

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

Helena, Montana
March 26, 2011

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Connell. Pledge of Allegiance to the Flag.

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

BILLS (O'Hara, Chairman): 3/26/2011
Correctly printed: **SB 81, SB 111, SB 278.**
Correctly engrossed: **HB 610, SB 124, SB 212, SB 389.**
Signed by the Speaker at 8:30 a.m., March 26, 2011: **HB 25, HB 142, HB 212, HB 338, HB 403, HB 428, HB 467, HB 479.**

Representative Stahl introduced Anna Schmitz who sang *The National Anthem*.

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Arntzen, Chairman): 3/25/2011
SB 389, be amended as follows:

1. Page 4, line 12.
Strike: "weight"
Insert: "volume"

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

FISH, WILDLIFE AND PARKS (Washburn, Chairman): 3/24/2011
SB 124, be amended as follows:

1. Page 79.

Following: line 15

Insert: "COORDINATION SECTION. Section 122. Coordination instruction. If both House Bill No. 337 and [this act] are passed and approved, then [sections 2 and 4 of House Bill No. 337] are void and [section 1 of Senate Bill No. 124] reads as follows:

"NEW SECTION. Section 1. Definitions. Unless the context requires otherwise, in [sections 1 through 80], the following definitions apply:

(1) "Alternative livestock" means a privately owned caribou, white-tailed deer, mule deer, elk, moose, antelope, mountain sheep, or mountain goat indigenous to the state of Montana, a privately owned reindeer, or any other cloven-hoofed ungulate as classified by the department. Black bear and mountain lion must be regulated pursuant to Title 87, chapter 4, part 8.

(2) "Alternative livestock ranch" means the enclosed land area upon which alternative livestock may be kept for purposes of obtaining, rearing in captivity, keeping, or selling alternative

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livestock or parts of alternative livestock, as authorized under Title 87, chapter 4, part 4.

(3) (a) "Bait" means any animal matter, vegetable matter, or natural or artificial scent placed in an area inhabited by wildlife for the purpose of attracting game animals or game birds.

(b) The term does not include:

(i) decoys, silhouettes, or other replicas of wildlife body forms;

(ii) scents used only to mask human odor; or

(iii) types of scents that are approved by the commission for attracting game animals or game birds.

(4) "Closed season" means the time during which game birds, fish, game animals, and fur-bearing animals may not be lawfully taken.

(5) "Cloven-hoofed ungulate" means an animal of the order Artiodactyla, except a member of the families Suidae, Camelidae, or Hippopotamidae. The term does not include domestic pigs, domestic cows, domestic yaks, domestic sheep, domestic goats that are not naturally occurring in the wild in their country of origin, or bison.

(6) "Conviction" means a judgment or sentence entered following a guilty plea, a nolo contendere plea, a verdict or finding of guilty rendered by a legally constituted jury or by a court of competent jurisdiction authorized to try the case without a jury, or a forfeiture of bail or collateral deposited to secure the person's appearance in court that has not been vacated.

(7) "Field trial" means an examination to determine the ability of dogs to point, flush, or retrieve game birds.

(8) "Fishing" means to take fish or the act of a person possessing any instrument, article, or substance for the purpose of taking fish in any location that a fish might inhabit.

(9) (a) "Fur dealer" means a person engaging in, carrying on, or conducting wholly or in part the business of buying or selling, trading, or dealing within the state of Montana in the skins or pelts of fur-bearing animals or predatory animals.

(b) If a fur dealer resides in Montana or if the fur dealer's principal place of business is within the state of Montana, the fur dealer is considered a resident fur dealer. All other fur dealers are considered nonresident fur dealers.

(10) "Fur farm" means enclosed land upon which furbearers are kept for purposes of obtaining, rearing in captivity, keeping, and selling furbearers or parts of furbearers.

(11) (a) "Fur-bearing animal" or "furbearer" means marten or sable, otter, muskrat, fisher, mink, bobcat, lynx, wolverine, northern swift fox, and beaver.

(b) As used in Title 87, chapter 4, part 10, "furbearer" does not include fox or mink.

(12) "Game animal" means deer, elk, moose, antelope, caribou, mountain sheep, mountain goat, mountain lion, bear, and wild buffalo.

(13) "Game fish" means all species of the family Salmonidae (chars, trout, salmon, grayling, and whitefish); all species of the genus Stizostedion (sandpike or sauger and walleyed pike or yellowperch); all species of the genus Esox (northern pike, pickerel, and muskellunge); all species of the genus Micropterus (bass); all species of the genus Polyodon (paddlefish); all species of the family Acipenseridae (sturgeon); all species of the genus Lota (burbot or ling); the species *Perca flavescens* (yellow perch); all species of the genus Pomoxis (crappie); and the species *Ictalurus punctatus* (channel catfish).

(14) "Hunt" means to pursue, shoot, wound, kill, chase, lure, possess, or capture or the act of a person possessing a weapon, as defined in 45-2-101, or using a dog or a bird of prey for the purpose of shooting, wounding, killing, possessing, or capturing wildlife protected by the laws of this state in any location that wildlife may inhabit, whether or not the wildlife is then or subsequently

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taken. The term includes an attempt to take by any means, including but not limited to pursuing, shooting, wounding, killing, chasing, luring, possessing, or capturing.

(15) "Knowingly" has the meaning provided in 45-2-101.

(16) "Livestock" includes ostriches, rheas, and emus.

(17) "Migratory game bird" means waterfowl, including wild ducks, wild geese, brant, and swans; cranes, including little brown and sandhill; rails, including coots; Wilson's snipes or jacksnipes; and mourning doves.

(18) "Negligently" has the meaning provided in 45-2-101.

(19) "Nongame wildlife" means any wild mammal, bird, amphibian, reptile, fish, mollusk, crustacean, or other animal not otherwise legally classified by statute or regulation of this state.

(20) "Open season" means the time during which game birds, fish, and game and fur-bearing animals may be lawfully taken.

(21) "Participating state" means any state that enacts legislation to become a member of the Interstate Wildlife Violator Compact.

(22) "Person" means an individual, association, partnership, and corporation.

(23) "Possession" has the meaning provided in 45-2-101.

(24) "Predatory animal" means coyote, weasel, skunk, and civet cat.

