

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

Helena, Montana
March 3, 2011

House Chambers
State Capitol

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

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

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

Delivered to the Governor for approval at 3:30 p.m., March 3, 2011: **HB 54, HB 89.**
Correctly printed: **SB 62, SB 65.**

REPORTS OF STANDING COMMITTEES

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Klock, Chair): 3/2/2011
SB 62, be concurred in. Report adopted.
SB 65, be concurred in. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

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

SB 58, introduced by Moss, Shockley (by request of the Law and Justice Interim Committee), referred to Judiciary.

SB 97, introduced by Shockley, referred to Judiciary.

SB 111, introduced by Sonju, Jones, Randall, Stahl, Taylor, Vance, referred to Judiciary.

SB 114, introduced by Hinkle, Brenden, Flynn, Hendrick, Hutton, Jones, Kary, Kennedy, Kerns, Miller, Randall, C. Smith, Sonju, Stahl, Steinbeisser, Warburton, Blasdel, Rosendale, Loney, Skees, Buttrey, Burnett, Osmundson, Wagner, Jones, referred to Transportation.

SB 141, introduced by Gillan, Wilmer, Brown, Shockley, C. Williams, McClafferty, Sesso, Schmidt, Branae, MacDonald, Moss, Blewett, Van Dyk, referred to Education.

SB 144, introduced by Brenden, Arthun, J. Peterson, C. Smith, Tutvedt, Hinkle, Brown, Jones, Zinke, Moore, De. Barrett, Olson, Welborn, Ripley, Vincent, Steinbeisser, Lewis, McNutt, Knudsen, referred to Fish, Wildlife and Parks.

SB 168, introduced by Van Dyk, referred to Business and Labor.

SB 172, introduced by Lake, referred to Taxation.

SB 174, introduced by Vuckovich, Brenden, Hinkle, Keane, Lewis, referred to Fish, Wildlife and Parks.

SB 179, introduced by Wittich, Shockley, Jent, De. Barrett, Moore, Hinkle, Rosendale, O'Hara, Flynn, Ripley, O'Neil, Blasdel, C. Smith, Walker, Stewart-Peregoy, Hollenbaugh, Zinke, Noonan, Hawks, Hendrick, Skattum, Sonju, Erickson, Murphy, K. Peterson, Hutton, Vincent, Fitzpatrick, Skees, Facey, Hansen, Lavin, Jones, Arthun, Brodehl, Buttrey, referred to Transportation.

SB 182, introduced by Van Dyk, referred to State Administration.

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- SB 185**, introduced by Wanzenried, MacDonald, McClafferty, Rosendale, Cook, Wilmer, Augare, Sesso, C. Williams, Steinbeisser, Gibson, Zinke, Larsen, Menahan, Kaufmann, Jent, Erickson, Tropila, Skees, Read, referred to Judiciary.
- SB 192**, introduced by Erickson, referred to Transportation.
- SB 198**, introduced by Balyeat, Tutvedt, Arthun, Zinke, Hendrick, Shockley, Wittich, De. Barrett, Moore, Jackson, Vuckovich, Sonju, Hinkle, Steinbeisser, Buttrey, Brown, Ripley, Brenden, Walker, Lewis, Yates, Priest, Vincent, Jones, Vance, Kary, Hansen, Burnett, referred to State Administration.
- SB 204**, introduced by Blewett, McGillvray, referred to State Administration.
- SB 211**, introduced by Hutton, referred to Transportation.
- SB 213**, introduced by Vuckovich, referred to Transportation.
- SB 216**, introduced by J. Peterson, Milburn, referred to Agriculture.
- SB 218**, introduced by Steinbeisser, Arthun, Murphy, Larsen, J. Peterson, Ripley, Hamlett, Brown, Jones, Stewart-Peregoy, Tutvedt, Jackson, Olson, McNutt, Sonju, Moore, referred to Agriculture.
- SB 222**, introduced by Augare, referred to Local Government.
- SB 224**, introduced by Priest, referred to Human Services.
- SB 225**, introduced by Priest, referred to Federal Relations, Energy, and Telecommunications.
- SB 226**, introduced by Priest, referred to Federal Relations, Energy, and Telecommunications.
- SB 227**, introduced by Priest, referred to State Administration.
- SB 233**, introduced by Keane, Vuckovich, Olson, Klock, Hiner, McChesney, Tutvedt, Ankney, Windy Boy, Hamlett, referred to Federal Relations, Energy, and Telecommunications.
- SB 238**, introduced by Blewett, referred to Judiciary.
- SB 241**, introduced by Priest, referred to Human Services.
- SB 242**, introduced by Brenden, Jones, Ripley, De. Barrett, Tutvedt, Steinbeisser, J. Peterson, Murphy, Brown, referred to Business and Labor.
- SB 246**, introduced by Olson, referred to Federal Relations, Energy, and Telecommunications.
- SB 256**, introduced by Gillan, O'Hara, referred to Business and Labor.
- SB 258**, introduced by Buttrey, Sonju, referred to Transportation.
- SB 268**, introduced by Balyeat, Essmann, Priest, Hinkle, Jackson, Vincent, Murphy, Arthun, Sonju, Buttrey, Brown, Stahl, Harris, Ripley, Walker, Klock, Skees, Tutvedt, Blasdel, Hale, Moore, Hendrick, Clark, Brenden, Salomon, McGillvray, Knox, Loney, Cuffe, Greef, Rosendale, Brodehl, Ehli, Skattum, Olson, McNiven, Vance, Burnett, Blyton, Howard, MacLaren, Welborn, De. Barrett, Steinbeisser, O'Neil, O'Hara, Flynn, G. Bennett, Small, More, Ingraham, C. Smith, Arntzen, Read, Kerns, Warburton, Berry, Washburn, Wittich, Lewis, Connell, Hutton, Jones, Lake, Reichner, referred to Judiciary.
- SB 269**, introduced by Buttrey, referred to Business and Labor.
- SB 271**, introduced by Gallus, referred to Appropriations.
- SB 275**, introduced by Zinke, referred to Local Government.
- SB 276**, introduced by Facey, referred to Judiciary.
- SB 285**, introduced by Olson, referred to Federal Relations, Energy, and Telecommunications.
- SB 291**, introduced by Zinke, referred to State Administration.
- SB 301**, introduced by Ripley, Brenden, referred to Fish, Wildlife and Parks.
- SB 304**, introduced by Shockley, Augare, referred to Judiciary.
- SB 307**, introduced by Tutvedt, Knox, referred to State Administration.

