

**HOUSE JOURNAL  
62ND LEGISLATURE  
THIRTY-SECOND LEGISLATIVE DAY**

Helena, Montana  
February 9, 2011

House Chambers  
State Capitol

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

Roll Call. All members present, except Representative Evans, excused. Quorum present.

**BILLS** (O'Hara, Chairman): 2/9/2011

Correctly printed: **HB 263, HB 287, HB 335, HB 336, HB 339, HB 345, HB 348.**  
Correctly engrossed: **HB 318.**

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Kerns, Chairman): 2/8/2011

**HB 287**, do pass. Report adopted.  
**HB 318**, introduced bill, be amended as follows:

1. Title, line 6.

**Strike:** "MOVEMENT"

**Insert:** "TRANSPLANTATION OR RELOCATION"

2. Page 1, line 12.

**Strike:** "Movement"

**Insert:** "Transplantation or relocation"

3. Page 1, line 14.

**Strike:** "movement"

**Insert:** "transplantation or relocation"

4. Page 1, line 15.

**Strike:** "moved"

**Insert:** "transplanted or relocated"

5. Page 2, line 8.

**Following:** "done"

**Insert:** "in consultation with the board of county commissioners of the affected county or counties and"

6. Page 3, line 1.

**Strike:** "movement"

**Insert:** "transplantation or relocation"

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7. Page 4, line 5.

**Strike:** "movement"

**Insert:** "transplantation or relocation"

And, as amended, do pass. Report adopted.

**HB 345**, do pass. Report adopted.

**FISH, WILDLIFE AND PARKS** (Washburn, Chairman): 2/8/2011

**HB 335**, do pass. Report adopted.

**HB 336**, do pass. Report adopted.

**HB 339**, do pass. Report adopted.

**LOCAL GOVERNMENT** (MacLaren, Chairman): 2/8/2011

**HB 263**, do pass. Report adopted.

**HB 348**, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence: 2/8/2011

**SB 172**, introduced by Lake

**SB 182**, introduced by Van Dyk

**SB 192**, introduced by Erickson

**SB 213**, introduced by Vuckovich

**SB 216**, introduced by J. Peterson

**SB 218**, introduced by Steinbeisser

**SB 238**, introduced by Blewett

**SB 256**, introduced by Gillan

**SB 204**, introduced by Blewett, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted to the House with the following vote:

2/8/2011

Yeas - 40

Nays - 9

**FIRST READING AND COMMITMENT OF BILLS**

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

**SB 24**, introduced by Shockley, referred to Judiciary.

**SB 28**, introduced by Kaufmann, referred to Human Services.

**SB 51**, introduced by Tropila, Stahl (by request of the Legislative Audit Committee), referred to Business and Labor.

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**SB 52**, introduced by Tropila, Brown (by request of the Legislative Audit Committee), referred to State Administration.

**SB 75**, introduced by Sonju (by request of the Department of Revenue), referred to Taxation.

**SB 99**, introduced by Brenden, referred to Fish, Wildlife and Parks.

**SB 100**, introduced by Shockley, referred to Natural Resources.

**SB 106**, introduced by Priest, referred to Judiciary.

**SB 108**, introduced by De. Barrett, referred to Local Government.

**SB 115**, introduced by Hinkle, De. Barrett, Brenden, Hamlett, Hendrick, Hutton, Ingraham, Jones, Kennedy, Kerns, Rosendale, C. Smith, Stahl, Steinbeisser, Wagner, Warburton, Wittich, Blasdel, Arthun, Osmundson, Skees, Sonju, referred to Fish, Wildlife and Parks.

**SB 118**, introduced by Jent, referred to Fish, Wildlife and Parks.

**SB 120**, introduced by Brenden, referred to State Administration.

**SB 125**, introduced by Wittich, Arntzen, Balyeat, Hendrick, McGillvray, Miller, C. Smith, Vincent, referred to Human Services.

**SB 138**, introduced by Jones, referred to State Administration.

**SB 186**, introduced by Steinbeisser, referred to Business and Labor.

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

**SJR 7**, introduced by Brenden, Welborn, Ripley, Vincent, Brown, J. Peterson, Arthun, Tutvedt, Zinke, Hinkle, Wittich, Steinbeisser, Hamlett, Keane, Lewis, C. Smith, McNutt, De. Barrett, Moore, Olson, Jones, Knudsen, referred to Natural Resources.

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

**HB 461**, introduced by K. Williams, Phillips, referred to Business and Labor.

**HB 462**, introduced by More, referred to Business and Labor.

**HB 463**, introduced by Reichner, referred to Taxation.

**HB 464**, introduced by Blasdel, Milburn, referred to Business and Labor.

**HB 465**, introduced by K. Williams, Wilmer, Phillips, Hawks, Loney, Sesso, referred to Local Government.

**HB 466**, introduced by Osmundson, J. Peterson, C. Smith, Wittich, referred to Federal Relations, Energy, and Telecommunications.

