

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

Helena, Montana  
March 10, 2011

House Chambers  
State Capitol

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

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

**BILLS** (O'Hara, Chairman): 3/10/2011

Correctly printed: **SB 7, SB 30, SB 38, SB 47, SB 103, SB 125, SB 166, SB 176, SB 189, SB 205, SB 285.**

Correctly engrossed: **HB 533, HB 567, HJR 8.**

Correctly enrolled: **HB 17, HB 58, HB 114, HB 156, HB 210, HB 263, HB 359.**

Examined by the sponsor and found to be correct: **HB 76, HB 263, HB 359.**

Signed by the Speaker at 9:15 a.m., March 10, 2011: **HB 19, HB 38, HB 39, HB 97, HB 101, HB 182.**

Signed by the Chief Clerk of the House at 8:30 a.m., March 10, 2011: **HB 19, HB 38, HB 39, HB 97, HB 101, HB 182.**

Signed by the Chief Clerk of the House at 3:15 p.m., March 10, 2011: **HB 76.**

Delivered to the Governor for approval at 10:20 a.m., March 10, 2011: **HB 44, HB 57, HB 84.**

Delivered to the Secretary of State at 10:38 a.m., March 10, 2011: **HJR 4, HJR 5.**

Delivered to the Governor for approval at 4:12 p.m., March 10, 2011: **HB 19, HB 38, HB 39, HB 97, HB 101, HB 182.**

**REPORTS OF STANDING COMMITTEES**

**FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS** (Klock, Chair): 3/9/2011  
**SB 7**, be concurred in. Report adopted.  
**SB 205**, be concurred in. Report adopted.  
**SB 285**, be concurred in. Report adopted.

**HUMAN SERVICES** (Howard, Chairman): 3/9/2011  
**HJR 8**, introduced joint resolution, be amended as follows:

1. Page 2, line 28.

**Following:** "low-income children,"

**Insert:** "tribal representatives,"

And, as amended, do pass. Report adopted.

**SB 125**, be concurred in. Report adopted.

**SB 176**, be concurred in. Report adopted.

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**SB 189**, be concurred in. Report adopted.

**NATURAL RESOURCES** (Hendrick, Chairman):  
**HB 533**, introduced bill, be amended as follows:

3/9/2011

1. Page 3, line 5.

**Strike:** "are included" through "coal and"

**Following:** "affected"

**Strike:** "and"

**Insert:** "or"

And, as amended, do pass. Report adopted.

**SB 30**, be concurred in. Report adopted.

**SB 38**, be concurred in. Report adopted.

**SB 47**, be concurred in. Report adopted.

**SB 103**, be concurred in. Report adopted.

**TAXATION** (Blasdel, Chairman):

3/10/2011

**HB 567**, introduced bill, be amended as follows:

1. Page 3, line 2.

**Following:** "made"

**Insert:** "and in the subsequent tax years before the effective date of the next revaluation"

And, as amended, do pass. Report adopted.

**SB 166**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**House bills** concurred in and returned to the House:

3/9/2011

**HB 17**, introduced by Hollandsworth

**HB 58**, introduced by Belcourt

**HB 114**, introduced by O'Hara

**HB 156**, introduced by F. Smith

**HB 210**, introduced by McChesney

**HB 263**, introduced by Vance

**HB 359**, introduced by Vance

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**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 605**, introduced by Burnett, Hiner, referred to Appropriations.

**HB 606**, introduced by Stahl, referred to Appropriations.

**HB 607**, introduced by Welborn, Flynn, Rosendale, referred to Fish, Wildlife and Parks.

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

**HJR 22**, introduced by O'Neil, referred to State Administration.

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

**SB 261**, introduced by Essmann, C. Williams, McGillvray, Sesso, referred to Taxation.

**SB 303**, introduced by Brenden, Ripley, Arthun, Jones, Berry, J. Peterson, Walker, Murphy, Lewis, Steinbeisser, Hutton, Olson, Hinkle, Keane, Vincent, De. Barrett, Moore, Jackson, Tutvedt, Priest, referred to Local Government.

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

Total 94

Nays: Hale, McClafferty, Miller, Stahl.

Total 4

Excused: Swanson.

Total 1

Absent or not voting: Wilmer.

Total 1

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**HB 568** passed 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, Hansen, Harris, Hendrick, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McChesney, McGillvray, McNiven, McNutt, 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 67

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

Total 32

Excused: Swanson.

