

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

Helena, Montana
February 18, 2009

House Chambers
State Capitol

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

Roll Call. All members present. Quorum present.

Rep. Campbell moved that the House stand at ease and wait for the Senate in order to resolve itself into a joint session.

Sgt.-at-Arms Tensely notified Mr. Speaker that the Honorable Senate of the State of Montana awaits outside the Chamber. Speaker Bergren requested Sergeant-at-Arms Tensely to admit the Honorable Senate to the House Chambers.

Speaker Bergren introduced Senate President Story and yielded the chair to him.

Senate Majority Leader Peterson moved that the body resolve itself into a joint session for the purpose of receiving the address from U.S. Senator, the Honorable Max Baucus. Motion carried.

Sgt.-at-Arms Clark announced that Honorable guests await entrance to the chambers. President Story requested Sgt.-at-Arms Clark admit the Honored guests.

Senate Majority Leader Peterson moved the President be authorized to appoint a committee of four to notify U.S. Senator Baucus that we are in joint session and ready to receive his address. Motion carried.

The President appointed Senator Williams, Senator Brueggeman, Representative MacLaren, and Representative Steenson and discharged the committee to escort The Honorable Senator Baucus into the House Chambers.

Sgt.-at-Arms Clark announced that the Honorable U.S. Senator Max Baucus awaits outside the Chamber. President Story requested Sergeant-at-Arms Clark to admit the U.S. Senator Baucus to the House Chambers.

The Committee escorted Senator Baucus into the chambers.

President Story introduced U.S. Senator Baucus.

The Honorable U.S. Senator Max Baucus addressed the 61st joint legislative session.

- 1

U.S. Senator Max Baucus

Remarks to the 61st Montana Legislative Assembly (As Prepared)

February 18, 2009

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1

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

ACKNOWLEDGEMENTS:

Good afternoon.

Mr. Speaker. Mr. President. Members of the House and Senate. Visitors joining us in the gallery.

Distinguished guests:

-Lt. Governor Bohlinger

-State Auditor Monica Lindeen

-Superintendent Denise Juneau

-Secretary of State Linda McCullough

-Attorney General Steve Bullock

-Members of the Supreme Court

-Other elected officials joining us

But perhaps the most distinguished guest here today is the person who raised me. She taught me the values of hard work, faith, community and doing what's right. The best mother in the whole world. My mother, Jean Baucus. Hi Mom!

It's good to be back here. I have very fond memories of this chamber. I'm glad to see Representative Jopek is still sitting at my old desk. Thanks Mike for your continued service.

CONDOLENCES:

Looking out at many familiar faces, one that is sadly not here is our old friend, George Groesbeck. George was such a great guy. It's no surprise that he was liked by folks on both sides of the aisle. Just a solid Butte guy. His passing was a tragedy felt by all. We thank Art Noonan for stepping in to serve.

Another pillar who is no longer with us is Donna Metcalf. She was a true Montana woman, who we all loved and respected. She will be missed.

And finally, we were all shocked to learn last weekend of Crow Tribal Chairman Venne's passing. Carl was a dear friend of mine, a solid Montana leader who always fought for his people. Our thoughts and prayers are with his family and the Crow Nation.

A Defining Moment:

As we gather here today, we do so with a somber determination -- aware of the turmoil that faces our towns, our state, and our great nation. Montana and America face a defining moment.

I know you hear it when you go into coffee shops in Plains and Plentywood, and you see it when you pass by abandoned construction sites in Scobey and Somers.

But this isn't the first time our nation has been challenged. And each time we have risen with grit and determination.

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

- When President Roosevelt looked upon tired, hungry people stricken by poverty he didn't see despair, but a challenge to the American spirit.
- When President Kennedy looked upon the moon high in space he didn't see an insurmountable obstacle, but a challenge to American ingenuity.
- When President Reagan looked upon a massive concrete wall denying people freedom, he didn't see defeat but a challenge to American fortitude.

And as citizens went back to work. As Neil Armstrong took one small step. As people united by freedom tore down the wall. Our nation once again reminded the world why we are the land of the free and the home of the brave.

And today our nation faces yet another challenge.

And yet again, I am confident we will rise and history will note that we as Americans and Montanans met this challenge with a fierce determination.

JOBS BILL

There is no denying that our nation is facing the largest economic trial in 80 years. Since this recession began, across the country 3.6 million mothers and fathers, sisters and brothers, wives and husbands, have lost their jobs.

Companies that have been pillars to our economy have been forced to cut jobs in record numbers:

- Caterpillar announced it cut 20,000 jobs
- Microsoft has cut 5,000
- Even Harley Davidson had to let go more than 1,000 employees.
- And just yesterday, we were all stunned to learn that General Motors is laying off 47,000 people.

Did you know the number of people who attended the Super Bowl in Tampa was less than the number of people who lost their jobs the week before? That's more than 70,000 Americans.

And we have felt it right here in Montana, too. Recently we have lost:

- 1434 jobs from outfitters and hotels
- 985 manufacturing jobs
- 722 jobs from places like Applebees and Dairy Queen
- 711 jobs for carpenters, contractors, and engineers
- 452 jobs from places like Home Depot and Safeway.

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

And too many more to name.

Sometimes in public service we can become numb to numbers.

But I want you to think for a moment about a friend, a family member, or a neighbor who lost their job.

Think about how hard it must be knowing you just cashed your last paycheck – with a family at home who depends on you.

But, as legislators, we have the power to change that. Not only do we have the power, it's our obligation. The people we represent are counting on us. We are just the hired hands.

And we must act.

Representative Steenson recognized this with her Jobs Recovery Resolution here in the House. Cheryl, stand up so we can thank you. Stand up so the many Montanans who've lost their jobs can thank you.

11,000 JOBS:

I've been using my position to help meet this challenge as well.

I worked 'round the clock on the new jobs bill. That's why I was proud to join President Obama yesterday in Denver as he signed the American Recovery and Relief Act, the jobs bill.

Not everyone agreed on the final package. Negotiations were tense at times. At one point I thought Rahm Emanuel, the White House Chief of Staff, and I were going to have a fist-to-cuffs.

But one thing is clear: The economic recovery and jobs bill will provide the jolt our economy needs. It is the single largest piece of economic legislation in the history of America.

This bill will pump \$626 million into our economy right here in Montana. Again, \$626 million for Montana.

That's almost half of the state's annual budget, as you well know.

But more importantly, it will protect or create 11,000 jobs here at home.

That means 11,000 of those friends, family members, or neighbors you talked to will have a job.

That means 11,000 families won't have to worry about how they will pay for groceries, or the heating bill.

