

**HOUSE JOURNAL
62ND LEGISLATURE
TWENTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
February 1, 2011

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. Quorum present.

BILLS (O'Hara, Chairman):

2/1/2011

Correctly printed: **HB 152, HB 216, HB 252, HB 302.**

Correctly engrossed: **HB 99, HB 180, HB 254.**

The members of the Legislative Fiscal Division were introduced.

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Ingraham, Chairman):

1/27/2011

HB 99, introduced bill, be amended as follows:

1. Page 9, line 6 through line 10.

Strike: subsection (4) in its entirety

Renumber: subsequent subsection

2. Page 9.

Following: line 13

Insert: "(5) "Signature envelope" means an envelope that contains a secrecy envelope and ballot and that is designed to:

(a) allow election officials, upon examination of the outside of the envelope, to determine that the ballot is being submitted by someone who is in fact a qualified elector and who has not already voted; and

(b) allow it to be used in the United States mail."

3. Page 9, line 22.

Strike: "return"

Insert: "signature"

4. Page 9, line 28.

Strike: "return"

Insert: "signature"

5. Page 10, line 2.

Strike: "return"

Insert: "signature"

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6. Page 10, line 4.

Strike: "return"

Insert: "signature"

7. Page 11, line 7.

Strike: "return"

Insert: "signature"

8. Page 12, line 9.

Strike: "return"

Insert: "signature"

9. Page 12, line 10.

Strike: "return"

Insert: "signature"

10. Page 12, line 11.

Strike: "return"

Insert: "signature"

11. Page 13, line 23.

Strike: "return"

Insert: "signature"

12. Page 14, line 11.

Strike: "return"

Insert: "signature"

And, as amended, do pass. Report adopted.

HB 152, do pass. Report adopted.

HB 180, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Following: "REGISTRATION;"

Insert: "AND"

2. Title, page 1, line 5

Strike: "13-2-115," on line 5

3. Title, page 1, line 5 through line 6.

Following: "13-2-301" on line 5

Strike: ", 13-2-514" on line 5 through "MCA;" on line 6

4. Title, page 1, line 6.

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Strike: "REPEALING SECTION"

5. Page 1.

Following: line 8

Strike: everything after the enacting clause

Insert: "**Section 1.** Section 13-2-301, MCA, is amended to read:

"13-2-301. Close of regular registration -- notice -- changes. (1) The election administrator shall:

(a) close regular registrations for 30 days before any election; and

(b) publish a notice specifying the day regular registrations will close and the availability of the late registration option provided for in 13-2-304 in a newspaper of general circulation in the county at least three times in the 4 weeks preceding the close of registration or broadcast a notice on radio or television as provided in 2-3-105 through 2-3-107, using the method the election administrator believes is best suited to reach the largest number of potential electors. The provisions of this subsection (1)(b) are fulfilled upon the third publication or broadcast of the notice.

(2) Information to be included in the notice must be prescribed by the secretary of state.

(3) An application for voter registration properly executed and postmarked on or before the day regular registration is closed must be accepted as a regular registration for 3 days after regular registration is closed under subsection (1)(a).

(4) An individual who submits a completed registration form to the election administrator before the deadlines provided in this section is allowed to correct a mistake on the completed registration form until 5 p.m. on the 10th day following the close of regular registration, and the qualified elector is then eligible to vote in the election.

(5) An elector who misses the deadlines provided for in this section may register to vote or change the elector's voter information and vote in the election, ~~except as otherwise~~ only as provided in 13-2-304."

Insert: "**Section 2.** Section 13-2-304, MCA, is amended to read:

"13-2-304. Late registration -- late changes -- nonapplicability for school elections.

(1) Except as provided in subsections (2) and (3), the following provisions apply:

(a) An elector may register or change the elector's voter registration information after the close of regular registration in 13-2-301 and vote in the election if the election administrator in the county where the elector resides receives and verifies the elector's voter registration information prior to ~~the close of the polls on election day.~~

~~_____~~ (b) ~~Late registration is closed from noon to 5 p.m. on the day Friday~~ before the election.

(c) Except as provided in 13-2-514(2)(a), an elector who registers or changes the elector's voter information pursuant to this section may vote in the election only if the elector obtains the ballot from and returns it to the location designated by the county election administrator.

(2) If an elector has already been sent an absentee ballot for the election, the elector may change the elector's voter registration information only with respect to the next election.

(3) The provisions of subsection (1) do not apply with respect to an elector's registration to vote in a school election held pursuant to Title 20."

And, as amended, do pass. Report adopted.

TRANSPORTATION (Vance, Chairman):

1/31/2011

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HB 216, do pass. Report adopted.

HB 252, do pass. Report adopted.

