

**HOUSE JOURNAL
61ST LEGISLATURE
THIRTIETH LEGISLATIVE DAY**

Helena, Montana
February 9, 2009

House Chambers
State Capitol

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

Roll Call. All members present. Quorum present.

Mr. Speaker introduced the pages for the week. Ruth Baer (Kalispell), Cassie Bennett (Great Falls), Lou Gwin (Anaconda), Lauren Hartley (Kila), Stephanie Henson (Columbia Falls), Brian Luehr (Helena), Haley Mitgang (Livingston), Ethan Snell (Thompson Falls).

REPORTS OF STANDING COMMITTEES

EDUCATION (Grinde, Chairman): 2/9/2009
HB 56, do pass. Report adopted.

HUMAN SERVICES (Becker, Chairman): 2/9/2009
HB 243, do pass. Report adopted.

JUDICIARY (Stoker, Chairman): 2/9/2009
HB 216, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/9/2009

SB 57, introduced by Gillan
SB 97, introduced by Wanzenried
SB 107, introduced by Lewis
SB 132, introduced by Moss
SB 143, introduced by Laible
SB 157, introduced by Shockley
SB 188, introduced by Balyeat
SB 198, introduced by Lewis
SB 235, introduced by Murphy
SB 246, introduced by Perry
SB 255, introduced by Tutvedt

Senate joint resolution passed and transmitted to the House for concurrence: 2/9/2009

SJR 6, introduced by R. Brown

FIRST READING AND COMMITMENT OF BILLS

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

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HB 388, introduced by Van Dyk, referred to Education.
HB 496, introduced by Howard, Jones, Sonju, Blasdel, referred to Business and Labor.
HB 497, introduced by Fleming, Taylor, Brueggeman, referred to Transportation.
HB 498, introduced by French, Wilmer, referred to Fish, Wildlife and Parks.
HB 499, introduced by French, Furey, Vincent, Wilmer, referred to Fish, Wildlife and Parks.
HB 500, introduced by MacLaren, Shockley, Stoker, Taylor, Lake, Laible, Hawk, referred to State Administration.
HB 502, introduced by Phillips, Roundstone, Hamilton, Jones, Belcourt, Reinhart, French, Hollenbaugh, Malek, Ebinger, McClafferty, , Sesso, Menahan, De. Barrett, MacDonald, Dickenson, Wilmer, Cohenour, referred to Natural Resources.
HB 503, introduced by McChesney, referred to Judiciary.
HB 504, introduced by Reinhart, McChesney, Wiseman, K. Peterson, Furey, Wiseman, Hamilton, O'Hara, French, Kottel, McClafferty, Sands, Augare, McGillvray, referred to Judiciary.
HB 505, introduced by Reinhart, Fleming, Pomnichowski, Malek, De. Barrett, Menahan, Hamilton, referred to Local Government.
HB 506, introduced by Phillips, referred to Fish, Wildlife and Parks.
HB 507, introduced by Reinhart, referred to Business and Labor.
HB 508, introduced by Lake, referred to Taxation.
HB 509, introduced by Ingraham, referred to State Administration.
HB 510, introduced by Cohenour, O'Hara, Lewis, Wanzenried, Cooney, referred to Transportation.
HB 511, introduced by Mendenhall, referred to Human Services.
HB 512, introduced by Cohenour, Bean, Hawks, Phillips, Reichner, referred to Education.
HB 513, introduced by Cohenour, Wilmer, Hawks, Phillips, referred to Education.
HB 514, introduced by Cohenour, Phillips, referred to Education.
HB 515, introduced by McAlpin, referred to Judiciary.
HB 516, introduced by McAlpin, referred to Human Services.
HB 517, introduced by Hollenbaugh, referred to Judiciary.
HB 518, introduced by K. Peterson, referred to Business and Labor.
HB 519, introduced by Reinhart, referred to Local Government.
HB 520, introduced by Reinhart, referred to Local Government.
HB 521, introduced by Reinhart, referred to Local Government.
HB 522, introduced by Reinhart, referred to Local Government.
HB 523, introduced by Reinhart, referred to Local Government.
HB 524, introduced by Reinhart, referred to Local Government.

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

HJR 20, introduced by Menahan, referred to Judiciary.

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

SB 57, introduced by Gillan, referred to Local Government.
SB 97, introduced by Wanzenried, referred to Natural Resources.
SB 107, introduced by Lewis, referred to Natural Resources.
SB 132, introduced by Moss, referred to Taxation.
SB 143, introduced by Laible, referred to Natural Resources.
SB 157, introduced by Shockley, referred to Judiciary.
SB 188, introduced by Balyeat, Boniek, Bennett, Curtiss, Black, Hinkle, Stoker, Blasdel, Butcher, Kerns, Kasten, Mendenhall, Laible, Ripley, De. Barrett, Warburton, referred to Fish, Wildlife and Parks.
SB 198, introduced by Lewis, Lake, referred to Taxation.

