

**HOUSE JOURNAL
62ND LEGISLATURE
FORTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
March 2, 2011

House Chambers
State Capitol

House convened at 12:52 p.m. Mr. Speaker in the Chair. Invocation by Representative Arntzen. Pledge of Allegiance to the Flag.

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

BILLS (O'Hara, Chairman): 3/2/2011

Correctly printed: **SB 31, SB 41, SB 46, SB 51, SB 53, SB 60, SB 72, SB 186.**
Signed by the Chief Clerk of the House at 8:00 a.m., March 2, 2011: **HB 54, HB 89.**
Signed by the Speaker at 1:45 p.m., March 2, 2011: **HB 54, HB 89.**

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Arntzen, Chairman): 3/2/2011
SB 46, be concurred in. Report adopted.
SB 51, be concurred in. Report adopted.
SB 186, be concurred in. Report adopted.

JUDICIARY (Peterson, Chairman): 3/2/2011
SB 41, be concurred in. Report adopted.
SB 60, be concurred in. Report adopted.
SB 72, be concurred in. Report adopted.

STATE ADMINISTRATION (Ingraham, Chairman): 3/2/2011
SB 31, be concurred in and be placed on the Consent Calendar. Report adopted.
SB 53, be concurred in. Report adopted.

**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 K. Peterson in the chair.

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

HB 299 - Representative McGillvray moved consideration of **HB 299** be passed for the day. Motion carried.

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HB 189 - Representative McGillvray moved consideration of **HB 189** be passed for the day.
Motion carried.

HB 116 - Representative Ingraham moved **HB 116** 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, 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: Miller.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 122 - Representative Malek moved **HB 122** do pass. Motion carried as follows:

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

Total 88

Nays: B. Bennett, Edmunds, Esp, Hale, Hoven, Howard, Kennedy, Kerns, Knox, Miller, More, Wagner.

Total 12

Excused: None.

Total 0

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Absent or not voting: None. Total 0

HB 135 - Representative Squires moved **HB 135** 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, 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, 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, Peterson.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 184 - Representative C. Smith moved **HB 184** do pass.

HB 184 - Representative C. Smith moved **HB 184**, second reading copy, be amended as follows:

1. Title, page 1, line 6.

Following: "MEMBERS"

Insert: "COVERED BY INDIVIDUAL INSURANCE COVERAGE"

2. Title, page 1, line 7.

Following: "PAYMENTS"

Insert: "FOR INDIVIDUAL INSURANCE COVERAGE"

3. Page 1, line 18.

Following: "expenses paid"

Insert: "during the tax year"

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4. Page 1, line 19.

Strike: "during the tax year"

Insert: "when the individual and family members are covered by an individual insurance policy that is not part of a group or blanket policy"

Amendment adopted as follows:

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

Total 86

Nays: Belcourt, B. Bennett, Court, Driscoll, Hands, Hill, Hollenbaugh, Hunter, Malek, Pease-Lopez, Phillips, Sands, F. Smith.

Total 13

Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

HB 184 - Representative C. Smith moved **HB 184**, as amended, do pass. Motion carried as follows:

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

Total 67

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, Small, F. Smith, Squires, Swanson, Williams, Wilmer.

Total 33

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 192 - Representative O'Neil moved **HB 192** do pass. Motion carried as follows:

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

Total 64

Nays: Ankney, Barrett, Belcourt, B. Bennett, Boland, Cook, Fitzpatrick, Flynn, Furey, Hands, Hill, Hollenbaugh, Hoven, Hunter, MacDonald, Malek, McChesney, McClafferty, McNally, McNutt, Mehlhoff, Menahan, Noonan, Pease-Lopez, Phillips, Price, Reinhart, Sands, Schmidt, Sesso, Small, Squires, Swanson, Welborn, Williams, Wilmer.

Total 36

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 248 - Representative Miller moved **HB 248** do pass. Motion **failed** as follows:

Yeas: Arntzen, Bangerter, B. Beck, G. Bennett, Blasdel, Blyton, Brodehl, Clark, Esp, Evans, Fitzpatrick, Greef, Hale, Hansen, Harris, Hendrick, Hollandsworth, Howard, Kerns, Knox, Knudsen, Lavin, Loney, MacLaren, McGillvray, Miller, O'Hara, O'Neil, Osmundson, Peterson, Randall, Rosendale, Salomon, Skattum, Skees, C. Smith, Stahl, Taylor, Vance, Warburton, Washburn, Welborn, Yates, Mr. Speaker.

Total 44

Nays: Ankney, Barrett, Belcourt, B. Bennett, Berry, Boland, Burnett, Connell, Cook, Court, Cuffe, Driscoll, Edmunds, Ehli, Flynn, Furey, Gibson, Hands, Hill, Hiner, Hollenbaugh, Hoven, Hunter, Ingraham, Kary, Kennedy, Klock, MacDonald, Malek, McChesney, McClafferty, McNally, McNiven, McNutt, Mehlhoff, Menahan, More, Noonan, Pease-Lopez, Phillips, Price, Read, Regier, Reichner, Reinhart, Roberts, Sands, Schmidt, Sesso, Small, F. Smith, Squires, Swanson, Wagner, Williams, Wilmer.

Total 56

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

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, 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, 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, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, Squires, Stahl, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 95

Nays: B. Bennett, Hendrick, Pease-Lopez, F. Smith.

Total 4

Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

MOTIONS

Representative McGillvray moved **HB 184** be moved from the Committee of the Whole after Second Reading to the Appropriations committee.

Representative McGillvray moved **HB 192** be moved from the Committee of the Whole after Second Reading to the Appropriations committee.

Representative McGillvray moved **HB 299** be moved back to the Judiciary committee.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative McGillvray moved that the House adjourn until 1:00 p.m., Thursday, March 3, 2011. Motion carried.

House adjourned at 2:01 p.m.

BETH CARGO
Chief Clerk of the House

MIKE MILBURN
Speaker of the House