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**HOUSE JOURNAL
61ST LEGISLATURE
FORTY-SECOND LEGISLATIVE DAY**

Helena, Montana
February 23, 2009

House Chambers
State Capitol

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

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

Mr. Speaker introduced that pages for the week Jamin Bonato (Deerlodge), Michael DesRosier (Browning), Charles French (Paradise), Jorda Kovash (Deerlodge), Quincy Linhart (Hobson), Celeste Petesch (Billings), Brianne Rembe (Great Falls), Logan Smith (Lewistown).

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Wilson, Chairman):
HB 572, introduced bill, be amended as follows:

2/23/2009

1. Title, line 7.

Strike: "AND A CONTINGENT TERMINATION DATE"

2. Page 1, line 18.

Strike: "[the distribution provided in 15-35-108(9)(b)(iv)(B) and from]"

3. Page 3, line 22 through line 28.

Strike: Section 7 in its entirety

And, as amended, do pass. Report adopted.

HB 580, introduced bill, be amended as follows:

1. Title, line 9 through line 10.

Strike: "AND" on line 9 through "EMPLOYMENT" on line 10

2. Title, line 10.

Strike: "39-51-2101,"

Following: "39-51-2111,"

Insert: "AND"

Strike: "AND 39-51-2302,"

3. Title, line 11.

Strike: "AND A CONTINGENT TERMINATION DATE"

4. Page 1, line 21.

Strike: subsection (b) in its entirety

Renumber: subsequent subsections

5. Page 3, following line 11.

Insert: "However, in the case of a combined-wage claim pursuant to the arrangement approved by the secretary of labor of the United States, the base period is the period applicable under the unemployment law of the paying

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state."

6. Page 5, line 26.

Strike: "35"

Insert: "40"

7. Page 7, line 5 through line 12.

Strike: Section 4 in its entirety

Renumber: subsequent sections

8. Page 9, line 1.

Strike: "(a)"

Following: "maximum"

Insert: "and minimum benefit amounts are computed in the following manner:

(a) The maximum weekly benefit amount is 67.5% of the average weekly wage and must be applied to all maximum weekly benefit amount claims for benefits filed to establish a benefit year commencing on or after July 1 of the same year.

(b) The minimum weekly benefit amount must be 20% of the average weekly wage.

(c) The minimum weekly benefit amount, if not a multiple of \$1, must be computed to the nearest lower full dollar amount."

9. Page 9, line 3 through line 8.

Strike: "weekly" on line 3 through "amount." on line 8

10. Page 9, line 17 through page 10, line 16.

Strike: Section 7 in its entirety

Renumber: subsequent sections

11. Page 10, line 24 through line 27.

Strike: Section 10 in its entirety

And, as amended, do pass. Report adopted.

HB 608, introduced bill, be amended as follows:

1. Page 1, line 14.

Strike: "A"

Insert: "The fire chief, representing and on behalf of a"

Following: "government"

Insert: ", "

2. Page 1, line 15 through line 16.

Strike: "an appropriate local official"

Insert: "the fire chief"

3. Page 1, line 16.

Following: "public."

Insert: "Any lien executed under the provisions of this subsection (2) are junior to a perfected security interest."

4. Page 1, line 17.

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Strike: "appropriate official"
Insert: "fire chief"

And, as amended, do pass. Report adopted.

HB 621, introduced bill, be amended as follows:

1. Page 1, line 21 through line 22.

Following: "activities"

Strike: "on the" on line 21 through "license" on line 22

Insert: "except for horseracing as authorized in Title 23, chapter 4"

2. Page 1, following line 23.

Insert: "(d) is authorized for use in all facilities contained in the fairgrounds complex;

(e) is not, with respect to the facilities, subject to the provisions of 16-4-204(2);"

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

EDUCATION (Grinde, Chairman):

2/23/2009

HB 15, do pass. Report adopted.

HB 488, introduced bill, be amended as follows:

1. Page 1, line 25.

Strike: "prior to the repeal of 20-6-205"

Insert: "during the years 2004 to 2006"

And, as amended, do pass. Report adopted.