**HB 467**, introduced by Brodehl, Hiner, Beck, Cook, Hollandsworth, Roberts, Osmundson, Cuffe, Hollenbaugh, Sesso, K. Williams, McChesney, O'Neil, Evans, Greef, Vance, Miller, Zinke, Berry, Kennedy, Gibson, Read, Walker, Lavin, referred to Taxation.

**HB 468**, introduced by Kerns, referred to Natural Resources.

**HB 469**, introduced by Clark, referred to Agriculture.

**HB 470**, introduced by Clark, referred to Agriculture.

**HB 471**, introduced by Kennedy, Skattum, G. Bennett, Read, Connell, Brodehl, O'Neil, Harris, Loney, K. Peterson, MacLaren, Yates, Ankney, referred to Agriculture.

**HB 472**, introduced by Hendrick, referred to Taxation.

**HB 473**, introduced by Hendrick, referred to Human Services.

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**THIRD READING OF BILLS**

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

**HB 40** passed as follows:

Yeas: Ankney, Arntzen, Bangerter, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cuffe, Edmunds, Ehli, Greef, Hale, Hansen, Harris, Hendrick, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, McGillvray, McNiven, 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 59

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

Total 40

Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

**HB 43** passed as follows:

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

Total 84

Nays: Barrett, B. Bennett, Connell, Court, Furey, Hands, Hill, McClafferty, Noonan, Pease-Lopez, Phillips, Reinhart, Sesso, Squires, Swanson.

Total 15

Excused: Evans.

Total 1

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Absent or not voting: None.

Total 0

**HB 102** 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, Fitzpatrick, Flynn, Furey, Gibson, Greef, 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 98

Nays: Hale.

Total 1

Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

**HB 181** passed as follows:

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

Total 84

Nays: Belcourt, Hands, Kennedy, Knox, McNiven, O'Neil, Osmundson, Price, Rosendale, Sesso, Skees, Squires, Swanson, Vance, Yates.

Total 15

Excused: Evans.

Total 1

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Absent or not voting: None.

Total 0

**HB 231** passed as follows:

Yeas: Bangerter, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Esp, Flynn, Greef, Hale, Hansen, Harris, Hendrick, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kennedy, Kerns, Knox, Knudsen, Lavin, 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, Mr. Speaker.

Total 58

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

Total 41

Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

**HB 300** 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, 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: Evans.

Total 1

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Absent or not voting: None.

Total 0

**HB 315** passed as follows:

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

Total 88

Nays: G. Bennett, Blasdel, Edmunds, Flynn, Hale, Hendrick, Kennedy, Kerns, McNutt, O'Neil, Skattum.

Total 11

Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

**HB 356** 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, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, 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, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 94

Nays: Hale, Kennedy, Kerns, Skattum.

Total 4

Excused: Evans.

Total 1

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Absent or not voting: Hoven.

Total 1

**HB 367** 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, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hands, Hansen, 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, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, C. Smith, F. Smith, Squires, Stahl, Swanson, Taylor, Vance, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.  
Total 95

Nays: Kerns, Knox, Small, Wagner.

Total 4

Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

**MOTIONS**

Representative Wagner moved to change his vote on **HB 43** from No to Yes. Without objection, so ordered.

Representative Squires moved to change his vote on **HB 40** from Yes to No. Without objection, so ordered.

Representative Hendrick moved to change his vote on **HB 181** from No to Yes. Without objection, so ordered.

**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 Ankney in the chair.

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



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**HB 273** - Representative Mehlhoff moved **HB 273** do pass.

**HB 273** - Representative Vance moved **HB 273**, second reading copy, be amended as follows:

1. Page 1, line 11.

**Strike:** "not"

**Strike:** "at any time"

**Insert:** "only if the vehicle is registered and licensed under 61-3-301 and the operator possesses a license to drive the vehicle issued under Title 61, chapter 5.

(2)"

**Renumber:** subsequent subsections

2. Page 1, line 18.

**Strike:** "this section"

**Insert:** "subsection (2)"

3. Page 1, line 21.

**Strike:** "(3)(b)"

**Insert:** "(4)(b)"

4. Page 1, line 22.

**Strike:** "this section"

**Insert:** "subsection (2)"

5. Page 1, line 25.

**Strike:** "this section"

**Insert:** "subsection (2)"

Amendment 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, 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

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Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

**HB 273** - Representative Mehlhoff moved **HB 273**, as amended, 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, 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: Evans.

Total 1

Absent or not voting: None.

Total 0

**HB 34** - Representative Schmidt moved **HB 34** do pass. Motion carried as follows:

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

Total 79

Nays: G. Bennett, Berry, Blasdel, Cuffe, Gibson, Hale, Kary, Kennedy, Kerns, Knox, Loney, McGillvray, More, Randall, Read, Roberts, Skattum, C. Smith, Vance, Wagner.

Total 20

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Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

**HB 49** - Representative Hands moved **HB 49** do pass. 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, Edmunds, Ehli, Esp, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, 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, Small, F. Smith, Squires, Stahl, Swanson, Taylor, Vance, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 88

Nays: Burnett, Hale, Kary, Kennedy, Kerns, McGillvray, More, Skattum, Skees, C. Smith, Wagner.

