

**HOUSE JOURNAL
62ND LEGISLATURE
SIXTY-FIRST LEGISLATIVE DAY**

Helena, Montana
March 18, 2011

House Chambers
State Capitol

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

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

BILLS (O'Hara, Chairman): 3/18/2011

Correctly engrossed: **HB 316, HB 560, HB 561, HB 562, HB 577, HB 598, SB 1, SB 75, SB 198.**

Correctly enrolled: **HB 52, HB 99, HB 254, HB 270, HB 348, HB 374.**

Correctly printed: **SB 55, SB 68, SB 76, SB 114, SB 153, SB 194, SB 229, SB 324, SB 374.**

Examined by the sponsor and found to be correct: **HB 63, HB 327.**

Representative Burnett introduced the Sticht Family. Jeanne, Shauna, Emma, Maddie, Russell and Sophie Sticht entertained the House with music.

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the forty-sixth, forty-seventh, forty-eighth, forty-ninth, and fiftieth legislative days, find the same to be correct.

Representative O'Hara, Chair

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (McNutt, Chairman): 3/17/2011
HB 316, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "INCREASING THE BALANCE OF THE STATE GENERAL FUND;"

Insert: "REVISING THE ALLOCATION OF REVENUE AND INCOME TO THE STATE GENERAL FUND AND THE GUARANTEE ACCOUNT;"

2. Title, page 1, line 15.

Strike: "REVISING THE ALLOCATION OF NURSING FACILITY UTILIZATION FEES;"

3. Title, page 1, line 16, through page 1, line 19.

Strike: "REVISING" on page 1, line 16 through "TAXES;" on line 19

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

4. Title, page 1, line 19 through line 24.

Strike: the second "REVISING" on line 19 through "FEES;" on line 24

5. Title, page 1, line 25 through line 26.

Following: "FEE"

Strike: remainder of line 25 through "FEES" on line 26

6. Title, page 1, line 28.

Strike: "15-60-102,"

7. Title, page 1, line 29.

Strike: "15-60-210, 15-60-211,"

Strike: "15-66-102," through "16-11-119,"

8. Title, page 1, line 30.

Strike: "17-6-606," through "33-2-708,"

9. Title, page 2, line 1.

Strike: "33-28-120, 53-6-149, 61-5-121,"

10. Title, page 2, line 2.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

11. Page 2, line 12.

Strike: "10.8%"

Insert: "12%"

12. Page 2, line 14.

Strike: "4.914%"

Insert: "5.46%"

13. Page 2, line 27.

Strike: "0.567%"

Insert: "0.63%"

14. Page 3, line 1.

Strike: "5.22%"

Insert: "5.8%"

15. Page 3, line 2.

Strike: "2.61%"

Insert: "2.9%"

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

16. Page 3, line 10.

Strike: "\$58,500"

Insert: "\$65,000"

17. Page 3, line 11.

Strike: "\$562,500"

Insert: "\$625,000"

18. Page 3, line 12.

Strike: "\$1.1475"

Insert: "\$1.031"

19. Page 3, line 15.

Strike: "\$112,500"

Insert: "\$125,000"

20. Page 3, line 16.

Strike: "\$45,000"

Insert: "\$50,000"

21. Page 3, line 17.

Strike: "\$382,500"

Insert: "\$425,000"

22. Page 3, line 18.

Strike: "\$180,000"

Insert: "\$200,000"

23. Page 3, line 20.

Strike: "\$270,000"

Insert: "\$300,000"

24. Page 3, line 27.

Strike: "10.8%"

Insert: "12%"

25. Page 3, line 29.

Strike: "4.914%"

Insert: "5.46%"

26. Page 4, line 12.

Strike: "0.567%"

Insert: "0.63%"

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

27. Page 4, line 16.

Strike: "5.22%"

Insert: "5.8%"

28. Page 4, line 17.

Strike: "2.61%"

Insert: "2.9%"

29. Page 4, line 25.

Strike: "\$58,500"

Insert: "\$65,000"

30. Page 4, line 26.

Strike: "\$1.125"

Insert: "\$1.25"

31. Page 4, line 27.

Strike: "\$3.285 million"

Insert: "\$3,168,500"

32. Page 4, line 30.

Strike: "\$112,500"

Insert: "\$125,000"

33. Page 5, line 1.

Strike: "\$45,000"

Insert: "\$50,000"

