

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

Helena, Montana
March 29, 2011

House Chambers
State Capitol

House convened at 10:00 a.m. Representative Taylor, Speaker Pro Tem, in the Chair. Invocation by Representative More. Pledge of Allegiance to the Flag.

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

BILLS (O'Hara, Chairman): 3/29/2011

Correctly printed: **HB 641, SB 11, SB 16, SB 218, SB 219, SB 237, SB 261, SB 296, SB 315, SB 330, SJR 8.**

Correctly engrossed: **HB 274, HB 616, HB 629, HB 642, SB 54, SB 97, SB 233, SB 311, SB 337, SB 338, SJR 15.**

Examined by the sponsor and found to be correct: **HB 30, HB 41, HB 102, HB 123, HB 135, HB 185, HB 269, HB 391, HB 430, HB 487, HB 498, HB 594.**

Correctly enrolled: **HB 30, HB 41, HB 102, HB 123, HB 135, HB 185, HB 269, HB 391, HB 430, HB 487, HB 498, HB 594.**

Signed by the Speaker at 10:50 a.m., March 29, 2011: **HB 49, HB 77, HB 90, HB 110, HB 116, HB 131, HB 134, HB 225, HB 256, HB 315, HB 342, HB 528, HJR 19.**

Signed by the Chief Clerk of the House at 9:30 a.m., March 29, 2011: **HB 49, HB 77, HB 90, HB 110, HB 116, HB 131, HB 134, HB 225, HB 256, HB 315, HB 342, HB 528, HJR 19.**

REPORTS OF STANDING COMMITTEES

EDUCATION (Reichner, Chairman): 3/28/2011
SB 315, be concurred in. Report adopted.
SJR 8, be concurred in. Report adopted.

TAXATION (Blasdel, Chairman): 3/28/2011
SB 219, be concurred in. Report adopted.
SB 261, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

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

3/28/2011

HB 12, introduced by Menahan
HB 69, introduced by Menahan
HB 91, introduced by Ingraham
HB 107, introduced by Hollenbaugh
HB 279, introduced by F. Smith

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HB 295, introduced by Cook
HB 297, introduced by Berry
HB 310, introduced by Blyton
HB 334, introduced by Reichner
HB 522, introduced by Kary
HB 548, introduced by Bangerter
HB 593, introduced by Ankney

Senate bills passed and transmitted to the House for concurrence: 3/28/2011

SB 94, introduced by Erickson
SB 348, introduced by De. Barrett
SB 382, introduced by Gillan
SB 410, introduced by Brenden
SB 413, introduced by Balyeat

House bills concurred in and returned to the House: 3/28/2011

HB 30, introduced by C. Smith
HB 41, introduced by Stahl
HB 102, introduced by Menahan
HB 123, introduced by McClafferty
HB 135, introduced by Squires
HB 185, introduced by Berry
HB 269, introduced by Lavin
HB 391, introduced by Berry
HB 430, introduced by Loney
HB 487, introduced by Clark
HB 498, introduced by MacLaren
HB 594, introduced by Sesso

FIRST READING AND COMMITMENT OF BILLS

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

SB 94, introduced by Erickson, referred to Taxation.
SB 348, introduced by De. Barrett, referred to Fish, Wildlife and Parks.
SB 382, introduced by Gillan, Tutvedt, referred to Taxation.
SB 410, introduced by Brenden, Ripley, Arthun, Walker, Lewis, Moore, Steinbeisser, Jones, Brown, Vincent, Tutvedt, Jackson, Buttrey, Mowbray, Hinkle, referred to Natural Resources.
SB 413, introduced by Balyeat, Tutvedt, referred to Taxation.

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MOTIONS

Representative Randall moved that **HB 616** be taken from Appropriations and brought before the Committee of the Whole.

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, Skattum, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Yates.
Total 66

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: Mr. Speaker.
Total 1

Absent or not voting: Salomon.
Total 1

Representative Knox moved that **HB 397** be taken from Appropriations and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: B. Beck, G. Bennett, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cuffe, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Greef, Hale, Hansen, Harris, Hendrick, Hoven, Howard, Ingraham, Kary, Kennedy, Kerns, Knox, Knudsen, Lavin, Loney, McGillvray, McNiven, Miller, More, O'Hara, O'Neil, Osmundson, Peterson, Randall, Read, Regier, Rosendale, Skattum, Skees, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn.
Total 51

Nays: Ankney, Arntzen, Bangerter, Barrett, Belcourt, B. Bennett, Berry, Boland, Cook, Court, Driscoll, Furey, Gibson, Hands, Hill, Hiner, Hollandsworth, Hollenbaugh, Hunter, Klock, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, McNutt, Mehlhoff, Menahan, Noonan, Pease-Lopez, Phillips, Price, Reichner, Reinhart, Roberts, Sands, Schmidt, Sesso, Small, F. Smith,

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Squires, Swanson, Welborn, Williams, Wilmer, Yates.

Total 47

Excused: Mr. Speaker.

Total 1

Absent or not voting: Salomon.

Total 1

Representative Sands moved that **SB 276** be taken from Judiciary and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: Ankney, Barrett, Belcourt, B. Bennett, Boland, Clark, Connell, Cook, Court, Cuffe, Driscoll, Esp, Evans, Fitzpatrick, Furey, Gibson, Greef, Hands, Hill, Hiner, Hollenbaugh, Hoven, Hunter, Knudsen, Lavin, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, McNutt,

Mehlhoff, Menahan, Miller, Noonan, Pease-Lopez, Phillips, Price, Reinhart, Roberts, Sands, Schmidt, Sesso, F. Smith, Squires, Swanson, Welborn, Williams, Wilmer, Yates.