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

SJR 10, introduced by Priest, Hinkle, Burnett, Hutton, Murphy, Jackson, Lewis, Buttrey, Wittich, De. Barrett, Mowbray, Roberts, referred to Natural Resources.

**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 Ingraham in the chair.

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

HB 262 - Representative Sands moved **HB 262** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, Berry, Boland, Clark, Connell, Cook, Court, Cuffe, Driscoll, Ehli, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Klock, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, Mehlhoff, Menahan, Miller, Noonan, O'Hara, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Small, F. Smith, Squires, Stahl, Vance, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.
Total 74

Nays: G. Bennett, Blasdel, Blyton, Brodehl, Burnett, Edmunds, Esp, Hale, Howard, Kary, Kennedy, Kerns, Knox, Knudsen, McGillvray, McNiven, McNutt, More, O'Neil, Randall, Skattum, Skees, C. Smith, Taylor, Wagner.
Total 25

Excused: Swanson.
Total 1

Absent or not voting: None.
Total 0

HB 285 - Representative Harris moved **HB 285** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Clark, Connell, Cuffe, Edmunds, Esp, Evans, Fitzpatrick, Flynn, Hale, Hansen, Harris, Hendrick, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, McGillvray, McNiven, McNutt, Miller, More, O'Hara, Osmundson, Peterson, Randall, Read, Regier, Reichner, Rosendale, Salomon, Skattum, Skees, Small, C. Smith, Stahl, Taylor,

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Vance, Wagner, Warburton, Washburn, Welborn, Mr. Speaker.

Total 59

Nays: Barrett, Belcourt, B. Bennett, Boland, Burnett, Cook, Court, Driscoll, Ehli, Furey, Gibson, Greef, Hands, Hill, Hiner, Hollenbaugh, Hunter, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, Mehlhoff, Menahan, Noonan, O'Neil, Pease-Lopez, Phillips, Price, Reinhart, Roberts, Sands, Schmidt, Sesso, F. Smith, Squires, Williams, Wilmer, Yates.

Total 40

Excused: Swanson.

Total 1

Absent or not voting: None.

Total 0

SB 63 - Representative Hunter moved **SB 63** be concurred in. 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, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hands, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kerns, Klock, Knox, 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, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 96

Nays: Esp, Kennedy, More.

Total 3

Excused: Swanson.

Total 1

Absent or not voting: None.

Total 0

SB 78 - Representative Clark moved **SB 78** be concurred in. 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, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney,

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McClafferty, McGillvray, 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, C. Smith, F. Smith, Squires, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 95

Nays: Kennedy, More, Skattum, Skees.

Total 4

Excused: Swanson.

Total 1

Absent or not voting: None.

Total 0

HB 358 - Representative MacLaren moved **HB 358** 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, Hansen, Harris, Hendrick, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kennedy, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McChesney, McGillvray, McNiven, McNutt, 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, Williams, Yates, Mr. Speaker.

