

**HOUSE JOURNAL
62ND LEGISLATURE
SIXTIETH LEGISLATIVE DAY**

Helena, Montana
March 17, 2011

House Chambers
State Capitol

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

Roll Call. All members present, except Representatives Reichner and Swanson, excused. Quorum present.

BILLS (O'Hara, Chairman):

3/17/2011

Correctly printed: **HB 15, HB 51, SB 3, SB 179, SB 213.**

Correctly engrossed: **HB 5, HB 6, HB 7, HB 9, HB 10, HB 375, HB 513, SB 156, SB 221, SB 307, SB 352.**

Correctly enrolled: **HB 28, HB 37, HB 63, HB 70, HB 126, HB 187, HB 327, HB 426.**

Examined by the sponsor and found to be correct: **HB 28, HB 37, HB 70, HB 126, HB 176, HB 187, HB 426.**

Signed by the Speaker at 2:26 p.m., March 17, 2011: **HB 78, HB 98, HB 120, HB 176, HB 287, HB 356, HB 367, HB 399.**

Signed by the Chief Clerk of the House at 12:00 p.m., March 17, 2011: **HB 78, HB 98, HB 120, HB 176, HB 287, HB 356, HB 367, HB 399.**

Signed by the Speaker at 10:40 a.m., March 17, 2011: **HB 62, HB 81, HB 86, HB 252.**

Signed by the Speaker at 10:45 a.m., March 28, 2011: **HB 23, HB 53, HB 79, HB 92, HB 93, HB 118, HB 119, HB 127, HB 169, HB 233, HB 419, HJR 6.**

Delivered to the Secretary of State at 3:42 p.m., March 17, 2011: **HJR 6.**

Delivered to the Governor for approval at 4:00 p.m., March 17, 2011: **HB 78, HB 98, HB 120, HB 176, HB 287, HB 356, HB 367, HB 399.**

Delivered to the Governor for approval at 3:30 p.m., March 17, 2011: **HB 23, HB 53, HB 62, HB 79, HB 81, HB 86, HB 92, HB 93, HB 118, HB 119, HB 127, HB 169, HB 233, HB 252, HB 419.**

Montana High School Rodeo Queen Hanna Heckman from Choteau, Montana addressed the House.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (McNutt, Chairman):

3/17/2011

HB 10, introduced bill, be amended as follows:

1. Page 5, line 2.

Strike: "\$10,737,273"

Insert: "\$4,762,033"

And, as amended, do pass. Report adopted.

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HB 15, do pass. Report adopted.

HB 51, do pass. Report adopted.

BUSINESS AND LABOR (Arntzen, Chairman):

3/16/2011

SB 221, be amended as follows:

1. Page 9, line 14.

Insert: "COORDINATION SECTION. Section 4. Coordination instruction. If Senate Bill No. 351 and [this act] are passed and approved and if both contain a section that amends 53-6-702, the sections amending 53-6-702 are void and 53-6-702 must be amended as follows:

"53-6-702. Definitions. As used in this part, the following definitions apply:

(1) "Department" means the department of public health and human services.

(2) "Health maintenance organization" means a health maintenance organization as defined in 33-31-102.

~~(3) (a) "Managed care community network" or "network" means an entity, other than a health maintenance organization, that provides or arranges for comprehensive physical or mental health care services under a contract with the department, that is reimbursed by a capitated rate or a fixed monetary amount for a specified time period with a risk of financial loss or a financial incentive to the entity, and that:~~

~~—— (i) contracts for an estimated annual value of \$1 million or more of state and federal medicaid funds; or~~

~~—— (ii) operates statewide or covers 20% or more of the medicaid population.~~

~~—— (b) The term does not include a provider of health care services under a contract with the department on a fee-for-service basis or a PACE organization, as defined in 42 CFR 460.6, that has received a waiver under 33-31-201.~~

~~(4)(3) (a) "Managed health care entity" or "entity" means a health maintenance organization or a managed care community network an insurer regulated under Title 33 that:~~

~~—— (i) contracts for an estimated annual value of \$1 million or more of state and federal medicaid funds; or~~

~~—— (ii) operates statewide or covers 20% or more of the medicaid population.~~

~~—— (b) The term does not include:~~

~~—— (i) a provider of health care services under a contract with the department on a fee-for-service basis; or~~

~~—— (ii) a PACE organization as defined in 42 CFR 460.6 or an accountable care organization as defined in 33-31-102 that has received a waiver under 33-31-201.~~

~~(5)(4) "Program" means an element of the integrated health care system created by this part."~~

And, as amended, be concurred in. Report adopted.