11,000 breadwinners won't have to toss and turn in bed worried about providing for the little ones sleeping in the next bedroom.

But mostly, it means that 11,000 people will feel the sense of dignity and accomplishment that comes with holding down a good-paying job.

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

In November, you -- well at least 73 percent of you --voted for me to continue representing you in our nation's capitol.

With that came a responsibility that I cannot deny, a sense of honor that I cannot describe, and a call to action that we cannot ignore. That call was to continue to create good-paying jobs and keep propelling our economy.

And, working with Senator Tester -- who is not only one of the best Senator's in the Senate, but also one of the best people in the Senate -- we helped craft this Jobs legislation that will give our state the jumpstart it so desperately needs.

We crafted legislation that will build roads and water projects. A jobs bill that will put shovels back to work.

We crafted legislation that will provide:

- \$212 million dollars to keep our highways safe.
- \$39 million dollars to provide clean water to rural areas
- \$38 million dollars to modernize more than 400 schools

We crafted legislation that will put more money in people's pockets through tax cuts that will help send more kids to college, reduce our dependence on foreign oil, and help people retire.

But more importantly we crafted legislation that is right for Montana.

Now we began the process of making sure those dollars are spent on Main Streets in Montana -- the right way..... right away.

It seems the million-dollar question -- well, actually the \$626-million question - on your minds is how these dollars are going to flow to Montana. As you know, those details are still being hammered out.

But I have no doubt that Montana -- all of you legislators, Governor Schweitzer, and our capable state agencies -- will hit the ground running.

While this common-sense bill was critically necessary, it is not a silver bullet. It's not a cure-all.

It's not perfect. But it's necessary. It's not sufficient, but necessary.

This bill represents one leg of a three-legged stool. The other two being addressing the housing crisis and freeing up credit. Today, we learn details of President Obama's plan to address the housing crisis. We all hope it works.

These measures, taken together, are a solid start. But there are still many long days ahead of us.

People might grow tired of being tired.

People might grow weary of being weary.

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

But I believe this is the beginning of the end. Things will only get better.

Like the miners of Butte, the farmers and ranchers who homesteaded here, or Lewis and Clark who prevailed through sheer willpower – so too will we.

We will prevail.

With the strain of our backs, the calluses of our hands, and the sweat of our brow, we will pass on an even better state to our children -- with hope and promise.

Our children. The next generation. That is why we enter public service. That is why parents work night shifts. So we can give our children a better life than we had.

CHIP

Amidst all of the dark clouds surrounding our economy, there is one bright ray of sunshine. And that's our effort to cover more kids under the Children's Health Insurance Program.

Health care is as essential to kids' futures as learning the ABCs. I'm sure if you asked any pediatrician, any teacher, any parent, they would tell you that a healthy child is more likely to get a good education. And a good education is the key to our economic future.

Earlier I talked about three great Presidents, three great individuals who changed our nation and our world at pivotal moments in history.

Yet, Roosevelt overcame polio, Kennedy battled a litany of illnesses his entire life, heck even the Gipper probably had a few bumps and bruises along the way.

But they all were able to get the care they needed, and go on to accomplish great things.

But what if they wouldn't have had access to quality health care? How would our nation be different today?

Not a CHIP Fan:

You know, I have a confession to make. I'm not a fan of CHIP. . . .

I'm not a fan. . .

I'm a BIG fan. I'm a fanatical fan of CHIP.

CHIP is a real program that helps real families who really need it.

PITMAN FAMILY:

Example. The Pitman family. Stephanie and her husband, Travis, are small business owners – they run a day care here in Helena. They work hard day in and day out, but don't make enough to afford private insurance for their kids.

Patterson who is 8 and Corbin who is 4.

Yet, because of CHIP their youngsters are able to get the check-ups that they need to grow healthy. Travis isn't here today---- he's managing their daycare business -- but Stephanie, Patterson and

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

Corbin are here today. Stand up, guys, so we can thank you!

I helped create CHIP in 1997, and it has since become one of the most successful programs we have ever undertaken.

Since 1997, CHIP has helped 51,000 kids in Montana. And we're just getting started.

There are still 34,000 kids in Montana without health insurance. That is 34,000 too many.

The CHIP DEAL:

For those of you who were here last session, in 2007, I took my few minutes up here to offer you a deal.

I said that I would use my chairmanship of the Senate Finance Committee to expand CHIP in Washington -- if you would expand it here in Helena.

I was proud to learn that you upheld your end of the bargain in 2007, by expanding CHIP eligibility from 150 percent of the poverty level to 175 percent. For that, I congratulate you.

As for my end of the deal. Well.... it took a while.

There is the old saying that Rome wasn't built in a day. That was sure true for CHIP.

It took more than two years. It was vetoed twice. And let me tell you, it wasn't easy.

But, two weeks ago today, I stood proudly over President Obama's shoulder as he signed my bill to expand CHIP!

And as I watched him sign the legislation, I cannot describe the sense of pride that I felt. It's something that I've felt very few times in my life.

It wasn't pride of authorship, it was pride in knowing that thousands of children in Montana -- maybe even a future President of the United States -- will be able to live a healthy life because of the work we did.

As a public servant, that is the greatest reward there is. Bar none.

I-155

But as you know, we're not done yet. Last November, Montanans overwhelmingly approved Initiative 155, the healthy kids initiative. I voted for it, too, because once I-155 is fully implemented and funded, we will cut the number of uninsured Montanans by 90 percent.

To state it another way, we'll make sure that 30,000 more kids get health insurance. That's a VERY big deal.

I want to thank Representative Hunter for his great work on this. Chuck is working to fund the I-155 expansion. Thank you, Chuck.

While we have made good progress covering our children, we're not done yet. One of my top priorities is making sure that every American has access to quality affordable health care. It is a noble

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

goal that many of us share.

It is a goal deeply rooted in America: bring us your tired, bring us your poor.

As Montanans, we must strive to make sure that everyone has the ability to receive the care they need and deserve.

Earlier today, I sat down with both Caucuses here at the Capitol. I impressed upon both that I want to work together on health care. It's not a partisan issue.

I'm glad to see that Senator Brown is providing leadership on health care. I look forward to partnering with him and all of you.

Like the old proverb says, a journey of a thousand miles begins with a single step. And expanding CHIP and initiative 155 are good first steps in the journey of providing health care coverage to every American. But no journey can be completed alone. I cannot do it alone, you cannot do it alone. But together, we can.

In closing, I want to leave you with a quote from President Kennedy.