Total 51

Nays: Arntzen, Bangerter, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Edmunds, Ehli, Flynn, Hale, Hansen, Harris, Hendrick, Hollandsworth, Howard, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Loney, McGillvray, McNiven, More, O'Hara, O'Neil, Osmundson, Peterson, Randall, Read, Regier, Reichner, Rosendale, Skattum, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn.

Total 47

Excused: Mr. Speaker.

Total 1

Absent or not voting: Salomon.

Total 1

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 14 passed as follows:

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

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Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Hansen, Harris, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, More, Noonan, O'Hara, O'Neil, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Sands, Schmidt, Sesso, Skees, Small, C. Smith, F. Smith, Squires, Swanson, Taylor, Warburton, Williams, Wilmer, Yates.
Total 82

Nays: Belcourt, Cuffe, Hendrick, Kerns, Klock, Knox, Knudsen, Miller, Osmundson, Skattum, Stahl, Vance, Wagner, Washburn, Welborn.
Total 15

Excused: Mr. Speaker.
Total 1

Absent or not voting: Hale, Salomon.
Total 2

HB 518 passed as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, Berry, Boland, Burnett, Clark, Connell, Cook, Court, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Furey, Gibson, Hands, Hansen, Harris, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Kary, Klock, Knudsen, 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, Reichner, Reinhart, Roberts, Rosendale, Sands, Schmidt, Sesso, Small, F. Smith, Squires, Stahl, Swanson, Taylor, Wagner, Warburton, Welborn, Williams, Wilmer, Yates.
Total 78

Nays: G. Bennett, Blasdel, Blyton, Brodehl, Cuffe, Flynn, Greef, Hale, Hendrick, Howard, Kennedy, Kerns, Knox, Lavin, Regier, Skattum, Skees, C. Smith, Vance, Washburn.
Total 20

Excused: Mr. Speaker.
Total 1

Absent or not voting: Salomon.
Total 1

HB 607 passed as follows:

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

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Furey, Gibson, Hands, Hansen, Harris, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Kary, Klock, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McGillvray, McNally, McNiven, McNutt, Menahan, Miller, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Sands, Schmidt, Sesso, Small, Squires, Stahl, Swanson, Taylor, Vance, Warburton, Washburn, Welborn, Williams, Wilmer.

Total 78

Nays: Ankney, G. Bennett, Boland, Hale, Hendrick, Ingraham, Kennedy, Kerns, Knox, McClafferty, Mehlhoff, More, Noonan, Skattum, Skees, C. Smith, F. Smith, Wagner, Yates.

Total 19

Excused: Mr. Speaker.

Total 1

Absent or not voting: Greef, Salomon.

Total 2

HB 614 passed as follows:

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

Total 66

Nays: Barrett, Belcourt, B. Bennett, Boland, Cook, Court, Driscoll, Furey, Gibson, Hands, Hill, Hollenbaugh, Hunter, Kerns, MacDonald, Malek, McClafferty, McNally, Menahan, Noonan, Osmundson, Pease-Lopez, Phillips, Price, Reinhart, Roberts, Sands, Schmidt, Sesso, F. Smith, Squires, Swanson.

Total 32

Excused: Mr. Speaker.

Total 1

Absent or not voting: Salomon.

Total 1

HB 618 passed as follows:

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

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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, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Hara, O'Neil, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Reichner, Reinhart, Roberts, Rosendale, Sands, Schmidt, Sesso, Skees, C. Smith, F. Smith, Squires, Stahl, Swanson, Taylor, Wagner, Warburton, Washburn, Williams, Wilmer, Yates.

Total 88

Nays: B. Beck, G. Bennett, Hale, McNiven, Osmundson, Regier, Skattum, Vance, Welborn.

Total 9

Excused: Mr. Speaker.

Total 1

Absent or not voting: Salomon, Small.

Total 2

HB 622 passed 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, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Reichner, Reinhart, Roberts, Rosendale, Sands, Schmidt, Sesso, Small, C. Smith, F. Smith, Squires, Swanson, Taylor, Vance, Warburton, Washburn, Welborn, Williams, Wilmer, Yates.

Total 89

Nays: Edmunds, Kennedy, Kerns, McNiven, Regier, Skattum, Skees, Stahl, Wagner.

Total 9

Excused: Mr. Speaker.

Total 1

Absent or not voting: Salomon.

Total 1

HB 631 passed 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,

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Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Hansen, Harris, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Klock, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Sands, Schmidt, Sesso, Small, C. Smith, F. Smith, Squires, Swanson, Taylor, Vance, Warburton, Washburn, Williams, Wilmer, Yates.

Total 85

Nays: Hale, Hendrick, Kary, Kennedy, Kerns, Knox, Miller, More, Skattum, Skees, Stahl, Wagner, Welborn.

Total 13

Excused: Mr. Speaker.

Total 1

Absent or not voting: Salomon.

Total 1

HB 632 passed as follows:

Yeas: Arntzen, Bangerter, Barrett, B. Bennett, G. Bennett, Blyton, Boland, Brodehl, Connell, Court, Driscoll, Evans, Fitzpatrick, Furey, Gibson, Hands, Hansen, Hendrick, Hill, Hollenbaugh, Hoven, Hunter, Ingraham, Kennedy, Klock, Knox, Lavin, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Menahan, More, O'Hara, O'Neil, Peterson, Price, Read, Regier, Reichner, Reinhart, Rosendale, Sands, Schmidt, Skees, Stahl, Swanson, Taylor, Vance, Warburton, Williams, Wilmer.

Total 56

Nays: Ankney, B. Beck, Belcourt, Berry, Blasdel, Burnett, Clark, Cook, Cuffe, Edmunds, Ehli, Esp, Flynn, Greef, Hale, Harris, Hiner, Hollandsworth, Howard, Kary, Kerns, Knudsen, Loney, McGillvray, McNutt, Miller, Noonan, Osmundson, Pease-Lopez, Phillips, Randall, Roberts, Sesso, Skattum, Small, C. Smith, F. Smith, Squires, Wagner, Washburn, Welborn, Yates.