(25) "Purposely" has the meaning provided in 45-2-101.

(26) "Raptor" means all birds of the orders Falconiformes and Strigiformes, commonly called falcons, hawks, eagles, ospreys, and owls.

(27) "Resident" has the meaning provided in 87-2-102.

(28) "Roadside menagerie" means any place where one or more wild animals are kept in captivity for the evident purpose of exhibition or attracting trade, on or off the facility premises. It does not include the exhibition of any animal by an educational institution or by a traveling theatrical exhibition or circus based outside of Montana.

(29) "Sale" means a contract by which a person:

(a) transfers an interest in either game or fish for a price; or

(b) transfers, barter, or exchanges an interest either in game or fish for an article or thing of value.

(30) "Supplemental feed attractant" means any food, garbage, or other attractant for game animals. The term does not include growing plants or plants harvested for the feeding of livestock.

(31) "Taxidermist" means a person who conducts a business for the purpose of mounting, preserving, or preparing all or part of the dead bodies of any wildlife.

(32) "Trap" means to take or participate in the taking of any wildlife protected by state law by setting or placing any mechanical device, snare, deadfall, pit, or device intended to take wildlife or to remove wildlife from any of these devices.

(33) "Upland game birds" means sharptailed grouse, blue grouse, spruce (Franklin) grouse, prairie chicken, sage hen or sage grouse, ruffed grouse, ring-necked pheasant, Hungarian partridge, ptarmigan, wild turkey, and chukar partridge.

(34) "Wild animal" means an animal that is wild by nature as distinguished from common domestic animals, whether the animal was bred or reared in captivity, and includes birds and reptiles.

(35) "Wild animal menagerie" means any place where one or more bears or large cats, including cougars, lions, tigers, jaguars, leopards, pumas, cheetahs, ocelots, and hybrids of those large cats, are kept in captivity for use other than public exhibition.

(36) "Wild buffalo" means buffalo or bison that have not been reduced to captivity.

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(37) "Zoo" means any zoological garden chartered as a nonprofit corporation by the state or any facility participating in the American zoo and aquarium association accreditation program for the purpose of exhibiting wild animals for public viewing."

Insert: "COORDINATION SECTION. Section 123. Coordination instruction. If both House Bill No. 536 and [this act] are passed and approved, then [sections 1 of House Bill No. 536], amending 87-3-111, is void and [section 8 of Senate Bill No. 124] reads as follows:

"NEW SECTION. Section 8. Unlawful possession, shipping, or transportation of game fish, bird, game animal, or fur-bearing animal. (1) A person may not possess, ship, or transport all or part of any game fish, bird, game animal, or fur-bearing animal that was unlawfully killed, captured, or taken, whether killed, captured, or taken in Montana or outside of Montana.

(2) This section does not prohibit the possession, shipping, or transportation of:

(a) hides, heads, or mounts of lawfully killed, captured, or taken game fish, birds, game animals, or fur-bearing animals, except that the sale or purchase of a hide, head, or mount of a grizzly bear is prohibited, except as provided by federal law;

(b) naturally shed antlers or the antlers with a skull or portion of a skull attached from a game animal that has died from natural causes and that has not been unlawfully killed, captured, or taken or accidentally killed;

(c) the bones of an elk, antelope, moose, or deer that has died from natural causes and that has not been unlawfully killed, captured, or taken or accidentally killed;

(d) paddlefish roe as caviar under the provisions of 87-4-601; or

(e) captive-reared migratory waterfowl.

(3) A person may not possess, ship, or transport live fish away from the body of water in which the fish were taken except:

(a) as provided in Title 87, chapter 4, part 6, or as specifically permitted by the laws of this state;

(b) fish species approved by the commission for use as live bait and subject to any restrictions imposed by the commission; or

(c) within the boundaries of the eastern Montana fishing district, as established by commission regulations.

(4) The possession of all or part of a dead game fish, bird, game animal, or fur-bearing animal is prima facie evidence that the person or persons in whose possession the fish, bird, or animal is found killed, captured, or took the fish, bird, or animal.

(5) The value of a game fish, bird, game animal, or fur-bearing animal that is unlawfully possessed, shipped, or transported must be determined from the schedules of restitution values in [sections 68 and 69]. The value of game fish, birds, game animals, or fur-bearing animals that are unlawfully possessed, shipped, or transported pursuant to a common scheme, as defined in 45-2-101, or as part of the same transaction, as defined in 46-1-202, may be aggregated in determining the value.

(6) The following penalties apply for a violation of this section:

(a) If a person is convicted or forfeits bond or bail after being charged with unlawful possession, shipping, or transportation of a game fish or bird and if the value of all or part of the game fish or bird or combination thereof does not exceed \$1,000, the person shall be fined not less than \$50 or more than \$1,000 or be imprisoned in the county detention center for not more than 6 months, or both. In addition, the person may be subject to forfeiture of any current hunting, fishing, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state

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or to use state lands, as defined in 77-1-101, for recreational purposes for a period of time set by the court.

(b) If a person is convicted or forfeits bond or bail after being charged with unlawful possession or transportation of a mountain sheep, moose, wild buffalo, caribou, mountain goat, black bear, or grizzly bear or any part of these animals and if the value of all or part of the animal or combination thereof does not exceed \$1,000, the person shall be fined not less than \$500 or more than \$2,000 or be imprisoned in the county detention center for not more than 6 months, or both. In addition, the person shall forfeit any current hunting, fishing, recreational use, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state for 30 months from the date of conviction or forfeiture unless the court imposes a longer period.

(c) If a person is convicted or forfeits bond or bail after being charged with unlawful possession or transportation of a deer, antelope, elk, or mountain lion or any part of these animals and if the value of all or part of the animal or combination thereof does not exceed \$1,000, the person shall be fined not less than \$300 or more than \$1,000 or be imprisoned in the county detention center for not more than 6 months, or both. In addition, the person shall forfeit any current hunting, fishing, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state for 24 months from the date of conviction or forfeiture unless the court imposes a longer period.