HB 513, introduced bill, be amended as follows:

1. Page 1, line 16.

Strike: "and 20-9-502"

2. Page 3, line 21.

Strike: "The"

3. Page 3, line 22.

Strike: "outstanding indebtedness of the district may not be more than the limitations provided in 20-9-406."

And, as amended, do pass. Report adopted.

2/23/2009

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Noonan, Chairman):

2/23/2009

HB 375, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "PROVIDE"

Insert: "SUPPORT THE LEGISLATIVE CLIMATE CHANGE COMMITTEE IN DEVELOPING"

2. Title, page 1, line 6.

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Following: "A"

Insert: "LEGISLATIVE"

3. Page 1, line 12.

Strike: "work with the"

Insert: "support the legislative"

4. Page 1, line 13.

Strike: "to prepare"

Insert: "in preparation of"

5. Page 1, line 14.

Following: "initiative"

Insert: ", including proposed legislation implementing the findings of the report"

6. Page 1, line 16.

Strike: "developing" through "(3)(b)"

Insert: "supporting the committee in developing the report"

7. Page 1, line 17.

Following: "(3)"

Insert: "(a)"

Strike: "August"

Insert: "September"

8. Page 1, line 18 through line 25.

Strike: "for:" on line 18 through "initiative." on line 25

Insert: "as to whether Montana should participate in a regional or federal climate change initiative that would include a tax on greenhouse gas emissions or a cap and trade program for greenhouse gas emissions.

(b) For a potential cap and trade program, the report must include recommendations that specifically consider:

(i) the scope of a cap and trade program and cap setting;

(ii) the distribution of allowances and the definition of use of offsets;

(iii) reporting, market operation, and oversight; and

(iv) the necessary changes to existing law.

(c) For a potential tax on greenhouse gas emissions, the report must include recommendations that address the necessary changes to existing law."

9. Page 2, line 4 through line 5.

Strike: subsection (3) in its entirety

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

HB 483, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "A PARTY"

Insert: "CERTAIN PARTIES"

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2. Title, line 11.

Strike: "120"

Insert: "150"

3. Page 1, line 21 through line 22.

Strike: "by" on line 21 through "applicant" on line 22

4. Page 1, line 23.

Following: "period"

Insert: ", unless the issues are related to a change in federal law or to a judicial decision issued after the comment period,"

5. Page 1, line 25.

Following: "requested"

Strike: ", "

Insert: "by a person other than"

Following: "project"

Insert: ", the applicant or permittee"

Following: "may,"

Insert: "by filing a written election with the board"

6. Page 1, line 27 through line 28.

Strike: "The" on line 27 through "election." on line 28

Insert: "The party who requests the hearing may elect to have the matter submitted either to the board for a hearing or to the district court for judicial review by submitting a written election to the board with the request for hearing. If there are conflicting elections between the parties, the matter must proceed to district court."

7. Page 1, line 29.

Following: "permittee"

Insert: "is not the person who requested the hearing and"

8. Page 2, line 1.

Following: "permittee."

Insert: "If the person who requested the hearing has elected to have the matter proceed to district court, that person shall file a petition in district court within 30 days of filing the request."

9. Page 2, line 6.

Strike: "or evidence"

10. Page 2, line 8.

Following: "period"

Insert: "unless the issue is related to a change in federal law or to a judicial decision issued after the comment period"

11. Page 2, line 9.

Following: "(c)"

Insert: "(i)"

Strike: "If"

Insert: "Except as provided in subsection (1)(c)(ii), if"

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12. Page 2, line 11 through line 14.

Following: "employees" on line 11

Insert: ". "

Strike: "unless" on line 11 through "injunctions." on line 14

Insert: "(ii) The board or the court may not require a written undertaking if:

(A) the board or the district court determines that:

(I) issuance of the permit was prohibited by statute; or

(II) the request for a hearing or judicial review was not for an improper purpose designed to harass, cause delay, or improperly interfere with the issuance of the permit; or

(B) the party requesting the hearing is an indigent person."

13. Page 2, line 20.

Strike: "120"

Insert: "150"

14. Page 2, line 21.

Strike: "agrees"

Insert: "and the party other than the applicant or permittee agree"

15. Page 2, line 22.

Following: "(3)"

Insert: "(a)"

16. Page 2, line 23.

Following: "proceeding"

Insert: ", but not by more than 12 months,"

17. Page 2, line 24.

Following: "writing."

