

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

Helena, Montana
February 14, 2009

House Chambers
State Capitol

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

Roll Call. All members present. Except for Rep. Blewett who is excused. Quorum present.

Rep. D. Brown wished Rep. Villa a happy birthday.

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 74 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

HB 230 passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, Berry, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Henry, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, 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, Roundstone, Sands, Sesso, Sonju, Stahl, Steenson, Van Dyk, Villa, Vincent, Warburton, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 70

Nays: Bean, Bennett, Blasdel, Boniek, Brown, Butcher, Glaser, Hawk, Hendrick, Himmelberger, Jones, Kasten, Kerns, Lake, McGillvray, Mendenhall, Milburn, Miller, More, Peterson, Randall, Roberts, Sales, Smith, Stoker,

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Taylor, Vance, Wagner, Washburn, Welborn.
Total 30

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 291 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, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, 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 94

Nays: Boniek, Ingraham, Milburn, Roberts, Wagner, Washburn.
Total 6

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 293 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, 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: More.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 317 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

HB 328 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, 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, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 95

Nays: Kasten, More, Pease-Lopez, Roberts, Vance.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 345 passed as follows:

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

Total 52

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

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 366 passed as follows:

Yeas: Ankney, Arntzen, 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, Grinde, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Sales, Sands, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wiseman.

Total 92

Nays: Augare, Dickenson, Hamilton, Pease-Lopez, Roundstone, Wilson, Mr. Speaker.

Total 7

Excused: None.

Total 0

Absent or not voting: Sesso.

Total 1

HB 378 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

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Absent or not voting: None.
Total 0

HB 412 passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Berry, Blasdel, Blewett, Boland, Boss Ribs, Brown, Butcher, 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, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, Pease-Lopez, Phillips, Pomnichowski, Randall, Reinhart, Sales, Sands, Sesso, Sonju, Stahl, Steenson, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 83

Nays: Bennett, Boniek, Caferro, Hendrick, Howard, Ingraham, Kasten, Kerns, McGillvray, O'Hara, Peterson, Regier, Reichner, Roberts, Roundstone, Smith, Stoker.
Total 17

Excused: None.
Total 0

Absent or not voting: None.
Total 0

REPORTS OF STANDING COMMITTEES

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Noonan, Chairman): 2/14/2009

HB 179, be adopted. Report adopted.

HB 343, be adopted. Report adopted.

HB 338, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: "DIOXIDE"

Insert: "PRODUCED IN THE COMBUSTION OF FOSSIL FUELS"

2. Page 1, line 15.

Following: "dioxide"

Insert: "produced in the combustion of fossil fuels"

3. Page 1, line 17.

Following: "dioxide"

Insert: "produced in the combustion of fossil fuels"

4. Page 1, line 19.

Following: "dioxide"

Insert: "produced in the combustion of fossil fuels"

5. Page 1, line 23.

Following: "dioxide"

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Insert: "produced in the combustion of fossil fuels"

6. Page 1, line 25.

Following: "dioxide"

Insert: "produced in the combustion of fossil fuels"

7. Page 1, line 30.

Following: "dioxide"

Insert: "produced in the combustion of fossil fuels"

8. Page 2, line 14.

Following: "dioxide"

Insert: "produced in the combustion of fossil fuels"

9. Page 2, line 15.

Following: "dioxide"

Insert: "produced in the combustion of fossil fuels"

10. Page 2, line 18.

Following: "dioxide"

Insert: "produced in the combustion of fossil fuels"

11. Page 2, line 19.

Following: "dioxide"

Insert: "produced in the combustion of fossil fuels"

12. Page 2, line 29.

Following: "dioxide"

Insert: "produced in the combustion of fossil fuels"

13. Page 3, line 15.

Following: "dioxide"

Insert: "produced in the combustion of fossil fuels"

14. Page 3, line 20.

Following: "dioxide"

Insert: "produced in the combustion of fossil fuels"

15. Page 3, line 22.

Following: "dioxide"

Insert: "produced in the combustion of fossil fuels"

16. Page 4, line 4.

Following: "dioxide"

Insert: "produced in the combustion of fossil fuels"

17. Page 4, line 6.

Following: "dioxide"

Insert: "produced in the combustion of fossil fuels"

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18. Page 4, line 9.

Following: "dioxide"

Insert: "produced in the combustion of fossil fuels"

19. Page 4, line 20.

Following: "dioxide"

Insert: "produced in the combustion of fossil fuels"

20. Page 4, line 21.

Following: "dioxide"

Insert: "produced in the combustion of fossil fuels"

21. Page 4, line 23.

Following: "dioxide"

Insert: "produced in the combustion of fossil fuels"

22. Page 4, line 29.

Following: "dioxide"

Insert: "produced in the combustion of fossil fuels"

23. Page 5, line 5.

Following: "dioxide"

Insert: "produced in the combustion of fossil fuels"

And, as amended, do pass. Report adopted.

HJR 13, be adopted. Report adopted.

TRANSPORTATION (Sonju, Chairman):

2/14/2009

HB 103, do pass. Report adopted.

HB 380, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/14/2009

SB 73, introduced by Hawks

SB 95, introduced by Brueggeman

SB 120, introduced by Zinke

SB 296, introduced by Essmann

SB 299, introduced by J. Tropila

SB 308, introduced by Keane

SB 325, introduced by Perry

FIRST READING AND COMMITMENT OF BILLS

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

HB 611, introduced by Jones, Glaser, Augare, Mehlhoff, referred to Education.

