

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

Helena, Montana
January 19, 2011

House Chambers
State Capitol

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

Roll Call. All members present. Quorum present.

Representative Salomon recognized Lance Corporal Thomas Parker from Ronan for his service and sacrifice in Iraq.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/18/2011

SB 23, introduced by Blewett
SB 36, introduced by Hamlett
SB 60, introduced by Gillan
SB 64, introduced by Steinbeisser
SB 78, introduced by Ripley
SB 95, introduced by Shockley

FIRST READING AND COMMITMENT OF BILLS

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

HB 283, introduced by Bangerter, O'Hara, Warburton, Flynn, Vance, Wittich, C. Smith, Klock, Blasdel, Burnett, McGillvray, Reichner, Washburn, Welborn, Loney, Stahl, Arthun, Milburn, Sonju, Vincent, J. Peterson, referred to Business and Labor.
HB 284, introduced by Burnett, C. Smith, Flynn, Kerns, Stahl, referred to Human Services.
HB 285, introduced by Harris, referred to Fish, Wildlife and Parks.
HB 286, introduced by Clark, referred to Agriculture.
HB 287, introduced by Clark, referred to Agriculture.
HB 288, introduced by Sands, Arntzen, Pease-Lopez, Sesso, Hiner, Reinhart, Hollenbaugh, B. Bennett, Hunter, Court, McClafferty, Belcourt, MacDonald, Hands, O'Hara, Furey, Hill, Swanson, Driscoll, Kaufmann, Squires, Boland, Schmidt, Olson, C. Williams, referred to Education.
HB 289, introduced by G. Bennett, Vincent, Warburton, Cuffe, referred to Fish, Wildlife and Parks.

**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 Wilmer in the chair.

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

HB 141 - Representative K. Peterson moved **HB 141** do pass. Motion carried unanimously.

HB 44 - Representative Hoven moved **HB 44** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry, Blasdel, Blyton, Boland, 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, Kennedy, Kerns, 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 99

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Brodehl.
Total 1

HB 18 - Representative Taylor moved **HB 18** do pass. Motion carried as follows:

Yeas: Arntzen, Bangerter, Barrett, B. Beck, B. Bennett, Berry, Blasdel, Blyton, Boland, Brodehl, Burnett, Clark, Connell, Cook, Edmunds, Ehli, Fitzpatrick, Flynn, Furey, Greef, Hands, Hansen, Hendrick, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, C. Smith, Squires, Stahl, Swanson, Taylor, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.
Total 72

Nays: Ankney, Belcourt, G. Bennett, Court, Cuffe, Driscoll, Esp, Evans, Gibson, Hale, Harris, Hiner, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Miller, More, Randall, Skattum, Skees, Small, F. Smith, Vance, Wagner, Warburton.
Total 28

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 127 - Representative Noonan moved **HB 127** do pass. Motion carried as follows:

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

Total 85

Nays: Bangerter, B. Beck, Esp, Howard, Kennedy, McGillvray, McNiven, More, O'Neil, Peterson, Regier, Reichner, Skattum, C. Smith, Wagner.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 204 - Representative Salomon moved **HB 204** 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, Kennedy, Kerns, 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, Sesso, Skattum, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 99

Nays: None.

Total 0

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Excused: None.

Total 0

Absent or not voting: Schmidt.

Total 1

HB 155 - Representative Stahl moved **HB 155** do pass. Motion **failed** as follows:

Yeas: Ankney, Arntzen, Bangerter, B. Beck, Belcourt, Berry, Blasdel, Clark, Cook, Driscoll, Ehli, Evans, Hansen, Harris, Hiner, Hollandsworth, Hoven, Howard, Kennedy, Klock, Knudsen, MacLaren, McChesney, McClafferty, McGillvray, McNiven, Mehlhoff, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Read, Regier, Roberts, Salomon, Sesso, Small, C. Smith, Stahl, Taylor, Warburton, Yates, Mr. Speaker.

Total 45

Nays: Barrett, B. Bennett, G. Bennett, Blyton, Boland, Brodehl, Burnett, Connell, Court, Cuffe, Edmunds, Esp, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hands, Hendrick, Hill, Hollenbaugh, Hunter, Ingraham, Kary, Kerns, Knox, Lavin, Loney, MacDonald, Malek, McNally, McNutt, Menahan, Miller, More, Phillips, Price, Randall, Reichner, Reinhart, Rosendale, Sands, Schmidt, Skattum, Skees, F. Smith, Squires, Swanson, Vance, Wagner, Washburn, Welborn, Williams, Wilmer.

Total 55

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader McGillvray moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Wilmer moved the Committee of the Whole report be adopted. Report adopted 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, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, 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, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 98

Nays: None.

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Total 0

Excused: None.

Total 0

Absent or not voting: McChesney, Stahl.

Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 58 passed 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, Kennedy, Klock, 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 97

Nays: Kary, Kerns, Knox.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 71 passed as follows:

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

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Total 61

Nays: Bangerter, Barrett, Belcourt, B. Bennett, Berry, Boland, Cook, Court, Driscoll, Evans, Fitzpatrick, Furey, Gibson, Hands, Hill, Hiner, Hollenbaugh, Hoven, Hunter, MacDonald, Malek, McChesney, McClafferty, McNally, McNutt, Menahan, Noonan, Pease-Lopez, Phillips, Price, Reinhart, Sands, Schmidt, Sesso, Squires, Swanson, Welborn, Williams, Wilmer.

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 77 passed 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, Kennedy, Kerns, 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 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Representative Miller moved to change his vote on **HB 71** from abstaining to yes. Without objection, so ordered.

Representative Vance moved **HB 264** be moved from the Business and Labor committee to the Transportation committee.

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Representative Vance moved **HB 265** be moved from the Business and Labor committee to the Transportation committee.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative McGillvray moved that the House adjourn until 1:00 p.m., Thursday, January 20, 2011. Motion carried.

House adjourned at 2:05 p.m.

BETH CARGO
Chief Clerk of the House

MIKE MILBURN
Speaker of the House