

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

Helena, Montana  
March 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.

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Jopek, Chairman): 3/18/2009  
**HB 548**, introduced bill, be amended as follows:

1. Title, page 1, lines 7 and 8.

**Following:** "REGISTRATION;" on line 7

**Strike:** "REQUIRING INSPECTIONS TO BE UNANNOUNCED AND"

2. Page 1, lines 20 through 28.

**Following:** "include" on line 20

**Strike:** ":" on line 20 through "(d) " on line 28

3. Page 2, line 5.

**Strike:** "unannounced"

**Insert:** "conducted with at least 48 hours' notice"

4. Page 2, line 19.

**Strike:** "more than 20 adult"

**Insert:** "100 or more"

5. Page 2, line 24.

**Following:** "reporting."

**Insert:** "The department shall inspect as many facilities as possible with the funds available in the account."

And, as amended, do pass. Report adopted.

**JUDICIARY** (Stoker, Chairman): 3/18/2009

**SB 311**, be concurred in. Report adopted.

**SB 400**, be concurred in. Report adopted.

**SB 405**, be concurred in. Report adopted.

**LOCAL GOVERNMENT** (Arntzen, Chairman): 3/18/2009

**SB 261**, be concurred in. Report adopted.

**SB 294**, be concurred in. Report adopted.

**SB 57**, be amended as follows:

1. Page 12, line 11.

**Following:** "improvements"

**Insert:** "

(a)"

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 18, 2009

**Renumber:** subsequent subsections

2. Page 12, line 13.

**Strike:** "(a)"

**Insert:** "(i)"

**Renumber:** subsequent subsections

3. Page 12, line 28.

**Strike:** "(3)(a)"

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

**Strike:** "(3)(e)"

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

4. Page 12, line 29.

**Strike:** "."

**Insert:** "; or"

(b) based upon the character, kind, and quality of service for a residential or commercial unit, taking into consideration:

(i) the nature of the property or entity assessed;

(ii) a calculated basis for the program or service, including volume or weight;

(iii) the cost, incentives, or penalties applicable to the program or service practices; or

(iv) any combination of these factors.

5. Page 56, line 1 through line 4.

**Strike:** "By" on line 1 through "district." on line 4

**Insert:** "(1) Subject to subsection (2), a special district in existence on [the effective date of this act] must comply with the provisions of [sections 1 through 20] upon alteration of its boundaries or a change in its amount or method of assessment. If dissolution is proposed for a special district in existence on [the effective date of this act], the proposal is subject to the provisions of [section 20]."

(2) A special district in existence on [the effective date of this act] is required to comply with the provisions of [section 10] only upon alteration of its boundaries."

And, as amended, be concurred in. Report adopted.

**SB 58**, be amended as follows:

1. Title, page 1, line 7 through line 9.

**Strike:** "REQUIRING" on line 7 through "AUTHORITY;" on line 9

2. Page 1, line 14 through line 22.

**Strike:** section 1 in its entirety

3. Page 3, line 3 through page 4, line 20.

**Strike:** section 4 through section 6 in their entirety

And, as amended, be concurred in. Report adopted.

**SB 231**, be amended as follows:

1. Title, line 5.

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 18, 2009

**Strike:** "AND"

2. Title, line 6.

**Following:** "MCA"

**Insert:** "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 4.

**Following:** line 20

**Insert:** "NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 2009."

And, as amended, be concurred in. Report adopted.

**NATURAL RESOURCES** (Milburn, Chairman):

3/18/2009

**SB 113**, be amended as follows:

1. Page 2, line 9.

**Following:** "IN THE"

**Insert:** "appropriate"

2. Page 2, line 12.

**Strike:** "ACCOUNT"

**Insert:** "accounts"

3. Page 2, line 17.

**Following:** "[SECTION 1];"

**Insert:** "and"

4. Page 2, line 18 through line 19.

**Strike:** "; AND" on line 18 through "[SECTION 1]" on line 19

5. Page 2.

**Following:** line 19

**Insert:** "(3) There is an account in the federal special revenue fund established by 17-2-102 to be known as the mechanized equipment fuels reduction pilot program account. There must be deposited in the account money received from the federal government for the purpose of administering [section 1]."

6. Page 2, line 20.

**Strike:** "(3) THE FUND"

**Insert:** "(4) Funds in either account created in this section"

7. Page 2.

**Following:** line 22

**Insert:** "COORDINATION SECTION. Section 3. Coordination instruction. If both House Bill No. 140 and [this act] are passed and approved, then the reference in [this act] to "mechanized equipment fuels reduction pilot program account" in [section 1 (5)(b)] must be changed to "forest health account"."

