

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

Helena, Montana  
February 12, 2011

House Chambers  
State Capitol

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

Roll Call. All members present, except Representatives Blasdel and Clark, excused. Quorum present.

**BILLS** (O'Hara, Chairman): 2/12/2011

Correctly printed: **HB 79, HB 81, HB 195, HB 401, HB 402, HB 411.**  
Correctly engrossed: **HB 25, HB 230, HB 262, HB 352, HB 422.**

Representative G. Bennett thanked the pages.

**MOTIONS**

**HB 218** - Representative Miller moved consideration of **HB 218** be passed for the day. Motion carried.

**REPORTS OF STANDING COMMITTEES**

**APPROPRIATIONS** (McNutt, Chairman): 2/11/2011  
**HB 25**, introduced bill, be amended as follows:

1. Page 4, line 17 through line 21.

**Strike:** "A TREATMENT" on line 17 through "PROFESSIONALS." on line 21

2. Page 7, line 15 through line 18.

**Strike:** "A TREATMENT" on line 15 through "PROFESSIONALS." on line 18

3. Page 8, line 28 through page 9, line 1.

**Strike:** "A TREATMENT" on page 8, line 28 through "PROFESSIONALS." on page 9, line 1

And, as amended, do pass. Report adopted.

**HB 79**, do pass. Report adopted.

**HB 81**, do pass. Report adopted.

**HB 195**, do pass. Report adopted.

**HB 230**, introduced bill, be amended as follows:

1. Title, page 1, line 6.

**Strike:** "ELIMINATING CERTAIN STAFF POSITIONS;"

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**Insert:** "PROVIDING AN IMPLEMENTATION PROCEDURE;"

2. Page 1, line 14.

**Following:** "apply:"

**Insert:** "However, the board may hire its own personnel, and 2-15-121(2)(d) does not apply."

3. Page 2, line 7.

**Strike:** "staff and"

4. Page 2, line 8 through page 2, line 12.

**Strike:** line 8 through "bureau." on line 12

5. Page 2, line 12.

**Strike:** "department"

**Insert:** "board of crime control"

**Strike:** "other"

6. Page 2, line 13.

**Strike:** "department"

**Insert:** "board"

And, as amended, do pass. Report adopted.

**HB 253**, do pass. Report adopted.

**HB 262**, introduced bill, be amended as follows:

1. Page 1.

**Following:** line 15

**Insert:** "NEW SECTION. Section 3. Coordination instruction. If both House Bill No. 2 and [this act] are passed and approved and if House Bill No. 2 includes an appropriation for the emergency medical service providers grant program, then [section 2 of this act] is void."

**Renumber:** subsequent section

And, as amended, do pass. Report adopted.

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

2/11/2011

**HB 352**, introduced bill, be amended as follows:

1. Title, line 5.

**Following:** "CONTAMINANT LEVEL"

**Insert:** "FOR NITRATE"

2. Page 1, line 17.

**Following:** "contaminant level"

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**Insert:** "for nitrate"

And, as amended, do pass. Report adopted.

**HB 402**, do pass. Report adopted.

**HB 411**, do pass. Report adopted.

**HB 422**, introduced bill, be amended as follows:

1. Page 2, line 17.

**Strike:** "supervised, controlled, and directed"

**Insert:** "assigned, reviewed, accepted, or rejected"

And, as amended, do pass. Report adopted.

**TRANSPORTATION** (Vance, Chairman):

2/11/2011

**HB 401**, do pass. Report adopted.

### MOTIONS

**HB 243** - Representative Kary moved consideration of **HB 243** be passed for the day. Motion carried.

### MESSAGES FROM THE SENATE

**Senate bills** passed and transmitted to the House for concurrence:

2/11/2011

**SB 210**, introduced by Tutvedt

**SB 247**, introduced by Moss

**SB 248**, introduced by Gillan

### FIRST READING AND COMMITMENT OF BILLS

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

**HB 511**, introduced by Hendrick, referred to Business and Labor.

**HB 512**, introduced by O'Neil, referred to Taxation.

**HB 513**, introduced by Wagner, More, Edmunds, Hale, Kerns, Hendrick, Beck, Miller, Stahl, Randall, Skattum, Howard, O'Neil, G. Bennett, Skees, Salomon, Regier, Clark, Blyton, C. Smith, Ingraham, Blasdel, referred to State Administration.