On a cold January morning in 1961, a young president bound up to a podium on the Capitol steps with a youthful vigor, and as millions tuned in with hopes of a better tomorrow, he told them all that "In your hands, my fellow citizens, more than mine, will rest the final success or failure of our course.' I say to you all, the same thing today, in your hands, more than mine, rests the future of our state. Be wise. Be prudent. Serve those who have entrusted you. And as we come together, we can make Montana an even better place than it already is.

Thank you.

President Story thanked U.S. Senator Baucus and directed the select committee to escort U.S. Senator Baucus from the joint session.

Senate Majority Leader Peterson moved that the joint session of the 61st Legislature, convened to receive the address from U. S. Senator Baucus, be adjourned. Motion carried.

Joint session adjourned at 1:43 p.m.

The Senate exited the chambers.

Mr. Speaker called the House to order at 1:47 p.m.

REPORTS OF SELECT COMMITTEES

BUSINESS AND LABOR (Wilson, Chairman):

2/18/2009

HB 171, do pass. Report adopted.

HB 357, do pass. Report adopted.

HB 386, introduced bill, be amended as follows:

1. Page 2, line 2.

Following: "disposition."

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

Insert: "(1) A person who is 18 years of age or older and of sound mind wishing to authorize another person to control the disposition of the person's remains may execute an affidavit before a notary public in substantially the following form:"

State of Montana } ss
County of _____ }

I, _____ [person designating another person to control the disposition of the person's remains] do hereby designate _____ [person who is provided with the right to control the disposition] with the right to control the disposition of my remains upon my death. I ___ have or ___ have not attached specific directions concerning the disposition of my remains with which the designee shall substantially comply, provided the directions are lawful and there are sufficient resources in my estate to carry out the directions.

Subscribed and sworn to before me this _____ day of the month of _____ of the year _____.

(2)"

2. Page 2, line 3.

Following: "7]"

Insert: "and subsection (1) of this section"

3. Page 2, line 5.

Following: "mind:"

Insert: "(a) a person designated by the decedent as the person with the right to control the decedent's disposition in an affidavit executed in accordance with subsection (1);"

Renumber: subsequent subsections

4. Page 3, line 3.

Strike: "(1) through (9)"

Insert: "(2)(a) through (2)(j)"

5. Page 3, line 6.

Strike: "(1) through (9)"

Insert: "(2)(a) through (2)(j)"

6. Page 3, line 8.

Following: "section 3"

Insert: "and section 4(1)"

7. Page 3, line 11.

Following: "section 3"

Insert: "and section 4(1)"

And, as amended, do pass. Report adopted.

EDUCATION (Grinde, Chairman):

2/18/2009

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

HB 432, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Van Dyk, Chairman):
HB 42, introduced bill, be amended as follows:

2/18/2009

1. Title, line 6.

Strike: "ESTABLISH" through "ADDRESSES"

Insert: "ADDRESS"

2. Title, line 7 through line 8.

Strike: "LANDS" on line 7 through "INTERESTS" on line 8

Insert: "CERTAIN LANDS"

Strike: "AND" on line 8

Insert: "ESTABLISHING A FOREST MANAGEMENT SPECIAL REVENUE ACCOUNT;"

Following: "AMENDING"

Strike: "SECTION"

Insert: "SECTIONS"

Following: "87-1-201"

Insert: "AND 87-1-601"

Following: "MCA" on line 8

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 2, line 19.

Strike: "establish" through "addresses"

Insert: "address"

4. Page 2, line 20.

Strike: "for lands and property interests"

Insert: "giving priority to forested lands in excess of 50 contiguous acres in any state park, fishing access site, or wildlife management area"

5. Page 3.

Following: line 2

Insert: "NEW SECTION. Section 2. Forest management account. (1) There is a special revenue account called the forest management account to the credit of the department of fish, wildlife, and parks.

(2) The forest management account consists of money deposited into the account from forest management projects undertaken pursuant to 87-1-201(9)(a)(iv) and from any other source. Any interest earned by the account must be deposited into the account.

(3) Except as otherwise directed by state or federal law, funds from the forest management account must be used by the department to implement forest management projects that may result pursuant to the provisions 87-1-201(9)(a)(iv)."

Insert: "**Section 3.** Section 87-1-601, MCA, is amended to read:

"87-1-601. Use of fish and game money. (1) (a) Except as provided in subsections (7) and (9), all money collected or received from the sale of hunting and fishing licenses or permits, from the sale of seized game or hides, from damages collected for violations of the fish and game laws of this state, or from appropriations or received by the department from any other state source must be turned over to the department of revenue and placed in the state special revenue fund to the credit of the department.

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

(b) Any money received from federal sources must be deposited in the federal special revenue fund to the credit of the department.

(c) All interest earned on money from the following sources must be placed in the state special revenue fund to the credit of the department:

- (i) the general license account;
- (ii) the license drawing account;
- (iii) accounts established to administer the provisions of 87-1-246, 87-1-258, 87-1-605, 87-2-411, 87-2-722, and 87-2-724; and
- (iv) money received from the sale of any other hunting and fishing license.

(2) Except as provided in 87-2-411, the money described in subsection (1) must be exclusively set apart and made available for the payment of all salaries, per diem, fees, expenses, and expenditures authorized to be made by the department under the terms of this title. The money described in subsection (1) must be spent for those purposes by the department, subject to appropriation by the legislature.

(3) Any reference to the fish and game fund in Title 87 means fish and game money in the state special revenue fund and the federal special revenue fund.

(4) Except as provided in subsections (7) and (8), all money collected or received from fines and forfeited bonds, except money collected or received by a justice's court, that relates to violations of state fish and game laws under Title 87 must be deposited by the department of revenue and credited to the department in a state special revenue fund account for this purpose. Out of any fine imposed by a court for the violation of the fish and game laws, the costs of prosecution must be paid to the county where the trial was held in any case in which the fine is not imposed in addition to the costs of prosecution.

(5) (a) Except as provided in section 2 and section 2(3), Chapter 560, Laws of 2005, money must be deposited in an account in the permanent fund if it is received by the department from:

- (i) the sale of surplus real property;
- (ii) exploration or development of oil, gas, or mineral deposits from lands acquired by the department, except royalties or other compensation based on production; and
- (iii) leases of interests in department real property not contemplated at the time of acquisition.

(b) The interest derived from the account, but not the principal, may be used only for the purpose of operation, development, and maintenance of real property of the department and only upon appropriation by the legislature. If the use of money as set forth in this section would result in violation of applicable federal laws or state statutes specifically naming the department or money received by the department, then the use of this money must be limited in the manner, method, and amount to those uses that do not result in a violation.