Insert: "(b) If there are multiple appeals of one permit, tolling under this subsection (3) may not exceed a total of 12 months for all appeals.

(c) The applicant may not engage in construction during the period that the time period is tolled under subsection (3)(a)."

18. Page 17, line 22.

Strike: "If"

Insert: "(1) Except as provided in subsection (2), if"

19. Page 17, line 25 through line 27.

Following: "permittee" on line 25

Insert: ". "

Strike: "unless" on line 25 through "injunctions." on line 27

Insert: "(2) The district court may not require a written undertaking if:

(a) the district court determines that:

(i) issuance of the permit was prohibited by statute; or

(ii) the request for judicial review was not for an improper purpose designed to harass, cause delay, or improperly interfere with the issuance of the permit; or

(b) the party requesting the hearing is an indigent person."

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20. Page 18, line 7.

Strike: "by a party other than the applicant"

21. Page 18, line 8.

Following: "period"

Insert: ", unless the issues are related to a change in federal law or to a judicial decision issued after the comment period,"

22. Page 18, line 11.

Following: "requested"

Strike: " "

Insert: "by a person other than"

Following: "permittee"

Insert: ", the applicant or permittee"

Following: "may,"

Insert: "by filing a written election with the board,"

23. Page 18, line 13 through line 14.

Strike: "The" on line 13 through "election." on line 14

Insert: "The party who requests the hearing may elect to have the matter submitted either to the board for a hearing or to the district court for judicial review by submitting a written election to the board with the request for hearing. If there are conflicting elections between the parties, the matter must proceed to district court."

Following: "permittee"

Insert: "is not the person who requested the hearing and"

24. Page 18, line 16.

Following: "permittee."

Insert: "If the person who requested the hearing has elected to have the matter proceed to district court, that person shall file a petition in district court within 30 days of filing the request."

25. Page 18, line 21.

Strike: "or evidence"

26. Page 18, line 30.

Strike: "120"

Insert: "150"

27. Page 19, line 1.

Strike: "agrees"

Insert: "and the party other than the applicant agree"

28. Page 19, line 9.

Insert: "NEW SECTION. Section 10. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent sections

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And, as amended, do pass. Report adopted.

HB 529, do pass. Report adopted.

HB 566, introduced bill, be amended as follows:

1. Title, page 1, line 4 through line 6.

Strike: "REVISING" on line 4 through "ONLY;" on line 6

2. Title, page 1, line 8.

Strike: "SECTIONS 75-1-102 AND"

Insert: "SECTION"

3. Page 1, line 13 through line 27.

Strike: section 1 in its entirety

Renumber: subsequent sections

4. Page 2, line 8.

Following: "decisionmaking"

Insert: "and in decisionmaking"

5. Page 2, line 14.

Following: "decisionmaking"

Insert: "in decisionmaking"

6. Page 4, line 3.

Strike: "legislature and the"

And, as amended, do pass. Report adopted.

HJR 23, be adopted. Report adopted.

HUMAN SERVICES (Becker, Chairman):

2/23/2009

HB 409, introduced bill, be amended as follows:

1. Page 1, line 30.

Following: ";

Strike: "or"

2. Page 2, line 1.

Following: "part 3"

Insert: "; or

(c) is subject to restricted distribution pursuant to 21 CFR 314.520"

3. Page 9, line 26.

Strike: "immunities"

Insert: "immunity"

4. Page 9, line 27.

Strike: "(1)"

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5. Page 10, line 1 through line 10.

Strike: subsection (2) through subsection (3) in their entirety

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

2/23/2009

HB 591, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "TWO"

Insert: "THREE"

2. Page 2, line 4.

Strike: "two"

Insert: "three"

And, as amended, do pass. Report adopted.

HB 626, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/23/2009

SB 151, introduced by Brueggeman

SB 192, introduced by Zinke

SB 250, introduced by Wanzenried

SB 360, introduced by Keane

SB 363, introduced by Stewart-Peregoy

SB 387, introduced by Bales

SB 430, introduced by Hamlett

FIRST READING AND COMMITMENT OF BILLS

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

HJR 24, introduced by Boniek, referred to Judiciary.

