

**HOUSE JOURNAL
62ND LEGISLATURE
FIFTY-THIRD LEGISLATIVE DAY**

Helena, Montana
March 9, 2011

House Chambers
State Capitol

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

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

BILLS (O'Hara, Chairman): 3/9/2011

Correctly printed: **HB 386, HB 463, HB 467, SB 11, SB 12, SB 335, SJR 9.**

Correctly enrolled: **HB 19, HB 38, HB 39, HB 76, HB 97, HB 101, HB 182.**

Examined by the sponsor and found to be correct: **HB 19, HB 38, HB 39, HB 97, HB 101, HB 182.**

Signed by the Speaker at 2:15 p.m., March 9, 2011: **HB 44, HB 57, HB 84, HJR 4, HJR 5.**

Signed by the President at 4:35 p.m., March 9, 2011: **HB 44, HB 57, HB 84, HJR 4, HJR 5.**

Representative Mehlhoff rose on a point of personal privilege to congratulate the University of Montana's basketball team on their win the previous night.

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the thirty-third, thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, fortieth, forty-first, forty-second, forty-third, forty-fourth, and forty-fifth legislative days, find the same to be correct.

Representative O'Hara, Chair

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (McNutt, Chairman): 3/8/2011
HB 386, do pass. Report adopted.

JUDICIARY (Peterson, Chairman): 3/8/2011
SB 335, be concurred in. Report adopted.
SJR 9, be concurred in. Report adopted.

TAXATION (Blasdel, Chairman): 3/4/2011
HB 463, do pass. Report adopted.
HB 467, do pass. Report adopted.
SB 11, be concurred in. Report adopted.
SB 12, be concurred in. Report adopted.

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MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/8/2011

HB 38, introduced by Boland
HB 39, introduced by Hollenbaugh
HB 76, introduced by Mehlhoff
HB 97, introduced by Menahan
HB 101, introduced by MacDonald

Senate bill passed and transmitted to the House for concurrence: 3/8/2011

SB 261, introduced by Essmann

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:

SB 26 concurred in 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, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Swanson.

Total 1

Absent or not voting: None.

Total 0

SB 36 failed as follows:

Yeas: Belcourt, G. Bennett, Berry, Clark, Connell, Cook, Ehli, Esp, Fitzpatrick, Flynn, Gibson,

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Hiner, Hollandsworth, Klock, Lavin, MacLaren, McChesney, McClafferty, McNally, McNutt, Mehlhoff, Menahan, Pease-Lopez, Phillips, Sands, Schmidt, Squires, Warburton, Washburn, Welborn.

Total 30

Nays: Arntzen, Bangerter, Barrett, B. Beck, B. Bennett, Blasdel, Blyton, Boland, Brodehl, Burnett, Court, Cuffe, Driscoll, Edmunds, Evans, Furey, Greef, Hale, Hands, Hansen, Harris, Hendrick, Hill, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Knox, Knudsen, Loney, MacDonald, Malek, McGillvray, McNiven, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Peterson, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sesso, Skattum, Skees, Small, C. Smith, F. Smith, Stahl, Taylor, Vance, Wagner, Williams, Wilmer, Yates, Mr. Speaker.

Total 68

Excused: Swanson.

Total 1

Absent or not voting: Ankney.

Total 1

SB 41 concurred in 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, 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, 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, Taylor, Vance, Warburton, Washburn, Williams, Wilmer, Yates, Mr. Speaker.

Total 91

Nays: Fitzpatrick, Hale, Miller, More, O'Neil, Skattum, Wagner, Welborn.

Total 8

Excused: Swanson.

Total 1

Absent or not voting: None.

Total 0

SB 46 concurred in as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry,

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

Total 98

Nays: None.

Total 0

Excused: Swanson.

Total 1

Absent or not voting: McNiven.

Total 1

SB 51 concurred in 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, 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, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 98

Nays: None.

Total 0

Excused: Swanson.

Total 1

Absent or not voting: Hoven.

Total 1

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SB 53 concurred in 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, 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, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 98

Nays: None.

Total 0

Excused: Swanson.

Total 1

Absent or not voting: McClafferty.

Total 1

SB 60 concurred in 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, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Swanson.

Total 1

Absent or not voting: None.

Total 0

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SB 62 concurred in 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, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Swanson.

Total 1

Absent or not voting: None.

Total 0

SB 65 concurred in 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, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: Swanson.

Total 1

Absent or not voting: None.

Total 0

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**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 Noonan in the chair.

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

SB 67 - Representative Driscoll moved consideration of **SB 67** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

SB 72 - Representative MacDonald moved **SB 72** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, B. Bennett, G. Bennett, Berry, Blyton, Boland, Clark, Connell, Court, Cuffe, Driscoll, Edmunds, Ehli, Evans, Flynn, Furey, Hands, Harris, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Menahan, Noonan, O'Hara, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Sands, Schmidt, Sesso, Small, F. Smith, Squires, Stahl, Swanson, Taylor, Wagner, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 73

Nays: Belcourt, Blasdel, Brodehl, Burnett, Cook, Fitzpatrick, Gibson, Greef, Hale, Hansen, Hendrick, Kennedy, MacLaren, Mehlhoff, Miller, More, O'Neil, Roberts, Rosendale, Salomon, Skattum, Skees, C. Smith, Vance, Warburton, Washburn.

Total 26

Excused: None.

Total 0

Absent or not voting: Esp.

Total 1

Representative Schmidt rose on a point of personal privilege on behalf of the Democratic Women would like to share her disappointment about remarks made the day before which suggesting that Montana's Women are comparable to cows. She stated that it was offensive and unacceptable and that there needed to be an apology.