HB 254, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: the second "AND"

2. Title, page 1, line 6.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 1

Following: line 16

Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 302, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/31/2011

SB 9, introduced by Keane

SB 92, introduced by Jent

SB 136, introduced by Balyeat

SB 142, introduced by De. Barrett

MESSAGES FROM THE GOVERNOR

February 1, 2011

The Honorable Mike Milburn, Speaker of the House
The Honorable Jim Peterson, President of the Senate
State Capitol
Helena, MT 59601

Dear Speaker Milburn and President Peterson:

In accordance with the rules of your respective chambers, please consider this letter a Message from the Governor regarding House Bill No.1 ("HB 1"), otherwise known as the "feed bill."

Yesterday, I signed HB 1 into law. HB 1 appropriates money from the general fund for the operation of the current Legislature, to which I have no objection. However, HB 1 also appropriates money

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for ongoing legislative expenses over the next biennium, including funding initial costs for the next Legislature.

Because we are here to put the people first, not ourselves, I considered an amendatory veto and also considered letting the bill become law without my signature. However, either option would have delayed passage of the feed bill, and I have been informed that the Legislature has "run up against the clock" and is without money to pay its staff should HB 1 not go into law before tomorrow. In order that legislative staff could be paid and the Legislature not come to a grinding halt tomorrow, I decided not to pursue an amendatory veto or "pocket signing" of the bill. However, I wanted you to know of my objections.

I find it ironic that the Legislature has used the feed bill to fund itself in the 2013 biennium, while simultaneously cutting critical services for Montanans. Today, the State of Montana has \$376 million in the bank. Yet in the last few days, the Joint Subcommittees voted to eliminate or reduce critical programs for Montana citizens. HB 1 --the first bill and the first appropriations bill to be delivered to me for signature -has put the Legislature ahead of the people of Montana for the next biennium.

As you know, the budget I presented to you is balanced. It not only puts jobs and people first, it sets aside \$238 million for an ending fund balance. HB 1 is the first bill to spend the revenues anticipated to be available for the 2013 biennium. I take it as a sign from the 2011 Legislature that when it decided to fund itself first, it did so as a sign that revenues are increasing and jobs and important services for Montanans will not be left behind.

BRIAN SCHWEITZER
GOVERNOR
cc: Legislative Services Division

FIRST READING AND COMMITMENT OF BILLS

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

- HB 386**, introduced by Stahl, referred to State Administration.
- HB 387**, introduced by Flynn, referred to Fish, Wildlife and Parks.
- HB 388**, introduced by Cook, referred to Appropriations.
- HB 389**, introduced by Noonan, referred to Human Services.
- HB 390**, introduced by MacDonald, Roberts, referred to Agriculture.
- HB 391**, introduced by Berry, referred to Local Government.

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

- SB 4**, introduced by Lewis, referred to Judiciary.
- SB 12**, introduced by Erickson (by request of the Revenue and Transportation Interim Committee), referred to Taxation.
- SB 16**, introduced by Brown, referred to Business and Labor.
- SB 19**, introduced by Shockley, referred to Judiciary.

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- SB 21**, introduced by Shockley, referred to Judiciary.
- SB 23**, introduced by Blewett, referred to Business and Labor.
- SB 26**, introduced by Blewett, referred to Judiciary.
- SB 27**, introduced by Kaufmann, referred to Business and Labor.
- SB 30**, introduced by Wanzenried (by request of the Department of Environmental Quality), referred to Natural Resources.
- SB 31**, introduced by Wanzenried (by request of the Code Commissioner), referred to State Administration.
- SB 32**, introduced by Wanzenried (by request of the Legislative Council), referred to Business and Labor.
- SB 36**, introduced by Hamlett (by request of the Water Policy Committee), referred to Judiciary.
- SB 41**, introduced by Shockley (by request of the Law and Justice Interim Committee), referred to Judiciary.
- SB 49**, introduced by Branae, referred to Transportation.
- SB 59**, introduced by Moss (by request of the Capitol Complex Advisory Council), referred to State Administration.
- SB 60**, introduced by Gillan (by request of the Department of Justice), referred to Judiciary.
- SB 63**, introduced by Steinbeisser (by request of the Secretary of State), referred to Business and Labor.
- SB 64**, introduced by Steinbeisser (by request of the Department of Administration), referred to Business and Labor.
- SB 67**, introduced by Shockley (by request of the Supreme Court), referred to Judiciary.
- SB 68**, introduced by Jent (by request of the Department of Justice), referred to Judiciary.
- SB 72**, introduced by Gillan (by request of the Department of Corrections), referred to Judiciary.
- SB 73**, introduced by Murphy (by request of the Department of Public Health and Human Services), referred to Human Services.
- SB 78**, introduced by Ripley (by request of the State Auditor), referred to Business and Labor.
- SB 87**, introduced by Steinbeisser, referred to Natural Resources.
- SB 95**, introduced by Shockley, referred to Local Government.
- SB 112**, introduced by Hinkle, Jones, C. Smith, Stahl, Steinbeisser, Wagner, Warburton, Sonju, Osmundson, Shockley, referred to Fish, Wildlife and Parks.
- SB 124**, introduced by Ripley, Brenden, Jent, Menahan, referred to Fish, Wildlife and Parks.
- SB 152**, introduced by Brown, Shockley, referred to Judiciary.