**HB 514**, introduced by McClafferty, C. Williams, Wilmer, Malek, MacDonald, Sesso, Squires, Noonan, Price, McNally, Schmidt, Furey, Court, Phillips, Boland, F. Smith, Reinhart, Menahan, B. Bennett, Driscoll, Sands, Swanson, Hollenbaugh, Hands, Hunter, Hill, Belcourt, Di. Barrett, referred to Judiciary.

**HB 515**, introduced by Malek, Driscoll, Hiner, McClafferty, referred to Agriculture.

**HB 516**, introduced by Hansen, referred to Judiciary.

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**HB 517**, introduced by McNutt, referred to Transportation.

**HB 518**, introduced by Hunter, referred to Judiciary.

**HB 519**, introduced by Greef, referred to Judiciary.

**HB 520**, introduced by Wilmer, Hawks, Sands, C. Williams, referred to Appropriations.

**HB 521**, introduced by More, McGillvray, C. Smith, Edmunds, Wagner, Hinkle, Balyeat, referred to State Administration.

**HB 522**, introduced by Kary, Skees, Rosendale, Ehli, Loney, Edmunds, Reichner, Read, referred to Local Government.

**HB 523**, introduced by Arntzen, referred to Transportation.

**HB 524**, introduced by Kerns, referred to Agriculture.

**HB 525**, introduced by McNiven, Cook, O'Hara, Evans, Lavin, Ehli, O'Neil, Welborn, referred to Business and Labor.

**HB 526**, introduced by Edmunds, C. Smith, More, G. Bennett, Kerns, Arntzen, McGillvray, referred to Human Services.

**HB 527**, introduced by Knox, Buttrey, Hinkle, Stahl, Jackson, Regier, Steinbeisser, Skees, Kennedy, Brodehl, Osmundson, G. Bennett, Loney, Kerns, Randall, referred to Business and Labor.

**HB 528**, introduced by F. Smith, J. Peterson, Belcourt, Moore, Loney, G. Bennett, Brown, Hendrick, MacDonald, Milburn, Read, referred to State Administration.

**HB 529**, introduced by Stahl, referred to Local Government.

**HB 530**, introduced by Washburn, referred to State Administration.

**HB 531**, introduced by Fitzpatrick, referred to Business and Labor.

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

**HJR 13**, introduced by Hansen, Knox, Hale, Howard, Wagner, Harris, Blyton, Read, Hinkle, Rosendale, Skattum, Vance, Cook, O'Hara, Kerns, Warburton, K. Peterson, Lewis, McNiven, Miller, More, Jackson, Balyeat, Cuffe, Stahl, Salomon, Kennedy, O'Neil, referred to Taxation.

**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 Vance in the chair.

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

**HB 239** - Representative C. Smith moved **HB 239** do pass. Motion carried as follows:

Yeas: Arntzen, Bangerter, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, 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,

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O'Neil, Osmundson, Peterson, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Skattum, Skees, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Yates, Mr. Speaker.

Total 64

Nays: Ankney, Barrett, Belcourt, B. Bennett, Boland, Court, Cuffe, Driscoll, Furey, Hands, Hill, Hiner, Hollenbaugh, Hunter, 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

**HB 365** - Representative Menahan moved **HB 365** do pass.

**HB 365** - Representative Menahan moved **HB 365**, second reading copy, be amended as follows:

1. Page 1, line 20.

**Strike:** "if"

**Insert:** "and the judge upon findings supported by the facts that"

Amendment adopted as follows:

Yeas: Arntzen, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry, Blyton, Boland, Burnett, Connell, Cook, Court, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Hansen, 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, Osmundson, Pease-Lopez, 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, Williams, Wilmer, Yates, Mr. Speaker.