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SB 235, introduced by Murphy, Ripley, Bales, Branae, J. Peterson, Campbell, Hunter, referred to Business and Labor.

SB 246, introduced by Perry, referred to Natural Resources.

SB 255, introduced by Tutvedt, referred to Local Government.

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

SJR 16, introduced by R. Brown, referred to Business and Labor.

**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 Villa in the chair.

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

HB 82 - Representative Driscoll moved **HB 82** do pass. Motion carried as follows:

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

Total 91

Nays: Boniek, McGillvray, Mendenhall, Miller, More, Regier, Sales, Wagner.

Total 8

Excused: None.

Total 0

Absent or not voting: Sands.

Total 1

HB 128 - Representative Sesso moved **HB 128** do pass. Motion carried as follows:

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

Total 91

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Nays: Blasdel, Boniek, Miller, Peterson, Randall, Sales, Sonju, Taylor.
Total 8

Excused: None.
Total 0

Absent or not voting: Mendenhall.
Total 1

HB 172 - Representative Arntzen moved **HB 172** 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, 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: Pomnichowski.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 228 - Representative Kerns moved **HB 228** do pass.

HB 228 - Representative Kerns moved **HB 228**, second reading copy, be amended as follows:

1. Page 2, line 2.

Strike: "TO A PERSON OTHER THAN AN IDENTIFIED PEACE OFFICER"

2. Page 2, line 12.

Strike: "or"

3. Page 2, line 13.

Following: "firearm"

Insert: ";

(d) negligently or purposefully threatening a peace officer with a firearm;

(e) displaying a firearm during the commission of a forcible felony; or

(f) displaying a firearm as part of a pattern of criminal street gang activity as defined in 45-8-405

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Amendment adopted as follows:

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

Total 93

Nays: Dickenson, Grinde, MacDonald, Pease-Lopez, Pomnichowski, Roundstone, Wilmer.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 228 - Representative Van Dyk moved **HB 228**, second reading copy, be amended as follows:

1. Title, line 8.

Following: "ARMS;"

Insert: "AND"

Strike: ", 45-8-316,"

2. Title, line 9.

Strike: "; AND REPEALING SECTION 45-8-317, MCA"

3. Page 4, line 27 through page 5, line 7.

Strike: section 8 in its entirety

Renumber: subsequent sections

4. Page 5, line 18.

Strike: section 10 in its entirety

Renumber: subsequent sections

Amendment **failed** as follows:

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Yeas: Augare, Barrett, P. Beck, Becker, Belcourt, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hunter, MacDonald, Malek, McAlpin, McChesney, McClafferty, Menahan, A. Noonan, P. Noonan, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Sands, Sesso, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 46

Nays: Ankney, Arntzen, Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Glaser, Hawk, Hendrick, Himmelberger, Hollandsworth, Hoven, Howard, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacLaren, McGillvray, McNutt, Mehlhoff, Mendenhall, Milburn, Miller, More, Morgan, Nooney, O'Hara, Peterson, Randall, Regier, Reichner, Roberts, Roundstone, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.
Total 54

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 228 - Representative Kerns moved **HB 228** as amended do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bean, B. Beck, Bennett, Blasdel, Boniek, Brown, Butcher, Glaser, Hawk, Hendrick, Himmelberger, Hiner, Hollandsworth, Hoven, Howard, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacLaren, McChesney, McGillvray, McNutt, Mehlhoff, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Peterson, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Vincent, Wagner, Warburton, Washburn, Welborn.
Total 58

Nays: 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, Hollenbaugh, Hunter, MacDonald, Malek, McAlpin, McClafferty, Menahan, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Sesso, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 42

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 287 - Representative Driscoll moved **HB 287** do pass.

HB 287 - Representative Wiseman moved **HB 287**, second reading copy, be amended as follows:

1. Title, page 1, line 7 through page 8.
Strike: "ESTABLISHING" on line 7 through "PENALTY;" on line 8
2. Page 1, line 30 through page 2, line 5.
Strike: section 2 in its entirety
Renumber: subsequent sections

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3. Page 2, line 7.