Total 68

Nays: Barrett, Belcourt, B. Bennett, Boland, Court, Driscoll, Furey, Hale, Hands, Hill, Hiner, Hollenbaugh, Hunter, Kerns, MacDonald, Malek, McClafferty, McNally, Menahan, Noonan, Pease-Lopez, Phillips, Price, Reinhart, Sands, Schmidt, Sesso, F. Smith, Squires, Wilmer.

Total 30

Excused: Swanson.

Total 1

Absent or not voting: O'Hara.

Total 1

HB 370 - Representative Squires moved **HB 370** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, Berry, Boland, Burnett, Clark, Connell, Cook, Court, Cuffe, Driscoll, Ehli, Evans, Flynn, Furey, Greef, Hands, Harris, Hendrick, Hill, Hiner, Hollenbaugh, Hoven, Hunter, Kary, Kennedy, Klock, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Price, Read,

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Reinhart, Sands, Schmidt, Sesso, Small, Squires, Wagner, Washburn, Welborn, Williams, Wilmer, Yates.

Total 65

Nays: G. Bennett, Blasdel, Blyton, Brodehl, Edmunds, Esp, Fitzpatrick, Gibson, Hale, Hansen, Hollandsworth, Howard, Ingraham, Kerns, Knox, Knudsen, McNiven, O'Neil, Osmundson, Randall, Regier, Reichner, Roberts, Rosendale, Salomon, Skattum, Skees, C. Smith, F. Smith, Stahl, Taylor, Vance, Warburton, Mr. Speaker.

Total 34

Excused: Swanson.

Total 1

Absent or not voting: None.

Total 0

HB 445 - Representative C. Smith moved **HB 445** 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, 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 66

Nays: Bangerter, Barrett, Belcourt, B. Bennett, Boland, Court, Driscoll, Fitzpatrick, 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, Williams, Wilmer.

Total 33

Excused: Swanson.

Total 1

Absent or not voting: None.

Total 0

HB 521 - Representative More moved **HB 521** do pass. Motion **failed** as follows:

Yeas: B. Beck, G. Bennett, Berry, Blasdel, Blyton, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Esp, Flynn, Hale, Hansen, Harris, Hendrick, Howard, Ingraham, Kennedy, Kerns, Knox, Knudsen, Lavin, Loney, McGillvray, McNiven, More, O'Neil, Osmundson, Randall, Read,

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Regier, Rosendale, Salomon, Skattum, Skees, C. Smith, Stahl, Taylor, Vance, Wagner,
Warburton, Washburn, Welborn.
Total 45

Nays: Ankney, Arntzen, Bangerter, Barrett, Belcourt, B. Bennett, Boland, Brodehl, Burnett,
Court, Driscoll, Evans, Fitzpatrick, Furey, Gibson, Greef, Hands, Hill, Hiner, Hollandsworth,
Hollenbaugh, Hoven, Hunter, Kary, Klock, MacDonald, MacLaren, Malek, McChesney,
McClafferty, McNally, McNutt, Mehlhoff, Menahan, Miller, Noonan, O'Hara, Pease-Lopez,
Peterson, Phillips, Price, Reichner, Reinhart, Roberts, Sands, Schmidt, Sesso, Small, F. Smith,
Squires, Williams, Wilmer, Yates, Mr. Speaker.
Total 54

Excused: Swanson.
Total 1

Absent or not voting: None.
Total 0

HB 428 - Representative Berry moved **HB 428** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry,
Blyton, Boland, Brodehl, Burnett, Clark, Connell, Cook, Court, Cuffe, Driscoll, 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, More, Noonan, O'Hara, Osmundson,
Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts,
Rosendale, Salomon, Sands, Schmidt, Sesso, C. Smith, F. Smith, Squires, Stahl, Taylor,
Vance, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.
Total 88

Nays: Blasdel, Edmunds, Hale, Kerns, Knox, Miller, O'Neil, Skattum, Skees, Small, Wagner.
Total 11

Excused: Swanson.
Total 1

Absent or not voting: None.
Total 0

HB 387 - Representative Flynn moved **HB 387** 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,

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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, Squires, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 98

Nays: F. Smith.

Total 1

Excused: Swanson.

Total 1

Absent or not voting: None.

Total 0

HB 189 - Representative Di. Barrett moved **HB 189** do pass.