(6) Money received from the collection of license drawing applications is subject to the deposit requirements of 17-6-105(6) unless the department has submitted and received approval for a modified deposit schedule pursuant to 17-6-105(8).

(7) Money collected or received from fines or forfeited bonds for the violation of 77-1-801, 77-1-806, or rules adopted under 77-1-804 must be deposited in the state general fund.

(8) The department of revenue shall deposit in the state general fund one-half of the money received from the fines pursuant to 87-1-102.

(9) (a) The department shall deposit all money received from the search and rescue surcharge in 87-2-202 in a state special revenue account to the credit of the department for search and rescue purposes as provided for in 10-3-801.

(b) Upon certification by the department of reimbursement requests submitted by the department of military affairs for search and rescue missions involving persons engaged in hunting, fishing, or trapping, the department may transfer funds from the special revenue account to the

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

search and rescue account provided for in 10-3-801 to reimburse counties for the costs of those missions as provided in 10-3-801.

(c) Using funds in the department's search and rescue account that are not already committed to reimbursement for search and rescue missions, the department may provide matching funds to the department of military affairs to reimburse counties for search and rescue training and equipment costs up to the proportion that the number of search and rescue missions involving persons engaged in hunting, fishing, or trapping bears to the statewide total of search and rescue missions.

(d) Any money deposited in the special revenue account is available for reimbursement of search and rescue missions and to provide matching funds to reimburse counties for search and rescue training and equipment costs."

Insert: "NEW SECTION. **Section 4. Codification instruction.** [Section 2] is intended to be codified as an integral part of Title 87, chapter 1, and the provisions of Title 87, chapter 1, apply to [section 2]."

Insert: "NEW SECTION. **Section 5. Effective date.** [This act] is effective July 1, 2009."

And, as amended, do pass. Report adopted.

HJR 15, introduced joint resolution, be amended as follows:

1. Title, page 1, line 5.

Following: "EVALUATE"

Insert: "THE FEASIBILITY OF AND"

2. Page 1, line 28.

Following: "evaluate"

Insert: "the feasibility of and"

And, as amended, be adopted. Report adopted.

HB 443, be adopted. Report adopted.

JUDICIARY (Stoker, Chairman):

2/18/2009

HB 370, introduced bill, be amended as follows:

1. Page 1, line 24.

Following: "~~Montana~~;"

Insert: "(c) any motor vehicle or vehicle combination used in intrastate commerce that has a gross vehicle weight rating, gross combination weight rating, gross vehicle weight, or gross combination weight, whichever is greater, of over 26,000 pounds and that is not a farm vehicle operating solely in Montana;"

Renumber: subsequent subsections

2. Page 3, line 14.

Following: "chapters 3"

Insert: ", "

Strike: "and"

Following: "5"

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

Insert: ", and 6"

And, as amended, do pass. Report adopted.

HB 431, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "DOG" on line 4

Insert: "CANINE"

2. Title, line 5.

Strike: "DOG"

Insert: "CANINE"

3. Page 1, line 11.

Strike: "dog" in two places

Insert: "canine" in two places

4. Page 1, line 11.

Following: "(1)"

Insert: "(a)"

5. Page 1, line 14.

Strike: "dog"

Insert: "canine"

6. Page 1, line 15.

Strike: "viciousness"

Insert: "behavior"

7. Page 1, line 15.

Strike: "dog"

Insert: "canine"

8. Page 1, line 16.

Strike: "dog's viciousness"

Insert: "canine's behavior"

9. Page 1.

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

Following: line 16

Insert: "(b) If the injured individual is less than 9 years old at the time the injury occurs, there is a disputable presumption that the injury occurred without provocation by the injured individual."

10. Page 1, line 24.

Strike: "dog"

Insert: "canine"

And, as amended, do pass. Report adopted.

HB 477, do pass. Report adopted.

HB 490, do pass. Report adopted.

HB 495, do pass. Report adopted.

HB 515, do pass. Report adopted.

HB 533, do pass. Report adopted.

HJR 20, be adopted. Report adopted.

LOCAL GOVERNMENT (Arntzen, Chairman):

2/18/2009

HB 331, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "REVISING" through "ESTABLISHMENT";"

2. Title, page 1, line 6.

Strike: "50-50-102,"

3. Page 1, line 11 through page 4, line 1.

Strike: section 1 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

TAXATION (Lake, Chairman):

2/18/2009

HJR 2, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Strike: "PRELIMINARY"

2. Page 2, line 17.

Strike: "\$1,915,651,000"

Insert: "\$1,877,991,000"

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

Strike: "\$1,873,585,000"
Insert: "\$1,770,914,000"

3. Page 2, line 18.
Strike: "\$1,941,532,000"
Insert: "\$1,830,135,000"

4. Page 2, line 19.
Strike: "preliminary"

5. Page 2, line 20.
Strike: "\$432,998,000"
Insert: "\$433,580,170"

6. Page 3, line 7.
Following: "Division."
Insert: "Changes to the revenue estimates and the assumptions may be made by the Legislature."

7. Page 3, line 13.
Strike: "\$871.653"
Insert: "\$856.506"
Strike: "\$884.934"
Insert: "\$845.333"
Strike: "\$908.994"
Insert: "\$859.007"

8. Page 3, line 14.
Strike: "211.495"
Insert: "214.615"
Strike: "222.983"
Insert: "225.628"
Strike: "228.933"
Insert: "229.428"

9. Page 3, line 15.
Strike: "156.132"
Insert: "157.715"
Strike: "136.293"
Insert: "117.579"
Strike: "149.352"
Insert: "124.250"

10. Page 3, line 16.
Strike: "116.771"
Insert: "94.641"
Strike: "100.066"
Insert: "69.831"
Strike: "105.177"

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

Insert: "85.220"

11. Page 3, line 17.

Strike: "95.014"

Insert: "93.493"

Strike: "93.748"

Insert: "92.247"

Strike: "91.559"

Insert: "90.093"

12. Page 3, line 18.

Strike: "49.769"

Insert: "49.878"

Strike: "47.144"

Insert: "47.836"

Strike: "49.268"

Insert: "50.206"

13. Page 3, line 20.

Strike: "29.392"

Insert: "29.319"

Strike: "28.787"

Insert: "28.573"

Strike: "28.606"

Insert: "28.281"

14. Page 3, line 21.

Strike: "28.259"

Insert: "24.986"

Strike: "31.518"

Insert: "28.374"

Strike: "32.505"

Insert: "31.061"

15. Page 4, line 1.

Strike: "65.749"

Insert: "65.415"

Strike: "32.816"

Insert: "32.126"

Strike: "33.575"