Total 42

Excused: Mr. Speaker.

Total 1

Absent or not voting: Salomon.

Total 1

HB 633 passed as follows:

Yeas: Ankney, Arntzen, Bangerter, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cuffe, Edmunds, Ehli, Esp, Flynn, Gibson, Greef, Harris, Hendrick, Hollandsworth,

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Howard, Ingraham, Kary, Kennedy, Klock, Lavin, Loney, MacLaren, McGillvray, McNiven, McNutt, More, O'Neil, Osmundson, Peterson, Read, Regier, Reichner, Roberts, Rosendale, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn.

Total 52

Nays: Barrett, Belcourt, B. Bennett, Boland, Cook, Court, Driscoll, Evans, Fitzpatrick, Furey, Hale, Hands, Hansen, Hill, Hiner, Hollenbaugh, Hoven, Hunter, Kerns, Knox, Knudsen, MacDonald, Malek, McChesney, McClafferty, McNally, Mehlhoff, Menahan, Miller, Noonan, O'Hara, Pease-Lopez, Phillips, Price, Randall, Reinhart, Sands, Schmidt, Sesso, Skattum, F. Smith, Squires, Swanson, Williams, Wilmer, Yates.

Total 46

Excused: Mr. Speaker.

Total 1

Absent or not voting: Salomon.

Total 1

HB 638 passed as follows:

Yeas: Ankney, Arntzen, 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, Hoven, Howard, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McGillvray, McNiven, McNutt, Miller, More, O'Hara, O'Neil, Osmundson, Peterson, Randall, Regier, Roberts, Rosendale, Skattum, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn.

Total 61

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

Total 37

Excused: Mr. Speaker.

Total 1

Absent or not voting: Salomon.

Total 1

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader McGillvray moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Edmunds in the chair.

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

SB 97 - Representative K. Peterson moved **SB 97** be concurred in.

SB 97 - Representative K. Peterson moved **SB 97**, second reading copy, be amended as follows:

1. Page 2, line 12 through line 13.

Strike: subsection (4) in its entirety

Renumber: subsequent subsections

2. Page 2, line 25.

Following: "minor"

Strike: "or an incompetent person"

3. Page 2, line 26.

Following: "minor"

Strike: "or incompetent person"

4. Page 3, line 21.

Following: "minors"

Strike: "and incompetent persons"

5. Page 3, line 23.

Following: "minor"

Strike: "or incompetent person"

Amendment adopted as follows:

Yeas: Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry, Blasdel, Blyton, Boland, Brodehl, Burnett, Clark, Connell, Cook, Court, Cuffe, Driscoll, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hands, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, McChesney, McClafferty, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, F. Smith, Swanson, Taylor, Vance,

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Washburn, Welborn, Williams, Yates.

Total 86

Nays: Kennedy, Malek, Regier, Wagner, Warburton.

Total 5

Excused: Mr. Speaker.

Total 1

Absent or not voting: Ankney, Edmunds, Ehli, Kary, McGillvray, Squires, Stahl, Wilmer.

Total 8

SB 97 - Representative K. Peterson moved **SB 97**, second reading copy, be further amended as follows:

1. Page 3, line 23.

Following: "youth"

Insert: "or justice's"

2. Page 3, line 26.

Following: "youth"

Insert: "or justice's"

3. Page 4, line 21.

Following: "youth"

Insert: "or justice's"

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, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hands, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Swanson, Taylor, Welborn, Williams, Wilmer, Mr. Speaker.

Total 90

Nays: Cuffe, Hansen, McNiven, Rosendale, Vance, Wagner, Warburton, Washburn, Yates.

Total 9

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Excused: None.

Total 0

Absent or not voting: Klock.

Total 1

SB 97 - Representative K. Peterson moved **SB 97**, as amended, be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Ehli, Esp, Fitzpatrick, Flynn, Greef, Hale, Hansen, Harris, Hendrick, Hollandsworth, Howard, Ingraham, Kary, Kennedy, Kerns, Knudsen, Lavin, Loney, MacLaren, McGillvray, McNiven, Mehlhoff, 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, Yates, Mr. Speaker.

Total 60

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

Total 38

Excused: None.

Total 0

Absent or not voting: Edmunds, Knox.

Total 2

SB 42 - Representative Howard moved **SB 42** be concurred in. Motion carried as follows:

Yeas: Arntzen, Bangerter, Barrett, B. Beck, B. Bennett, Blasdel, Blyton, Boland, Brodehl, Burnett, Clark, Connell, Court, Driscoll, Edmunds, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Hansen, Harris, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Kary, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNutt, Mehlhoff, Menahan, Noonan, O'Hara, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Read, Regier, Reichner, Reinhart, Roberts, Salomon, Sands, Schmidt, Sesso, Skees, C. Smith, F. Smith, Squires, Swanson, Taylor, Williams, Wilmer, Yates, Mr. Speaker.

Total 70

Nays: Ankney, Belcourt, G. Bennett, Berry, Cook, Cuffe, Ehli, Esp, Hendrick, Ingraham, Kennedy, Kerns, Klock, Knox, Knudsen, McNiven, Miller, More, O'Neil, Randall, Rosendale, Skattum, Small, Stahl, Vance, Wagner, Warburton, Washburn, Welborn.

Total 29

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Excused: None.

Total 0

Absent or not voting: Hale.

