

**HOUSE JOURNAL  
61ST LEGISLATURE  
TWENTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana  
February 5, 2009

House Chambers  
State Capitol

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

Roll Call. All members present. Quorum present.

Rep. Himmelberger welcomed former Rep. Alan Olsen to the House.

Mr. Speaker directed Rep. Wilmer to escort the Choir at Hawthorn School in Bozeman. Rep. Wilson introduced the Hawthorn School Choir and welcomed the parents that are in attendance. The Hawthorn School Choir sang three songs.

**COMMUNICATIONS AND PETITIONS**

The House journals for the 6th through the 11th legislative days have been reviewed and are approved. They have been filed with the Secretary of States office.

**FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS** (Noonan, Chairman): 2/5/2009  
**HB 208**, do pass. Report adopted.  
**HB 287**, introduced bill, be amended as follows:

1. Page 1, line 20.

**Following:** "rights-of-way."

**Insert:** "The written notice must include contact information for the utility and the public service commission where the affected property owner can receive information regarding the utility's right to remove or alter any vegetation or material within a utility right-of-way or easement."

2. Page 1, line 27.

**Strike:** "district"

**Following:** "court"

**Insert:** "of appropriate jurisdiction"

And, as amended, do pass. Report adopted.

**JUDICIARY** (Stoker, Chairman): 2/5/2009  
**HB 177**, introduced bill, be amended as follows:

1. Page 1, line 11.

**Following:** "imposed"

**Insert:** "if the probationer or parolee complies with all the conditions imposed by the district court or the board"

**Following:** ";

**Insert:** "and"

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2. Page 1, lines 13 through 15.

**Strike:** "; and" on line 13 through "entirety" on line 15

3. Page 1, line 20.

**Strike:** "commits and is convicted of"

4. Page 1, line 21.

**Following:** "(a)"

**Insert:** "is charged with"

**Strike:** "or"

5. Page 1, line 22.

**Following:** "(b)"

**Insert:** "is charged with"

**Strike:** "is"

**Insert:** "could be"

6. Page 1, line 23.

**Following:** "months"

**Insert:** "; or"

(c) violates any condition imposed by the district court or the board"

And, as amended, do pass. Report adopted.

**HB 295**, introduced bill, be amended as follows:

1. Page 2, line 7.

**Following:** "relevant"

**Insert:** "unless the evidence is determined to be inadmissible pursuant to Rule 403 of the Montana Rules of Evidence"

2. Page 3, line 1.

**Following:** "relevant"

**Insert:** "unless the evidence is determined to be inadmissible pursuant to Rule 403 of the Montana Rules of Evidence"

3. Page 3, line 22.

**Following:** "relevant"

**Insert:** "unless the evidence is determined to be inadmissible pursuant to Rule 403 of the Montana Rules of Evidence"

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And, as amended, do pass. Report adopted.

**TAXATION** (Lake, Chairman):

2/5/2009

**SB 23**, do pass. Report adopted.

**SB 116**, do pass. Report adopted.

**SB 181**, do pass. Report adopted.

**HB 262**, introduced bill, be amended as follows:

1. Title, page 1, line 5.

**Following:** "HEATER"

**Insert:** "AND AN OUTDOOR HYDRONIC HEATER"

2. Title, page 1, line 6.

**Strike:** "DEFINING "MASONRY HEATER";"

3. Page 2, line 1.

**Following:** "appliance"

**Insert:** "that is:

(i)"

4. Page 2, line 2.

**Following:** "60.533; ~~or~~"

**Insert:** "or"

(ii) qualified for the phase 2 white tag under the U.S. environmental protection agency method 28 OWHH for outdoor hydronic heaters;

5. Page 2, line 4.

**Following:** "heater"

**Insert:** "constructed or installed in compliance with the requirements for masonry heaters in the International Residential Code for One- and Two-Family Dwellings"

6. Page 2, line 5 through line 23.

**Strike:** subsection (7) in its entirety

**Renumber:** subsequent subsections

7. Page 3, line 16.

**Following:** line 15

**Strike:** "in"

**Insert:** "to provide heat for"

8. Page 3, line 19.

**Strike:** "(a)"

**Strike:** "Subject" through "a"

**Insert:** "A"

9. Page 3, line 20.

**Following:** "15-32-102,"

**Strike:** "in"

**Insert:** "to provide heat for"

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10. Page 3, line 24 through line 26.