Insert: "32.831"

16. Page 4, line 2

Strike: "36.373"

Insert: "34.564"

Strike: "36.720"

Insert: "32.984"

Strike: "37.082"

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

Insert: "33.053"

17. Page 4, line 3.

Strike: "3.962"

Insert: "3.956"

Strike: "4.013"

Insert: "4.007"

Strike: "4.077"

Insert: "4.071"

18. Page 4, line 4.

Strike: "11.107"

Insert: "16.673"

Strike: "10.185"

Insert: "7.899"

Strike: "19.381"

Insert: "15.596"

19. Page 4, line 5.

Strike: "21.614"

Insert: "21.597"

Strike: "21.701"

Insert: "21.676"

Strike: "21.798"

Insert: "21.762"

20. Page 4, line 6.

Strike: "19.227"

Insert: "18.926"

Strike: "19.969"

Insert: "19.672"

Strike: "19.771"

Insert: "19.481"

21. Page 4, line 8.

Strike: "13.339"

Insert: "13.109"

Strike: "13.796"

Insert: "13.376"

Strike: "14.382"

Insert: "13.926"

22. Page 4, line 10.

Strike: "15.845"

Insert: "15.787"

Strike: "16.717"

Insert: "16.570"

Strike: "17.859"

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

Insert: "17.627"

23. Page 4, line 12.

Strike: "10.516"

Insert: "10.494"

Strike: "11.309"

Insert: "11.244"

Strike: "12.022"

Insert: "11.921"

24. Page 4, line 13.

Strike: "8.894"

Insert: "8.910"

Strike: "9.197"

Insert: "9.237"

Strike: "9.682"

Insert: "9.749"

25. Page 4, line 16.

Strike: "9.854"

Insert: "6.777"

Strike: "8.085"

Insert: "3.248"

Strike: "8.066"

Insert: "3.279"

26. Page 4, line 20.

Strike: "4.768"

Insert: "4.738"

Strike: "4.837"

Insert: "4.796"

27. Page 5, line 6.

Strike: "\$1,915.651"

Insert: "\$1,877.991"

Strike: "\$1,873.585"

Insert: "\$1,770.914"

Strike: "\$1,941.532"

Insert: "\$1,830.135"

28. Page 5, line 14.

Strike: "4.52%"

Insert: "3.85%"

Strike: "2.29%"

Insert: "0.75%"

Strike: "3.09%"

Insert: "2.31%"

Strike: "3.41%"

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

Insert: "2.87%"

29. Page 5, line 16.

Strike: "1.14%"

Insert: "(0.66%)"

Strike: "(1.46%)"

Insert: "(9.50%)"

Strike: "(1.42%)"

Insert: "(3.59%)"

Strike: "8.05%"

Insert: "6.99%"

30. Page 5, line 17.

Strike: "6.09%"

Insert: "6.14%"

Strike: "(1.18%)"

Insert: "(2.61%)"

Strike: "1.33%"

Insert: "(1.52%)"

Strike: "3.06%"

Insert: "0.09%"

31. Page 5, line 18.

Strike: the first "0.00%"

Insert: "10.77%"

Strike: the second "0.00%"

Insert: "(3.58%)"

Strike: the third "0.00%"

Insert: "(6.43%)"

Strike: the fourth "0.00%"

Insert: "3.40%"

32. Page 5, line 19.

Strike: "(0.24%)"

Insert: "5.39%"

Strike: "2.46%"

Insert: "(6.17%)"

Strike: "4.34%"

Insert: "(11.97%)"

Strike: "4.36%"

Insert: "4.28%"

33. Page 5, line 20.

Strike: "(16.32%)"

Insert: "(17.32%)"

Strike: "(17.35%)"

Insert: "(24.90%)"

Strike: "11.63%"

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

Insert: "19.97%"
Strike: "13.60%"
Insert: "14.09%"

34. Page 6, line 2.
Strike: the second "5.75%"
Insert: "1.50%"
Strike: the third "5.75%"
Insert: "1.50%"

35. Page 6, line 3.
Strike: the second "6.06%"
Insert: "1.50%"
Strike: the third "6.06%"
Insert: "1.50%"

36. Page 7, line 10.
Strike: "\$16.010"
Insert: "\$24.540"
Strike: "\$35.469"
Insert: "\$48.377"
Strike: "\$25.008"
Insert: "\$15.373"

37. Page 7, line 11.
Strike: "\$142.057"
Insert: "\$142.099"
Strike: "\$142.057"
Insert: "\$142.099"
Strike: "\$142.057"
Insert: "\$142.099"

38. Page 7, line 12.
Strike: "\$1,297.014"
Insert: "\$1,296.595"
Strike: "\$1,342.410"
Insert: "\$1,341.975"
Strike: "\$1,389.394"
Insert: "\$1,388.945"

39. Page 7, line 13.
Strike: "\$35.066"
Insert: "\$35.155"
Strike: "\$35.767"
Insert: "\$35.857"
Strike: "\$36.481"
Insert: "\$36.572"

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

40. Page 7, line 15.

Strike: "\$149.006"

Insert: "\$151.317"

Strike: "\$156.412"

Insert: "\$158.838"

Strike: "\$164.186"

Insert: "\$166.733"

41. Page 7, line 16.

Strike: "\$263.378"

Insert: "\$260.190"

Strike: "\$278.274"

Insert: "\$274.906"

Strike: "\$294.013"

Insert: "\$290.454"

42. Page 7, line 18.

Strike: "\$43.582"

Insert: "\$43.567"

Strike: "\$46.615"

Insert: "\$43.615"

43. Page 7, line 19.

Strike: "\$154.587"

Insert: "\$154.611"

Strike: "\$162.382"

Insert: "\$162.407"

Strike: "\$170.570"

Insert: "\$170.597"

44. Page 7.

Following: line 19

Insert: "FY Property Class Fourteen (Millions) \$2.944 \$3.179 \$3.434 \$3.708

FY Property Class Fifteen (Millions) \$0.000 \$0.000 \$0.000 \$0.000

FY Property Class Sixteen (Millions) \$0.000 \$0.000 \$0.000 \$0.000"

45. Page 7, line 20.

Strike: "\$2,109.958"

Insert: "\$2,117.330"

Strike: "\$2,206.838"

Insert: "\$2,218.526"

Strike: "\$2,276.046"

Insert: "\$2,265.108"

46. Page 8, line 4.

Strike: "\$739.372"

Insert: "\$747.522"

Strike: "\$773.066"

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

Insert: "\$778.279"
Strike: "\$797.341"
Insert: "\$802.589"