Total 1

HB 627 - Representative G. Bennett moved **HB 627** do pass. Motion carried as follows:

Yeas: 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, Knox, Knudsen, Lavin, Loney, MacLaren, McGillvray, McNiven, More, O'Hara, O'Neil, Osmundson, Peterson, Randall, Read, Regier, Reichner, Rosendale, Salomon, Skattum, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Yates, Mr. Speaker.

Total 60

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

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 100 - Representative Connell moved **SB 100** 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

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 108 - Representative Vance moved **SB 108** 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, Miller, More, O'Hara, O'Neil, Osmundson, Peterson, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Skattum, Skees, Small, C. Smith, Stahl, Vance, Wagner, Warburton, Washburn, Welborn, Yates, Mr. Speaker.

Total 69

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

Total 30

Excused: None.

Total 0

Absent or not voting: Taylor.

Total 1

SB 136 - Representative Wilmer moved **SB 136** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNutt, Mehlhoff, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Salomon, Schmidt, Sesso, Skattum, Skees, C. Smith, Squires, Stahl, Swanson, Taylor, Vance, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 81

Nays: Barrett, Belcourt, B. Bennett, Boland, Burnett, Court, Driscoll, Hale, Hands, Hollenbaugh, McNiven, Menahan, Pease-Lopez, Roberts, Rosendale, Sands, Small, F. Smith, Wagner.

Total 19

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 156 - Representative Pease-Lopez moved **SB 156** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, 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, Klock, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Hara, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skees, Small, C. Smith, F. Smith, Squires, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Williams, Wilmer, Yates, Mr. Speaker.

Total 91

Nays: Berry, Hale, Kerns, Knox, McGillvray, O'Neil, Skattum, Stahl.

Total 8

Excused: None.

Total 0

Absent or not voting: Welborn.

Total 1

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

Yeas: Ankney, Arntzen, Bangerter, B. Beck, Belcourt, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, 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, Miller, More, O'Hara, O'Neil, Osmundson, Peterson, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Skattum, Skees, Small, C. Smith, F. Smith, Stahl, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Wilmer, Yates.

Total 74

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Nays: Barrett, B. Bennett, Boland, Court, Driscoll, Furey, Gibson, Hands, Hill, Hollenbaugh, MacDonald, Malek, McClafferty, McNally, Mehlhoff, Noonan, Pease-Lopez, Phillips, Price, Reinhart, Sands, Schmidt, Sesso, Squires, Williams.

Total 25

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

House Recessed.

House Reconvened.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (McNutt, Chairman): 3/29/2011
SB 11, be concurred in. Report adopted.
SB 16, be concurred in. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Klock, Chair): 3/28/2011
SB 233, be amended as follows:

1. Page 5, line 9.

Following: the second "WILDLIFE"

Insert: "and fish"

2. Page 10, line 20.

Strike: "(D)"

3. Page 10, line 23.

Strike: "(D)"

4. Page 10, line 26.

Following: "(i)"

Insert: "a project or activity undertaken by a private entity that is made possible by"

5. Page 11, line 1.

Following: "conservation"

Insert: "or the board of land commissioners"

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

SB 330, be concurred in. Report adopted.

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STATE ADMINISTRATION (Ingraham, Chairman):
SB 54, be amended as follows:

3/24/2011

1. Page 4, line 12.

Strike: "25"

Insert: "24"

2. Page 5, line 29.

Strike: "OR 24"

3. Page 8, line 3.

Strike: " money purchase plans"

Insert: "hybrid tier"

4. Page 8, line 4.

Strike: "27"

Insert: "26"

5. Page 8, line 5.

Strike: "18" through "27"

Insert: "16 through 24"

6. Page 8, line 14.

Strike: "25"

Insert: "24"

7. Page 10, line 13.

Strike: "26"

Insert: "25"

8. Page 19, line 3.

Strike: "regardless of age"

9. Page 19, line 10.

Strike: "In"

Insert: "(a) Upon the death of a tier one member, in"

10. Page 19, line 12 through line 13.

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

11. Page 19, line 14.

Strike: ":",

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12. Page 19, line 15.

Strike: "or"

Insert: "."

13. Page 19, line 16.

Strike: "upon"

Insert: "Upon"

Following: "member,"

Insert: "the retirement allowance"

14. Page 20, line 19.

Strike: "**assets to be held in trust --**"

15. Page 20, line 21.

Strike: "this part"

Insert: "[sections 18 through 26]"

16. Page 20, line 26.

Strike: "regarding"

Insert: "provided for in 19-20-201 as applicable to"

Strike: "as provided in 19-20-201, as applicable"

17. Page 20, line 29.

Strike: "27"

Insert: "26"

18. Page 21, line 27.

Strike: "or interest credit"

19. Page 21, line 30.

Strike: "**money purchase plan**"

20. Page 22, line 5.

Following: "retirement"

Insert: ", "

Strike: the first "**benefit**"

Insert: "disability, and death benefits"

Strike: the second "**benefit**"

Insert: "benefits"

21. Page 22, line 8.

Strike: "OR 24"

22. Page 22.

Following: line 14

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Insert: "(4) A vested member who has not reached normal retirement age and who retires on a disability retirement benefit, as provided in 19-20-901, must receive the greater of:

- (a) the benefit provided under subsection (1) of this section; or
- (b) if the member has 15 or fewer years of creditable service, 25% of the member's average final compensation.

(5) If a vested member dies before retirement, in lieu of the benefits provided for in 19-20-1001(1), regardless of age, the nominated beneficiary may elect to receive a retirement allowance equal to the greater of:

- (a) the benefit provided under subsection (1) of this section; or
- (b) 1 2/3% for each year of creditable service multiplied by the member's average final compensation.

(6) If a member who qualifies for benefits under subsection (4) or (5) has less than 3 years of full-time service during the 3 years immediately preceding the member's termination or death, the member's earned compensation for purposes of calculating a disability or survivor benefit must be determined as provided in 19-20-805."