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

And, as amended, do pass. Report adopted.

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

**TRANSPORTATION** (Sonju, Chairman):

2/5/2009

**HB 304**, do pass. Report adopted.

**HB 311**, introduced bill, be amended as follows:

1. Page 1, line 9.

**Following:** the title

**Insert:** "WHEREAS, Evan F. Schneider proudly and honorably served the great State of Montana as a Montana Highway Patrol Trooper; his service record was exemplary; and even the people he arrested thanked him for his kindness and respect; and

WHEREAS, Evan helped many Montanans who were in crisis on our State's highways; and

WHEREAS, Evan joyfully fulfilled his duty as a Montana Highway Patrol Trooper to protect every person who travels Montana's highways; and

WHEREAS, we honor his ultimate sacrifice, his final duty to the citizens of Montana."

And, as amended, do pass. Report adopted.

**STATE ADMINISTRATION** (Himmelberger, Chairman):

2/5/2009

**HB 305**, introduced bill, be amended as follows:

1. Page 1, line 16.

**Strike:** "as provided in subsection (2)"

2. Page 1, line 24 through page 2, line 6.

**Strike:** line 24 on page 1 through line 6 on page 2 in their entirety

**Renumber:** subsequent subsections

3. Page 2, line 30.

**Strike:** "(9)"

**Insert:** "(8)"

4. Page 3, line 1.

**Strike:** "(4)(a)"

**Insert:** "(3)(a)"

5. Page 3, line 24.

**Strike:** "(5)(a)"

**Insert:** "(4)(a)"

And, as amended, do pass. Report adopted.

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**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence: 2/5/2009

**SB 90**, introduced by Jackson  
**SB 184**, introduced by Balyeat  
**SB 185**, introduced by Balyeat  
**SB 197**, introduced by Laslovich  
**SB 208**, introduced by Lewis  
**SB 222**, introduced by Hansen  
**SB 275**, introduced by Squires

**Senate joint resolution** passed and transmitted to the House for concurrence: 2/5/2009

**SJR 3**, introduced by Laible

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 444**, introduced by Kottel, referred to Business and Labor.  
**HB 445**, introduced by Hands, referred to Agriculture.  
**HB 446**, introduced by Pomnichowski, referred to Natural Resources.  
**HB 447**, introduced by Pomnichowski, referred to Natural Resources.  
**HB 448**, introduced by Pomnichowski, referred to Natural Resources.  
**HB 449**, introduced by McChesney, referred to Local Government.  
**HB 450**, introduced by French, Pomnichowski, Williams, Dickenson, Mehlhoff, Steenson, Di. Barrett, , McChesney, Stewart-Peregoy, Getz, Gallus, McClafferty, Wilson, Boss Ribs, Schmidt, Furey, Campbell, Caferro, Wanzenried, Reinhart, Kaufmann, Larson, , Roundstone, Henry, Driscoll, Fleming, Grinde, Cohenour, Belcourt, Hands, Gillan, Kottel, Malek, referred to Business and Labor.  
**HB 451**, introduced by French, Ebinger, Reinhart, Pomnichowski, Hamilton, Taylor, Hawk, Menahan, referred to Business and Labor.  
**HB 452**, introduced by P. Noonan, Hiner, Sesso, Hands, McClafferty, Di. Barrett, Pomnichowski, Pease-Lopez, Jopek, Campbell, Hamilton, Roundstone, A. Noonan, referred to Business and Labor.  
**HB 453**, introduced by P. Noonan, Villa, Sesso, Pomnichowski, Hollenbaugh, Reinhart, French, McClafferty, Steenson, Pease-Lopez, Grinde, Boss Ribs, Furey, Cohenour, Augare, MacDonald, Becker, A. Noonan, referred to Human Services.  
**HB 454**, introduced by Di. Barrett, Caferro, Dickenson, Hands, MacDonald, McAlpin, Reinhart, Sands, referred to Human Services.  
**HB 455**, introduced by Reinhart, Zinke, Fleming, Hawks, Sesso, Shockley, Schmidt, Becker, MacLaren, Brueggeman, referred to Local Government.  
**HB 456**, introduced by Cohenour, referred to Education.  
**HB 457**, introduced by Cohenour, Kottel, referred to Judiciary.  
**HB 458**, introduced by Cohenour, referred to State Administration.  
**HB 459**, introduced by Grinde, Augare, De. Barrett, Blewett, Boniek, Boss Ribs, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Glaser, Grinde, Hamilton, Hands, Hollenbaugh, Kottel, Malek, McAlpin, McClafferty, A. Noonan, P. Noonan, Pease-Lopez, Pomnichowski, Reinhart, Roundstone, Van Dyk, Villa, Wilmer, Wilson, Wiseman, referred to Education.  
**HB 460**, introduced by Wiseman, Essmann, referred to Business and Labor.  
**HB 461**, introduced by Arntzen, Taylor, Glaser, Jones, Hendrick, McClafferty, MacLaren, Stahl, McGee, Mehlhoff,