(d) If a person is convicted or forfeits bond or bail after being charged with unlawful shipping of a mountain sheep, moose, wild buffalo, caribou, mountain goat, black bear, grizzly bear, deer, antelope, elk, or mountain lion or any part of these animals and if the value of all or part of the animal or combination thereof does not exceed \$1,000, the person shall be fined not less than \$50 or more than \$1,000 or be imprisoned in the county detention center for not more than 6 months, or both. In addition, the person may be subject to forfeiture of any current hunting, fishing, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state or to use state lands, as defined in 77-1-101, for recreational purposes for a period of time set by the court.

(e) If a person is convicted or forfeits bond or bail after being charged with unlawful possession, shipping, or transportation of a fur-bearing animal or pelt of a fur-bearing animal and if the value of all or part of the animal or combination thereof does not exceed \$1,000, the person shall be fined not less than \$100 or more than \$1,000 or be imprisoned in the county detention center for not more than 6 months, or both. In addition, the person shall forfeit any current hunting, fishing, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state for 24 months from the date of conviction or forfeiture unless the court imposes a longer period, and any pelts possessed unlawfully must be confiscated.

(f) If a person is convicted under this section or forfeits bond or bail after being charged with a violation of this section and if the value of all or part of the game fish, bird, game animal, or fur-bearing animal or combination thereof exceeds \$1,000, the person shall be fined not more than \$50,000 or be imprisoned in the state prison for a term not to exceed 5 years, or both. In addition, the person shall forfeit any current hunting, fishing, or trapping license or permit issued by this state and the privilege to hunt, fish, or trap in this state for not less than 3 years up to a revocation for life from the date of conviction.

(7) A person convicted of unlawful possession of more than double the legal bag limit may be subject to the additional penalties provided in [section 63].

(8) As used in this section:

(a) "lawfully killed, captured, or taken" means killed, captured, or taken in conformance with this title, the regulations adopted by the commission, and the rules adopted by the department

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under authority of this title; and

(b) "unlawfully killed, captured, or taken" means not lawfully killed, captured, or taken.

(9) A violation of this section may also result in an order to pay restitution pursuant to [sections 67 through 69]."

Insert: "COORDINATION SECTION. Section 124. Coordination instruction. If both House Bill No. 336 and [this act] are passed and approved, then [section 3 of House Bill No. 336], amending 87-3-102, is void and [section 11 of Senate Bill No. 124] reads as follows:

NEW SECTION. Section 11. Waste of game animal, game bird, or game fish. (1) Except as provided in subsection (3), a person responsible for the death of any game animal, game bird, or game fish suitable for food may not purposely or knowingly waste the game by:

(a) detaching or removing only the head, hide, antlers, tusks, or teeth or any or all of these parts from the carcass of a game animal;

(b) transporting, hanging, or storing the carcass in a manner that renders it unfit for human consumption; or

(c) abandoning the carcass of a game animal or any portion of the carcass suitable for food in the field.

(2) A person in possession of a game animal or game animal parts, a game bird, or a game fish suitable for food may not purposely or knowingly waste the game by:

(a) transporting, storing, or hanging the animal, bird, or fish in a manner that renders it unfit for human consumption; or

(b) disposing of or abandoning any portion of the animal, bird, or fish that is suitable for food.

(3) A person responsible for the death of a mountain lion, except as provided in [section 6], may not abandon the head or hide in the field.

(4) A person responsible for the death of a grizzly bear wastes the game if the person abandons the head or hide or any parts required by department or commission regulation for scientific purposes pursuant to 87-3-110.

(5) For the purposes of this section, the meat of a grizzly bear or a black bear that is found to be infected with trichinosis is not considered to be suitable for food.

(6) A person convicted of a violation of this section may be fined not less than \$50 or more than \$1,000 or be imprisoned in the county jail for a term not to exceed 6 months, or both. In addition, the person, upon conviction or forfeiture of bond or bail, shall:

(a) forfeit any current hunting, fishing, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state for 24 months from the date of conviction or forfeiture unless the court imposes a longer period; and

(b) pay restitution pursuant to [section 67 through 69].

(7) A person convicted of waste of game by abandonment in the field may be subject to the additional penalties provided in [section 63]."

Insert: "COORDINATION SECTION. Section 125. Coordination instruction. If both House Bill No. 536 and [this act] are passed and approved, then [section 2 of House Bill No. 536], amending 87-3-118, is void and [section 12 of Senate Bill No. 124] reads as follows:

NEW SECTION. Section 12. Unlawful sale of game fish, bird, game animal, or fur-bearing animal. (1) A person may not purposely or knowingly sell, purchase, or exchange all or part of any game fish, bird, game animal, or fur-bearing animal.

(2) The value of the game fish, bird, game animal, or fur-

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bearing animal must be determined from the schedules of restitution values set out in [sections 68 and 69]. The value of game fish, birds, game animals, or fur-bearing animals that are sold, purchased, or exchanged pursuant to a common scheme, as defined in 45-2-101, or as part of the same transaction, as defined in 46-1-202, may be aggregated in determining the value.

(3) This section does not prohibit the:

(a) sale, purchase, or exchange of hides, heads, or mounts of game fish, birds, game animals, or fur-bearing animals that have been lawfully killed, captured, or taken, except that the sale or purchase of a hide, head, or mount of a grizzly bear is prohibited, except as provided by federal law;

(b) sale, purchase, or exchange of naturally shed antlers or the antlers with a skull or portion of a skull attached from a game animal that has died from natural causes and that has not been unlawfully killed, captured, or taken or accidentally killed;

(c) sale, purchase, or exchange of the bones of an elk, antelope, moose, or deer that has died from natural causes and that has not been unlawfully killed, captured, or taken or accidentally killed;

(d) donation, sale, purchase, or exchange of paddlefish roe as caviar under the provisions of 87-4-601; or

(e) sale, purchase, or exchange of captive-reared migratory waterfowl.

(4) If a person is convicted or forfeits bond or bail after being charged with a violation of this section and if the value of all or part of the game fish, bird, game animal, or fur-bearing animal or combination thereof does not exceed \$1,000, then the person shall be fined not less than \$50 or more than \$1,000 or be imprisoned in the county detention center for not more than 6 months, or both. In addition, the person may be subject to forfeiture of any current hunting, fishing, or trapping license or permit issued by this state and the privilege to hunt, fish, or trap in this state for a period set by the court.