47. Page 8, line 13.
Strike: "1.63%"
Insert: "0.00%"

48. Page 8, line 14.
Strike: "1.63%"
Insert: "0.00%"

49. Page 8, line 15.
Strike: "1.63%"
Insert: "0.00%"

50. Page 8, line 16.
Strike: "1.63%"
Insert: "0.00%"

51. Page 8, line 17.
Strike: "1.63%"
Insert: "0.00%"

52. Page 8, line 19.
Strike: "\$1,755.100"
Insert: "\$1,749.800"
Strike: "\$1,647.600"
Insert: "\$1,493.000"
Strike: "\$1,752.400"
Insert: "\$1,499.100"
Strike: "\$1,845.400"
Insert: "\$1,706.500"

53. Page 8, line 21.
Strike: "(1.01%)"
Insert: "(1.78%)"
Strike: "(1.04%)"
Insert: "(4.00%)"
Strike: "3.11%"
Insert: "4.79%"
Strike: "2.44%"
Insert: "3.93%"

54. Page 9, line 1.
Strike: "0.52%"
Insert: "(1.19%)"
Strike: "2.45%"

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

Insert: "(2.15%)"
Strike: "3.98%"
Insert: "5.28%"
Strike: "3.86%"
Insert: "5.43%"

55. Page 9, line 2.
Strike: "0.43%"
Insert: "(0.05%)"
Strike: "(0.14%)"
Insert: "(4.79%)"
Strike: "2.24%"
Insert: "4.47%"
Strike: "1.96%"
Insert: "3.59%"

56. Page 9, line 3.
Strike: "(0.70%)"
Insert: "(0.76%)"
Strike: "2.56%"
Insert: "1.36%"
Strike: "5.59%"
Insert: "4.74%"
Strike: "6.55%"
Insert: "4.94%"

57. Page 9, line 5.
Strike: "(13.74%)"
Insert: "(6.76%)"
Strike: "(14.95%)"
Insert: "(68.22%)"
Strike: "(0.79%)"
Insert: "(1.22%)"
Strike: "1.09%"
Insert: "3.12%"

58. Page 9, line 6.
Strike: "32.91%"
Insert: "25.21%"
Strike: "(42.28%)"
Insert: "(62.58%)"
Strike: "14.11%"
Insert: "36.30%"
Strike: "(8.64%)"
Insert: "7.35%"

59. Page 9, line 8.
Strike: "(12.17%)"

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

Insert: "(3.22%)"
Strike: "2.50%"
Insert: "(11.55%)"
Strike: "18.85%"
Insert: "13.72%"

60. Page 9, line 9.
Strike: "(0.07%)"
Insert: "(0.14%)"
Strike: "0.18%"
Insert: "0.14%"
Strike: "0.22%"
Insert: "0.17%"

61. Page 9, line 10.
Strike: "(11.88%)"
Insert: "(13.24%)"
Strike: "(17.71%)"
Insert: "(21.50%)"
Strike: "5.87%"
Insert: "5.94%"
Strike: "12.33%"
Insert: "12.62%"

62. Page 9, line 12.
Strike: "(12.17%)"
Insert: "(3.22%)"
Strike: "2.50%"
Insert: "(11.55%)"
Strike: "18.85%"
Insert: "13.72%"

63. Page 10, line 4.
Strike: "\$11.867"
Insert: "\$11.677"
Strike: "\$11.709"
Insert: "\$11.522"
Strike: "\$11.436"
Insert: "\$11.253"

64. Page 10, line 5.
Strike: "\$0.661"
Insert: "\$0.650"
Strike: "\$0.652"
Insert: "\$0.641"
Strike: "\$0.637"
Insert: "\$0.627"

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

65. Page 10, line 6.

Strike: "\$2.504"

Insert: "\$2.464"

Strike: "\$2.470"

Insert: "\$2.431"

Strike: "\$2.413"

Insert: "\$2.374"

66. Page 10, line 7.

Strike: "\$1.358"

Insert: "\$1.336"

Strike: "\$1.340"

Insert: "\$1.318"

Strike: "\$1.308"

Insert: "\$1.287"

67. Page 10, line 8.

Strike: "\$1.511"

Insert: "\$1.493"

Strike: "\$2.489"

Insert: "\$2.471"

Strike: "\$2.700"

Insert: "\$2.682"

68. Page 10, line 10.

Strike: "\$1.132"

Insert: "\$1.113"

Strike: "\$1.116"

Insert: "\$1.099"

Strike: "\$1.090"

Insert: "\$1.073"

69. Page 10, line 15.

Strike: "\$88.599"

Insert: "\$34.838"

Strike: "\$46.631"

Insert: "\$34.838"

Strike: "\$50.681"

Insert: "\$39.845"

Strike: "\$52.342"

Insert: "\$48.292"

70. Page 10, line 17.

Strike: "\$6.603"

Insert: "\$6.676"

Strike: "\$5.179"

Insert: "\$3.930"

Strike: "\$6.182"

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

Insert: "\$4.976"
Strike: "\$6.402"
Insert: "\$5.762"

71. Page 12, line 2.
Strike: "34.258"
Insert: "31.570"
Strike: "33.125"
Insert: "28.653"
Strike: "31.803"
Insert: "26.431"
Strike: "28.417"
Insert: "24.612"

72. Page 12, line 3.
Strike: "\$89.200"
Insert: "\$89.767"
Strike: "\$47.779"
Insert: "\$31.841"
Strike: "\$56.368"
Insert: "\$45.628"
Strike: "\$56.217"
Insert: "\$54.397"

73. Page 12, line 4.
Strike: "9.14%"
Insert: "9.48%"
Strike: "9.49%"
Insert: "10.21%"
Strike: "9.60%"
Insert: "10.19%"
Strike: "10.23%"
Insert: "10.38%"

74. Page 12, line 7.
Strike: "\$6.776"
Insert: "\$6.752"
Strike: "\$5.327"
Insert: "\$3.693"
Strike: "\$6.165"
Insert: "\$5.318"
Strike: "\$6.152"
Insert: "\$5.526"

75. Page 12, line 10.
Strike: "\$711.992"
Insert: "\$829.492"
Strike: "\$581.992"

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

Insert: "\$750.176"
Strike: "\$581.992"
Insert: "\$770.183"

76. Page 12, line 11.
Strike: "1.56%"
Insert: "2.01%"
Strike: "1.75%"
Insert: "1.05%"
Strike: "3.33%"
Insert: "2.03%"

77. Page 12, line 20.
Strike: "50.817"
Insert: "48.415"
Strike: "51.333"
Insert: "46.245"
Strike: "51.855"
Insert: "46.245"