HUMAN SERVICES (Howard, Chairman):

3/16/2011

SB 156, be amended as follows:

1. Page 1, line 23 through line 25.

Strike: "up to 15% of" on line 23

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Following: "for" on line 23

Insert: ":"

Strike: "costs related to" on line 23 through "benefits" on line 25

Insert: "(i) monthly cash benefit payments; or

(ii) supportive services costs as allowed under the Montana state plan for the temporary assistance for needy families program"

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (Ingraham, Chairman):

3/17/2011

HB 513, introduced bill, be amended as follows:

1. Title, page 1, line 14 through line 16.

Strike: "REQUIRING" on line 14 through "COIN;" on line 16

2. Title, page 1, line 17.

Strike: "19-20-501,"

3. Page 22, line 9 through line 27.

Strike: section 25 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

SB 3, be concurred in. Report adopted.

SB 307, be amended as follows:

1. Title, line 4.

Following: "ACT"

Insert: "REVISING THE PRIVATIZATION PLAN REVIEW PROCESS;"

2. Title, line 8.

Strike: "SECTION"

Insert: "SECTIONS 2-8-102,"

Following: "2-8-105,"

Insert: "2-8-301, AND 2-8-304,"

3. Page 1, line 23.

Following: line 22

Insert: "**Section 2.** Section 2-8-102, MCA, is amended to read:

"2-8-102. Definitions. As used in this part, the following definitions apply:

(1) "Agency" means an office, position, commission, committee, board, department, council, division, bureau, section, or any other entity or instrumentality of the executive department of state government.

(2) "Performance audit" means an examination of the effectiveness of administration and

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its efficiency and adequacy in terms of the program of a state agency authorized by law to be performed and the conformance of expenditures with legislative intent. Audits conducted shall include an analysis of the operation of the agency, with special regard to the duplication of efforts between the audited agency or program and other agencies or programs and the quality of service being rendered.

(3) "Privatization" means to transfer control or management of an agency, program, or service from the public sector to the private sector.

~~(3)~~(4) "Program" means any legislatively or administratively created function, project, or duty of an agency."

Renumber: subsequent sections

4. Page 2, line 7.

Strike: "recommendations"

Insert: "a report"

5. Page 2, line 8.

Strike: "in the form of a report"

6. Page 2, line 11.

Following: line 10

Insert: "**Section 4.** Section 2-8-301, MCA, is amended to read:

"2-8-301. Definitions. As used in this part, the following definitions apply:

(1) "Agency" means an office, position, commission, committee, board, department, council, division, bureau, section, or any other entity or instrumentality of the executive, legislative, or judicial branch of state government.

(2) "Private sector" means any entity or individual not principally a part of or associated with a governmental unit that is associated with or involved in commercial activity.

~~(3) (a) "Privatize" means an agency contracting with the private sector to provide services that are currently or normally conducted directly by the employees of the state to transfer control or management of an agency, program, or service from the public sector to the private sector.~~

~~(b) The term does not include contracting with the private sector to provide services on a temporary or emergency basis.~~

~~(4) "Program" means a legislatively or administratively created function, project, or duty of an agency."~~

Insert: "**Section 5.** Section 2-8-304, MCA, is amended to read:

"2-8-304. Review of privatized programs. (1) If during audits of state agencies, the legislative auditor identifies programs being conducted by an agency under contract that may be administered more cost-effectively directly by the agency or identifies services performed by an agency that may be performed more cost-effectively by the private sector, the legislative auditor shall submit this information to the legislative audit committee.

~~(2) Members of the public, elected bargaining agents or employee representatives, elected officials, legislators, and agency directors may submit to the legislative audit committee a request to review programs being conducted under contract by an agency that may be administered more cost-effectively directly by the agency.~~

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~~(3)~~(2) The office of budget and program planning shall may submit to the legislative audit committee, by July 1 of each odd-numbered year:

(a) a list of all programs accounted for in an enterprise fund or an internal service fund; and

(b) a request for privatization review under subsection (1) of at least two of the programs identified in subsection ~~(3)~~(a) (2)(a), including any available information and criteria required under 2-8-303.