HB 189 - Representative Di. Barrett moved **HB 189**, second reading copy, be amended as follows:

1. Title, page 1, line 12 through line 15.

Strike: "REDUCING" on line 12 through ";," on line 15

2. Title, page 1, line 16.

Following: "19-20-802,"

Insert: "AND"

Following: "19-20-804,"

Strike: "AND 20-9-501,"

3. Page 9, line 21 through page 12, line 15.

Strike: section 6 in its entirety

Renumber: subsequent sections

4. Page 12, line 25 through page 13, line 5.

Strike: section 7 in its entirety

Renumber: subsequent section

Amendment adopted as follows:

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

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Hollandsworth, Hollenbaugh, Hoven, 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, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 93

Nays: B. Beck, Hale, Harris, Hendrick, Howard, O'Neil.

Total 6

Excused: Swanson.

Total 1

Absent or not voting: None.

Total 0

HB 189 - Representative Di. Barrett moved **HB 189**, as amended, do pass. Motion **failed** as follows:

Yeas: Arntzen, Bangerter, Barrett, Belcourt, B. Bennett, Blasdel, Boland, Connell, Court, Driscoll, Esp, Furey, Gibson, Hands, Hendrick, Hill, Hiner, Hollenbaugh, Hunter, Kary, Klock, Lavin, MacDonald, Malek, McChesney, McClafferty, McNally, Menahan, Noonan, O'Hara, Osmundson, Pease-Lopez, Phillips, Price, Regier, Reichner, Reinhart, Sands, Schmidt, Sesso, Skattum, Skees, F. Smith, Squires, Williams, Wilmer, Yates.

Total 47

Nays: Ankney, B. Beck, G. Bennett, Berry, Blyton, Brodehl, Burnett, Clark, Cook, Cuffe, Edmunds, Ehli, Evans, Fitzpatrick, Flynn, Greef, Hale, Hansen, Harris, Hollandsworth, Hoven, Howard, Ingraham, Kennedy, Kerns, Knox, Knudsen, Loney, MacLaren, McGillvray, McNiven, McNutt, Miller, More, O'Neil, Peterson, Randall, Read, Roberts, Rosendale, Salomon, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Mr. Speaker.

Total 51

Excused: Swanson.

Total 1

Absent or not voting: Mehlhoff.

Total 1

Majority Leader McGillvray moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Ingraham moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Arntzen, Bangerter, Belcourt, G. Bennett, Berry, Blasdel, Blyton, Brodehl,

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Burnett, Clark, Connell, Cook, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Gibson, Greef, Hale, Hansen, Harris, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNiven, McNutt, Menahan, Miller, O'Hara, O'Neil, Osmundson, Peterson, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Skees, Small, C. Smith, Squires, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Wilmer, Yates, Mr. Speaker.

Total 74

Nays: Barrett, B. Bennett, Boland, Court, Furey, Hands, Hendrick, Hill, Hiner, McNally, More, Noonan, Pease-Lopez, Phillips, Price, Reinhart, Sands, Schmidt, Sesso, Skattum, F. Smith, Williams.

Total 22

Excused: Swanson.

Total 1

Absent or not voting: B. Beck, Mehlhoff, Stahl.

Total 3

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 116 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, 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, Menahan, More, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 94

Nays: Miller.

Total 1

Excused: Swanson.

Total 1

Absent or not voting: Edmunds, Mehlhoff, Peterson, Sands. Total 4

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HB 122 passed as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, 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, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Menahan, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Vance, Warburton, Washburn, Williams, Wilmer, Yates, Mr. Speaker.

Total 82

Nays: B. Bennett, G. Bennett, Esp, Hale, Hoven, Howard, Kennedy, Kerns, Miller, More, Wagner, Welborn.

Total 12

Excused: Swanson.

Total 1

Absent or not voting: Edmunds, Mehlhoff, Peterson, Sands, Taylor.

Total 5

HB 135 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, 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, Menahan, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 94

Nays: Hale.

Total 1

Excused: Swanson.

Total 1

Absent or not voting: Edmunds, Mehlhoff, Peterson, Sands.

Total 4

HOUSE JOURNAL
FORTY-EIGHTH LEGISLATIVE DAY - MARCH 3, 2011

MOTIONS

Representative McGillvray moved **HB 358** be moved from the Committee of the Whole after Second Reading to the Appropriations committee.

Representative McGillvray moved **HB 445** be moved from the Committee of the Whole after Second Reading to the Appropriations committee.

Representative McGillvray moved **HB 602** be moved from the Natural Resources committee to the Appropriations committee.

SPECIAL ORDERS OF THE DAY

Chief Clerk Cargo announced that **SB 31** had been placed on the consent calendar.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative McGillvray moved that the House adjourn until 1:00 p.m., Friday, March 4, 2011. Motion carried.

House adjourned at 3:19 p.m.

BETH CARGO
Chief Clerk of the House

MIKE MILBURN
Speaker of the House