78. Page 13, line 1.
Strike: "\$4.083"
Insert: "\$3.889"
Strike: "\$4.148"
Insert: "\$3.737"

79. Page 14, line 5.
Strike: "73.969"
Insert: "82.506"
Strike: "70.998"
Insert: "70.802"
Strike: "71.028"
Insert: "75.169"
Strike: "71.059"
Insert: "79.536"

80. Page 14, line 6.
Strike: "1.149"
Insert: "2.034"
Strike: the first "0.680"
Insert: "1.122"
Strike: the second "0.680"
Insert: "1.565"

81. Page 14, line 7.
Strike: "0.025"
Insert: "0.024"
Strike: the first "0.010"

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

Insert: "0.009"
Strike: the second "0.010"
Insert: "0.009"

82. Page 14, line 13.

Strike: "0.986"
Insert: "0.821"
Strike: "1.015"
Insert: "0.863"
Strike: "1.046"
Insert: "0.863"
Strike: "1.077"
Insert: "0.863"

83. Page 14, line 17.

Strike: "\$3.893"
Insert: "\$3.480"
Strike: "\$3.465"
Insert: "\$1.500"
Strike: the first "\$3.503"
Insert: "\$1.516"
Strike: the second "\$3.503"
Insert: "\$1.516"

84. Page 14, line 18.

Strike: "\$18.906"
Insert: "\$16.310"
Strike: "\$12.956"
Insert: "\$10.000"
Strike: "\$13.078"
Insert: "\$10.094"
Strike: "\$13.403"
Insert: "\$10.345"

85. Page 14, line 19.

Strike: "\$927.948"
Insert: "\$887.540"

86. Page 14, line 20.

Strike: the first "\$1.205"
Insert: "\$0.960"
Strike: the second "\$1.205"
Insert: "\$0.500"
Strike: the third "\$1.205"
Insert: "\$0.500"
Strike: the fourth "\$1.205"
Insert: "\$0.500"

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

87. Page 14, line 21.

Strike: the first "\$0.987"

Insert: "\$0.810"

Strike: the second "\$0.987"

Insert: "\$0.550"

Strike: the third "\$0.987"

Insert: "\$0.550"

Strike: the fourth "\$0.987"

Insert: "\$0.550"

88. Page 15, line 4.

Strike: the first "\$12.087"

Insert: "\$8.380"

Strike: the second "\$12.087"

Insert: "\$5.000"

Strike: the third "\$12.087"

Insert: "\$5.000"

Strike: the fourth "\$12.087"

Insert: "\$5.000"

89. Page 16, line 19.

Following: "Division."

Insert: "Changes to the revenue estimates and the assumptions may be made by the Legislature."

90. Page 17, line 6.

Strike: "88.354"

Insert: "84.139"

Strike: "70.091"

Insert: "71.015"

Strike: "55.764"

Insert: "57.112"

91. Page 17, line 9.

Strike: "13.658"

Insert: "13.702"

Strike: "14.601"

Insert: "14.671"

Strike: "14.990"

Insert: "14.924"

92. Page 17, line 10.

Strike: "5.582"

Insert: "5.580"

Strike: "5.584"

Insert: "5.577"

Strike: "5.594"

Insert: "5.583"

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

93. Page 17, line 11.

Strike: "9.339"

Insert: "9.251"

Strike: "9.989"

Insert: "9.718"

Strike: "10.938"

Insert: "10.511"

94. Page 17, line 15.

Strike: "1.053"

Insert: "1.051"

Strike: "1.085"

Insert: "1.079"

Strike: "1.122"

Insert: "1.112"

95. Page 17, line 17.

Strike: "5.299"

Insert: "5.284"

Strike: "6.121"

Insert: "6.027"

Strike: "6.987"

Insert: "6.804"

96. Page 17, line 18.

Strike: "2.369"

Insert: "2.331"

Strike: "2.690"

Insert: "2.573"

Strike: "3.136"

Insert: "2.951"

97. Page 17, line 19.

Strike: "2.117"

Insert: "2.091"

Strike: "2.431"

Insert: "2.347"

Strike: "2.830"

Insert: "2.695"

98. Page 17, line 20.

Strike: "0.451"

Insert: "0.450"

Strike: "0.465"

Insert: "0.460"

99. Page 17, line 21.

Strike: "0.634"

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

Insert: "0.632"
Strike: "0.650"
Insert: "0.645"
Strike: "0.671"
Insert: "0.663"

100. Page 18, line 1.
Strike: the second "0.334"
Insert: "0.333"
Strike: "0.338"
Insert: "0.336"
Strike: "0.347"
Insert: "0.342"

101. Page 18, line 2.
Strike: "\$380.775"
Insert: "\$376.430"
Strike: "\$363.821"
Insert: "\$364.228"
Strike: "\$351.234"
Insert: "\$351.547"

102. Page 19, line 6.
Strike: "\$2,135.710"
Insert: "\$2,143.082"
Strike: "\$2,231.659"
Insert: "\$2,243.347"
Strike: "\$2,300.783"
Insert: "\$2,289.845"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bill passed and transmitted to the House for concurrence:

2/18/2009

SB 236, introduced by Wanzenried

FIRST READING AND COMMITMENT OF BILLS

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

HB 626, introduced by Welborn, referred to State Administration.

HB 627, introduced by Hiner, Williams, Bergren, Sesso, Wiseman, Dickenson, Driscoll, Malek, French, Pomnichowski, Augare, Villa, Wilmer, A. Noonan, Hollenbaugh, Boland, Steenson, P. Noonan, Pease-Lopez, Campbell, Grinde, Roundstone, Fleming, Di. Barrett, Hamilton, Menahan, Reinhart, Ebinger, Boss Ribs, McClafferty, MacDonald, Belcourt, McChesney, McAlpin, Cohenour, Henry, Becker, Furey, Hunter, Sands, referred to Appropriations.

HB 628, introduced by Stoker, referred to Judiciary.

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

HB 629, introduced by Glaser, Stahl, referred to Education.

HB 630, introduced by Sands, Gillan, Driscoll, MacDonald, referred to Taxation.

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

HJR 28, introduced by Becker, referred to Human Services.

HJR 29, introduced by Butcher, Regier, Howard, Himmelberger, MacLaren, Klock, Ingraham, Vincent, Blasdel, Randall, Ankney, Bennett, Jones, Miller, Stahl, Mendenhall, Bean, Kasten, Sonju, B. Beck, Nooney, Vance, Welborn, More, Boniek, Warburton, Hoven, Wagner, , Smith, Reichner, referred to Education.