34. Page 5, line 2.

Strike: "\$382,500"

Insert: "\$425,000"

35. Page 5, line 3.

Strike: "\$180,000"

Insert: "\$200,000"

36. Page 5, line 5.

Strike: "\$270,000"

Insert: "\$300,000"

37. Page 5, line 12.

Strike: "10.8%"

Insert: "12%"

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

38. Page 5, line 14.

Strike: "4.914%"

Insert: "5.46%"

39. Page 5, line 27.

Strike: "0.567%"

Insert: "0.63%"

40. Page 6, line 1.

Strike: "2.61%"

Insert: "2.9%"

41. Page 6, line 17.

Following: "82-11-135"

Insert: ", and 10% of the proceeds must be deposited in the general fund"

42. Page 6, line 19.

Following: "the account"

Insert: ", and 10% of the proceeds must be deposited in the general fund"

43. Page 6, line 20.

Following: "year,"

Strike: "90%"

Insert: "10%"

44. Page 6, line 21.

Following: "(b)"

Insert: "must be deposited in the general fund and 90%"

45. Page 8, line 9.

Following: line 8

Insert: "(i) 0.237% to the coal bed methane protection account established in 76-15-904;"

Renumber: subsequent subsections

46. Page 8, line 9.

Strike: "1.944%"

Insert: "2.16%"

47. Page 8, line 11.

Strike: "1.818%"

Insert: "2.64%"

48. Page 8, line 13.

Strike: "2.655%"

Insert: "1.88%"

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

49. Page 11, line 5.

Strike: "\$3.15"

Insert: "\$3.5"

50. Page 11, line 7.

Strike: "\$270,000"

Insert: "\$300,000"

51. Page 11, line 8 through page 11, line 10.

Strike: subsection (iii) in its entirety

Renumber: subsequent subsections

52. Page 11, line 11.

Strike: "\$430,000"

Insert: "\$500,000"

53. Page 11, line 22.

Strike: "58.5%"

Insert: "65%"

54. Page 11, line 28.

Strike: "10%"

Insert: "3.5%"

55. Page 12, line 5 through page 13, line 12.

Strike: section 6 through section 8 in their entirety

Renumber: subsequent sections

56. Page 14, line 29 through page 20, line 3.

Strike: section 10 through section 15 in their entirety

Renumber: subsequent sections

57. Page 20, line 7.

Strike: "state general fund"

Insert: "guarantee account provided for in 20-9-622"

58. Page 20, line 16 through page 31, line 16.

Strike: section 17 through section 25 in their entirety

Renumber: subsequent sections

59. Page 31, line 22.

Strike: "10%"

Insert: "16.38%"

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

60. Page 31, line 27 through page 34, line 8.

Strike: section 27 through section 29 in their entirety

Renumber: subsequent sections

61. Page 37, line 30 through page 38, line 8.

Strike: section 34 in its entirety

Renumber: subsequent sections

62. Page 38, line 15.

Following: line 14

Insert: "NEW SECTION. Section 15. Termination. [This act] terminates June 30, 2015."

And, as amended, do pass. Report adopted.

JUDICIARY (Peterson, Chairman):

3/18/2011

SB 68, be concurred in. Report adopted.

SB 76, be concurred in. Report adopted.

SB 114, be concurred in. Report adopted.

SB 153, be concurred in. Report adopted.

SB 324, be concurred in. Report adopted.

STATE ADMINISTRATION (Ingraham, Chairman):

3/18/2011

SB 55, be concurred in. Report adopted.

SB 194, be concurred in. Report adopted.

SB 198, be amended as follows:

1. Title, page 1, line 8.

Following: "5-4-201"

Insert: ", 5-4-203,"

2. Page 1.

Following: line 18

Insert: "**Section 2.** Section 5-4-203, MCA, is amended to read:

"5-4-203. Budget director to prepare note. (1) The budget director, in cooperation with the state or local agencies or officials or organizations representing local agencies or officials affected by the bill, is responsible for the preparation of the fiscal note ~~and~~.

(2) The budget director shall ~~return same~~ complete the fiscal note within 6 days, except as provided in subsection (3). (3)(a) The budget director may request additional time to complete a note, ~~which~~. The extension must be submitted to the presiding officer or committee requesting the note for approval.

(b) The budget director shall complete a fiscal note subject to 5-4-205(1)(b) within 10 days."