23. Page 22, line 16.

Strike: "A"

Insert: "(1) If this subsection is approved by the internal revenue service pursuant to [section 28], a"

24. Page 22, line 19.

Strike: "(1)"

Insert: "(a)"

Renumber: subsequent subsections

25. Page 22.

Following: line 25

Insert: "(2) If the provisions of subsection (1) are not approved by the internal revenue service pursuant to [section 28], a tier two member has a right to a retirement system match of 100% of the member's accumulated contributions after the member has earned at least 10 years of creditable service."

26. Page 22, line 27 through line 29.

Strike: section 24 in its entirety

Renumber: subsequent sections

27. Page 23, line 6.

Strike: "5%"

Insert: "4%"

28. Page 23, line 7.

Strike: "5%"

Insert: "4%"

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29. Page 24, line 10.

Strike: "27"

Insert: "26"

30. Page 24, line 15.

Strike: "opinion"

Insert: "determination -- certification that plan is effective"

Following: "opinion."

Insert: "(1)"

31. Page 24, line 18 through line 19.

Strike: "[" on line 18 through "." on line 19

Insert: "The board shall seek the ruling or determination first based on the vesting schedule provided for in [section 23(1)]. If that schedule is not approved, then the board shall seek the ruling or determination based on the vesting schedule provided for in [section 23(2)].

(2) The board shall certify to the governor and the secretary of state the date on which the hybrid tier established pursuant to [sections 18 through 26] receives a favorable ruling or determination from the internal revenue service. The board shall provide a copy of the certification to the code commissioner."

32. Page 24, line 21 through line 27.

Strike: section 30 in its entirety

Renumber: subsequent sections

33. Page 24, line 30.

Strike: the first "parts 4 and"

Insert: "part"

Strike: the second "parts 4 and"

Insert: "part"

34. Page 25, line 2.

Strike: "27"

Insert: "26"

35. Page 25, line 3.

Strike: "27"

Insert: "26"

36. Page 25.

Following: line 3

Insert: "COORDINATION SECTION. Section 30. Coordination instruction. If House Bill No. 189 and [this act] are both passed and approved, then House Bill No. 189 is void."

Renumber: subsequent section

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37. Page 25, line 5.

Strike: "CONTINGENCIES"

Insert: "contingency"

38. Page 25, line 6.

Strike: "SUBSECTIONS"

Insert: "subsection"

Strike: "AND (3)"

39. Page 25, line 7.

Strike: "30"

Insert: "28"

40. Page 25, line 8.

Strike: "28"

Insert: "27"

41. Page 25, line 9 through line 11.

Strike: subsection (3) in its entirety

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

SB 311, be amended as follows:

1. Page 2, line 20.

Strike: "and"

2. Page 2, line 21.

Following: "or"

Insert: "for which"

3. Page 2, line 22.

Following: "or"

Insert: "for which"

4. Page 2, line 24 through line 25.

Strike: "MEANS" on line 24 through "FILING" on line 25

Insert: "has the meaning provided in 2-16-214"

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

SB 338, be amended as follows:

1. Title, line 5 through line 6.

Strike: "PROVIDING THAT" on line 5 through "APPROPRIATION;" on line 6

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2. Title, line 8.

Following: "2-2-121"

Insert: ", "

Strike: "AND"

Following: "2-2-136,"

Insert: "AND 17-2-304,"

3. Page 2, line 28.

Strike: "and then only"

4. Page 2, line 29.

Following: "functions"

Insert: "or in the case of an announcement directly related to a program or activity under the jurisdiction of the office or position to which the state officer was elected or appointed"

5. Page 5, line 14 through line 23.

Strike: sections 3 and 4 in their entirety

Insert: "**Section 3.** Section 17-2-304, MCA, is amended to read:

"17-2-304. Reports required. (1) The approving authority for a state agency shall annually report in writing to the legislative finance committee by September 15:

(a) each state agency that had a cash balance in a state charge for services fund contrary to the limitation provided in 17-2-302(1) during the previous 12 months;

(b) the facts certified for each state agency by the approving authority pursuant to 17-2-302(2);

(c) each state agency that has complied with the requirements of 17-2-303 and the circumstances of the agency's compliance; ~~and~~

(d) each state agency that has not complied with 17-2-303 and the circumstances of the agency's noncompliance; and

(e) all expenditures made by the state agency in the preceding 12 months that are related to the production and distribution of public service announcements.

(2) The director of the department of administration shall report to the legislature at the time and in the manner required by 5-11-210 a list of each local government entity that had a balance in a local charge for services fund contrary to the limitation provided by 17-2-302(1) or that failed to reduce the charge as provided in 17-2-303, or both, during the previous 12 months.""

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

TAXATION (Blasdel, Chairman):

3/28/2011

HB 642, introduced bill, be amended as follows:

1. Page 5, line 10.

Strike: "\$458,000"

Insert: "\$100,000"

And, as amended, do pass. Report adopted.

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

**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 Edmunds in the chair.

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

HB 513 - Representative Wagner moved **HB 513** do pass.

HB 513 - Representative Ingraham moved **HB 513**, second reading copy, be amended as follows:

1. Page 21, line 1 through line 4.

Strike: subsection (4) in its entirety

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, Greef, Hands, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, More, Noonan, O'Hara, 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, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 89

Nays: Gibson, Hale, Hansen, Harris, Knox, Knudsen, Miller, O'Neil, Wagner, Warburton.

Total 10

Excused: None.

Total 0

Absent or not voting: Howard.

Total 1

HB 513 - Representative Knox moved **HB 513**, second reading copy, be further amended as follows:

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1. Title, lines 11 through 14.