Rep. Sesso announced that Legislative Council would be hosting all legislators this evening. Also, on Wednesday, February 2, 2011 a speech about National Security and our Energy Future would be given in the Old Supreme Court Chamber.

**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 Reinhart 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 53 - Representative Klock moved **HB 53** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, B. 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, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Klock, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, McNiven, McNutt, Mehlhoff, Menahan, Noonan, O'Hara, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skees, Small, F. Smith, Squires, Swanson, Wagner, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 81

Nays: G. Bennett, Hendrick, Howard, Kary, Kennedy, Kerns, Knox, McGillvray, Miller, More, O'Neil, Read, Skattum, C. Smith, Stahl, Taylor, Vance, Warburton.

Total 18

Excused: None.

Total 0

Absent or not voting: Belcourt.

Total 1

HB 66 - Representative Swanson moved **HB 66** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, Belcourt, B. Bennett, G. Bennett, Berry, Blasdel, Blyton, Boland, Brodehl, Burnett, Clark, Connell, Court, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hands, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, 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, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 94

Nays: B. Beck, Cook, Howard, McGillvray, More, Washburn.

Total 6

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 142 - Representative Sands moved **HB 142** 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, 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: Hands.

Total 1

HB 19 - Representative Sands moved **HB 19** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, 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, 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, Williams, Wilmer, Yates, Mr. Speaker.

Total 96

Nays: B. Beck, Miller.

Total 2

Excused: None.

Total 0

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Absent or not voting: Schmidt, Welborn.

Total 2

HJR 5 - Representative Regier moved **HJR 5** be adopted. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry, Blasdel, Blyton, Boland, Brodehl, Clark, Connell, Cook, Court, Cuffe, Driscoll, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hands, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, 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, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Swanson, Taylor, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 93

Nays: Burnett, Edmunds, Hansen, Kerns, Knox, Randall, Vance.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 154 - Representative Knox moved **HB 154** do pass.

HB 154 - Representative McNiven moved **HB 154**, second reading copy, be amended as follows:

1. Page 1, line 18.

Following: "election;"

Strike: "and"

2. Page 1, line 21.

Insert: "(c) has received a baccalaureate degree in any discipline from an accredited college or university; and."

Renumber: subsequent subsection

Amendment **not** adopted as follows:

Yeas: Ankney, Arntzen, Brodehl, Connell, Cook, Evans, Fitzpatrick, Gibson, Hendrick, Hoven, Ingraham, Knudsen, MacLaren, McNiven, O'Hara, Reichner, Salomon, Taylor, Welborn, Mr. Speaker.

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Total 20

Nays: Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry, Blasdel, Blyton, Boland, Burnett, Clark, Court, Cuffe, Driscoll, Edmunds, Ehli, Esp, Flynn, Furey, Greef, Hale, Hands, Hansen, Harris, Hill, Hiner, Hollandsworth, Hollenbaugh, Howard, Hunter, Kary, Kennedy, Kerns, Klock, Knox, Lavin, Loney, MacDonald, Malek, McChesney, McClafferty, McGillvray, McNally, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Regier, Reinhart, Roberts, Rosendale, Sands, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Swanson, Vance, Wagner, Warburton, Washburn, Williams, Wilmer, Yates.

Total 80

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 154 - Representative Knox moved **HB 154** do pass. Motion carried as follows:

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

Total 60

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

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 24 - Representative McChesney moved **HB 24** do pass.

HB 24 - Representative Ankney moved for cloture. Motion carried as follows:

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

Total 84

Nays: Arntzen, Cuffe, Hale, Hansen, Hendrick, Kary, Knudsen, McNutt, Miller, More, Peterson, Randall, Salomon, Taylor, Wagner, Warburton.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 24 - Representative McChesney moved **HB 24** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, Belcourt, B. Bennett, Berry, Blyton, Boland, Brodehl, Burnett, Connell, Cook, Court, Driscoll, Ehli, Esp, Evans, Fitzpatrick, Furey, Gibson, Greef, Hands, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Klock, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNutt, Mehlhoff, Menahan, Miller, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Reichner, Reinhart, Roberts, Rosendale, Sands, Schmidt, Sesso, Small, C. Smith, F. Smith, Squires, Stahl, Swanson, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 71

Nays: B. Beck, G. Bennett, Blasdel, Clark, Cuffe, Edmunds, Flynn, Hale, Hansen, Howard, Ingraham, Kary, Kennedy, Kerns, Knox, Knudsen, Lavin, Loney, McNiven, More, Read, Regier, Salomon, Skattum, Skees, Taylor, Vance, Wagner, Warburton.