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

SB 236, introduced by Wanzenried, Williams, Erickson, Steinbeisser, R. Brown, Larsen, Kaufmann, French, Augare, Villa, referred to Judiciary.

**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 Steenson in the chair.

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

HB 322 - Representative Blewett moved **HB 322** 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, 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, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 95

Nays: B. Beck, Mendenhall, Sales, Sonju, Wagner.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 401 - Representative Caferro moved **HB 401** do pass. Motion carried as follows:

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

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, Himmelberger, Hiner, Hollenbaugh, Hunter, Jones, Jopek, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Sesso, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 54

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

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 404 - Representative Reinhart moved **HB 404** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boss Ribs, Brown, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Jopek, Kerns, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 85

Nays: Bean, Boniek, Butcher, Hawk, Hendrick, Himmelberger, Howard, Kasten, Lake, McGillvray, Morgan, Randall, Smith, Wagner, Welborn.
Total 15

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 407 - Representative MacDonald moved **HB 407** 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, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard,

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

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 99

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Grinde.
Total 1

HB 451 - Representative Ebinger moved **HB 451** 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, Glaser, Grinde, Hamilton, Henry, Hiner, Hollenbaugh, Hunter, Jones, 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, Hands, Hawk, Hendrick, Himmelberger, Hollandsworth, Hoven, Howard, Ingraham, 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 49

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 475 - Representative Phillips moved **HB 475** 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, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Stahl,

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

Stenson, Taylor, Van Dyk, Villa, Vincent, Warburton, Washburn, Wilmer, Wilson, Wiseman.
Total 89

Nays: B. Beck, Miller, Randall, Sales, Sonju, Stoker, Vance, Wagner, Welborn, Mr. Speaker.
Total 10

Excused: None.
Total 0

Absent or not voting: Regier.
Total 1

HB 509 - Representative Ingraham moved **HB 509** 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, 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, Stenson, Stoker, Taylor, Vance, Van Dyk, Vincent, Wagner, Washburn, Welborn, Wilmer, Wilson.
Total 94

Nays: Jopek, Pomnichowski, Villa, Warburton, Wiseman, Mr. Speaker.
Total 6

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 Stenson moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, 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, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Sonju, Stahl, Stenson, Stoker, Taylor, Vance, Van Dyk, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 89

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

Nays: Bean, Glaser, Hawk, Regier, Sales, Villa, Vincent, Wagner.
Total 8

Excused: Boss Ribs.
Total 1

Absent or not voting: Arntzen, Mendenhall.
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 179 passed as follows:

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

Nays: Boniek, Brown, Hendrick, Howard, Kasten, Lake, Mendenhall, Miller, More, Randall, Sales, Taylor, Vincent, Wagner, Washburn.
Total 15

Excused: Boss Ribs.
Total 1

Absent or not voting: Belcourt, Campbell, Roundstone.
Total 3

HB 301 passed as follows:

Yeas: Augare, Barrett, P. Beck, Becker, Belcourt, Blewett, Boland, Boniek, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hunter, Jones, Jopek, Kasten, Kerns, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, Miller, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Reichner, Reinhart, Roundstone, Sands, Sesso, Stahl, Steenson, Taylor, Van Dyk, Villa, Warburton, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 71

Nays: Ankney, Arntzen, Bean, B. Beck, Bennett, Berry, Blasdel, Brown, Fleming, Hoven, Howard,

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

Ingraham, Lake, Mendenhall, More, Pomnichowski, Randall, Regier, Roberts, Sales, Smith, Sonju, Stoker, Vance, Vincent, Wagner, Washburn, Welborn.

Total 28

Excused: Boss Ribs.

Total 1

Absent or not voting: None.

Total 0

HB 338 passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Brown, 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, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 90

Nays: Becker, Boniek, Butcher, Kasten, MacDonald, Miller, Randall, Sales, Warburton.

Total 9

Excused: Boss Ribs.

Total 1

Absent or not voting: None.

Total 0

HB 343 passed as follows:

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

Total 81

Nays: B. Beck, Becker, Caferro, Dickenson, Hands, Hendrick, Howard, Jopek, Kasten, MacDonald, Miller, Pomnichowski, Reinhart, Roundstone, Sales, Welborn, Wilson, Wiseman.

Total 18

Excused: Boss Ribs.

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

Total 1

Absent or not voting: None.

Total 0

HB 380 passed as follows:

Yeas: Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, 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, Jopak, Kasten, Kerns, 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, 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, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 96

Nays: Miller.

Total 1

Excused: Boss Ribs.

Total 1

Absent or not voting: Ankney, Welborn.

Total 2

HB 382 passed as follows:

Yeas: Ankney, Arntzen, Augare, B. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Butcher, Caferro, Campbell, Cohenour, Dickenson, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollenbaugh, Hoven, Hunter, Jopak, Klock, Kottel, MacDonald, MacLaren, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, A. Noonan, P. Noonan, Nooney, Pease-Lopez, Phillips, 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 78

Nays: Barrett, Bean, P. Beck, Brown, Driscoll, Hawk, Hendrick, Hollandsworth, Howard, Ingraham, Jones, Kasten, Kerns, Lake, Malek, Morgan, O'Hara, Peterson, Pomnichowski, Roberts, Vance.

Total 21

Excused: Boss Ribs.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

HB 383 passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Brown, Butcher, Caferro, Campbell, Cohenour, 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, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Randall, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 93

Nays: Kerns, More, Peterson, Regier, Wagner.

Total 5

Excused: Boss Ribs.

Total 1

Absent or not voting: Dickenson.

Total 1

HB 426 passed as follows:

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

Nays: O'Hara.

Total 1

Excused: Boss Ribs.

Total 1

Absent or not voting: None.

Total 0

HJR 13 failed as follows:

Yeas: Augare, Barrett, P. Beck, Becker, Belcourt, Blewett, Boland, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Henry,

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 18, 2009

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 49

Nays: Ankney, Arntzen, Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Glaser, Hawk, Hendrick, Himmelberger, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kasten, Kerns, Klock, Lake, MacLaren, 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: Boss Ribs.
Total 1

Absent or not voting: None.
Total 0

MOTIONS

Rep. Campbell moved that **HB 615** be moved from Business and Labor to Appropriations. Motion carried.

Rep. Campbell moved that **HB 161** be moved to the Appropriations committee. Motion carried.

Rep. Campbell moved that **HB 401** 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 1:00 p.m., Thursday, February 19, 2009. Motion carried.

House adjourned at 2:34 p.m.

DAVE HUNTER
Chief Clerk of the House

BOB BERGREN
Speaker of the House