HB 612, introduced by B. Beck, referred to Appropriations.

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HB 613, introduced by Sales, referred to State Administration.
HB 614, introduced by MacLaren, referred to Transportation.
HB 615, introduced by MacLaren, referred to Business and Labor.

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

SB 73, introduced by Hawks, referred to Transportation.
SB 95, introduced by Brueggeman, referred to Natural Resources.
SB 120, introduced by Zinke, referred to Natural Resources.
SB 296, introduced by Essmann, Wanzenried, referred to Local Government.
SB 299, introduced by J. Tropila, Cooney, Gillan, Lewis, Stewart-Peregoy, referred to State Administration.
SB 308, introduced by Keane, Ankney, Brueggeman, Cohenour, Cooney, Gebhardt, Glaser, Hamlett, Klock, Laslovich, A. Noonan, O'Hara, Stahl, Villa, Wilson, referred to Business and Labor.
SB 325, introduced by Perry, referred to Human Services.

**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 Bennett in the chair.

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

HB 163 - Representative Cohenour moved **HB 163** do pass. Motion carried as follows:

Yeas: Ankney, Augare, Barrett, P. Beck, Becker, Belcourt, Berry, Blewett, Boland, Boss Ribs, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jones, Jopek, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Sonju, Stahl, Steenson, Van Dyk, Villa, Vincent, Warburton, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 66

Nays: Arntzen, Bean, B. Beck, Bennett, Blasdel, Boniek, Brown, Butcher, Caferro, Hawk, Hendrick, Hoven, Howard, Kasten, Kerns, Klock, Lake, McGillvray, Mendenhall, Milburn, Miller, More, Morgan, Peterson, Randall, Regier, Sales, Smith, Stoker, Taylor, Vance, Wagner, Washburn, Welborn.
Total 34

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 235 - Representative Kottel moved **HB 235** 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, Henry, Hiner, Hollandsworth, Hollenbaugh, Hoven,

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Howard, Hunter, Ingraham, Jones, Jopek, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, Mehlhoff, Menahan, Milburn, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Stahl, Steenson, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 87

Nays: Berry, Hendrick, Himmelberger, Kasten, McNutt, Mendenhall, Miller, Peterson, Sales, Sonju, Stoker, Taylor, Wagner.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 246 - Representative Boniek moved **HB 246** do pass.

Rep. Villa Point of Order the rules of the House require that a fiscal note is required before executive action is taken. Mr. Speaker asked that the House stand at ease for 3 minutes while the fiscal not is handed out.

Chair Bennett announced that the House will stand at ease, 8:38 a.m.

The House was called to back to order at 8:42 a.m.

Motion carried as follows:

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

Total 64

Nays: Augare, Barrett, P. Beck, Becker, Belcourt, Blewett, Boss Ribs, Caferro, Campbell, Dickenson, Driscoll, Ebinger, French, Furey, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Hunter, MacDonald, Malek, McAlpin, McChesney, McClafferty, A. Noonan, P. Noonan, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Sands, Sesso, Villa, Wilmer, Mr. Speaker.

Total 36

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 288 - Representative Kerns moved **HB 288** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, 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, Hands, Hawk, Hendrick, Himmelberger, Hiner, Hollandsworth, Hoven, Howard,

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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, Wilson, Wiseman, Mr. Speaker.

Total 93

Nays: Boss Ribs, Caferro, Hamilton, Henry, Hollenbaugh, Pomnichowski, Wilmer.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 294 - Representative MacLaren moved **HB 294** do pass. Motion carried as follows:

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

Total 74

Nays: B. Beck, Bennett, Brown, Glaser, Hendrick, Himmelberger, Hollandsworth, Howard, Jones, Kasten, Kerns, Mendenhall, Miller, More, Peterson, Randall, Regier, Reichner, Sales, Sonju, Taylor, Vance, Vincent, Wagner, Warburton.

Total 25

Excused: None.

Total 0

Absent or not voting: Wiseman.

Total 1

HB 324 - Representative Arntzen moved **HB 324** 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, Driscoll, Ebinger, Fleming, French, Furey, Getz, 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 98

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Nays: Dickenson.
Total 1

Excused: None.
Total 0

Absent or not voting: Glaser.
Total 1

HB 332 - Representative Getz moved **HB 332** 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

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

Yeas: Ankney, Augare, Barrett, P. Beck, Becker, Berry, Blasdel, Boland, Boniek, Boss Ribs, Brown, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Kasten, Kerns, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Pomnichowski, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Stoker, Vance, Villa, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 73

Nays: Arntzen, Bean, B. Beck, Belcourt, Butcher, Hawk, Hendrick, Howard, Ingraham, Klock, Lake, Miller, More, Morgan, Randall, Regier, Smith, Stahl, Taylor, Van Dyk, Vincent.
Total 21

Excused: Blewett.
Total 1

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Absent or not voting: Bennett, Phillips, Sales, Sonju, Steenson.
Total 5

MOTIONS

Rep. Campbell moved **HB 583** moved to the Appropriations Committee. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Campbell moved that the House adjourn until 1:00 p.m., Monday, February 16, 2009. Motion carried.

House adjourned at 9:09 a.m.

DAVE HUNTER
Chief Clerk of the House

BOB BERGREN
Speaker of the House