburn, Welborn, Wiseman.  
Total 73

Nays: Augare, Barrett, Belcourt, Blewett, Boss Ribs, Dickenson, French, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jopek, Malek, McClafferty, Mehlhoff, A. Noonan, P. Noonan, Pease-Lopez, Phillips, Roundstone, Sands, Sesso, Villa, Wilmer, Wilson, Mr. Speaker.  
Total 27

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

**HB 378** - Representative Blasdel moved **HB 378** do pass. 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, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pommichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 412** - Representative Wiseman moved **HB 412** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Brown, Butcher, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, Pease-Lopez, Phillips, Pommichowski, Reinhart, Sales, Sands, Sesso, Sonju, Stahl, Steenson, Taylor, Vance, Van Dyk, Villa, Vincent, Warburton, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 79

Nays: Augare, Boss Ribs, Caferro, Hendrick, Henry, Howard, Ingraham, Kasten, Kerns, McGillvray, O'Hara, Peterson, Randall, Regier, Reichner, Roberts, Roundstone, Smith, Stoker, Wagner, Washburn.

Total 21

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. Chairwoman Malek moved the Committee of the Whole report be adopted. Report adopted unanimously.

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Yeas: Ankney, Augare, Barrett, Bean, P. Beck, Becker, Bennett, Berry, Blewett, Boland, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Villa, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 86

Nays: Belcourt, Boniek, Dickenson, McGillvray, Regier, Van Dyk, Vincent.  
Total 7

Excused: Wagner.  
Total 1

Absent or not voting: Arntzen, B. Beck, Blasdel, Hollandsworth, Howard, Ingraham.  
Total 6

**REPORTS OF STANDING COMMITTEES**

**FISH, WILDLIFE AND PARKS** (Van Dyk, Chairman):  
**HB 382**, introduced bill, be amended as follows:

2/13/2009

1. Page 1, line 16.

**Strike:** "regardless"

**Insert:** "not less than 14 years"

2. Page 1, line 23.

**Strike:** "5"

**Insert:** "1"

**Following:** "license"

**Strike:** "years"

**Insert:** "year"

3. Page 1, line 30.

**Following:** "supervise"

**Strike:** "the"

**Insert:** "a single"

4. Page 2, line 1.

**Following:** "field"

**Insert:** ", unaided by optics, amplification, or communication devices"

5. Page 2, line 11.

**Insert:** "(6) The department shall report to the 62nd legislature regarding the success of the apprentice hunter program and make recommendations for modification or improvement needed to achieve the objectives of the program."

And, as amended, do pass. Report adopted.

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**HB 383**, introduced bill, be amended as follows:

1. Page 2, line 26 through line 27.

**Strike:** "nationally" on line 26 through "illnesses" on line 27

**Insert:** "licensed physician"

2. Page 4, line 27 through line 28.

**Strike:** "nationally" on line 27 through "illnesses" on line 28

**Insert:** "licensed physician"

And, as amended, do pass. Report adopted.

**MOTIONS**

Rep. Campbell moved that **HB 305** be moved to the Appropriations Committee. Motion carried.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Representative Campbell moved that the House adjourn until 8:00 a.m., Saturday, February 14, 2009. Motion carried.

House adjourned at 2:19 p.m.

DAVE HUNTER  
Chief Clerk of the House

BOB BERGREN  
Speaker of the House