Strike: "REQUIRING" on line 11 through "CURRENCY;" on line 14

2. Title, line 19.

Strike: "17-6-202,"

3. Page 11, line 6.

Strike: "-- cigarette" through "taxes"

4. Page 11, line 7.

Following: "charges"

Insert: "-- conversion required"

5. Page 11, line 7 through line 16.

Strike: subsection (1) through subsection (2) in their entirety

Renumber: subsequent subsections

6. Page 11, line 17.

Following: "any"

Strike: "other"

7. Page 11, line 26.

Strike: "(3)(a)"

Insert: "(1)(a)"

8. Page 11, line 28.

Following: "payment"

Insert: "in gold and silver coin or electronic gold currency"

Following: "payments"

Insert: "in gold and silver coin or electronic gold currency"

9. Page 11.

Following: line 29

Insert: "(3) The state treasurer shall convert all payments received by the state under Title 16, chapter 11, that are not made in gold and silver coin to gold and silver coin as soon as practicable after receipt.

(4) With respect to cigarettes or other tobacco products, redemptions of stamps or refunds may be made only in gold and silver coin."

10. Page 15, line 6.

Following: "notify"

Insert: "-- transaction costs of conversion"

Following: "notify."

Insert: "(1)"

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11. Page 15.

Following: line 11

Insert: "(2) (a) Except as provided in subsection (2)(b), if the state or a political subdivision incurs a cost to convert legal tender to gold and silver coin or electronic gold currency to make payment to the person that requested payment in gold and silver coin or electronic gold currency, the state or political subdivision shall reduce the payment by the amount of the cost incurred to make the conversion.

(b) The state or a political subdivision may not reduce a payment made at the payee's request in gold and silver coin or electronic gold currency if:

(i) the state or political subdivision did not incur a cost to convert legal tender to gold and silver coin or electronic gold currency;

(ii) the amount of the payment to be made in gold and silver coin or electronic gold currency is less than or equal to the dollar amount of gold and silver coin or electronic gold currency made by the payee to the state or the political subdivision within the last 12 months; or

(iii) the payee has made at least one payment to the state or political subdivision within the last 12 months and 100% of the payments made by the payee to the state or political subdivision within the last 12 months have been made in gold and silver coin or electronic gold currency."

12. Page 15, line 27.

Following: "8"

Strike: "(3)"

13. Page 16, line 12.

Following: ","

Insert: "or"

14. Page 16, line 13 through line 14.

Strike: subsection (ii) in its entirety

Renumber: subsequent subsection

15. Page 20, line 18 through page 21, line 4.

Strike: section 22 in its entirety

Renumber: subsequent sections

Amendment **not** adopted as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Connell, Cook, Evans, Hale, Hansen, Harris, Hendrick, Hoven, Kary, Kennedy, Klock, Knox, Knudsen, MacLaren, McGillvray, McNiven, O'Hara, Randall, Read, Reichner, Salomon, Skattum, Skees, Small, C. Smith, Vance, Washburn, Welborn, Mr. Speaker.

Total 38

Nays: B. Beck, Belcourt, B. Bennett, Boland, Burnett, Clark, Court, Cuffe, Driscoll, Edmunds, Ehli, Esp, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Hill, Hiner, Hollandsworth,

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Hollenbaugh, Howard, Hunter, Ingraham, Kerns, Lavin, Loney, MacDonald, Malek, McChesney, McClafferty, McNally, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Regier, Reinhart, Roberts, Rosendale, Sands, Schmidt, Sesso, F. Smith, Squires, Swanson, Taylor, Wagner, Warburton, Williams, Wilmer, Yates.
Total 61

Excused: None.
Total 0

Absent or not voting: Stahl.
Total 1

HB 513 - Representative Di. Barrett moved **HB 513**, second reading copy, be further amended as follows:

1. Title, line 8.

Following: "CURRENCY,"

Insert: "COAL,"

2. Title, line 11.

Following: "CURRENCY,"

Insert: "COAL,"

3. Title, line 16.

Strike: "OR"

Following: "CURRENCY"

Insert: ", OR COAL"

4. Page 1, line 25.

Following: "currency,"

Insert: "or another tangible commodity having a fixed rate of exchange"

5. Page 2, line 3.

Following: "silver"

Insert: "or other tangible commodities"

6. Page 2, line 5.

Following: "silver"

Insert: "or other tangible commodities"

7. Page 2, line 20.

Following: "powers,"

Insert: "including the states's power and privilege to establish any other tangible commodity having a fixed rate of value as a medium of exchange,"

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8. Page 2.

Following: line 25

Insert: "(1) "Coal" has the meaning provided in 82-1-111."

Renumber: subsequent subsections

9. Page 4, line 27.

Strike: "(7)(b)"

Insert: "(8)(b)"

10. Page 5, line 25.

Following: "form"

Insert: "or coal"

11. Page 5, line 28.

Following: "form"

Insert: "or coal"

12. Page 6, line 14.

Following: "form"

Insert: "or coal"

13. Page 9, line 29.

Following: "gold"

Insert: ", "

Strike: " and"

Following: "silver"

Insert: ", and coal"

14. Page 10, line 1.

Following: "coin"

Insert: ", "

Strike: "or"

Following: "currency"

Insert: ", or coal"

15. Page 10, line 15.

Following: "coin"

Insert: ", "

Strike: "or"

Following: "currency"

Insert: ", or coal"

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16. Page 10, line 16.

Following: "coin"

Insert: ", "

Strike: "or"

17. Page 10, line 17.

Following: "currency"

Insert: ", or coal"

18. Page 10, line 21.

Following: "coin"

Insert: "or coal"

19. Page 10, line 30.

Following: "coin"

Insert: ", "

Strike: "or"

Following: "currency"

Insert: ", or coal"

20. Page 11, line 2.

Following: "coin"

Insert: ", "

Strike: "or"

Following: "currency"

Insert: ", or coal"

21. Page 12, line 1.

Following: "gold"

Insert: ", "

Strike: "and"

Following: "silver"

Insert: ", and coal"

22. Page 12, line 4.

Following: "currency"

Insert: "and coal"

23. Page 12, line 7.

Strike: "either"

Following: "States"

Insert: ", "

Strike: "or"

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24. Page 12, line 8.