HB 568 - Representative Wagner moved **HB 568** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, B. Beck, G. Bennett, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Greef, Hale,

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Hansen, Harris, Hendrick, Hiner, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McChesney, McGillvray, McNally, McNiven, McNutt, Miller, More, O'Hara, O'Neil, Osmundson, Peterson, Randall, Read, Regier, Reichner, Rosendale, Salomon, Skattum, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Yates, Mr. Speaker.
Total 68

Nays: Barrett, Belcourt, B. Bennett, Berry, Boland, Court, Driscoll, Furey, Gibson, Hands, Hill, Hollenbaugh, Hunter, MacDonald, Malek, McClafferty, Mehlhoff, Menahan, Noonan, Pease-Lopez, Phillips, Price, Reinhart, Roberts, Sands, Schmidt, Sesso, F. Smith, Squires, Swanson, Williams, Wilmer.
Total 32

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 95 - Representative Ingraham moved **SB 95** 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, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.
Total 99

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Hands.
Total 1

SB 69 - Representative O'Hara moved **SB 69** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett, Belcourt, B. Bennett, Berry, Boland, Clark, Connell, Court,

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Cuffe, Driscoll, Evans, Fitzpatrick, Furey, Greef, Hands, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Klock, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, McNutt, Mehlhoff, Menahan, Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Price, Reinhart, Sands, Schmidt, Sesso, Small, F. Smith, Squires, Swanson, Warburton, Williams, Wilmer.

Total 53

Nays: Bangerter, B. Beck, G. Bennett, Blasdel, Blyton, Brodehl, Burnett, Cook, Edmunds, Ehli, Esp, Flynn, Gibson, Hale, Hansen, Harris, Hendrick, Kary, Kennedy, Kerns, Knox, Knudsen, Lavin, McGillvray, McNiven, Miller, More, O'Neil, Osmundson, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Skattum, Skees, C. Smith, Stahl, Taylor, Vance, Wagner, Washburn, Welborn, Yates, Mr. Speaker.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 152 - Representative C. Smith moved **SB 152** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, Berry, Blasdel, Blyton, Boland, Brodehl, Burnett, Clark, Connell, Cook, Court, Cuffe, Driscoll, Edmunds, Ehli, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Hansen, Harris, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Klock, 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, Skees, Small, C. Smith, F. Smith, Squires, Swanson, Taylor, Vance, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 89

Nays: G. Bennett, Esp, Hale, Hendrick, Kennedy, Kerns, Knox, Miller, Skattum, Wagner.

Total 10

Excused: None.

Total 0

Absent or not voting: Stahl.

Total 1

SB 186 - Representative Berry moved **SB 186** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry,

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Blasdel, Blyton, Boland, Brodehl, Burnett, Clark, Connell, Cook, Court, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Hansen, Harris, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, 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 97

Nays: Hale, Hendrick, Miller.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 64 - Representative Reichner moved **SB 64** be concurred in. Motion carried as follows:

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

Total 84

Nays: G. Bennett, Cuffe, Hale, Hansen, Kennedy, McGillvray, More, Osmundson, Read, Rosendale, Small, C. Smith, Vance, Yates.

Total 14

Excused: None.

Total 0

Absent or not voting: Ankney, Squires.

Total 2

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SB 73 - Representative Fitzpatrick moved **SB 73** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, Blyton, Boland, Brodehl, Clark, Connell, Cook, Court, Ehli, Esp, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hands, Harris, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Klock, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Small, F. Smith, Squires, Stahl, Swanson, Taylor, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.
Total 76

Nays: G. Bennett, Berry, Blasdel, Burnett, Cuffe, Edmunds, Evans, Hansen, Hendrick, Kennedy, Kerns, Knox, McGillvray, More, O'Neil, Osmundson, Regier, Reichner, Skattum, Skees, C. Smith, Vance, Wagner.
Total 23

Excused: None.
Total 0

Absent or not voting: Driscoll.
Total 1

SB 165 - Representative C. Smith moved **SB 165** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Court, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, 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, 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: Boland, Hands, MacDonald, Malek, Price, Sands, Swanson.
Total 7

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 67 - Representative Driscoll moved **SB 67** be concurred in.

SB 67 - Representative Gibson moved **SB 67**, second reading copy, be amended as follows:

1. Title, line 8.

Strike: "THROUGH 2013"

Insert: "AND 2012"

2. Page 1, line 29.

Strike: "THROUGH 2013"

Insert: "and 2012"

3. Page 2, line 1.

Strike: "THROUGH 2013"

Insert: "and 2012"

Amendment adopted as follows:

Yeas: Ankney, Arntzen, 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, 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, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 95

Nays: Bangerter, More, Peterson.

Total 3

Excused: Swanson.

Total 1

Absent or not voting: Stahl.

Total 1

SB 67 - Representative Driscoll moved **SB 67**, as amended, 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,

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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, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, More, 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, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 95

Nays: Hale, McClafferty, Miller, Noonan, Stahl.

Total 5

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 Noonan 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, Evans, Fitzpatrick, Flynn, Furey, Greef, Hale, Hands, 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, 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, Taylor, Vance, Wagner, Warburton, Washburn, Williams, Wilmer, Yates, Mr. Speaker.

Total 94

Nays: B. Bennett, Hill.

Total 2

Excused: Swanson.

Total 1

Absent or not voting: Gibson, Miller, Welborn.

Total 3

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SPECIAL ORDERS OF THE DAY

Chief Clerk Cargo directed the member's attention to a proclamation declaring Wednesday, March 9th, 2011, Registered Dietician's Day.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

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

House adjourned at 2:31 p.m.

BETH CARGO
Chief Clerk of the House

MIKE MILBURN
Speaker of the House