**Insert:** "COORDINATION SECTION. Section 4. Coordination instruction. If both House Bill No. 140 and [this act] are passed and approved, then [section 2] of House Bill No. 140 and [section 2 of this act] are void and [section 2] must read as follows:

NEW SECTION. Section 2. Forest health accounts. (1) There is an account in the state special revenue fund established by 17-2-102 to be known as the forest health account. There must be deposited in the account:

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 18, 2009

- (a) money received from legislative allocations;
- (b) a transfer of money from a state or local agency for the purposes of [section 1] or 77-5-216; and
- (c) a gift, donation, grant, legacy, bequest, or devise made for the purposes of [section 1] or 77-5-216.

(2) There is an account in the federal special revenue fund established by 17-2-102 to be known as the forest health account. There must be deposited in the account money received from the federal government for the purpose of administering [section 1] or 77-5-216.

(3) Funds in either account created in this section must be used by the department of natural resources and conservation for the purposes of [section 1] or 77-5-216."

And, as amended, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**House amendments to Senate bills** concurred in: 3/18/2009

- SB 40**, introduced by Juneau
- SB 54**, introduced by Steinbeisser
- SB 88**, introduced by M. Tropila
- SB 170**, introduced by Gebhardt

**SB 74** - The Senate failed to concur in House amendments to **SB 74**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on House amendments to **SB 74**:

3/18/2009

Senator Laible, Chair  
Senator Laslovich  
Senator Esp

**House bills** concurred in and returned to the House: 3/18/2009

- HB 37**, introduced by Campbell
- HB 48**, introduced by P. Beck
- HB 204**, introduced by Ebinger
- HB 223**, introduced by Cohenour
- HB 283**, introduced by Himmelberger

**House bills** concurred in as amended and returned to the House for concurrence in Senate amendments:

3/18/2009

- HB 119**, introduced by Hunter
- HB 304**, introduced by Sonju

**FIRST READING AND COMMITMENT OF BILLS**

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

- HB 659**, introduced by Roberts, Stahl, referred to Appropriations.
- HB 660**, introduced by A. Noonan, Villa, Wilmer, Wilson, McClafferty, P. Noonan, D. Brown, Driscoll, Belcourt, Boland, referred to Appropriations.

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 18, 2009

**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 15** passed as follows:

Yeas: Ankney, 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, Getz, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, 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, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 91

Nays: Bennett, Boniek, Hawk, Kasten, Kerns, More, Randall, Sales, Vance.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 211** passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boss Ribs, Brown, 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, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, 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 88

Nays: Bean, Boniek, Butcher, Caferro, Hawk, Hendrick, Kasten, Kerns, Lake, McGillvray, More, Randall.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 244** passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger,

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 18, 2009

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, Pomnichowski, Randall, 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 96

Nays: Miller, Sales, Warburton.

Total 3

Excused: None.

Total 0

Absent or not voting: Phillips.

Total 1

**HB 262** passed as follows:

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

Total 94

Nays: Boniek, Kasten, Kerns, McGillvray, Randall, Sales.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 308** passed as follows:

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

Total 69

Nays: Bean, B. Beck, Bennett, Blasdel, Butcher, Hawk, Hendrick, Himmelberger, Ingraham, Kasten, Kerns, Lake, McGillvray, McNutt, Mendenhall, Milburn, Miller, Morgan, Nooney, Peterson, Pomnichowski, Randall, Regier,

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 18, 2009

Reichner, Sales, Smith, Stoker, Taylor, Vincent, Wagner, Welborn.  
Total 31

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 315** passed as follows:

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

Nays: Boniek, Brown, Kasten, Kerns, Lake, Morgan, Sales, Wagner.  
Total 8

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 356** passed as follows:

Yeas: Ankney, Arntzen, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Dickenson, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jones, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, Nooney, O'Hara, Pease-Lopez, Peterson, Pomnichowski, Randall, Reichner, Roberts, Roundstone, Sales, Sands, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Van Dyk, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 84

Nays: Augare, Cohenour, Driscoll, Hands, Hawk, Hollenbaugh, Jopek, McClafferty, A. Noonan, P. Noonan, Phillips, Regier, Reinhart, Sesso, Steenson, Villa.  
Total 16

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 18, 2009

**HB 499** passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, B. Beck, P. Beck, Becker, Belcourt, Berry, 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, Hoven, Howard, Hunter, Jones, Jopek, Klock, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Stahl, Steenson, Taylor, Van Dyk, Villa, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 76

Nays: Bean, Bennett, Blasdel, Brown, Butcher, Hawk, Ingraham, Kasten, Kerns, Lake, MacLaren, Mendenhall, Miller, More, Morgan, Nooney, Randall, Regier, Sales, Smith, Sonju, Stoker, Vance, Wagner.