Renumber: subsequent sections

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

3. Page 1, line 21.

Following: "(1)"

Insert: "(a)"

4. Page 1, line 23.

Following: "A"

Insert: "(b)"

5. Page 1, line 27.

Following: "."

Insert: "(c)"

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

SB 229, be concurred in. Report adopted.

SB 374, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/17/2011

HB 52, introduced by Ankney

HB 99, introduced by Ingraham

HB 254, introduced by Vance

HB 270, introduced by Lavin

HB 348, introduced by Malek

HB 374, introduced by Hansen

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

3/17/2011

HB 59, introduced by Belcourt

HB 103, introduced by Fitzpatrick

HB 251, introduced by Hoven

HB 300, introduced by Flynn

HB 380, introduced by Blasdel

HB 552, introduced by Hale

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

3/17/2011

SB 376, introduced by Lake

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

MESSAGES FROM THE GOVERNOR

March 17, 2011

The Honorable Mike Milburn
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Milburn:

Please be informed that I have signed **House Bill 19** sponsored by Representative Sands, **House Bill 38** sponsored by Representative Boland, **House Bill 44** sponsored by Representative Hoven, **House Bill 57** sponsored by Representative Hiner, **House Bill 74** sponsored by Representative Schmidt, **House Bill 84** sponsored by Representative Boland, **House Bill 101** sponsored by Representative MacDonald, **House Bill 204** sponsored by Representative Salomon et al., **House Bill 208** sponsored by Representative Welborn et al., and **House Bill 294** sponsored by Representative Cook on March 16, 2011.

Sincerely,

BRIAN SCHWEITZER
Governor

FIRST READING AND COMMITMENT OF BILLS

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

HB 624, introduced by Furey, referred to Appropriations.

HB 625, introduced by Furey, referred to Appropriations.

HB 626, introduced by Schmidt, referred to Taxation.

HB 627, introduced by G. Bennett, Milburn, Regier, Taylor, Warburton, C. Smith, McGillvray, referred to Judiciary.

HB 628, introduced by Stahl, referred to Appropriations.

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

SB 376, introduced by Lake, referred to Taxation.

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:

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

HB 64 passed as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, 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, Pease-Lopez, Peterson, 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, Wilmer, Yates, Mr. Speaker.

Total 94

Nays: Belcourt, Williams.

Total 2

Excused: Osmundson, Phillips, Reichner, Swanson.

Total 4

Absent or not voting: None.

Total 0

HB 82 passed as follows:

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

Total 80

Nays: G. Bennett, Blasdel, Cuffe, Edmunds, Hale, Harris, Kennedy, Kerns, Knox, More, Read, Skattum, Skees, C. Smith, Wagner.

Total 15

Excused: Osmundson, Phillips, Reichner, Swanson.

Total 4

Absent or not voting: Wilmer.

Total 1

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

HB 94 passed as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, Berry, Blyton, Boland, Brodehl, Clark, Connell, Cook, Court, Driscoll, Edmunds, Ehli, Evans, Fitzpatrick, Furey, Gibson, Greef, Hands, Hansen, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Klock, Knudsen, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, Noonan, O'Hara, Pease-Lopez, Peterson, Price, Regier, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Small, Squires, Stahl, Taylor, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 72

Nays: G. Bennett, Blasdel, Burnett, Cuffe, Esp, Flynn, Hale, Harris, Hendrick, Kennedy, Kerns, Knox, Lavin, Miller, More, O'Neil, Randall, Skattum, Skees, C. Smith, Vance, Wagner.

Total 22

Excused: Osmundson, Phillips, Reichner, Swanson.

Total 4

Absent or not voting: Read, F. Smith.

Total 2

SB 47 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, Hands, Hansen, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Hara, O'Neil, Pease-Lopez, Peterson, 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 93

Nays: B. Bennett, Knox.

Total 2

Excused: Osmundson, Phillips, Reichner, Swanson.

Total 4

Absent or not voting: Harris.

Total 1

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

SB 49 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, Pease-Lopez, Peterson, 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: None.

Total 0

Excused: Osmundson, Phillips, Reichner, Swanson.

Total 4

Absent or not voting: None.

Total 0

SB 52 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, More, Noonan, O'Hara, O'Neil, Pease-Lopez, Peterson, 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 95

Nays: None.

Total 0

Excused: Osmundson, Phillips, Reichner, Swanson.

Total 4

Absent or not voting: Miller.