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Juneau, Regier, Augare, Tutvedt, Reinhart, Reichner, referred to Education.

**HB 462**, introduced by Arntzen, Taylor, Glaser, MacLaren, McClafferty, Hendrick, Jones, Stahl, McGee, Mehlhoff, Juneau, Regier, Augare, Tutvedt, Reinhart, Reichner, referred to Education.

**HB 463**, introduced by French, Furey, Hamilton, Steenson, Pease-Lopez, Fleming, MacDonald, Boss Ribs, Grinde, Malek, Cohenour, Van Dyk, Boland, referred to State Administration.

**HB 464**, introduced by O'Hara, Ankney, Arntzen, Bean, P. Beck, Belcourt, Blewett, Driscoll, Ebinger, Fleming, French, Glaser, Hamilton, Hendrick, Himmelberger, Hollandsworth, Hoven, Jones, Klock, Malek, McAlpin, McClafferty, McNutt, Mehlhoff, Milburn, Nooney, J. Peterson, Pomnichowski, Randall, Reichner, Roberts, Smith, Sonju, Stahl, Steenson, Taylor, Washburn, Welborn, Wilson, Barkus, De. Barrett, Black, Brenden, T. Brown, Brueggeman, Cooney, Gebhardt, Hawks, Jackson, Larsen, Murphy, Perry, J. Peterson, Ripley, Shockley, Steinbeisser, Tutvedt, referred to Appropriations.

**HB 465**, introduced by P. Beck, Ebinger, referred to Transportation.

**HB 466**, introduced by P. Beck, Berry, B. Beck, Ankney, Van Dyk, referred to Local Government.

The following **House Joint Resolutions** were introduced, read first time, and referred to committees:

**HJR 18**, introduced by Blewett, referred to Fish, Wildlife and Parks.

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

**SB 90**, introduced by Jackson, referred to State Administration.

**SB 184**, introduced by Balyeat, Boniek, Kerns, O'Hara, Kasten, Butcher, Phillips, Stahl, Milburn, More, Warburton, Sales, Hendrick, Bennett, Vance, Ripley, De. Barrett, Balyeat, Hinkle, Jackson, Zinke, Black, Gebhardt, Bales, Brenden, Curtiss, Murphy, Steinbeisser, Gallus, Barkus, Shockley, referred to Fish, Wildlife and Parks.

**SB 185**, introduced by Balyeat, Murphy, Balyeat, R. Brown, Curtiss, Jackson, Hinkle, Black, Gebhardt, Ripley, De. Barrett, Miller, Warburton, referred to Fish, Wildlife and Parks.

**SB 197**, introduced by Laslovich, referred to Judiciary.

**SB 208**, introduced by Lewis, referred to Human Services.

**SB 222**, introduced by Hansen, referred to Transportation.

**SB 275**, introduced by Squires, referred to Business and Labor.

The following **Senate Joint Resolutions** were introduced, read first time, and referred to committees:

**SJR 3**, introduced by Laible, referred to Education.

**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 Milburn in the chair.

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

**HB 130** - Representative Stoker moved **HB 130** do pass. Motion carried as follows:

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

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Menahan, Milburn, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Stahl, Steenson, Stoker, Taylor, Van Dyk, Villa, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 81

Nays: Bennett, Blasdel, Boniek, Butcher, Hawk, Himmelberger, Hollandsworth, Howard, Kasten, Kerns, Mendenhall, Miller, More, Randall, Regier, Sales, Sonju, Vance, Wagner.