(5) If a person is convicted or forfeits bond or bail after being charged with a violation of this section and if the value of all or part of the game fish, bird, game animal, or fur-bearing animal or combination thereof exceeds \$1,000, then the person shall be fined not more than \$50,000 or be imprisoned in the state prison for not more than 5 years, or both. In addition, the person shall forfeit any current hunting, fishing, or trapping license or permit issued by this state and the privilege to hunt, fish, or trap in this state for not less than 3 years up to a revocation for life from the date of conviction.

(6) As used in this section:

(a) "lawfully killed, captured, or taken" means killed, captured, or taken in conformance with this title, the regulations adopted by the commission, and the rules adopted by the department under authority of this title; and

(b) "unlawfully killed, captured, or taken" means not lawfully killed, captured, or taken."

Insert: "COORDINATION SECTION. Section 126. Coordination instruction. If both House Bill No. 536 and [this act] are passed and approved, then [section 13 of Senate Bill No. 124] is void."

Insert: "COORDINATION SECTION. Section 127. Coordination instruction. If both Senate Bill No. 135 and [this act] are passed and approved, then [section 1 of Senate Bill No. 135], amending 87-3-124, is void and [section 36 of Senate Bill No. 124] reads as follows:

"NEW SECTION. Section 36. Unlawful use of dog while hunting. (1) Except as provided in subsections (3) through (6), a person may not:

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(a) chase any game animal or fur-bearing animal with a dog; or

(b) purposely, knowingly, or negligently permit a dog to chase, stalk, pursue, attack, or kill a hooved game animal. If the dog is not under the control of an adult at the time of the violation, the owner of the dog is personally responsible. A defense that the dog was allowed to run at large by another person is not allowable unless it is shown that at the time of the violation, the dog was running at large without the consent of the owner and that the owner took reasonable precautions to prevent the dog from running at large.

(2) Except as provided in subsection (3)(d), a peace officer, game warden, or other person authorized to enforce the Montana fish and game laws who witnesses a dog chasing, stalking, pursuing, attacking, or killing a hooved game animal may destroy that dog on public land or on private land at the request of the landowner without criminal or civil liability.

(3) A person may:

(a) take game birds during the appropriate open season with the aid of a dog;

(b) hunt mountain lions during the winter open season, as established by the commission, with the aid of a dog or dogs;

(c) hunt bobcats during the trapping season, as established by the commission, with the aid of a dog or dogs; and

(d) use trained or controlled dogs to chase or herd away game animals or fur-bearing animals to protect humans, lawns, gardens, livestock, or agricultural products, including growing crops and stored hay and grain. The dog may not be destroyed pursuant to subsection (2).

(4) A resident who possesses a Class D-3 resident hound training license may pursue mountain lions and bobcats with a dog or dogs during a training season from December 2 of each year to April 14 of the following year.

(5) (a) A person with a valid hunting license issued pursuant to Title 87, chapter 2, may use a dog to track a wounded game animal during an appropriate open season. Any person using a dog in this manner:

(i) shall maintain physical control of the dog at all times by means of a maximum 50-foot lead attached to the dog's collar or harness;

(ii) during the general season, whether handling or accompanying the dog, shall wear hunter orange material pursuant to 87-3-302;

(iii) may carry any weapon allowed by law;

(iv) may dispose of the wounded game animal using any weapon allowed by the valid hunting license; and

(v) shall immediately tag an animal that has been reduced to possession in accordance with 87-2-509.

(b) Dog handlers tracking a wounded game animal with a dog are exempt from licensing requirements under Title 87, chapter 2, as long as they are accompanied by the licensed hunter who wounded the game animal

(6) Any person or association organized for the protection of game may run field trials at any time upon obtaining written permission from the director.

(7) A person convicted of a violation of this section shall be fined not less than \$50 or more than \$1,000 or be imprisoned in the county detention center for not more than 6 months, or both. In addition, the person, upon conviction or forfeiture of bond or bail, may be subject to forfeiture of any current hunting, fishing, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state or to use state lands, as defined in 77-1-101, for recreational purposes for a period of time set by the court.

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(8) A violation of this section may also result in an order to pay restitution pursuant to [sections 67 through 69]."

Insert: "COORDINATION SECTION. Section 128. Coordination instruction. If both House Bill No. 336 and [this act] are passed and approved, then [section 4 of House Bill No. 336], amending 87-3-506, is void and [section 48 of Senate Bill No. 124] reads as follows:

"NEW SECTION. Section 48. Waste of fur-bearing animal. (1) A person may not waste a fur-bearing animal by purposely or knowingly:

(a) failing to pick up traps or snares at the end of the trapping season so that the pelt of a fur-bearing animal is wasted;

(b) attending traps or snares so that fur-bearing animals are wasted; or

(c) wasting the pelt of any fur-bearing animal.

(2) The department shall enforce the provisions of this section.

(3) The following are exempt from this section:

(a) federal, state, and county predator control programs; and

(b) pelts of muskrat and beaver killed pursuant to [section 47(2)].

(4) As used in this section, "pelt" means the pelt, skin, or fur of a fur-bearing animal.

(5) A person convicted of a violation of this section shall be fined not less than \$50 or more than \$1,000 or be imprisoned in the county detention center for not more than 6 months, or both. In addition, a person, upon conviction or forfeiture of bond or bail, shall:

(a) forfeit any current hunting, fishing, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state for 24 months from the date of conviction or forfeiture unless the court imposes a longer period; and

(b) pay restitution pursuant to [section 67 and 68]."