Total 1

Absent or not voting: None.

Total 0

**SB 64** concurred in as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, Berry, Blyton, Boland, Brodehl, Burnett, Clark, Connell, Cook, Court, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Harris, 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, Read, Regier, Reichner, Reinhart, Roberts, Salomon, Sands, Schmidt, Sesso, F. Smith, Squires, Stahl, Taylor, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Mr. Speaker.

Total 83

Nays: G. Bennett, Blasdel, Hale, Hansen, Hendrick, Kennedy, McGillvray, More, Osmundson, Rosendale, Skattum, Skees, Small, C. Smith, Vance, Yates.

Total 16

Excused: Swanson.

Total 1

Absent or not voting: None.

Total 0

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**SB 69** concurred in as follows:

Yeas: Ankney, Barrett, Belcourt, B. Bennett, Boland, Clark, Connell, Court, Cuffe, Driscoll, Ehli, Evans, Fitzpatrick, Furey, Greef, Hands, Hill, Hiner, Hollenbaugh, Hoven, Hunter, Ingraham, Klock, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, McNutt, Mehlhoff, Menahan, Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Price, Reinhart, Roberts, Sands, Schmidt, Sesso, Small, F. Smith, Squires, Warburton, Williams, Wilmer.

Total 50

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

Total 49

Excused: Swanson.

Total 1

Absent or not voting: None.

Total 0

**SB 72** concurred in as follows:

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

Total 77

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

Total 22

Excused: Swanson.

Total 1

Absent or not voting: None.

Total 0

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**SB 73** concurred in as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Blyton, Boland, Brodehl, Clark, Connell, Cook, Court, Driscoll, Ehli, Esp, Fitzpatrick, Furey, Gibson, Greef, Hale, Hands, Hansen, 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, Taylor, Warburton, Williams, Wilmer, Yates, Mr. Speaker.

Total 74

Nays: Berry, Blasdel, Burnett, Cuffe, Edmunds, Evans, Flynn, Harris, Hendrick, Kennedy, Kerns, Knox, McGillvray, More, O'Neil, Osmundson, Regier, Reichner, Skattum, Skees, C. Smith, Vance, Wagner, Washburn, Welborn.

Total 25

Excused: Swanson.

Total 1

Absent or not voting: None.

Total 0

**SB 95** concurred in as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry, Blasdel, Blyton, Boland, Brodehl, Burnett, Clark, Connell, Court, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, 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 97

Nays: Cook, Fitzpatrick.

Total 2

Excused: Swanson.

Total 1

Absent or not voting: None.

Total 0

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**SB 152** concurred in as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, Berry, Blasdel, Blyton, Boland, Brodehl, Burnett, Clark, Connell, Cook, Court, Driscoll, Edmunds, Ehli, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Hansen, Harris, 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, More, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Taylor, Vance, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 89

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

Total 10

Excused: Swanson.

Total 1

Absent or not voting: None.

Total 0

**SB 165** concurred in 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, Gibson, Greef, Hale, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, 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, 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: B. Bennett, Hands, MacDonald, Pease-Lopez, Sands.

Total 5

Excused: Swanson.

Total 1

Absent or not voting: None.

Total 0

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**SB 186** 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, 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, 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, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.  
Total 95

Nays: Esp, Hale, Miller, Wagner.  
Total 4

Excused: Swanson.  
Total 1

Absent or not voting: None.  
Total 0

**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 Clark in the chair.

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

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

**SB 203** - Representative McGillvray moved consideration of **SB 203** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

**HB 463** - Representative Reichner moved **HB 463** 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, 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,



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Rosendale, Salomon, Skattum, Skees, Small, 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, Hoven, Hunter, MacDonald, Malek, McChesney, McClafferty, McNally, Mehlhoff, Menahan, Noonan, Pease-Lopez, Phillips, Price, Reinhart, Sands, Schmidt, Sesso, F. Smith, Squires, Swanson, Williams, Wilmer.  
Total 33

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 467** - Representative Brodehl moved **HB 467** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry, Blasdel, Blyton, Boland, Brodehl, Clark, Connell, Cook, Court, Cuffe, Driscoll, Ehli, Esp, 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, 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, Swanson, Taylor, Vance, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.  
Total 92

Nays: Burnett, Edmunds, Hale, Kerns, Knox, McGillvray, More, Wagner.  
Total 8

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SJR 9** - Representative Read moved **SJR 9** be concurred in.