Total 1

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

SB 92 concurred in 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, 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, O'Hara, O'Neil, Pease-Lopez, Peterson, Price, Randall, Read, Regier, 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 92

Nays: Barrett, Hale, Noonan, F. Smith.

Total 4

Excused: Osmundson, Phillips, Reichner, Swanson.

Total 4

Absent or not voting: None.

Total 0

SB 103 concurred in 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, 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, Pease-Lopez, Peterson, 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 95

Nays: Boland.

Total 1

Excused: Osmundson, Phillips, Reichner, Swanson.

Total 4

Absent or not voting: None.

Total 0

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

SB 128 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, Pease-Lopez, Peterson, Price, Randall, Read, Regier, Reinhart, Roberts, Rosendale, Sands, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Wilmer, Yates, Mr. Speaker.

Total 94

Nays: Salomon, Williams.

Total 2

Excused: Osmundson, Phillips, Reichner, Swanson.

Total 4

Absent or not voting: None.

Total 0

SB 189 concurred in 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, 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, Mehlhoff, Menahan, Miller, Noonan, O'Hara, O'Neil, Pease-Lopez, Peterson, Price, Randall, Regier, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Small, F. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 83

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

Total 13

Excused: Osmundson, Phillips, Reichner, Swanson.

Total 4

Absent or not voting: None.

Total 0

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

SB 361 concurred in as follows:

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

Total 73

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

Total 23

Excused: Osmundson, Phillips, Reichner, Swanson.

Total 4

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 Blyton in the chair.

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

SB 238 - Representative McGillvray moved consideration of **SB 238** be passed for the day. Motion carried.

SB 125 - Representative C. Smith moved **SB 125** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Gibson, Greef, Hale, Hansen, Harris, Hendrick, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McChesney, 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 69

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

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

Total 31

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 29 - Senate Amendments - Representative McNiven moved Senate amendments to **HB 29** be **not** concurred in. Motion carried as follows:

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

Total 62

Nays: Belcourt, B. Bennett, Boland, Clark, Cook, Court, Furey, Hands, Hansen, Hill, Hiner, Hollenbaugh, Hunter, MacDonald, Malek, McChesney, McNally, Mehlhoff, Menahan, Noonan, O'Neil, Pease-Lopez, Phillips, Read, Reinhart, Sands, Schmidt, Sesso, F. Smith, Squires, Swanson, Wagner, Warburton, Williams, Wilmer, Yates.

Total 36

Excused: Osmundson, Reichner.

Total 2

Absent or not voting: None.

Total 0

SB 120 - Representative C. Smith moved **SB 120** 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, Gibson, Greef, Hale, Hands, Hansen, Harris, Hendrick, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, More, Noonan,

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

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

Total 95

Nays: Esp.

Total 1

Excused: None.

Total 0

Absent or not voting: Furey, Hill, Knox, Sands.

Total 4

SB 138 - Representative Skees moved **SB 138** be concurred in. Motion carried as follows:

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

Total 68

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

Total 32

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Price rose on a point of personal privilege to clarify that the representative from the Governor's Office Dan Villa, did speak in favor of SB 138 but that the Montana University System did not.

Representative Skees rose on a point of personal privilege to clarify that the Montana University System did speak in favor of SB 138 in the Senate State Administration Committee and did not testify in the House State Administration Committee.

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

SB 146 - Representative Greef moved **SB 146** 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 279 - Representative Regier moved **SB 279** be concurred in.

SB 279 - Representative Menahan moved **SB 279**, second reading copy, be amended as follows:

1. Title, line 11.

Following: "CAPITOL;"

Insert: "REQUIRING TRAINING IN THE USE OF CONCEALED WEAPONS FOR LEGISLATIVE SECURITY OFFICERS;"

2. Page 2.

Following: line 2

Insert: "NEW SECTION. **Section 2. Concealed weapons -- training required for legislative security officers.** A legislative security officer must, before carrying a concealed weapon as authorized by 45-8-317, receive the same training at the Montana law enforcement academy in the use of the weapon as is provided for the basic certification of a peace officer.

Insert: "NEW SECTION. **Section 3. Codification instruction.** [Section 2] is intended to be codified as an integral part of Title 5, and the provisions of Title 5 apply to [section 2]."