Insert: "COORDINATION SECTION. Section 129. Coordination instruction. If both House Bill No. 336 and [this act] are passed and approved, then [section 1 of House Bill No. 336], amending 87-1-111, is void and [section 68 of Senate Bill No. 124] reads as follows:

"NEW SECTION. Section 68. Restitution for illegal killing, possession, or waste of certain wildlife. (1) Except as provided in [section 69] and in addition to other penalties provided by law, a person convicted or forfeiting bond or bail on a charge of the illegal taking, killing, possession, or waste of a wild bird, mammal, or fish listed in this section shall reimburse the state for each bird, mammal, or fish according to the following schedule:

(a) mountain sheep and endangered species, \$2,000;

(b) elk, caribou, bald eagle, black bear, wolf, and moose, \$1,000;

(c) mountain lion, lynx, wolverine, buffalo, golden eagle, osprey, falcon, antlered deer as defined by commission regulation, bull trout longer than 18 inches, and adult buck antelope as defined by commission regulation, \$500;

(d) deer not included in subsection (1)(c), antelope not included in subsection (1)(c), fisher, raptor not included in subsection (1)(c), swan, bobcat, white sturgeon, river-dwelling grayling, and paddlefish, \$300;

(e) fur-bearing animals that are not listed in subsection (1)(c) or (1)(d), \$100;

(f) game bird (except swan), \$25;

(g) game fish, \$10.

(2) When a court enters an order declaring bond or bail to be forfeited, the court may also order that some or all of the forfeited bond or bail be paid as restitution to the state according to the schedule in subsection (1). A hearing to determine the amount of restitution, as required under

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46-9-512, is not required for an order of restitution under this section.""

Insert: "COORDINATION SECTION. Section 130. Coordination instruction. If both House Bill No. 336 and [this act] are passed and approved, then [section 2 of House Bill No. 336], amending 87-1-115, is void and [section 69 of Senate Bill No. 124] reads as follows:

NEW SECTION. Section 69. Restitution for illegal killing, possession, or waste of trophy wildlife. In addition to other penalties provided by law, a person convicted or forfeiting bond or bail on a charge of purposely or knowingly illegally killing, taking, possessing, or wasting a trophy animal listed in this section shall reimburse the state for each trophy animal according to the following schedule:

(1) mountain sheep with at least one horn equal to or greater than a three-fourth curl as defined by commission regulation, \$30,000;

(2) elk with at least six points on one antler, as defined by commission regulation, or any grizzly bear, \$8,000;

(3) moose having antlers with a total spread of at least 30 inches, as defined by commission regulation, or any mountain goat, \$6,000;

(4) antlered deer with at least four points on one antler as defined by commission regulation, \$8,000;

(5) antelope with at least one horn greater than 14 inches in length as defined by commission regulation, \$2,000.""

Insert: "NEW SECTION. Section 131. Saving clause. [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act]."

Renumber: subsequent sections

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

SB 212, be amended as follows:

1. Page 2.

Following: line 9

Insert: "(4) The department may not release, transplant, or allow wild buffalo or bison on any private or public land in Montana that has not been authorized for that use by the private or public owner."

Renumber: subsequent subsections

2. Page 2, line 10.

Strike: "THE"

Insert: "Subject to subsection (4), the"

3. Page 2, line 17.

Strike: "(4)(D)"

Insert: "(5)(d)"

4. Page 2, line 18.

Strike: "MULTIPLE"

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5. Page 2, line 19.

Strike: "EXISTING"

Insert: "state or federal"

6. Page 2, line 23.

Following: "authorized"

Insert: "by the private or public owner"

7. Page 2, line 24.

Strike: "remove or"

8. Page 2, line 25.

Following: "authorized"

Insert: "by the private or public owner"

9. Page 2, line 26.

Following: "CONSTRUCT"

Insert: "more"

10. Page 2, line 28.

Strike: "A RELOCATION SITE"

Insert: "designated areas"

11. Page 2, line 29.

Strike: "REMOVAL OR"

Following: "OF"

Insert: "wild buffalo or"

12. Page 2, line 30.

Following: "THE"

Insert: "wild buffalo or"

13. Page 3, line 3.

Strike: "RELOCATION"

Insert: "designated"

14. Page 3, line 4.

Following: "PRINCIPLES"

Insert: ", including but not limited to forage-based carrying capacity,"

15. Page 3, line 6.

Strike: "RELOCATION SITE"

Insert: "designated area"

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16. Page 3, line 7.

Strike: "(4)"

Insert: "(5)"

17. Page 3, line 14.

Strike: "(4)"

Insert: "(5)"

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

TRANSPORTATION (Vance, Chairman): 3/25/2011
SB 81, be concurred in. Report adopted.
SB 111, be concurred in. Report adopted.
SB 278, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bill not concurred in and returned to the House: 3/25/2011

HB 237, introduced by Menahan

Senate bills passed and transmitted to the House for concurrence: 3/25/2011

SB 295, introduced by Lake

SB 328, introduced by Lewis

SB 402, introduced by Balyeat

Senate joint resolution passed and transmitted to the House for concurrence: 3/25/2011

SJR 17, introduced by Tutvedt

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

3/25/2011

HB 43, introduced by MacLaren

HB 336, introduced by Menahan

HB 352, introduced by Osmundson

House bills concurred in and returned to the House: 3/25/2011

HB 77, introduced by Pease-Lopez

HB 90, introduced by McNutt

HB 116, introduced by Ingraham

HB 134, introduced by Squires

HB 225, introduced by Welborn

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HB 255, introduced by Wilmer
HB 256, introduced by Wilmer
HB 315, introduced by MacDonald
HB 528, introduced by F. Smith

House joint resolution concurred in and returned to the House:

3/25/2011

HJR 19, introduced by Furey

MESSAGES FROM THE GOVERNOR

March 25, 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 23** sponsored by Representative Furey, **House Bill 53** sponsored by Representative Klock, **House Bill 62** sponsored by Representative MacLaren, **House Bill 78** sponsored by Representative Cook, **House Bill 79** sponsored by Representative Evans, **House Bill 81** sponsored by Representative Roberts, **House Bill 86** sponsored by Representative Wilmer, **House Bill 92** sponsored by Representative Knudsen, **House Bill 93** sponsored by Representative Furey, **House Bill 98** sponsored by Representative Welborn, **House Bill 118** sponsored by Representative Hunter, **House Bill 119** sponsored by Representative Hendrick, **House Bill 120** sponsored by Representative McGillvray, **House Bill 127** sponsored by Representative Noonan, **House Bill 169** sponsored by Representative Klock, **House Bill 176** sponsored by Representative Kary et al., **House Bill 233** sponsored by Representative O'Hara, **House Bill 252** sponsored by Representative Hoven, **House Bill 287** sponsored by Representative Clark, **House Bill 356** sponsored by Representative Hiner, **House Bill 367** sponsored by Representative MacLaren et al., **House Bill 399** sponsored by Representative Arntzen, and **House Bill 419** sponsored by Representative Beck et al., on March 25, 2011.