Following: "currency"

Insert: ", or coal"

25. Page 12, line 16.

Following: "currency" in both places

Insert: "or coal" in both places

26. Page 12, line 18.

Following: "States"

Insert: ", "

Strike: "or"

Following: "currency"

Insert: ", or coal"

27. Page 12, line 24.

Following: "currency"

Insert: "or in coal"

28. Page 12, line 26.

Following: "currency"

Insert: "or in coal, as specified in the bond contract"

29. Page 12, line 28.

Following: "currency"

Insert: "or in coal"

30. Page 12, line 30.

Following: "gold"

Insert: ", "

Strike: "and"

Following: "silver"

Insert: ", and coal"

31. Page 13, line 5.

Strike: "both"

Following: "States"

Insert: ", "

Strike: "and"

Insert: "in"

Following: "currency"

Insert: ", and in coal"

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32. Page 13, line 7.

Strike: "either"

Following: "States"

Insert: ", "

Strike: "or"

Following: "currency"

Insert: ", or coal"

33. Page 13, line 9.

Strike: "either"

Following: "States"

Insert: ", "

Strike: "or"

Following: "currency"

Insert: ", or coal"

34. Page 13, line 14.

Following: "gold"

Insert: ", "

Strike: "and"

Following: "silver"

Insert: ", and coal"

35. Page 13, line 18.

Strike: "both"

36. Page 13, line 19.

Following: "States"

Insert: ", "

Strike: "and"

Following: "currency"

Insert: ", and coal"

37. Page 13, line 21.

Strike: "either"

Following: "States"

Insert: ", "

Strike: "or"

Following: "currency"

Insert: ", or coal"

38. Page 13, line 23.

Following: "gold"

Insert: ", "

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Strike: " and"
Following: "silver"
Insert: ", and coal"

39. Page 13, line 29.
Strike: "both"
Following: "States"
Insert: ", "
Strike: "and"
Insert: "in"
Following: "currency"
Insert: ", and in coal"

40. Page 14, line 3.
Strike: "either"

41. Page 14, line 4.
Following: "States"
Insert: ", "
Strike: "or"
Insert: "in"
Following: "currency"
Insert: ", or in coal"

42. Page 14, line 13.
Following: "currency"
Insert: "or in coal"

43. Page 14, line 15.
Following: "gold"
Insert: ", "
Strike: " and"
Following: "silver"
Insert: ", and coal"

44. Page 14, line 19.
Strike: "both"

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45. Page 14, line 20.

Following: "States"

Insert: ", "

Strike: "and"

Insert: "in"

Following: "currency"

Insert: ", and in coal"

46. Page 14, line 25.

Following: "currency"

Insert: "or in coal"

47. Page 14, line 27.

Strike: "either"

Following: "States"

Insert: ", "

Strike: "or"

Insert: "in"

Following: "currency"

Insert: ", or in coal"

48. Page 15, line 3.

Strike: "either"

Following: "States"

Insert: ", "

Strike: "or"

49. Page 15, line 4.

Following: "currency"

Insert: ", or coal"

50. Page 15, line 9.

Following: "currency"

Insert: "or coal"

51. Page 16, line 24.

Following: "currency"

Insert: "or coal"

52. Page 17, line 9.

Following: "currency"

Insert: "or in coal"

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53. Page 17, line 12.

Following: "currency"

Insert: "or coal"

54. Page 17, line 14.

Following: "currency"

Insert: "or coal"

55. Page 17, line 17.

Following: "currency"

Insert: "or coal"

56. Page 18, line 25.

Following: "coin"

Insert: ", "

Strike: "and"

Following: "currency"

Insert: ", and coal"

57. Page 19, line 15.

Following: "coin"

Insert: ", "

58. Page 19, line 16.

Strike: "or"

Following: "currency"

Insert: ", or coal"

59. Page 21, line 19.

Following: "coin"

Insert: ", "

Strike: "and"

Following: "currency"

Insert: ", and coal"

Amendment **not** adopted as follows:

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

Total 30

Nays: Arntzen, Bangerter, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Greef, Hale, Hansen, Harris, Hendrick, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns,

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Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McChesney, McGillvray, McNiven, McNutt, Menahan, Miller, More, O'Hara, O'Neil, Osmundson, Peterson, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Skattum, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Yates, Mr. Speaker.
Total 70

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 513 - Representative Noonan moved **HB 513**, second reading copy, be further amended as follows:

1. Title, line 8.

Following: "CURRENCY,"

Insert: "COPPER,"

2. Title, line 11.

Following: "CURRENCY,"

Insert: "COPPER,"

3. Title, line 16.

Strike: "OR"

Following: "CURRENCY"

Insert: ", OR COPPER"

4. Page 1, line 25.

Following: "currency,"

Insert: "or another tangible commodity having a fixed rate of exchange"

5. Page 2, line 3.

Following: "silver"

Insert: "or other tangible commodities"

6. Page 2, line 5.

Following: "silver"

Insert: "or other tangible commodities"

7. Page 2, line 20.

Following: "powers,"

Insert: "including the states's power and privilege to establish any other tangible commodity having a fixed rate of value as a medium of exchange,"

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8. Page 5, line 25.