HJR 26, introduced by More, referred to Judiciary.

HB 636, introduced by Dickenson, referred to Taxation.

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

SB 151, introduced by Brueggeman, referred to Business and Labor.

SB 192, introduced by Zinke, referred to Business and Labor.

SB 250, introduced by Wanzenried, referred to Judiciary.

SB 360, introduced by Keane, Ankney, Glaser, Hiner, Jones, J. Peterson, Windy Boy, referred to Natural Resources.

SB 363, introduced by Stewart-Peregoy, Juneau, referred to Business and Labor.

SB 387, introduced by Bales, referred to Federal Relations, Energy, and Telecommunications.

SB 430, introduced by Hamlett, Gebhardt, referred to Taxation.

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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 194 passed 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, 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: Berry.

Total 1

Absent or not voting: None.

Total 0

HB 420 passed as follows:

Yeas: Arntzen, Augare, Barrett, P. Beck, Becker, Belcourt, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, Milburn, A. Noonan, P. Noonan, Nooney, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Sesso, Stahl, Steenson, Taylor, Vance, Van Dyk, Villa, Vincent, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 65

Nays: Ankney, Bean, B. Beck, Bennett, Blasdel, Boniek, Brown, Butcher, Hawk, Hendrick, Himmelberger, Howard, Jones, Kasten, Kerns, Lake, McGillvray, McNutt, Mendenhall, Miller, More, Morgan, O'Hara, Peterson, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stoker, Wagner, Warburton.

Total 34

Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

HB 432 passed as follows:

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

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

Total 90

Nays: McGillvray, Mendenhall, Miller, More, Roberts, Sales, Smith, Stoker, Warburton.

Total 9

Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

HB 490 passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, Bennett, Blasdel, Blewett, Boland, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, 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, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 88

Nays: Bean, Boniek, Hawk, Kasten, Lake, Mendenhall, More, Sales, Wagner, Warburton, Washburn.

Total 11

Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

HB 515 passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, 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, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 96

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Nays: Boniek, Mendenhall, Peterson.
Total 3

Excused: Berry.
Total 1

Absent or not voting: None.
Total 0

HB 544 passed 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, 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: Berry.
Total 1

Absent or not voting: None.
Total 0

HB 567 passed as follows:

Yeas: Ankney, Arntzen, Augare, 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, 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, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 97

Nays: None.
Total 0

Excused: Berry.
Total 1

Absent or not voting: Barrett, Stahl.

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Total 2

HJR 22 adopted 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, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, Miller, Morgan, A. Noonan, P. Noonan, 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, Wiseman, Mr. Speaker.

Total 90

Nays: Hawk, Hendrick, Kasten, Kerns, Lake, Mendenhall, More, Sales, Wagner.

Total 9

Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

MOTIONS

Rep. Sales moved to refer **HB 625** be taken from the Speakers desk and sent to House Taxation for a hearing. Motion **failed** as follows.

Yeas: Ankney, Arntzen, Bean, B. Beck, Bennett, 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 49

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

Total 50

Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

Rep. Mendenhall requested the Republicans caucus for 25 minutes.

Rep. Phillips announced that the Democrats will stand at ease.

Mr. Speaker announced that the House will stand at ease until 1:50 p.m.

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**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 Hollenbaugh in the chair.

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

HB 218 - Representative Menahan moved **HB 218** do pass. Motion carried as follows:

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

Total 55

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

Total 43

Excused: None.

Total 0

Absent or not voting: Glaser, Jones.

Total 2

HB 279 - Representative Reinhart moved **HB 279** do pass. Motion carried as follows:

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

Total 81

Nays: Bean, Berry, Boniek, Brown, Hawk, Kasten, Kerns, Lake, MacLaren, More, Peterson, Regier, Sales, Smith, Taylor, Vance, Wagner, Washburn.

Total 18

Excused: None.

Total 0

Absent or not voting: O'Hara.