Renumber: subsequent section

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

Amendment **not** adopted as follows:

Yeas: Ankney, Bangerter, Barrett, Belcourt, B. Bennett, Berry, Boland, Court, Driscoll, Ehli, Esp, Evans, Furey, Gibson, Hands, Hill, Hiner, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Lavin, MacDonald, Malek, McChesney, McClafferty, McNally, Menahan, More, Noonan, O'Hara, Pease-Lopez, Peterson, Price, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, F. Smith, Squires, Swanson, Williams, Wilmer.
Total 47

Nays: Arntzen, B. Beck, G. Bennett, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Edmunds, Fitzpatrick, Flynn, Greef, Hale, Hansen, Harris, Hendrick, Hollandsworth, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Loney, MacLaren, McGillvray, McNiven, McNutt, Mehlhoff, Miller, O'Neil, Randall, Read, Regier, Skattum, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Yates, Mr. Speaker.
Total 50

Excused: Osmundson, Phillips, Reichner.
Total 3

Absent or not voting: None.
Total 0

SB 279 - Representative Regier moved **SB 279** be concurred in. 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, Hiner, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McChesney, McGillvray, McNiven, McNutt, Mehlhoff, 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 71

Nays: Barrett, Belcourt, B. Bennett, Boland, Court, Driscoll, Furey, Hands, Hill, Hollenbaugh, Hunter, MacDonald, Malek, McClafferty, McNally, Menahan, Noonan, Pease-Lopez, Phillips, Price, Reinhart, Sands, Schmidt, Sesso, F. Smith, Squires, Swanson, Williams, Wilmer.
Total 29

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

SB 342 - Representative McNiven moved **SB 342** be concurred in. Motion carried as follows:

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

Total 66

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

Total 33

Excused: None.

Total 0

Absent or not voting: McChesney.

Total 1

SB 7 - Representative Stahl moved **SB 7** 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, Flynn, Furey, Gibson, Greef, Hale, Hands, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, More, Noonan, O'Hara, Osmundson, Pease-Lopez, Peterson, Phillips, Price, 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 96

Nays: Fitzpatrick, Miller, O'Neil, Randall.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

SB 337 - Representative K. Peterson moved **SB 337** be concurred in. Motion carried as follows:

Yeas: Bangerter, Barrett, B. Bennett, Blyton, Boland, Burnett, Connell, Cook, Court, Driscoll, Ehli, Esp, Evans, Furey, Gibson, Hands, Hansen, Hill, Hiner, Hoven, Howard, Hunter, Kerns, Knox, Loney, MacDonald, Malek, McChesney, McClafferty, McNally, McNiven, Menahan, O'Hara, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Read, Regier, Reichner, Reinhart, Sands, Schmidt, Small, F. Smith, Squires, Stahl, Swanson, Vance, Washburn, Wilmer.
Total 52

Nays: Ankney, Arntzen, B. Beck, Belcourt, G. Bennett, Berry, Blasdel, Brodehl, Clark, Cuffe, Edmunds, Fitzpatrick, Flynn, Greef, Hale, Harris, Hendrick, Hollandsworth, Hollenbaugh, Ingraham, Kary, Kennedy, Klock, Knudsen, Lavin, MacLaren, McGillvray, McNutt, Mehlhoff, Miller, More, Noonan, O'Neil, Randall, Roberts, Rosendale, Salomon, Sesso, Skattum, Skees, C. Smith, Taylor, Wagner, Warburton, Welborn, Williams, Yates, Mr. Speaker.
Total 48

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 11 - Representative Malek moved **SB 11** 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, Ehli, Esp, Evans, Flynn, Furey, Greef, Hale, Hands, Hansen, Hendrick, Hill, Hiner, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kerns, Klock, Knox, Knudsen, Lavin, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Rosendale, 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 89

Nays: G. Bennett, Edmunds, Fitzpatrick, Gibson, Harris, Hollandsworth, Kennedy, Loney, McGillvray, Roberts, Salomon.
Total 11

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

SB 12 - Representative Di. Barrett moved **SB 12** 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, 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, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates.