Total 24

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 585** passed as follows:

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

Total 66

Nays: B. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Hawk, Hendrick, Himmelberger, Hollandsworth, Ingraham, Kasten, Kerns, Lake, MacLaren, McGillvray, Mendenhall, Milburn, More, Peterson, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stoker, Taylor, Vance, Vincent, Welborn.

Total 33

Excused: None.

Total 0

Absent or not voting: Grinde.

Total 1

**HB 635** passed as follows:

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



HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 18, 2009

Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 89

Nays: Boniek, Kerns, Lake, McGillvray, Miller, More, Randall, Sales, Stoker, Wagner.  
Total 10

Excused: None.  
Total 0

Absent or not voting: McClafferty.  
Total 1

**HB 636** passed as follows:

Yeas: Arntzen, Augare, Barrett, P. Beck, Becker, Belcourt, Berry, Blasdel, Blewett, Boland, Boss Ribs, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Sesso, Sonju, Stahl, Steenson, Van Dyk, Villa, Vincent, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 63

Nays: Ankney, Bean, B. Beck, Bennett, Boniek, Brown, Hawk, Hendrick, Himmelberger, Hollandsworth, Howard, Ingraham, Kasten, Kerns, Klock, Lake, McGillvray, Mendenhall, Milburn, Miller, More, Morgan, Nooney, Peterson, Randall, Regier, Reichner, Roberts, Sales, Smith, Stoker, Taylor, Vance, Wagner, Warburton, Washburn, Welborn.  
Total 37

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HJR 33** adopted as follows:

Yeas: Ankney, Augare, Barrett, 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, McNutt, Mehlhoff, Menahan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Roberts, Roundstone, Sands, Sesso, Steenson, Van Dyk, Villa, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 64

Nays: Arntzen, Bean, B. Beck, Bennett, Blasdel, Boniek, Brown, Butcher, Hawk, Hendrick, Howard, Ingraham, Kasten, Kerns, Lake, McGillvray, Mendenhall, Milburn, Miller, More, Morgan, Peterson, Randall, Regier, Reichner, Sales, Smith, Sonju, Stahl, Stoker, Taylor, Vance, Vincent, Wagner, Warburton, Washburn.  
Total 36

Excused: None.  
Total 0

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 18, 2009

Absent or not voting: None.  
Total 0

**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 Di. Barrett in the chair.

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

**HB 39 - Senate Amendments** - Representative Cohenour moved Senate amendments to **HB 39** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, P. Beck, Becker, Belcourt, Bennett, Berry, Blewett, Boland, Boss Ribs, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Regier, Reinhart, Roberts, Roundstone, Sands, Sesso, Stahl, Steenson, Stoker, Van Dyk, Villa, Vincent, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 74

Nays: B. Beck, Blasdel, Boniek, Brown, Howard, Kasten, Kerns, McGillvray, Mendenhall, Milburn, Miller, More, Morgan, Nooney, Peterson, Randall, Reichner, Sales, Smith, Sonju, Taylor, Vance, Wagner, Warburton, Washburn, Welborn.  
Total 26

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 179 - Senate Amendments** - Representative Villa moved Senate amendments to **HB 179** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, P. Beck, Becker, Belcourt, Berry, Blewett, Boland, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Jopek, Kasten, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Menahan, Miller, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Steenson, Stoker, Van Dyk, Villa, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 77

Nays: B. Beck, Bennett, Blasdel, Boniek, Howard, Kerns, Mendenhall, Milburn, More, Morgan, Randall, Reichner, Sales, Sonju, Stahl, Taylor, Vance, Vincent, Wagner, Warburton, Welborn.  
Total 21

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 18, 2009

Excused: None.  
Total 0

Absent or not voting: Mehlhoff, Nooney.  
Total 2

**HB 288 - Senate Amendments** - Representative Kerns moved Senate amendments to **HB 288** be concurred in. 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, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilson, Wiseman, Mr. Speaker.  
Total 97

Nays: Henry, Pomnichowski, Wilmer.  
Total 3

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 3** - Representative Ankney moved to pass consideration on **HB 3** for the day. Motion carried.

