

**HOUSE JOURNAL
62ND LEGISLATURE
NINTH LEGISLATIVE DAY**

Helena, Montana
January 12, 2011

House Chambers
State Capitol

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

Roll Call. All members present. Quorum present.

BILLS (O'Hara, Chairman): 1/12/2011

Correctly printed: **HB 1, HB 22, HB 38, HB 39, HB 41, HB 60, HB 65, HB 74, HB 96, HB 97.**

REPORTS OF STANDING COMMITTEES

TRANSPORTATION (Vance, Chairman): 1/10/2011
HB 60, do pass. Report adopted.

HUMAN SERVICES (Howard, Chairman): 1/10/2011
HB 74, do pass. Report adopted.

LOCAL GOVERNMENT (MacLaren, Chairman): 1/11/2011
HB 41, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

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

- HB 206**, introduced by MacLaren, referred to Human Services.
- HB 219**, introduced by McGillvray, Essmann, Blasdel, referred to Taxation.
- HB 220**, introduced by Di. Barrett, referred to Transportation.
- HB 221**, introduced by Di. Barrett, referred to Appropriations.
- HB 222**, introduced by Di. Barrett, referred to Taxation.
- HB 223**, introduced by Di. Barrett, Boland, Kaufmann, Erickson, referred to Taxation.
- HB 224**, introduced by F. Smith, Sands, McChesney, Reinhart, Wilmer, Stahl, , K. Peterson, Roberts, Hale, Squires, Schmidt, referred to Taxation.
- HB 225**, introduced by Welborn, referred to Fish, Wildlife and Parks.
- HB 226**, introduced by Hansen, referred to State Administration.
- HB 227**, introduced by Wagner, Miller, Jackson, G. Bennett, Vance, Warburton, Blasdel, O'Hara, Yates, Edmunds, Skees, Salomon, Read, Beck, Harris, Hale, Randall, referred to Human Services.
- HB 228**, introduced by Rosendale, Kary, Edmunds, referred to Fish, Wildlife and Parks.
- HB 229**, introduced by McNutt, referred to Transportation.

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HB 230, introduced by Gibson, Burnett, Hollandsworth, Hollenbaugh, Menahan, Hiner, Wilmer, Taylor, O'Hara, Roberts, McChesney, Lewis, Brodehl, Cook, Ripley, Zinke, Kerns, McGillvray, Regier, C. Smith, Warburton, MacLaren, Buttrey, G. Bennett, Walker, Milburn, Osmundson, referred to Appropriations.

HB 231, introduced by Brodehl, Miller, Klock, Greef, Burnett, Lavin, Connell, Jackson, Edmunds, Hale, Gibson, Skees, Taylor, Knox, Randall, O'Neil, Kary, Blasdel, Salomon, Ehli, referred to Local Government.

HB 232, introduced by Connell, referred to Natural Resources.

HB 233, introduced by O'Hara, referred to Federal Relations, Energy, and Telecommunications.

HB 234, introduced by Fitzpatrick, referred to Agriculture.

HB 235, introduced by Fitzpatrick, referred to Judiciary.

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

HJR 5, introduced by Regier, Driscoll, Randall, Arntzen, Pease-Lopez, Ingraham, Howard, G. Bennett, C. Smith, Skees, Taylor, McClafferty, McGillvray, referred to Human Services.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader McGillvray moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hollandsworth in the chair.

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

HB 1 - Representative McNutt moved **HB 1** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Gibson, Greef, Hale, Hansen, Harris, Hendrick, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McGillvray, McNiven, McNutt, Miller, More, O'Hara, O'Neil, Osmundson, Peterson, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Skattum, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Yates, Mr. Speaker.

Total 68

Nays: Barrett, Belcourt, B. Bennett, Boland, Court, Driscoll, Furey, Hands, Hill, Hiner, Hollenbaugh, Hunter, MacDonald, Malek, McChesney, McClafferty, McNally, Mehlhoff, Menahan, Noonan, Pease-Lopez, Phillips, Price, Reinhart, Sands, Schmidt, Sesso, F. Smith, Squires, Swanson, Williams, Wilmer.

Total 32

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 38 - Representative Boland moved **HB 38** do pass. Motion carried unanimously.

HB 22 - Representative Klock moved **HB 22** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry, Blasdel, Blyton, Boland, Brodehl, Burnett, Clark, Connell, Cook, Court, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hands, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 98

Nays: Kennedy, Kerns.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 39 - Representative Hollenbaugh moved **HB 39** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, Berry, Boland, Brodehl, Clark, Connell, Cook, Court, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Hansen, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Kary, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, Noonan, O'Hara, O'Neil, Pease-Lopez, Phillips, Price, Read, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skees, Small, F. Smith,

Squires, Stahl, Swanson, Taylor, Vance, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 81

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Nays: G. Bennett, Blasdel, Blyton, Burnett, Hale, Harris, Howard, Ingraham, Kennedy, Kerns, More, Osmundson, Peterson, Randall, Regier, Skattum, C. Smith, Wagner, Warburton.
Total 19

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 65 - Representative Menahan moved **HB 65** do pass. Motion carried unanimously.

HB 96 - Representative Menahan moved **HB 96** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, Boland, Brodehl, Burnett, Clark, Connell, Cook, Court, Driscoll, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Harris, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Klock, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, More, Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Price, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Small, F. Smith, Squires, Stahl, Swanson, Taylor, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.
Total 75

Nays: Arntzen, G. Bennett, Berry, Blasdel, Blyton, Cuffe, Edmunds, Hale, Hansen, Hendrick, Ingraham, Kary, Kennedy, Kerns, Knox, Miller, O'Neil, Osmundson, Randall, Skattum, Skees, C. Smith, Vance, Wagner, Warburton.
Total 25

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 97 - Representative Menahan moved **HB 97** do pass. Motion carried unanimously.

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

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, B. Bennett, G. Bennett, Berry, Blasdel, Blyton, Boland, Brodehl, Burnett, Clark, Connell, Cook, Court, Cuffe, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hands, Hansen, Harris, Hendrick, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock,

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Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sesso, Skattum, Skees, Small, C. Smith, Stahl, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 91

Nays: Belcourt, Driscoll, Hiner, Malek, Phillips, Sands, Schmidt, F. Smith, Squires.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SPECIAL ORDERS OF THE DAY

Chief Clerk Cargo updated the members about services provided.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative McGillvray moved that the House adjourn until 1:00 p.m., Thursday, January 13, 2011. Motion carried.

House adjourned at 1:50 p.m.

BETH CARGO
Chief Clerk of the House

MIKE MILBURN
Speaker of the House