Sincerely,

BRIAN SCHWEITZER
Governor

FIRST READING AND COMMITMENT OF BILLS

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

SB 295, introduced by Lake, Tutvedt, referred to Taxation.

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SB 328, introduced by Lewis, referred to State Administration.

SB 402, introduced by Balyeat, Hamlett, Hinkle, Mowbray, Facey, Taylor, Zinke, Ripley, Olson, Arthun, Moore, Murphy, Steinbeisser, Shockley, Jackson, Lewis, Hutton, Brown, De. Barrett, Gallus, Jent, Brenden, Walker, Yates, Vance, Sonju, Skees, Flynn, Knudsen, Blasdel, Jones, referred to Fish, Wildlife and Parks.

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

SJR 17, introduced by Tutvedt, referred to Taxation.

**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 Hale in the chair.

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

HB 445 - Representative C. Smith moved **HB 445** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Esp, Evans, 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: Bangerter, 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 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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,

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Burnett, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Esp, 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, Rosendale, Salomon, Skattum, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Yates, Mr. Speaker.

Total 66

Nays: Barrett, Belcourt, B. Bennett, Boland, Court, Driscoll, Evans, 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 34

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 477 - Representative Hollandsworth moved **HB 477** do pass. Motion carried as follows:

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

Total 93

Nays: Edmunds, Hendrick, Kerns, Knox, McClafferty, More, Skattum.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 363 - Representative Cuffe moved **HB 363** do pass. Motion carried as follows:

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

HB 560 - Representative Arntzen moved **HB 560** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, B. Beck, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Ehli, Esp, Evans, Fitzpatrick, Gibson, Greef, Hale, Hansen, Harris, Hendrick, Hollandsworth, Hoven, Howard, Ingraham, Kary, Klock, Knudsen, Lavin, Loney, MacLaren, McGillvray, McNiven, McNutt, Miller, More, O'Hara, O'Neil, Osmundson, Randall, Read, Regier, Reichner, Roberts, Rosendale, Small, Stahl, Taylor, Vance, Warburton, Washburn, Welborn, Mr. Speaker.

Total 54

Nays: Barrett, Belcourt, B. Bennett, G. Bennett, Boland, Court, Driscoll, Edmunds, Flynn, Furey, Hands, Hill, Hiner, Hollenbaugh, Hunter, Kennedy, Kerns, Knox, MacDonald, Malek, McChesney, McClafferty, McNally, Mehlhoff, Menahan, Noonan, Pease-Lopez, Peterson, Phillips, Price, Reinhart, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, C. Smith, F. Smith, Squires, Swanson, Wagner, Williams, Wilmer, Yates.

Total 45

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

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HB 577 - Representative Stahl moved **HB 577** do pass. Motion carried as follows:

Yeas: Arntzen, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Ehli, Esp, Evans, Fitzpatrick, Flynn, 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, Rosendale, Salomon, Skattum, Skees, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Yates, Mr. Speaker.

Total 61

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

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 561 - Representative Arntzen moved **HB 561** do pass. Motion carried as follows:

Representative Hands rose on a point of personal privilege to ask the chair not to continue asking them to be brief because they had not created the agenda, the speaker's office did, and it is important for the members to speak on these important issues in their districts. She stated that they had the right to speak on the bill and that they should not continue to be asked to be brief when she believed they were already doing so.

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

Total 57

Nays: Bangerter, Barrett, Belcourt, B. Bennett, Boland, Court, Driscoll, Flynn, Furey, Gibson, Hands, Hill, Hiner, Hollenbaugh, Hunter, Kerns, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, Mehlhoff, Menahan, More, Noonan, Pease-Lopez, Peterson, Phillips, Price, Reinhart, Roberts, Sands, Schmidt, Sesso, Small, F. Smith, Squires, Swanson, Williams, Wilmer, Yates.

Total 43

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader McGillvray moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Hale moved the Committee of the Whole report be adopted. Report adopted as follows:

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

Total 69

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

Total 26

Excused: Hansen, Kerns, Swanson.

Total 3

Absent or not voting: Reichner, Stahl.

Total 2

**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 Hale in the chair.

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

HB 598 - Representative Knudsen moved **HB 598** 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, Fitzpatrick, Flynn, Gibson, Greef, Hale, Hansen, Harris, Hendrick, Hollandsworth, Howard, Ingraham, Kary, Kennedy, Kerns,

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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, C. Smith, F. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Mr. Speaker.

Total 65

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

Total 34

Excused: None.

Total 0

Absent or not voting: Small.

Total 1

HB 562 - Representative Arntzen moved **HB 562** 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, Hoven, Howard, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Loney, MacDonald, MacLaren, McGillvray, McNiven, McNutt, Mehlhoff, Miller, More, O'Hara, O'Neil, Osmundson, Peterson, Randall, Read, Regier, Reichner, Roberts, Rosendale, Skattum, Skees, Small, C. Smith, F. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Mr. Speaker.

Total 70

Nays: Barrett, Belcourt, B. Bennett, Boland, Court, Driscoll, Furey, Hands, Hill, Hiner, Hollenbaugh, Hunter, Lavin, Malek, McChesney, McClafferty, McNally, Menahan, Noonan, Pease-Lopez, Phillips, Price, Reinhart, Salomon, Sands, Schmidt, Sesso, Squires, Swanson, Yates.

Total 30

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 495 - Representative Cook moved **HB 495** do pass. Motion carried as follows:

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

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Fitzpatrick, Flynn, Gibson, Greef, Hale, Hansen, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Kary, Kerns, Klock, Knox, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Menahan, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Peterson, Phillips, Price, Read, Reichner, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, Small, F. Smith, Squires, Taylor, Wagner, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 80

Nays: Barrett, Belcourt, G. Bennett, Furey, Hands, Harris, Ingraham, Kennedy, Knudsen, Lavin, Pease-Lopez, Randall, Regier, Reinhart, C. Smith, Stahl, Swanson, Vance, Warburton.

Total 19

Excused: None.

Total 0

Absent or not voting: Mehlhoff.