Total 19

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 131** - Representative Stoker moved **HB 131** do pass. Motion carried as follows:

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

Total 63

Nays: Bean, B. Beck, P. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Getz, Hawk, Himmelberger, Hollandsworth, Howard, Ingraham, Kasten, Kerns, Klock, McGillvray, McNutt, Mendenhall, Miller, More, Peterson, Randall, Regier, Reichner, Sales, Smith, Sonju, Taylor, Vance, Vincent, Wagner, Warburton, Washburn.

Total 36

Excused: None.

Total 0

Absent or not voting: Kottel.

Total 1

**HB 132** - Representative Stoker moved **HB 132** do pass. Motion carried as follows:

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

Total 77

Nays: Bean, B. Beck, Bennett, Blasdel, Boniek, Butcher, Hawk, Hollandsworth, Howard, Kasten, Kerns, McGillvray, Mendenhall, Miller, Randall, Regier, Reichner, Sales, Sonju, Stahl, Vance, Wagner, Warburton.

Total 23

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Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 150** - Representative D. Brown moved **HB 150** do pass. Motion carried as follows:

Yeas: Arntzen, Augare, Bean, B. Beck, P. Beck, Bennett, Berry, Blasdel, Boniek, Boss Ribs, Brown, Butcher, Ebinger, Furey, Getz, Glaser, Hawk, Hendrick, Himmelberger, Hollandsworth, Hoven, Howard, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Miller, More, Morgan, Nooney, O'Hara, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer.  
Total 58

Nays: Ankney, Barrett, Becker, Belcourt, Blewett, Boland, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Fleming, French, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hunter, MacDonald, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, A. Noonan, P. Noonan, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Sesso, Van Dyk, Villa, Wilson, Wiseman, Mr. Speaker.  
Total 42

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 159** - Representative Augare moved **HB 159** 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, Howard, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 96

Nays: Kasten, Kerns, McGillvray.  
Total 3

Excused: None.  
Total 0

Absent or not voting: Hoven.  
Total 1

**HB 185** - Representative Nooney moved **HB 185** do pass. Motion carried as follows:

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



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Boniek, Boss Ribs, Brown, Butcher, Caferro, Driscoll, Ebinger, Fleming, Furey, Getz, Glaser, Grinde, Hands, Hawk, Hendrick, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, Nooney, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Sales, Sands, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 83

Nays: Becker, Boland, Campbell, Cohenour, Dickenson, French, Hamilton, Henry, Malek, McClafferty, A. Noonan, P. Noonan, O'Hara, Roundstone, Sesso, Van Dyk, Villa.  
Total 17

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

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

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 95

Nays: Becker, Sales, Villa.  
Total 3

Excused: None.  
Total 0

Absent or not voting: Mendenhall, Milburn.  
Total 2

**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 95** 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,

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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 363** passed as follows:

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

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HJR 12** adopted as follows:

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

Total 54

Nays: Ankney, Arntzen, Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Hawk, Hendrick, Himmelberger, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kasten, Kerns, Klock, Lake, MacLaren,

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McGillvray, McNutt, Mendenhall, Milburn, Miller, More, Morgan, Peterson, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn.  
Total 46

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**MOTIONS**

Rep. Campbell moved that **HB 130** and **HB 131** and **HB 132** be moved to the Appropriations Committee. Motion carried.

Rep. Campbell moved that **HB 185** to the Appropriations Committee. Motion carried.

**ANNOUNCEMENTS**

Mr. Speaker reminded the body that  
Committee meetings were announced by the committee chairs.

Representative Campbell moved that the House adjourn until 1:00 p.m., Friday, February 6, 2009. Motion carried.

House adjourned at 2:10 p.m.

DAVE HUNTER  
Chief Clerk of the House

BOB BERGREN  
Speaker of the House