Total 1

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HB 370 - Representative Cohenour moved **HB 370** do pass. Motion **failed** as follows:

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

Total 48

Nays: Ankney, Arntzen, Bean, B. Beck, Belcourt, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, French, 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 52

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 394 - Representative McAlpin moved **HB 394** do pass. Motion **failed** as follows:

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

Total 50

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

Total 50

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 399 - Representative Furey moved **HB 399** 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, Hands, Henry, Hiner, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, Morgan, A. Noonan, P. Noonan, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Sesso, Steenson, Van Dyk, Villa, Warburton, Wilmer, Wilson, Wiseman, Mr. Speaker.

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Total 55

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

Total 44

Excused: None.

Total 0

Absent or not voting: Ankney.

Total 1

HB 408 - Representative Pomnichowski moved **HB 408** do pass. Motion **failed** as follows:

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

Total 49

Nays: Arntzen, Bean, B. Beck, P. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Fleming, 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: Ankney, Jones.

Total 2

HB 417 - Representative Malek moved **HB 417** do pass. Motion **failed** as follows:

Yeas: Augare, Barrett, P. Beck, Belcourt, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Grinde, Hamilton, Henry, Hiner, Hollenbaugh, Jopek, Kottel, MacDonald, Malek, McAlpin, 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 45

Nays: Ankney, Arntzen, Bean, B. Beck, Becker, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Getz, Glaser, Hands, Hawk, Hendrick, Himmelberger, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jones, Kasten, Kerns, Klock, Lake, MacLaren, McChesney, 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 55

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 431 - Representative Blewett moved **HB 431** do pass.
HB 431 - Representative Blewett moved **HB 431**, be amended as follows:

1. Title, line 4.

Strike: "CANINE"
Insert: "DOG"

2. Title, line 5.

Strike: "CANINE"
Insert: "DOG"

3. Page 1, line 11.

Strike: "CANINE"
Insert: "dog"

4. Page 1, line 12.

Strike: "CANINE"
Insert: "dog"

5. Page 1, line 14.

Strike: "CANINE"
Insert: "dog"

6. Page 1, line 16.

Strike: "CANINE"
Insert: "dog"
Strike: "CANINE'S"
Insert: "dog's"

7. Page 1, line 25.

Strike: "an individual or other person as defined in 1-1-201,"
Insert: "a person"

8. Page 1, line 25 through line 26.

Strike: ", possesses, harbors, keeps, controls, has custody of,"

9. Page 1, line 26.

Strike: "CANINE"
Insert: "dog"

Motion to amend, carried as follows:

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Yeas: 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, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Howard, Hunter, Jones, Jopek, Klock, Kottel, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 85

Nays: Hawk, Hoven, Kasten, Kerns, Lake, Mendenhall, Miller, Randall, Regier.

Total 9

Excused: Berry.

Total 1

Absent or not voting: Ankney, Ingraham, MacDonald, Sales, Sonju.

Total 5

HB 431 - Representative Blewett moved **HB 431** do pass, as amended. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett, P. Beck, Becker, Belcourt, Blewett, Boland, Boniek, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, Miller, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Peterson, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Stahl, Steenson, Van Dyk, Villa, Warburton, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 75

Nays: Augare, Bean, B. Beck, Bennett, Berry, Blasdel, Brown, Butcher, Hawk, Hoven, Kerns, Lake, Mendenhall, More, Randall, Sales, Smith, Sonju, Stoker, Taylor, Vance, Vincent, Wagner, Welborn.

Total 24

Excused: None.

Total 0

Absent or not voting: Pease-Lopez.

Total 1

HB 443 - Representative Menahan moved **HB 443** do pass. Motion carried as follows:

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

Total 53

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

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McNutt, Mendenhall, Milburn, Miller, More, Morgan, 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: Becker.

Total 1

HB 445 - Representative Hands moved **HB 445** do pass. Motion carried as follows:

Yeas: Augare, Barrett, Bean, P. Beck, Becker, Belcourt, Blewett, Boland, Boniek, Boss Ribs, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, 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, Villa, Warburton, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 54

Nays: Ankney, Arntzen, B. Beck, Bennett, Berry, Blasdel, Brown, Glaser, 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, Washburn, Welborn.

Total 45

Excused: None.

Total 0

Absent or not voting: Van Dyk.