Total 1

HB 175 - Representative Regier moved **HB 175** 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, Hiner, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McChesney, McGillvray, McNiven, McNutt, Menahan, More, O'Hara, Osmundson, Peterson, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Skattum, Skees, Small, C. Smith, F. 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, MacDonald, Malek, McClafferty, McNally, Mehlhoff, Noonan, O'Neil, Pease-Lopez, Phillips, Price, Reinhart, Sands, Schmidt, Sesso, Squires, Swanson, Williams, Wilmer.

Total 28

Excused: None.

Total 0

Absent or not voting: Miller.

Total 1

HB 609 - Representative MacLaren moved **HB 609** 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, Hoven, Howard, Ingraham, Kary,

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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

Majority Leader McGillvray moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair.

Chairman Hale moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Greef, Harris, Hendrick, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, 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, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Yates, Mr. Speaker.

Total 69

Nays: Belcourt, B. Bennett, Boland, Furey, Gibson, Hands, Hill, Hiner, Hollenbaugh, MacDonald, Malek, McChesney, McClafferty, McNally, Mehlhoff, Noonan, Pease-Lopez, Price, Reinhart, Sands, Schmidt, Sesso, F. Smith, Squires, Wilmer.

Total 25

Excused: Hansen, Kerns, Swanson.

Total 3

Absent or not voting: Court, Hale, Phillips.

Total 3

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THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 83 passed 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, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hands, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Klock, Knox, 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, Skees, Small, F. Smith, Squires, Stahl, Taylor, Vance, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 87

Nays: G. Bennett, Edmunds, Kennedy, Knudsen, Miller, O'Neil, Randall, Skattum, C. Smith, Wagner.

Total 10

Excused: Hansen, Kerns, Swanson.

Total 3

Absent or not voting: None.

Total 0

HB 358 passed 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, Furey, Gibson, Greef, Hale, Harris, Hendrick, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, Malek, McChesney, McGillvray, McNiven, McNutt, Menahan, Miller, More, O'Hara, O'Neil, Osmundson, Peterson, Price, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Schmidt, Skattum, Skees, Small, C. Smith, F. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Yates, Mr. Speaker.

Total 75

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Nays: Barrett, Belcourt, B. Bennett, Boland, Court, Driscoll, Hands, Hill, Hiner, MacDonald, McClafferty, McNally, Mehlhoff, Noonan, Pease-Lopez, Phillips, Reinhart, Sands, Sesso, Squires, Williams, Wilmer.

Total 22

Excused: Hansen, Kerns, Swanson.

Total 3

Absent or not voting: None.

Total 0

HB 165 passed as follows:

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

Total 67

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

Total 30

Excused: Hansen, Kerns, Swanson.

Total 3

Absent or not voting: None.

Total 0

HB 183 passed 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, Harris, Hendrick, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kennedy, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McGillvray, McNiven, McNutt, Miller, More, O'Hara, O'Neil, Osmundson, Peterson, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Skattum, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Yates, Mr. Speaker.

Total 66

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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, Williams, Wilmer.

Total 31

Excused: Hansen, Kerns, Swanson.

Total 3

Absent or not voting: None.

Total 0

HB 184 passed 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, Harris, Hendrick, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kennedy, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, 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 67

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

Total 30

Excused: Hansen, Kerns, Swanson.

Total 3

Absent or not voting: None.

Total 0

HB 186 passed as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, Berry, Boland, Clark, Connell, Cook, Court, Cuffe, Driscoll, Ehli, Esp, Evans, Furey, Gibson, Hands, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Klock, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, McNiven, McNutt, Mehlhoff, Menahan, Noonan, O'Hara, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Read, Reichner, Reinhart, Roberts, Salomon, Sands, Schmidt, Sesso, Small, F. Smith, Squires, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 62

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Nays: G. Bennett, Blasdel, Blyton, Brodehl, Burnett, Edmunds, Fitzpatrick, Flynn, Greef, Hale, Harris, Hendrick, Howard, Ingraham, Kary, Kennedy, Knox, Knudsen, Lavin, McGillvray, Miller, More, O'Neil, Randall, Regier, Rosendale, Skattum, Skees, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn.

Total 35

Excused: Hansen, Kerns, Swanson.

Total 3

Absent or not voting: None.

Total 0

HB 316 passed as follows:

Yeas: Ankney, Arntzen, Bangerter, G. Bennett, Berry, Blasdel, Blyton, Burnett, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Gibson, Greef, Hale, Harris, Hendrick, Hollandsworth, Hoven, Howard, Ingraham, Kary, Klock, Knudsen, Loney, MacLaren, McGillvray, McNiven, McNutt, O'Hara, O'Neil, Osmundson, Peterson, Randall, Read, Regier, Reichner, Roberts, Rosendale, Skattum, Small, C. Smith, Taylor, Vance, Warburton, Washburn, Welborn, Williams, Mr. Speaker.

Total 55

Nays: Barrett, B. Beck, Belcourt, B. Bennett, Boland, Brodehl, Court, Driscoll, Furey, Hands, Hill, Hiner, Hollenbaugh, Hunter, Kennedy, Knox, Lavin, MacDonald, Malek, McChesney, McClafferty, McNally, Mehlhoff, Menahan, Miller, More, Noonan, Pease-Lopez, Phillips, Price, Reinhart, Salomon, Sands, Schmidt, Sesso, Skees, F. Smith, Squires, Stahl, Wagner, Wilmer, Yates.

Total 42

Excused: Hansen, Kerns, Swanson.

Total 3

Absent or not voting: None.

Total 0

HB 357 passed as follows:

Yeas: Ankney, Arntzen, Bangerter, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Gibson, Greef, Hale, Harris, Hendrick, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kennedy, 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, F. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Yates, Mr. Speaker.

Total 68

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

Excused: Hansen, Kerns, Swanson.
Total 3

Absent or not voting: None.
Total 0

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 Hale in the chair.