Total 95

Nays: Loney, McGillvray, More, Skattum, Mr. Speaker.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 205 - Representative Klock moved **SB 205** 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, Ehli, Esp, Evans, Fitzpatrick, Furey, Gibson, Greef, Hale, 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, Miller, Noonan, O'Hara, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skees, C. Smith, F. Smith, Squires, Stahl, Swanson, Taylor, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 89

Nays: Edmunds, Flynn, Kennedy, Kerns, Knox, More, O'Neil, Read, Skattum, Small, Vance.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

Majority Leader McGillvray moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Blyton 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, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Driscoll, Edmunds, Ehli, Esp, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hansen, Harris, Hendrick, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, Malek, McClafferty, McGillvray, McNiven, McNutt, Mehlhoff, Menahan, Miller, More, O'Hara, O'Neil, Peterson, Randall, Read, Regier, Roberts, Rosendale, Skattum, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 77

Nays: B. Bennett, Boland, Hands, Hill, MacDonald, McChesney, McNally, Noonan, Pease-Lopez, Price, Reinhart, Salomon, Sands, Schmidt, Sesso, F. Smith, Squires.

Total 17

Excused: Osmundson, Phillips, Reichner, Swanson.

Total 4

Absent or not voting: Court, Evans.

Total 2

REPORTS OF STANDING COMMITTEES

TAXATION (Blasdel, Chairman):

3/18/2011

HB 560, introduced bill, be amended as follows:

1. Title, page 1, line 5, through page 1, line 6.

Strike: "PROVIDING" on line 5 through "WEBSITE" on line 6

Insert: "REQUIRING THE URBAN RENEWAL DISTRICT TO INCLUDE THE AMOUNT OF THE TAX INCREMENT OF THE DISTRICT IN THE REPORT FILED WITH THE MUNICIPALITY"

2. Page 1, line 30 through page 2, line 1.

Strike: "in enough" on page 1, line 30 through "renewal" on page 2, line 1

3. Page 2, line 3.

Strike: "specify"

Insert: "indicate"

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

4. Page 2, line 11.

Following: "expenses"

Insert: "and the amount of the tax increment"

5. Page 2, line 15 through line 22.

Strike: subsection (4) in its entirety

And, as amended, do pass. Report adopted.

HB 561, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Strike: "TERMINOLOGY AND"

Insert: "THE"

Strike: "VARIOUS"

2. Title, page 1, line 5 through line 8.

Strike: "REPLACING" on line 5 through "RENEWAL;" on line 8

3. Title, page 1, line 9.

Following: "EXIST;"

Insert: "AND"

Strike: "SECTIONS"

Insert: "SECTION"

Strike: "7-15-4202" through "7-15-4209,"

4. Title, page 1, line 9 through line 11.

Strike: "7-15-4216," on line 9 through "7-15-4203," on line 11

5. Page 1, line 15 through page 6, line 7.

Strike: section 1 through section 3 in their entirety

Renumber: subsequent sections

6. Page 6, line 13.

Strike: "an area in need of urban renewal exists in the"

Insert: "one or more blighted areas exist in the"

7. Page 6, line 14.

Strike: "characteristics established"

Insert: "factors listed"

Strike: "7-15-4202"

Insert: "7-15-4206(2)"

8. Page 6, line 16 through line 17.

Strike: "in need" on line 16 through "renewal" on line 17

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

Following: "~~or areas~~"

Strike: "is"

Insert: "or areas are"

9. Page 6, line 20 through page 14, line 25.

Strike: section 5 through section 13 in their entirety

And, as amended, do pass. Report adopted.

HB 562, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Strike: "LOCAL GOVERNMENTS"

Insert: "THE COUNTY"

2. Title, page 1, line 6.

Strike: "EXTRATERRITORIAL"

Following: "JURISDICTION OF"

Strike: "THE"

Insert: "A"

3. Title, page 1, line 7.

Strike: "LOCAL GOVERNMENTS"

Insert: "THE COUNTY"

4. Title, page 1, line 8 through line 9.

Strike: "PROVIDED" on line 8 through "GOVERNMENTS" on line 9

Insert: "MADE AVAILABLE UPON REQUEST TO THE COUNTY"

Following: "OF"

Strike: "THE"

Insert: "A"

5. Title, page 1, line 10.

Strike: "7-15-4213,"

6. Page 1, line 20.

Strike: "public entities, including counties,

Insert: "the county and"

7. Page 1, line 20 through line 21.

Strike: ", authorities" on line 20 through "districts" on line 21

8. Page 1, line 21 through line 22.

Strike: "or are" on line 21 through "7-4-4306" on line 22

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

9. Page 1, line 27 through page 2, line 6.

Strike: section 2 in its entirety

Renumber: subsequent sections

10. Page 2, line 15.

Strike: "public entities, including counties,"