Total 1

Majority Leader Campbell moved the committee rise and report and segregate **HB 408** and **HB 417** from the committee report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Hollenbaugh moved to adopt and segregate and that the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, Becker, Belcourt, Blewett, Boland, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Henry, Hiner, Hollandsworth, Hollenbaugh, Hunter, Jopek, Klock, Kottel, Lake, MacDonald, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, A. Noonan, P. Noonan, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Sesso, Steenson, Van Dyk, Villa, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 58

Nays: B. Beck, Bennett, Blasdel, Boniek, Glaser, Hawk, Himmelberger, Hoven, Howard, Jones, Kerns, 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, Welborn.

Total 37

Excused: Berry.

Total 1

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Absent or not voting: P. Beck, Hendrick, Ingraham, Kasten.
Total 4

MOTIONS

Rep. Campbell moved that **HJR 20** be moved to the Judiciary Committee. Motion carried.

Rep. Roberts moved that **HB 307** be moved from the Committee on Health and Human Services and be placed on 2nd reading on the 43rd legislative day. Motion requires 3/5 majority vote. Motion carried as follows.

Yeas: Ankney, Augare, Barrett, Bean, P. Beck, Becker, Belcourt, Blewett, Boland, Boniek, Boss Ribs, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jopek, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, A. Noonan, P. Noonan, Nooney, Pease-Lopez, Phillips, Pomnichowski, Randall, Reinhart, Roberts, Roundstone, Sands, Sesso, Stahl, Steenson, Van Dyk, Villa, Vincent, Wilmer, Wiseman, Mr. Speaker.
Total 68

Nays: Arntzen, B. Beck, Bennett, Blasdel, Brown, Hawk, Hendrick, Howard, Ingraham, Jones, Kasten, Kerns, Mendenhall, Miller, More, Morgan, O'Hara, Peterson, Regier, Reichner, Sales, Smith, Sonju, Stoker, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Wilson.
Total 31

Excused: Berry.
Total 1

Absent or not voting: None.
Total 0

Rep. McAlpin moved that **HB 292** be moved from the Committee on Health and Human Services and be placed on 2nd reading on the 43rd legislative day. Motion requires 3/5 majority vote. Motion **failed** as follows.

Yeas: Augare, Barrett, P. Beck, Becker, Belcourt, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hoven, Hunter, Jopek, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, A. Noonan, P. Noonan, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Roberts, Roundstone, Sands, Sesso, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 52

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

Excused: Berry.
Total 1

Absent or not voting: Welborn.
Total 1

Rep. Mendenhall rose on a point of order to point out that to segregating a Committee as a Whole report is a debatable

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motion and there was no debate.

Rep. Mendenhall moved to reconsider action of the adopt the committee report. A debatable motion.

Mr. Speaker asked Rep. Mendenhall to withdraw his motion.

Rep. Campbell moved to adopt and segregate **HB 408** and **HB 417** and that the Committee of the Whole report be adopted. Motion carried as follows and report adopted.

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, Hoven, Hunter, Jopek, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, A. Noonan, P. Noonan, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Roberts, Roundstone, Sands, Sesso, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 52

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

Total 46

Excused: Berry.

Total 1

Absent or not voting: Welborn.

Total 1

Rep. Campbell moved to recess until 6:00 p.m.

Rep. Campbell moved to amend her motion and to recess at 5:15 p.m.

The House is in recess until 5:15 p.m.

The House was called to order at 5:18 p.m.

**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 Hollenbaugh in the chair.

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

HB 472 - Representative Di. Barrett moved **HB 472** do pass. Motion carried 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, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Randall, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Sonju, Stahl, Steenson, Vance, Van Dyk, Villa, Vincent, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 75

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Nays: Bean, Bennett, Blasdel, Boniek, Brown, Butcher, Hawk, Hendrick, Howard, Ingraham, Kasten, Kerns, Lake, Mendenhall, Miller, More, Peterson, Regier, Sales, Smith, Stoker, Taylor, Wagner, Warburton, Welborn.
Total 25

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 499 - Representative French moved **HB 499** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, 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, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, 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, Randall, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Stahl, Steenson, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 82

Nays: B. Beck, Boniek, Hawk, Howard, Ingraham, Kasten, Kerns, Lake, Mendenhall, Miller, More, Regier, Reichner, Sales, Sonju, Stoker, Taylor, Wagner.
Total 18