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

HB 604 - Representative Cook moved **HB 604** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Esp, Evans, Flynn, Gibson, Greef, Hale, Hansen, Harris, Hendrick, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McGillvray, McNiven, McNutt, Miller, More, O'Hara, O'Neil, Osmundson, Peterson, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Skattum, Skees, Small, C. Smith, Vance, Wagner, Warburton, Washburn, Welborn, Yates, Mr. Speaker.
Total 64

Nays: Barrett, Belcourt, B. Bennett, Boland, Court, Driscoll, Fitzpatrick, Furey, Hands, Hill, Hiner, Hollenbaugh, Hunter, MacDonald, Malek, McChesney, McClafferty, McNally, Mehlhoff, Menahan, Noonan, Pease-Lopez, Phillips, Price, Reinhart, Sands, Schmidt, Sesso, F. Smith, Squires, Stahl, Swanson, Williams, Wilmer.
Total 34

Excused: None.
Total 0

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Absent or not voting: Arntzen, Taylor.

Total 2

HB 610 - Representative Cook moved **HB 610** do pass.

HB 610 - Representative Cook moved **HB 610**, second reading copy, be amended as follows:

1. Page 6, line 26.

Strike: "\$71"

Insert: "\$54"

2. Page 6, line 27.

Strike: "26"

Insert: "25"

3. Page 7, line 9.

Strike: "55%"

Insert: "45%"

4. Page 7, line 22.

Strike: "55%"

Insert: "45%"

5. Page 8, line 3.

Strike: "40%"

Insert: "34%"

6. Page 8, line 11.

Strike: "55%"

Insert: "45%"

Amendment 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, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Menahan, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, F. Smith, Stahl, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 96

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Nays: Mehlhoff, Rosendale, Squires.

Total 3

Excused: Kerns.

Total 1

Absent or not voting: None.

Total 0

HB 610 - Representative Cook moved **HB 610**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, G. Bennett, Berry, Blasdel, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Furey, Greef, Hale, Hansen, Harris, Hollandsworth, Hollenbaugh, Hoven, Howard, Kennedy, Klock, Lavin, Loney, MacLaren, McGillvray, McNiven, McNutt, More, O'Hara, O'Neil, Osmundson, Peterson, Read, Regier, Reichner, Roberts, Skees, Small, Stahl, Taylor, Wagner, Warburton, Washburn, Welborn, Mr. Speaker.

Total 55

Nays: Belcourt, B. Bennett, Blyton, Boland, Court, Flynn, Gibson, Hands, Hendrick, Hill, Hiner, Hunter, Ingraham, Kary, Kerns, Knox, Knudsen, MacDonald, Malek, McChesney, McClafferty, McNally, Mehlhoff, Menahan, Miller, Noonan, Pease-Lopez, Phillips, Price, Randall, Reinhart, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, C. Smith, F. Smith, Squires, Swanson, Vance, Williams, Wilmer, Yates.

Total 45

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 612 - Representative Roberts moved **HB 612** 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, Gibson, Hale, Hansen, Harris, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McGillvray, McNiven, McNutt, Menahan, More, O'Hara, O'Neil, Osmundson, Peterson, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Skattum, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Yates, Mr. Speaker.

Total 61

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Nays: Barrett, Belcourt, B. Bennett, Boland, Court, Driscoll, Flynn, Furey, Greef, Hands, Hendrick, Hill, Hiner, Hollenbaugh, Kennedy, Kerns, MacDonald, Malek, McChesney, McClafferty, McNally, Mehlhoff, Miller, Noonan, Pease-Lopez, Phillips, Price, Reinhart, Sands, Schmidt, Sesso, Small, F. Smith, Squires, Swanson, Williams, Wilmer.
Total 37

Excused: None.
Total 0

Absent or not voting: Kary, Skees.
Total 2

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

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Gibson, Greef, Hale, Hendrick, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McGillvray, McNiven, McNutt, Menahan, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Peterson, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Skattum, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Washburn, Welborn, Williams, Yates, Mr. Speaker.
Total 70

Nays: Belcourt, B. Bennett, Boland, Court, Furey, Hands, Hill, Hiner, Hollenbaugh, MacDonald, Malek, McChesney, McClafferty, McNally, Mehlhoff, Pease-Lopez, Phillips, Price, Reinhart, Sands, Schmidt, Sesso, F. Smith, Squires, Warburton, Wilmer.
Total 26

Excused: Hansen, Kerns, Swanson.
Total 3

Absent or not voting: Harris.
Total 1

Representative Schmidt rose on a point of personal privilege in regard to HB 612 to state that it does contain information about the Tobacco Prevention Program.

FIRST READING AND COMMITMENT OF BILLS

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

HB 643, introduced by Read, Blyton, F. Smith, Skattum, C. Smith, Jackson, referred to Business and Labor.

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MOTIONS

Representative McGillvray moved **HB 598** be moved from the Committee of the Whole after Second Reading to the Appropriations committee.

Representative McGillvray moved **HB 397** be moved from the Committee of the Whole to the Appropriations committee.

Representative McGillvray moved **HB 616** be moved from the Committee of the Whole committee to the Appropriations committee.

Representative McGillvray moved **HB 630** be moved from the Taxation committee to the Appropriations committee.

Representative Menahan moved that **HB 14** be taken from Appropriations and brought before the Committee of the Whole.

Motion carried as follows:

Yeas: Arntzen, Bangerter, Barrett, B. Beck, B. Bennett, Berry, Boland, Brodehl, Clark, Court, Driscoll, Edmunds, Esp, Evans, Fitzpatrick, Flynn, Furey, Greef, Hands, Harris, Hendrick, Hill, Hiner, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Hara, O'Neil, Pease-Lopez, Peterson, Phillips, Price, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, C. Smith, F. Smith, Squires, Taylor, Wagner, Williams, Wilmer, Yates.
Total 71

Nays: Ankney, Belcourt, G. Bennett, Blasdel, Blyton, Burnett, Cook, Cuffe, Ehli, Gibson, Hale, Hollandsworth, Kennedy, Klock, Knox, Knudsen, Osmundson, Randall, Small, Stahl, Vance, Warburton, Washburn, Welborn, Mr. Speaker.
Total 25

Excused: Hansen, Kerns, Swanson.
Total 3

Absent or not voting: Connell.
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., Monday, March 28, 2011. Motion carried.

House adjourned at 11:45 a.m.

BETH CARGO
Chief Clerk of the House

MIKE MILBURN
Speaker of the House