Total 11

Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

**HB 90** - Representative McNutt moved **HB 90** do pass. 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, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Klock, Lavin, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, More, Noonan, O'Hara, 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, Mr. Speaker.

Total 79

Nays: Burnett, Edmunds, Hale, Hansen, Ingraham, Kary, Kennedy, Kerns, Knox, Knudsen, Loney, Miller, O'Neil, Randall, Skattum, Skees, C. Smith, Vance, Wagner, Yates.

Total 20

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Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

**HB 384** - Representative Kerns moved **HB 384** do pass. Motion carried as follows:

Yeas: Arntzen, B. Beck, G. Bennett, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Flynn, Greef, Hale, Hansen, Harris, Hendrick, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kennedy, Kerns, Knox, Knudsen, Lavin, Loney, MacLaren, McGillvray, McNiven, Mehlhoff, Miller, More, 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 59

Nays: Ankney, Bangerter, Barrett, Belcourt, B. Bennett, Berry, Boland, Court, Driscoll, Esp, Fitzpatrick, Furey, Gibson, Hands, Hill, Hiner, Hollenbaugh, Hunter, Klock, MacDonald, Malek, McChesney, McClafferty, McNally, McNutt, Menahan, Noonan, O'Hara, Pease-Lopez, Phillips, Price, Reinhart, Sands, Schmidt, Sesso, F. Smith, Squires, Swanson, Williams, Wilmer.

Total 40

Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

**HB 309** - Representative Welborn moved **HB 309** do pass. Motion carried as follows:

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

Total 55

Nays: Arntzen, Barrett, Belcourt, B. Bennett, Boland, Burnett, Connell, Court, Driscoll, Edmunds, Fitzpatrick, Furey, Hands, Hill, Hiner, Hollenbaugh, Hoven, Hunter, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, Mehlhoff, Menahan, More, Noonan, Pease-Lopez, Peterson, Phillips, Price, Reinhart, Roberts, Sands, Schmidt, Sesso, Squires, Swanson, Wagner, Washburn, Williams, Wilmer, Yates.

Total 44

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Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

**HB 186** - Representative Hunter moved **HB 186** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, Belcourt, B. Bennett, Berry, Boland, Brodehl, Clark, Connell, Cook, Court, Driscoll, Esp, Fitzpatrick, Furey, Gibson, Greef, Hands, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Klock, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, McNiven, McNutt, Mehlhoff, Menahan, Noonan, O'Hara, Pease-Lopez, Phillips, Price, Read, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Small, F. Smith, Squires, Swanson, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 61

Nays: B. Beck, G. Bennett, Blasdel, Blyton, Burnett, Cuffe, Edmunds, Ehli, Flynn, Hale, Hansen, Harris, Hendrick, Howard, Ingraham, Kary, Kennedy, Kerns, Knox, Knudsen, Lavin, McGillvray, Miller, More, O'Neil, Osmundson, Peterson, Randall, Regier, Skattum, Skees, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn.

Total 38

Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

Representative McNutt assumed the chair.

**HB 334** - Representative Reichner moved **HB 334** do pass.

**HB 334** - Representative McGillvray moved for cloture. Rep. Sesso objected.

**HB 334** - Representative Reichner moved **HB 334** 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, 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 67

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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

Excused: Evans.

Total 1

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

Yeas: Ankney, Arntzen, Bangerter, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Driscoll, Edmunds, Ehli, Esp, Fitzpatrick, Flynn, Gibson, Hale, Hansen, Harris, Hendrick, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McGillvray, McNiven, McNutt, Menahan, 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, Wilmer, Yates, Mr. Speaker.

Total 70

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

Total 28

Excused: Evans.

Total 1

Absent or not voting: Greef.

Total 1

### MOTIONS

Representative J. Peterson moved **HB 395** be moved from the Human Services committee to the Judiciary committee.

Representative McGillvray moved **HB 186** be moved from the Committee of the Whole after Second Reading to the Appropriations committee.

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Representative McGillvray moved **HB 334** be moved from the Committee of the Whole after Second Reading to the Appropriations committee.

Representative Fitzpatrick moved to change his vote on **HB 315** from No to Yes. Without objection, so ordered.

**UNFINISHED BUSINESS**

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 454**  
Motion carried.

**HB 454** (Connell Chief Sponsor)

Representative G. Bennett, Edmunds, Ehli, Gibson, Hale, Hollandsworth, Milburn, Regier, Rosendale, Salomon, C. Smith, Wagner, Washburn, Welborn.

**SPECIAL ORDERS OF THE DAY**

Rep. Knudsen was presented with a book for his newborn daughter by the House of Representatives.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Representative McGillvray moved that the House adjourn until 1:00 p.m., Thursday, February 10, 2011. Motion carried.

House adjourned at 3:39 p.m.

BETH CARGO  
Chief Clerk of the House

MIKE MILBURN  
Speaker of the House