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 531 - Representative Nooney moved **HB 531** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, Becker, Belcourt, Bennett, Blasdel, Blewett, Boniek, Brown, Butcher, Campbell, Ebinger, Fleming, French, Furey, Getz, Glaser, Hendrick, Hiner, Hollandsworth, Howard, Hunter, Ingraham, Jones, Kasten, Kerns, Klock, Kottel, MacLaren, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Mendenhall, Milburn, Miller, More, Morgan, P. Noonan, Nooney, O'Hara, Peterson, Randall, Regier, Reichner, Roberts, Roundstone, Sales, Sands, Smith, Sonju, Stahl, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn.
Total 66

Nays: P. Beck, Berry, Boland, Boss Ribs, Caferro, Cohenour, Dickenson, Driscoll, Grinde, Hamilton, Hands, Hawk, Henry, Himmelberger, Hollenbaugh, Hoven, Jopek, Lake, MacDonald, Malek, McAlpin, Menahan, A. Noonan, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Sesso, Steenson, Stoker, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 34

Excused: None.
Total 0

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Absent or not voting: None.
Total 0

HB 534 - Representative Campbell moved **HB 534** do pass. Motion carried as follows:

Yeas: Ankney, Augare, Barrett, P. Beck, Becker, Belcourt, Blasdel, Blewett, Boland, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hunter, Jopek, Klock, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, More, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reinhart, Roberts, Roundstone, Sands, Sesso, Steenson, Vance, Van Dyk, Villa, Wagner, Warburton, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 67

Nays: Arntzen, Bean, B. Beck, Bennett, Berry, Boniek, Hawk, Hendrick, Hoven, Howard, Ingraham, Kasten, Kerns, Lake, MacLaren, McGillvray, Mendenhall, Milburn, Miller, Morgan, Nooney, Randall, Regier, Reichner, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vincent.
Total 31

Excused: None.
Total 0

Absent or not voting: Jones, Welborn.
Total 2

HB 542 - Representative Vance moved **HB 542** 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, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson.
Total 94

Nays: Caferro, Wiseman, Mr. Speaker.
Total 3

Excused: None.
Total 0

Absent or not voting: Hunter, McChesney, Sands.
Total 3

HB 546 - Representative Pomnichowski moved **HB 546** do pass. Motion carried as follows:

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

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Henry, Hiner, Hollenbaugh, Hunter, Jones, Jopek, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, McGillvray, Mehlhoff, Menahan, Morgan, A. Noonan, P. Noonan, Pease-Lopez, Phillips, Pomnichowski, Randall, Reinhart, Roundstone, Sands, Sesso, Steenson, Van Dyk, Villa, Vincent, Warburton, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 58

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

Total 41

Excused: None.

Total 0

Absent or not voting: Blasdel.

Total 1

HB 563 - Representative Kottel moved **HB 563** do pass.

HB 563 - Representative Stahl moved **HB 563** be amended as follows:

1. Page 1.

Following: line 30

Insert: "(5) This section does not apply to county roads established by prescriptive easement."

Motion to amend, 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, 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, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 98

Nays: Wagner.

Total 1

Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

HB 563 - Representative Kottel moved **HB 563** do pass as amended. 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,

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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, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 99

Nays: Wagner.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 565 - Representative Furey moved **HB 565** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Belcourt, Berry, Blasdel, Blewett, Boland, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hendrick, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, A. Noonan, P. Noonan, Nooney, 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 83

Nays: Becker, Bennett, Boniek, Hawk, Henry, Hoven, Howard, Kasten, Kerns, Mendenhall, Miller, More, Morgan, Peterson, Regier, Wagner.
Total 16

Excused: None.
Total 0

Absent or not voting: O'Hara.
Total 1

HB 585 - Representative McClafferty moved **HB 585** do pass. Motion carried as follows:

Yeas: Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Berry, Blasdel, Blewett, Boland, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, Morgan, A. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Van Dyk, Villa, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 80

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Nays: Ankney, Bennett, Boniek, Hawk, Kerns, Lake, McGillvray, Peterson, Randall, Regier, Reichner, Sales, Stoker, Taylor, Vance, Vincent.

Total 16

Excused: None.

Total 0

Absent or not voting: Getz, Kasten, More, P. Noonan.