Total 29

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

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Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hands, Hansen, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McGillvray, McNally, McNiven, McNutt, Menahan, Miller, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, 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 92

Nays: Boland, Court, McClafferty, Mehlhoff, More, Noonan, Price.

Total 7

Excused: None.

Total 0

Absent or not voting: Harris.

Total 1

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 20 passed as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry, Blasdel, Blyton, Boland, Brodehl, Burnett, Connell, Cook, Court, Edmunds, Ehli, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, 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, C. Smith, F. Smith, Squires, Stahl, Swanson, Taylor, Vance, Wagner, Washburn, Williams, Wilmer, Yates, Mr. Speaker.

Total 90

Nays: Clark, Cuffe, Driscoll, Esp, Hale, Kerns, Miller, Small, Warburton, Welborn.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

HB 80 passed as follows:

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

Total 87

Nays: G. Bennett, Edmunds, Esp, Kennedy, Kerns, Knox, McGillvray, Miller, More, Osmundson, Skattum, Skees, C. Smith.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 110 passed as follows:

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

Total 76

Nays: G. Bennett, Blyton, Burnett, Cuffe, Edmunds, Esp, Hale, Hansen, Howard, Kary, Kennedy, Kerns, Knox, McGillvray, More, O'Neil, Osmundson, Read, Skattum, Skees, C. Smith, Vance, Wagner, Yates.

Total 24

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 118 passed as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, Berry, Boland, Brodehl, Burnett, Clark, Connell, Cook, Court, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Hansen, Harris, 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, Regier, Reichner, 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 87

Nays: G. Bennett, Blasdel, Blyton, Hale, Hendrick, Kary, Kerns, Knox, Randall, Read, Skattum, C. Smith, Wagner.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 125 passed as follows:

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

Total 84

Nays: G. Bennett, Blyton, Burnett, Edmunds, Esp, Flynn, Kennedy, Kerns, Knox, More, Randall, Skattum, Skees, C. Smith, Vance, Wagner.

Total 16

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 249 passed as follows:

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

Total 58

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

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 64 passed as follows:

Yeas: Arntzen, Bangerter, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Gibson, Greef, Hale, Harris, Hendrick, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McChesney, McGillvray, McNally, 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, Mr. Speaker.

Total 67

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

Total 33

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 131 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

HB 156 passed as follows:

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

Total 76

Nays: Arntzen, B. Beck, Berry, Blasdel, Blyton, Burnett, Cuffe, Edmunds, Esp, Flynn, Hansen, Kerns, Lavin, McNiven, More, Osmundson, Peterson, Randall, Regier, Reichner, Skattum, C. Smith, Vance, Wagner.

Total 24

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

MOTIONS

Rep. Barrett moved that **HB 220** be taken from Transportation and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: Bangerter, Barrett, Belcourt, B. Bennett, Berry, Boland, Brodehl, Cook, Court, Driscoll, Evans, Fitzpatrick, Furey, Gibson, Greef, Hands, Hill, Hiner, Hollenbaugh, Hoven, Hunter, Lavin, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, Mehlhoff, Menahan, Noonan, O'Hara, Pease-Lopez, Phillips, Price, Read, Reinhart, Roberts, Salomon, Sands, Schmidt, Sesso, F. Smith, Squires, Swanson, Williams, Wilmer, Yates.

Total 48

Nays: Ankney, Arntzen, B. Beck, G. Bennett, Blasdel, Blyton, Burnett, Clark, Connell, Cuffe, Edmunds, Ehli, Esp, Flynn, Hale, Hansen, Harris, Hendrick, Hollandsworth, Howard, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Loney, McGillvray, McNiven, McNutt, Miller, More, O'Neil, Osmundson, Peterson, Randall, Regier, Reichner, Rosendale, Skattum, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Mr. Speaker.

Total 52

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Reinhart moved to change her vote on **HB 154** from yes to no. Without objection, so ordered.

Representative C. Smith moved **HB 184** be rereferred back to the Human Services committee. Rep. Hunter objected.

Motion carried as follows:

Yeas: 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, 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, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Yates, Mr. Speaker.

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Total 64

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

Total 36

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Reichner moved **HB 275** be moved from the Judiciary committee to the Business and Labor committee.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative McGillvray moved that the House adjourn until 1:00 p.m., Wednesday, February 2, 2011. Motion carried.

House adjourned at 2:54 p.m.

BETH CARGO
Chief Clerk of the House

MIKE MILBURN
Speaker of the House