Total 89

Nays: Ankney, Bangerter, Brodehl, Cuffe, Hale, Harris, O'Neil, Peterson, Welborn.

Total 9

Excused: Blasdel, Clark.

Total 2

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Absent or not voting: None.

Total 0

**HB 365** - Representative Menahan moved **HB 365**, as amended, do pass. Motion carried as follows:

Yeas: Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, Berry, Blasdel, Boland, Burnett, Clark, Connell, Cook, Court, Driscoll, Ehli, Evans, Fitzpatrick, Furey, Gibson, Hands, Hansen, Harris, Hill, Hiner, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, Mehlhoff, Menahan, More, Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Price, Read, Regier, Reichner, Reinhart, Salomon, Sands, Schmidt, Sesso, F. Smith, Squires, Stahl, Swanson, Taylor, Wagner, Warburton, Williams, Wilmer, Yates, Mr. Speaker.

Total 67

Nays: Ankney, Arntzen, G. Bennett, Blyton, Brodehl, Cuffe, Edmunds, Esp, Flynn, Greef, Hale, Hendrick, Hollandsworth, Kennedy, Kerns, Klock, Knox, McGillvray, McNiven, McNutt, Miller, O'Neil, Osmundson, Randall, Roberts, Rosendale, Skattum, Skees, Small, C. Smith, Vance, Washburn, Welborn.

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 374** - Representative Hansen moved **HB 374** 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, 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.

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Total 0

Absent or not voting: None.

Total 0

**HB 287** - Representative McGillvray moved consideration of **HB 287** be passed for the day.  
Motion carried.

**HB 335** - Representative Menahan moved **HB 335** do pass. Motion carried as follows:

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

Total 74

Nays: Ankney, G. Bennett, Burnett, Cuffe, Hale, Hendrick, Ingraham, Kennedy, Kerns, Knox, McGillvray, More, O'Neil, Osmundson, Peterson, Randall, Roberts, Skattum, Skees, Small, C. Smith, Stahl, Wagner, Warburton, Welborn, Yates.

Total 26

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 360** - Representative Salomon moved **HB 360** do pass.

**HB 360** - Representative Wagner moved **HB 360**, second reading copy, be amended as follows:

1. Page 2, line 10.

**Following:** "passenger"

**Insert:** "16 years of age or older"

Amendment adopted as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry, Blyton, Boland, Brodehl, Burnett, Connell, Cook, Court, Cuffe, Driscoll, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hands, Hansen, Harris, Hendrick, Hill, Hiner,

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Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, 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: Edmunds, Howard, Lavin, McNiven, Regier, Reichner.  
Total 6

Excused: Blasdel, Clark.  
Total 2

Absent or not voting: None.  
Total 0

**HB 360** - Representative Salomon moved **HB 360**, as amended, do pass. Motion carried as follows:

Yeas: Bangerter, Barrett, B. Bennett, Berry, Blasdel, Blyton, Boland, Burnett, Clark, Connell, Edmunds, Esp, Evans, Furey, Greef, Hands, Hansen, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Kary, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, More, Noonan, O'Hara, Peterson, Phillips, Price, Read, Regier, Reichner, Reinhart, Rosendale, Salomon, Sands, Schmidt, Sesso, Skees, F. Smith, Squires, Swanson, Taylor, Wagner, Washburn, Williams, Wilmer, Yates.  
Total 65

Nays: Ankney, Arntzen, B. Beck, Belcourt, G. Bennett, Brodehl, Cook, Court, Cuffe, Driscoll, Ehli, Fitzpatrick, Flynn, Gibson, Hale, Harris, Hendrick, Hiner, Ingraham, Kennedy, Kerns, Miller, O'Neil, Osmundson, Pease-Lopez, Randall, Roberts, Skattum, Small, C. Smith, Stahl, Vance, Warburton, Welborn, Mr. Speaker.  
Total 35

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 277** - Representative Washburn moved **HB 277** do pass.