Total 4

HB 622 - Representative Himmelberger moved **HB 622** 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, 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, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman.

Total 95

Nays: Boniek, More, Villa, Wagner, Mr. Speaker.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 628 - Representative Stoker moved **HB 628** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett, Bean, B. Beck, P. Beck, Becker, Bennett, Berry, Blasdel, Blewett, Boland, Boss Ribs, Brown, Butcher, 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, Sales, Sands, Sesso, Smith, Sonju, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson.

Total 91

Nays: Augare, Belcourt, Boniek, Caferro, Mendenhall, Wiseman, Mr. Speaker.

Total 7

Excused: None.

Total 0

Absent or not voting: Stahl, Steenson.

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Total 2

HJR 14 - Representative Warburton moved **HJR 14** be adopted. Motion carried as follows:

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

Total 81

Nays: Barrett, Becker, Boss Ribs, Caferro, Dickenson, Driscoll, Hamilton, Henry, Hunter, Malek, McAlpin, A. Noonan, Pease-Lopez, Phillips, Sesso, Steenson, Villa, Wiseman.

Total 18

Excused: None.

Total 0

Absent or not voting: Pomnichowski.

Total 1

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

Yeas: Ankney, Arntzen, Augare, Barrett, 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, 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, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman.

Total 90

Nays: Bean, Hawk, Mendenhall, Miller, Sales, Vincent, Wagner, Mr. Speaker.

Total 8

Excused: Berry.

Total 1

Absent or not voting: Sonju.

Total 1

Rep. Campbell moved that **HB 399** be moved to the Appropriations Committee. Motion carried.

Rep. Campbell moved that **HB 472** be moved to the Appropriations Committee. Motion carried.

Rep. Campbell moved that **HB 565** be moved to the Appropriations Committee. Motion carried.

Rep. Campbell moved that **HB 585** be moved to the Appropriations Committee. Motion carried.

Rep. Campbell moved that **HB 279** be moved to the Appropriations Committee. Motion carried.

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Rep. Campbell moved that **HB 499** be moved to the Appropriations Committee. Motion carried.
Rep. Himmelberger moved that **HB 50** be moved to the Appropriations Committee. Motion carried.
Rep. Himmelberger moved that **HB 364** be moved to the Appropriations Committee. Motion carried.
Rep. MacLaren moved that **HB 556** be moved from the State Administration Committee and be placed on 2nd reading on the 43rd legislative day. Motion requires 3/5ths majority vote. Motion **failed** as follows.

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

Total 51

Nays: Augare, Barrett, P. Beck, Becker, Belcourt, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hunter, Jopek, Kottel, MacDonald, Malek, McAlpin, 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 48

Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

Rep. Villa moved that **HB 358** be moved from the State Administration Committee and be placed on 2nd reading on the 43rd legislative day. Motion requires 3/5ths majority vote. Motion **failed** as follows.

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

Total 53

Nays: Ankney, Arntzen, Bean, Bennett, 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, Noonney, Peterson, Randall, Regier, Reichner, Roberts, Sales, Smith, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.

Total 46

Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

Rep. Cohenour moved that **HB 510** be moved from the Transportation Committee and be placed on 2nd reading on the 43rd legislative day. Motion requires a 3/5ths majority vote. Motion **failed** as follows.

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Yeas: Augare, Barrett, Becker, Belcourt, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hoven, Howard, Hunter, Jopek, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, Mehlhoff, Menahan, Morgan, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Roberts, Roundstone, Sands, Sesso, Steenson, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 54

Nays: Ankney, Arntzen, Bean, B. Beck, P. Beck, Bennett, Blasdel, Boniek, Brown, Butcher, Glaser, Hawk, Hendrick, Himmelberger, Hollandsworth, Ingraham, Jones, Kasten, Kerns, Klock, Lake, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Miller, More, Nooney, Peterson, Randall, Regier, Reichner, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn, Welborn.
Total 45

Excused: Berry.
Total 1

Absent or not voting: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Campbell moved that the House adjourn until 8:00 a.m., Tuesday, February 24, 2009. Motion carried.

House adjourned at 7:20 p.m.

DAVE HUNTER
Chief Clerk of the House

BOB BERGREN
Speaker of the House