Insert: "the county and"

11. Page 2, line 15 through line 16.

Strike: ", authorities" on line 15 through "districts" on line 16

12. Page 2, line 16 through line 17.

Strike: "or are" on line 16 through "7-4-4306" on line 17

13. Page 2, line 27 and 28.

Strike: "submitted" on line 27 through "counties," on line 28

Insert: "made available upon request to the county and"

14. Page 2, line 28.

Strike: ", authorities, and other distirctcs"

15. Page 2, line 29.

Strike: "or are" through "7-4-4306"

16. Page 3, line 12 through line 13.

Strike: "address" on line 12 through "counties," on line 13

Insert: "take into account the effect on the county and"

17. Page 3, line 13.

Strike: ", authorities, and other districts"

18. Page 3, line 13 through line 20.

Strike: "or are" through "entities" on line 20

And, as amended, do pass. Report adopted.

HB 577, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "UNDER UNEMPLOYMENT INSURANCE LAW AND"

2. Title, page 1, line 6 through line 7.

Strike: "THE" on line 6 through the first "AND" on line 7

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

3. Title, page 1, line 7.

Strike: ", 39-51-201,"

4. Page 3, line 9 through page 7, line 13.

Strike: section 2 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 598, introduced bill, be amended as follows:

1. Page 2, line 16.

Following: "consolidation."

Insert: "In the case of a merger or consolidation of corporations, the amount of taxable income that the acquiring corporation or the new corporate entity may offset with net operating losses of the acquired corporations or the acquired consolidated corporations after the merger or consolidation may not exceed the amount allowed by 26 U.S.C. 382 for the tax year."

And, as amended, do pass. Report adopted.

SB 1, be amended as follows:

1. Page 4, line 2.

Strike: "a change"

Insert: "an increase"

2. Page 4, line 12.

Strike: "AUGUST"

Insert: "July"

3. Page 4, line 13.

Strike: "change"

Insert: "increase"

4. Page 7, line 16.

Strike: "August"

Insert: "July"

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

SB 75, be amended as follows:

1. Page 1.

Following: line 25

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

Insert: "(c) the county commissioners of a county in which the department employees are located in a county building approve the proposed alternative office hours if the alternative hours are outside of the county's normal business hours;"

Renumber: subsequent subsections

2. Page 1, line 27.

Strike: "(4)(C)"

Insert: "(4)(d)"

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

MOTIONS

Representative McGillvray moved **SB 11** be moved from the Committee of the Whole after Second Reading to the Appropriations committee.

Representative McGillvray moved to appoint a Conference Committee on **HB 29** and request the Senate to appoint a like committee. Motion Carried. Speaker Milburn appointed:

3/18/2011

Representative McNiven, Vice Chair

Representative Berry

Representative Court

Representative Washburn moved that **HB 313** be taken from State Administration and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: Ankney, Arntzen, Bangerter, Belcourt, G. Bennett, Berry, Boland, Brodehl, Connell, Cook, Court, Edmunds, Fitzpatrick, Flynn, Gibson, Greef, Hansen, Hiner, Kary, Kennedy, Klock, Knox, Lavin, Loney, MacLaren, Malek, Mehlhoff, Menahan, O'Hara, Pease-Lopez, Read, Regier, Rosendale, Salomon, Squires, Warburton, Washburn, Welborn, Yates.

Total 39

Nays: Barrett, B. Beck, B. Bennett, Blasdel, Blyton, Burnett, Clark, Cuffe, Driscoll, Ehli, Esp, Furey, Hale, Hands, Harris, Hendrick, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kerns, Knudsen, MacDonald, McClafferty, McGillvray, McNiven, McNutt, Miller, More, Noonan, O'Neil, Peterson, Price, Randall, Reinhart, Roberts, Sands, Schmidt, Sesso, Skattum, Skees, Small, F. Smith, Stahl, Taylor, Vance, Wagner, Williams, Wilmer, Mr. Speaker.

Total 53

Excused: Osmundson, Phillips, Reichner, Swanson.

Total 4

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 18, 2011

Absent or not voting: Evans, McChesney, McNally, C. Smith.

Total 4

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative McGillvray moved that the House adjourn until 1:00 p.m., Monday, March 21, 2011. Motion carried.

House adjourned at 3:21 p.m.

BETH CARGO
Chief Clerk of the House

MIKE MILBURN
Speaker of the House