~~(4)~~(3) The legislative audit committee shall review the information and requests provided under ~~subsections~~ subsection (1) ~~and (2)~~ and may direct the legislative auditor to conduct a review of any contracted program or program administered directly by the agency, or both. The review must include a report to the legislative audit committee that includes the information required in a privatization plan under 2-8-303.

~~(5)~~(4) The report required by subsection ~~(4)~~ (3) must be provided to the legislative audit committee and released to the public. Not less than 30 days after the release of the report, the legislative audit committee shall conduct a public hearing on the report at which public comments and testimony must be received. Upon completion of the hearing on the report, the legislative audit committee may make recommendations that it believes appropriate concerning the program."''

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

TRANSPORTATION (Vance, Chairman):

3/16/2011

SB 179, be concurred in. Report adopted.

SB 213, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/16/2011

HB 61, introduced by MacLaren

HB 288, introduced by Sands

House amendments to Senate bill concurred in:

3/16/2011

SB 67, introduced by Shockley

SB 325, introduced by Balyeat, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted to the House with the following vote:

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Yeas - 26

Nays - 24

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Senate bills passed and transmitted to the House for concurrence: 3/16/2011

SB 110, introduced by Brenden
SB 199, introduced by Balyeat
SB 288, introduced by Gillan
SB 312, introduced by Vincent
SB 329, introduced by Zinke
SB 333, introduced by Shockley
SB 347, introduced by Lake

House bills concurred in and returned to the House: 3/16/2011

HB 28, introduced by McNutt
HB 37, introduced by McChesney
HB 70, introduced by Menahan
HB 426, introduced by MacLaren

FIRST READING AND COMMITMENT OF BILLS

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

HB 620, introduced by Berry, Hunter, Welborn, McChesney, Hiner, Ankney, MacLaren, Noonan, referred to Business and Labor.
HB 621, introduced by Ankney, referred to Appropriations.
HB 622, introduced by Ankney, referred to Appropriations.
HB 623, introduced by Furey, referred to Appropriations.

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

SB 110, introduced by Brenden, referred to Taxation.
SB 199, introduced by Balyeat, Gallus, Yates, Moore, De. Barrett, J. Peterson, Lewis, Steinbeisser, Ripley, Brenden, Walker, Olson, Arthun, Wittich, Buttrey, Jackson, Zinke, Essmann, Hinkle, Shockley, Hendrick, Vance, Vincent, Priest, Windy Boy, Burnett, referred to Taxation.
SB 288, introduced by Gillan, referred to Taxation.
SB 312, introduced by Vincent, G. Bennett, Cuffe, Hamlett, Murphy, Wagner, Keane, referred to Natural Resources.
SB 325, introduced by Balyeat, Arthun, Hinkle, Jones, Jackson, Steinbeisser, Ripley, Olson, Lake, Ankney, Kennedy, Greef, Shockley, Brodehl, Zinke, Knox, Wittich, Kerns, Vance, Randall, Blasdel, Brenden, Warburton, Moore, C. Smith, referred to State Administration.
SB 329, introduced by Zinke, Moore, Jones, Branae, Hawks, Ripley, Brown, Stewart-Peregoy, Reichner, Facey, Olson, Hansen, referred to Education.
SB 333, introduced by Shockley, referred to Taxation.
SB 347, introduced by Lake, referred to Judiciary.

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Representative Cuffe rose on a point of personal privilege to recognize General Thomas Meagher and recognize Ireland on Saint Patrick's Day.

Representative McGillvray moved that the House Republicans Caucus. Motion carried.
Representative Hands moved that the House Democrats Caucus. Motion carried.

House Recessed.
House Reconvened.

**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 Hollenbaugh in the chair.

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

SB 294 - Representative McGillvray moved consideration of **SB 294** be passed for the day. Motion carried.

HB 64 - Senate Amendments - Representative Stahl moved Senate amendments to **HB 64** 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

Absent or not voting: None.
Total 0

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SB 47 - Representative Connell moved **SB 47** be concurred in. 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, 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, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Skattum, Skees, Small, C. Smith, F. Smith, Squires, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Williams, Wilmer, Yates, Mr. Speaker.

Total 94

Nays: B. Bennett, Boland, Reichner, Sesso, Welborn.