Strike: "[Sections 1 and 2] are"

Insert: "[Section 1] is"

4. Page 2, line 8.

Strike: "[sections 1 and 2]"

Insert: "[section 1]"

Amendment adopted as follows:

Yeas: Ankney, Augare, Barrett, Bean, B. Beck, Becker, Bennett, Berry, Blasdel, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Cohenour, Fleming, French, Hands, Hawk, Hendrick, Himmelberger, Hollandsworth, Hoven, Ingraham, Jopek, Kasten, Kerns, Kottel, Lake, MacDonald, Malek, McGillvray, Mehlhoff, Milburn, Miller, More, Morgan, P. Noonan, Nooney, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn, Wiseman.
Total 61

Nays: Arntzen, P. Beck, Belcourt, Blewett, Campbell, Dickenson, Driscoll, Ebinger, Furey, Getz, Glaser, Grinde, Hamilton, Henry, Hiner, Hollenbaugh, Howard, Hunter, Jones, Klock, MacLaren, McAlpin, McChesney, McClafferty, McNutt, Menahan, Mendenhall, A. Noonan, O'Hara, Roberts, Roundstone, Sands, Sesso, Steenson, Van Dyk, Villa, Wilmer, Wilson, Mr. Speaker.
Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 287 - Representative Driscoll moved **HB 287** as amended do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, B. Beck, P. Beck, Belcourt, Bennett, Blewett, Boland, Boss Ribs, Caferro, Campbell, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hoven, Hunter, Jones, Kerns, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Phillips, Pomnichowski, Reinhart, Roberts, Roundstone, Sands, Sesso, Steenson, Taylor, Van Dyk, Villa, Wagner, Wilmer, Wilson, Mr. Speaker.
Total 64

Nays: Bean, Becker, Berry, Blasdel, Boniek, Brown, Butcher, Cohenour, Hawk, Hendrick, Himmelberger, Hollandsworth, Howard, Ingraham, Jopek, Kasten, Lake, Milburn, Miller, More, Peterson, Randall, Regier, Reichner, Sales, Smith, Sonju, Stoker, Vance, Vincent, Warburton, Washburn, Welborn, Wiseman.
Total 34

Excused: None.

Total 0

Absent or not voting: Pease-Lopez, Stahl.

Total 2

HB 298 - Representative Blewett moved **HB 298** do pass. Motion carried as follows:

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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, Hendrick, Henry, Hiner, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 93

Nays: Boniek, Hawk, Himmelberger, Hollandsworth, McGillvray, Miller.
Total 6

Excused: None.
Total 0

Absent or not voting: Roberts.
Total 1

HB 337 - Representative Blewett moved **HB 337** 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, 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, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 97

Nays: Kerns, Sales.
Total 2

Excused: None.
Total 0

Absent or not voting: McChesney.
Total 1

HB 354 - Representative Glaser moved **HB 354** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, 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, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson,

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Wiseman, Mr. Speaker.
Total 96

Nays: More, Sales, Wagner.
Total 3

Excused: None.
Total 0

Absent or not voting: Berry.
Total 1

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

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Belcourt, Bennett, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Campbell, Cohenour, Driscoll, Ebinger, Fleming, French, Furey, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wiseman.
Total 88

Nays: Becker, Caferro, Dickenson, Getz, Hollenbaugh, Villa, Wilson, Mr. Speaker.
Total 8

Excused: None.
Total 0

Absent or not voting: Berry, Malek, A. Noonan, Phillips.
Total 4

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 177 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.

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Total 100

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 208 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, 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, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Mr. Speaker.
Total 97

Nays: Jopek, Roundstone, Wiseman.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 269 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

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Absent or not voting: None.
Total 0

HB 295 passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jones, Jopek, Kasten, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Taylor, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 92

Nays: Boniek, Ingraham, Kerns, Miller, Peterson, Roberts, Stoker, Wagner.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 296 passed as follows:

ey, 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 311 passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, 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, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren,

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

Total 91

Nays: Boniek, Brown, Kasten, Miller, More, Morgan, Peterson, Sales, Wagner.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 368 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, Milburn, Miller, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 97

Nays: Mendenhall, More, Sales.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Rep. Campbell moved **HB 469** be moved from the Local Government Committee to the Transportation Committee.
Rep. Campbell moved **HB 476** from the Local Government Committee to the Taxation Committee.

ANNOUNCEMENTS

Mr. Speaker asked everyone to please bring the rule book that was passed out last week to the Sergeant-at-Arms in the Lobby after the session and exchange it for a corrected copy. The one passed out last week missing a poriton and it has now been corrected.

Committee meetings were announced by the committee chairs.

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Representative Campbell moved that the House adjourn until 1:00 p.m., Tuesday, February 10, 2009. Motion carried.

House adjourned at 2:42 p.m.

DAVE HUNTER
Chief Clerk of the House

BOB BERGREN
Speaker of the House