Representative McChesney rose on a point of personal privilege to state that he found Representative Kern's comments offensive and rude and totally unnecessary.

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Representative Harris rose on a point of personal privilege to state that when he stands up to talk about his patriotism, his love for his country and his constitution he doesn't want to be called names and he doesn't think it's fair.

Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, 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, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Yates, Mr. Speaker.

Total 67

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

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 289** - Representative Hunter moved **SB 289** be concurred in. Motion carried 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, 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, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Phillips, Price, Randall, Read, Regier, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skees, F. Smith, Squires, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 89

Nays: Bangerter, Esp, Hale, Hendrick, McGillvray, Peterson, Reichner, Skattum, Small, C. Smith.

Total 10

Excused: None.

Total 0

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Absent or not voting: Stahl.

Total 1

**SB 211** - Representative Berry moved **SB 211** 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, 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, 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, Mr. Speaker.

Total 95

Nays: Hendrick, Miller, Peterson, Welborn, Yates.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 256** - Representative Rosendale moved **SB 256** 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, 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.

Total 0

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Absent or not voting: None.

Total 0

**SB 258** - Representative Vance moved **SB 258** 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, Driscoll, Ehli, Fitzpatrick, Furey, Greef, Hands, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Kary, Kennedy, Klock, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, Noonan, O'Hara, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Swanson, Taylor, Vance, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 81

Nays: G. Bennett, Cuffe, Edmunds, Esp, Evans, Flynn, Gibson, Hale, Hoven, Kerns, Knox, Knudsen, Miller, More, O'Neil, Randall, Skattum, Wagner, Warburton.

Total 19

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 335** - Representative Bangerter moved **SB 335** 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, 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, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, C. Smith, F. Smith, Squires, Stahl, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Williams, Wilmer, Yates, Mr. Speaker.

Total 95

Nays: Cuffe, Fitzpatrick, Hale, Small, Welborn.

Total 5

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

**SB 203** - Representative Ankney moved **SB 203** be concurred in. Motion carried as follows:

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

Total 88

Nays: Bangerter, G. Bennett, Cook, Esp, Harris, Hendrick, McGillvray, McNiven, Peterson, Reichner, Skattum, C. Smith.

Total 12

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 Clark 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, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Greef, Hale, Hansen, Harris, Hendrick, 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, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Skattum, Small, C. Smith, F. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Wilmer, Yates, Mr. Speaker.

Total 82

Nays: B. Bennett, Cook, Court, Gibson, Hands, Hill, MacDonald, Malek, Phillips, Price, Reinhart, Sands, Schmidt, Squires, Williams.

Total 15

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Excused: Swanson.

Total 1

Absent or not voting: Sesso, Skees.

Total 2

**MOTIONS**

Representative Hands moved that **HB 281** be taken from Judiciary and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: Ankney, Bangerter, Barrett, Belcourt, B. Bennett, Boland, Cook, Court, Driscoll, Ehli, Furey, Gibson, Hands, Harris, Hill, Hiner, Hollenbaugh, Hunter, Ingraham, Klock, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Noonan, O'Hara, Pease-Lopez, Phillips, Price, Read, Reinhart, Sands, Schmidt, Sesso, F. Smith, Squires, Williams, Wilmer, Yates.

Total 44

Nays: Arntzen, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cuffe, Edmunds, Esp, Evans, Fitzpatrick, Flynn, Greef, Hale, Hansen, Hendrick, Hollandsworth, Hoven, Howard, Kary, Kennedy, Kerns, Knox, Knudsen, Lavin, McGillvray, McNutt, Menahan,

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

Total 53

Excused: Swanson.

Total 1

Absent or not voting: Skees, Small.

Total 2

Representative Esp moved to reconsider action taken on **SB 36**. Motion carried.

Representative Esp moved to remove **SB 36** from Third Reading on March 11, 2011 and place on Second Reading. Motion carried.

Representative McGillvray moved **HB 463** be moved from the Committee of the Whole after Second Reading to the Appropriations 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., Friday, March 11, 2011. Motion carried.

House adjourned at 2:52 p.m.

BETH CARGO  
Chief Clerk of the House

MIKE MILBURN  
Speaker of the House