Total 5

Excused: None.

Total 0

Absent or not voting: Stahl.

Total 1

SB 49 - Representative Arntzen moved **SB 49** 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

Absent or not voting: None.

Total 0

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SB 128 - Representative Ehli moved **SB 128** 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

Absent or not voting: None.

Total 0

SB 52 - Representative Kennedy moved **SB 52** 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, Stahl, Swanson, Taylor, Vance, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 98

Nays: Squires.

Total 1

Excused: None.

Total 0

Absent or not voting: Wagner.

Total 1

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SB 189 - Representative Noonan moved **SB 189** be concurred in. 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, Edmunds, Ehli, Esp, Evans, Flynn, Furey, Gibson, Greef, Hale, Hands, Hansen, Hendrick, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Kary, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Menahan, Miller, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Small, F. Smith, Stahl, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 87

Nays: Fitzpatrick, Harris, Hiner, Ingraham, Kennedy, Mehlhoff, More, Read, Skattum, Skees, C. Smith, Squires.

Total 12

Excused: None.

Total 0

Absent or not voting: Blasdel.

Total 1

SB 361 - Representative Gibson moved **SB 361** be concurred in. Motion carried as follows:

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

Total 79

Nays: Bangerter, G. Bennett, Burnett, Edmunds, Esp, Harris, Hendrick, Howard, Ingraham, Kennedy, MacDonald, Malek, McGillvray, McNiven, More, O'Hara, Peterson, Read, Skattum, C. Smith, Mr. Speaker.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 92 - Representative Washburn moved **SB 92** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, 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, 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 98

Nays: Barrett.

Total 1

Excused: None.

Total 0

Absent or not voting: Malek.

Total 1

SB 103 - Representative G. Bennett moved **SB 103** 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, 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: McNiven.

Total 1

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HB 82 - Senate Amendments - Representative Sands moved Senate amendments to **HB 82** be concurred in. 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, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Hansen, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Klock, Knudsen, Lavin, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Small, F. Smith, Squires, Stahl, Swanson, Taylor, Vance, Warburton, Washburn, Welborn, Williams, Wilmer, Yates.

Total 83

Nays: Blasdel, Edmunds, Esp, Hale, Harris, Hendrick, Kennedy, Kerns, Knox, Loney, More, Read, Skattum, Skees, C. Smith, Wagner.

Total 16

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

HB 94 - Senate Amendments - Representative Arntzen moved Senate amendments to **HB 94** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, Berry, 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, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, 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, Swanson, Taylor, Vance, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 83

Nays: G. Bennett, Blasdel, Blyton, Esp, Hale, Hendrick, Kennedy, Kerns, Knox, Lavin, More, O'Neil, Randall, Skattum, Skees, C. Smith, Wagner.

Total 17

Excused: None.

Total 0

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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 Hollenbaugh 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, 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, 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, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Mr. Speaker.

Total 96

Nays: None.

Total 0

Excused: Reichner, Swanson.

Total 2

Absent or not voting: Hollenbaugh, Yates.

Total 2

Representative Cuffe rose on a point of personal privilege to share more information about General Thomas Meagher and recognized Representative Vance whose great-great uncle was General Thomas Meagher.

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 28 concurred in 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, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Kary, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Hara, O'Neil,

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Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Regier, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Taylor, Vance, Wagner, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 92

Nays: G. Bennett, Hale, Howard, Kennedy, Read, Warburton.

Total 6

Excused: Reichner, Swanson.

Total 2

Absent or not voting: None.

Total 0

SB 32 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, 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: Reichner, Swanson.

Total 2

Absent or not voting: None.

Total 0

SB 36 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,

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McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Regier, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, Small, F. Smith, Squires, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.
Total 97

Nays: None.
Total 0

Excused: Reichner, Swanson.
Total 2

Absent or not voting: C. Smith.
Total 1

SB 38 concurred in as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry, Blasdel, Blyton, Boland, Burnett, Clark, Connell, Cook, Court, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, 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, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Regier, 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: Brodehl.
Total 1

Excused: Reichner, Swanson.
Total 2

Absent or not voting: Harris.
Total 1

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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 18, 2011. Motion carried.

House adjourned at 2:16 p.m.

BETH CARGO
Chief Clerk of the House

MIKE MILBURN
Speaker of the House