**HB 4** - Representative Jones moved **HB 4** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, P. Beck, Becker, Belcourt, Berry, Blewett, Boland, Boss Ribs, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, Morgan, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reinhart, Roberts, Roundstone, Sands, Sesso, Stahl, Steenson, Stoker, Van Dyk, Villa, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 75

Nays: B. Beck, Bennett, Blasdel, Boniek, Brown, Hendrick, Hoven, Kasten, Kerns, McGillvray, Mendenhall, Miller, More, Nooney, Randall, Regier, Reichner, Sales, Smith, Sonju, Taylor, Vance, Vincent, Wagner, Warburton.  
Total 25

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 18, 2009

**HB 216** - Representative Menahan moved **HB 216** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett, Bean, B. Beck, P. Beck, Becker, Berry, Blasdel, Blewett, Boland, Boss Ribs, Butcher, Caferro, 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, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, Morgan, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Stahl, Steenson, Stoker, Taylor, Van Dyk, Villa, Warburton, Welborn, Wilmer, Wilson, Wiseman.

Total 80

Nays: Augare, Belcourt, Bennett, Boniek, Brown, Campbell, Kerns, Klock, Mendenhall, Miller, More, Nooney, Randall, Sales, Vance, Vincent, Wagner, Washburn, Mr. Speaker.

Total 19

Excused: None.

Total 0

Absent or not voting: Sonju.

Total 1

**HB 360** - Representative Caferro moved **HB 360** do pass. Motion carried as follows:

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

Total 65

Nays: Bean, B. Beck, Bennett, Blasdel, Brown, Butcher, Glaser, Hawk, Hendrick, Himmelberger, Hollandsworth, Howard, Jones, Kerns, Lake, McGillvray, Mendenhall, Milburn, Miller, More, Nooney, Peterson, Randall, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stahl, Taylor, Vance, Wagner, Warburton, Washburn.

Total 35

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 416** - Representative MacDonald moved **HB 416** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, P. Beck, Becker, Belcourt, Berry, Blewett, Boland, Boniek, Boss Ribs, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Klock, Kottel, MacDonald, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Miller, Morgan, A. Noonan, P. Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Reinhart, Roundstone, Sands, Sesso, Stahl, Steenson, Van Dyk, Villa, Warburton, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 68

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 18, 2009

Nays: Bean, B. Beck, Bennett, Blasdel, Brown, Glaser, Hawk, Hendrick, Howard, Ingraham, Kasten, Kerns, Lake, MacLaren, McGillvray, Mendenhall, Milburn, More, Nooney, Regier, Reichner, Roberts, Sales, Smith, Sonju, Stoker, Taylor, Vance, Vincent, Wagner, Washburn.  
Total 31

Excused: None.  
Total 0

Absent or not voting: Welborn.  
Total 1

**HB 478** - Representative Grinde moved **HB 478** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, 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, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 90

Nays: Bennett, Kasten, Kerns, Mendenhall, Peterson, Sales, Taylor, Wagner, Welborn.  
Total 9

Excused: None.  
Total 0

Absent or not voting: Glaser.  
Total 1

**HB 487** - Representative McNutt moved **HB 487** do pass. Motion **failed** as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Sonju, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 97

Nays: Sales, Wagner.  
Total 2

Excused: None.  
Total 0

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 18, 2009

Absent or not voting: Stahl.  
Total 1

**HB 508** - Representative Lake moved **HB 508** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Boss Ribs, Brown, Butcher, Getz, 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

Nays: Augare, Barrett, P. Beck, Becker, Belcourt, Blewett, Boland, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, 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

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 216** - Representative Welborn moved **SB 216** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blewett, Boland, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.  
Total 89

Nays: Blasdel, Boniek, Kasten, Kerns, Mendenhall, Milburn, Randall, Sales, Sonju, Vincent, Wagner.  
Total 11

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

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

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 18, 2009

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, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 89

Nays: Blasdel, Bonick, Kasten, Kerns, Mendenhall, Milburn, Randall, Sales, Sonju, Vincent, Wagner.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Rep. Campbell moved that **HB 360** be moved to the Appropriations Committee. Motion carried.

Rep. Campbell moved that **HB 478** be moved to the Appropriations Committee. Motion carried.

Rep. Campbell withdrew her previous motion.

Rep. Campbell moved that **HB 508** be moved to the Appropriations Committee. Motion carried.

Rep. Campbell moved that **HB 487** 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, March 19, 2009. Motion carried.

House adjourned at 2:42 p.m.

DAVE HUNTER  
Chief Clerk of the House

BOB BERGREN  
Speaker of the House