**HB 277** - Representative Washburn moved **HB 277**, second reading copy, be amended as follows:



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1. Title, page 1, line 5.

**Strike:** "AND"

2. Title, page 1, line 6.

**Following:** "MCA"

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

3. Page 16.

**Following:** line 2

**Insert:** "NEW SECTION. **Section 5. Effective date.** [This act] is effective on passage and approval."

Amendment adopted as follows:

Yeas: Arntzen, Bangerter, Barrett, B. Beck, B. Bennett, G. Bennett, Berry, Blyton, Boland, Brodehl, Burnett, 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, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, 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, Williams, Wilmer, Yates, Mr. Speaker.  
Total 92

Nays: Ankney, Belcourt, McGillvray, O'Neil, Welborn.

Total 5

Excused: Blasdel, Clark.

Total 2

Absent or not voting: O'Hara.

Total 1

**HB 277** - Representative Washburn moved **HB 277**, as amended, do pass. Motion carried as follows:

Yeas: Arntzen, Barrett, Belcourt, B. Bennett, G. Bennett, Blasdel, Blyton, Boland, Brodehl, Burnett, Clark, Connell, Cook, Court, Cuffe, Driscoll, Edmunds, Ehli, Evans, Flynn, Furey, Gibson, Greef, Hands, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, 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, Osmundson, Pease-Lopez, Phillips, Price, Randall, Read, Regier, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, F. Smith, Squires, Swanson, Taylor, Vance, Wagner, Warburton,

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Washburn, Williams, Wilmer, Yates.

Total 85

Nays: Ankney, Bangerter, B. Beck, Berry, Esp, Fitzpatrick, Hale, Hoven, Miller, O'Neil, Peterson, Reichner, Stahl, Welborn, Mr. Speaker.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 213** - Representative Harris moved **HB 213** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, Belcourt, B. Bennett, G. Bennett, 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, Kerns, Klock, Knox, Knudsen, Lavin, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Hara, Osmundson, Pease-Lopez, Phillips, Price, Randall, Read, Regier, Reinhart, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, F. Smith, Squires, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Williams, Wilmer, Yates.

Total 89

Nays: B. Beck, Berry, Kary, Loney, O'Neil, Peterson, Reichner, Stahl, Welborn, Mr. Speaker.

Total 10

Excused: None.

Total 0

Absent or not voting: Roberts.

Total 1

**HB 82** - Representative Sands moved **HB 82** 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, 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, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, Small, C.

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Smith, F. Smith, Squires, Stahl, Swanson, Taylor, Vance, Wagner, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.  
Total 95

Nays: Hale, Kerns, Knox, Warburton.  
Total 4

Excused: None.  
Total 0

Absent or not voting: Read.  
Total 1

**HB 251** - Representative Hoven moved **HB 251** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Court, Cuffe, Driscoll, Edmunds, Ehli, Evans, Flynn, Furey, Gibson, Greef, Hansen, Harris, Hendrick, 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, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Skattum, Skees, Small, C. Smith, F. Smith, Stahl, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.  
Total 89

Nays: B. Bennett, Boland, Esp, Fitzpatrick, Hale, Hands, Hill, Price, Schmidt, Sesso, Squires.  
Total 11

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 Vance 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, Blyton, Brodehl, Burnett, Connell, Cook, 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, McGillvray, McNiven, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Randall, Read, Regier, Reichner, Reinhart, Roberts,

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Rosendale, Salomon, Sands, Sesso, Skattum, Skees, Small, C. Smith, Stahl, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.  
Total 91

Nays: Boland, McNally, Price, Schmidt, F. Smith, Squires.  
Total 6

Excused: Blasdel, Clark.  
Total 2

Absent or not voting: Howard.  
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 307** passed as follows:

Yeas: Ankney, Arntzen, Bangerter, B. Beck, Belcourt, G. Bennett, Berry, Blyton, Brodehl, Burnett, Connell, Cook, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Gibson, Greef, Hale, Hansen, Harris, Hendrick, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, McChesney, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, More, O'Neil, Osmundson, Pease-Lopez, Peterson, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Skattum, Skees, Small, C. Smith, F. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Mr. Speaker.  
Total 76

Nays: Barrett, B. Bennett, Boland, Court, Furey, Hands, Hill, Malek, McClafferty, Noonan, O'Hara, Phillips, Price, Reinhart, Sands, Schmidt, Sesso, Squires, Swanson, Wilmer, Yates.  
Total 21

Excused: Blasdel, Clark.  
Total 2

Absent or not voting: Howard.  
Total 1

**HB 42** passed as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry, Boland, Brodehl, Connell, Cook, Court, Cuffe, Driscoll, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Hansen, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven,

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Howard, Hunter, Ingraham, Kary, Klock, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, Noonan, O'Hara, O'Neil, Pease-Lopez, Phillips, Price, Read, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Small, F. Smith, Squires, Swanson, Taylor, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 76

Nays: Blyton, Burnett, Edmunds, Hale, Harris, Hendrick, Kennedy, Kerns, Knox, Miller, More, Osmundson, Peterson, Randall, Regier, Skattum, Skees, C. Smith, Stahl, Vance, Wagner, Warburton.

Total 22

Excused: Blasdel, Clark.

Total 2

Absent or not voting: None.

Total 0

**HB 93** passed as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry, Boland, Brodehl, Burnett, Connell, Cook, Court, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Hansen, 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, More, 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, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 87

Nays: Blyton, Hale, Harris, Kennedy, Kerns, Knox, Randall, Skattum, Skees, C. Smith, Vance.

Total 11

Excused: Blasdel, Clark.

Total 2

Absent or not voting: None.

Total 0

**HJR 6** adopted as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, Belcourt, B. Bennett, G. Bennett, Berry, Blyton, Boland, Brodehl, Connell, Cook, Court, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hands, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh,

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Hoven, Howard, Hunter, Ingraham, Kary, Klock, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Hara, 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, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 88

Nays: B. Beck, Burnett, Hansen, Kennedy, Kerns, Knox, O'Neil, Osmundson, Vance.

Total 9

Excused: Blasdel, Clark.

Total 2

Absent or not voting: Harris.

Total 1

**HB 179** adopted as follows:

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

Total 57

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

Total 41

Excused: Blasdel, Clark.

Total 2

Absent or not voting: None.

Total 0

**MOTIONS**

Representative McGillvray moved **HB 239** be moved from the Committee of the Whole after Second Reading to the Appropriations committee.

Representative McGillvray moved **HB 365** be moved from the Committee of the Whole after

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Second Reading to the Appropriations committee.

Representative Hendrick moved to change his vote on **HB 277** from Not Voting to Yes. Without objection, so ordered.

Representative Connell moved to change his vote on **HB 179** from No to Yes. Without objection, so ordered.

Representative Blyton moved to change his vote on **HB 82** from No to Yes. Without objection, so ordered.

Representative Sesso rose on a point of personal privilege for the purpose of encouraging the body to pay attention while voting in order to lessen the number of vote changes made.

Representative McGillvray rose on point of personal privilege for the purpose of instructing the body to pay attention while voting in order to lessen the number of vote changes made.

**SPECIAL ORDERS OF THE DAY**

Representative Sesso rose to bring attention to the Bill Status Sheet on everyone's desks.

Speaker Milburn announced that the House would convene at 12:30 p.m. on Monday, February 14, 2011.

Speaker Milburn announced that the body would receive the State of Education address on Wednesday, February 16, 2011.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Representative McGillvray moved that the House adjourn until 12:30 p.m., Monday, February 14, 2011. Motion carried.

House adjourned at 10:08 a.m.

BETH CARGO  
Chief Clerk of the House

MIKE MILBURN  
Speaker of the House