Following: "form"

Insert: "or copper"

9. Page 5, line 28.

Following: "form"

Insert: "or copper"

10. Page 6, line 14.

Following: "form"

Insert: "or copper"

11. Page 9, line 29.

Following: "gold"

Insert: ", "

Strike: " and"

Following: "silver"

Insert: ", and copper"

12. Page 10, line 1.

Following: "coin"

Insert: ", "

Strike: "or"

Following: "currency"

Insert: ", or copper"

13. Page 10, line 15.

Following: "coin"

Insert: ", "

Strike: "or"

Following: "currency"

Insert: ", or copper"

14. Page 10, line 16.

Following: "coin"

Insert: ", "

Strike: "or"

15. Page 10, line 17.

Following: "currency"

Insert: ", or copper"

16. Page 10, line 21.

Following: "coin"

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Insert: "or copper"

17. Page 10, line 30.

Following: "coin"

Insert: ", "

Strike: "or"

Following: "currency"

Insert: ", or copper"

18. Page 11, line 2.

Following: "coin"

Insert: ", "

Strike: "or"

Following: "currency"

Insert: ", or copper"

19. Page 12, line 1.

Following: "gold"

Insert: ", "

Strike: "and"

Following: "silver"

Insert: ", and copper"

20. Page 12, line 4.

Following: "currency"

Insert: "and copper"

21. Page 12, line 7.

Strike: "either"

Following: "States"

Insert: ", "

Strike: "or"

22. Page 12, line 8.

Following: "currency"

Insert: ", or copper"

23. Page 12, line 16.

Following: "currency" in both places

Insert: "or copper" in both places

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24. Page 12, line 18.

Following: "States"

Insert: ", "

Strike: "or"

Following: "currency"

Insert: ", or copper"

25. Page 12, line 24.

Following: "currency"

Insert: "or in copper"

26. Page 12, line 26.

Following: "currency"

Insert: "or in copper, as specified in the bond contract"

27. Page 12, line 28.

Following: "currency"

Insert: "or in copper"

28. Page 12, line 30.

Following: "gold"

Insert: ", "

Strike: "and"

Following: "silver"

Insert: ", and copper"

29. Page 13, line 5.

Strike: "both"

Following: "States"

Insert: ", "

Strike: "and"

Insert: "in"

Following: "currency"

Insert: ", and in copper"

30. Page 13, line 7.

Strike: "either"

Following: "States"

Insert: ", "

Strike: "or"

Following: "currency"

Insert: ", or copper"

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31. Page 13, line 9.

Strike: "either"

Following: "States"

Insert: ", "

Strike: "or"

Following: "currency"

Insert: ", or copper"

32. Page 13, line 14.

Following: "gold"

Insert: ", "

Strike: " and"

Following: "silver"

Insert: ", and copper"

33. Page 13, line 18.

Strike: "both"

34. Page 13, line 19.

Following: "States"

Insert: ", "

Strike: "and"

Following: "currency"

Insert: ", and copper"

35. Page 13, line 21.

Strike: "either"

Following: "States"

Insert: ", "

Strike: "or"

Following: "currency"

Insert: ", or copper"

36. Page 13, line 23.

Following: "gold"

Insert: ", "

Strike: " and"

Following: "silver"

Insert: ", and copper"

37. Page 13, line 29.

Strike: "both"

Following: "States"

Insert: ", "

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Strike: "and"
Insert: "in"
Following: "currency"
Insert: ", and in copper"

38. Page 14, line 3.
Strike: "either"

39. Page 14, line 4.
Following: "States"
Insert: ", "
Strike: "or"
Insert: "in"
Following: "currency"
Insert: ", or in copper"

40. Page 14, line 13.
Following: "currency"
Insert: "or in copper"

41. Page 14, line 15.
Following: "gold"
Insert: ", "
Strike: " and"
Following: "silver"
Insert: ", and copper"

42. Page 14, line 19.
Strike: "both"

43. Page 14, line 20.
Following: "States"
Insert: ", "
Strike: "and"
Insert: "in"
Following: "currency"
Insert: ", and in copper"

44. Page 14, line 25.
Following: "currency"
Insert: "or in copper"

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45. Page 14, line 27.

Strike: "either"

Following: "States"

Insert: ", "

Strike: "or"

Insert: "in"

Following: "currency"

Insert: ", or in copper"

46. Page 15, line 3.

Strike: "either"

Following: "States"

Insert: ", "

Strike: "or"

47. Page 15, line 4.

Following: "currency"

Insert: ", or copper"

48. Page 15, line 9.

Following: "currency"

Insert: "or copper"

49. Page 16, line 24.

Following: "currency"

Insert: "or copper"

50. Page 17, line 9.

Following: "currency"

Insert: "or in copper"

51. Page 17, line 12.

Following: "currency"

Insert: "or copper"

52. Page 17, line 14.

Following: "currency"

Insert: "or copper"

53. Page 17, line 17.

Following: "currency"

Insert: "or copper"

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54. Page 18, line 25.

Following: "currency"

Insert: ", "

55. Page 18, line 26.

Following: "[section 2]"

Insert: ", and copper"

56. Page 19, line 16.

Following: "[section 2]"

Insert: ", or copper"

57. Page 21, line 19.

Following: "currency"

Insert: ", "

58. Page 21, line 20.

Following: "[section 2]"

Insert: ", and copper"

Amendment **not** adopted as follows:

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

Total 30

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

Total 68

Excused: None.

Total 0

Absent or not voting: Stahl, Welborn.

Total 2

HB 513 - Representative Wagner moved **HB 513**, as amended, do pass. Motion **failed** as follows:

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Yeas: Arntzen, B. Beck, G. Bennett, Blasdel, Blyton, Brodehl, Burnett, Connell, Cuffe, Edmunds, Evans, Flynn, Hale, Hansen, Harris, Hendrick, Hollandsworth, Howard, Ingraham, Kary, Kennedy, Kerns, Knox, Knudsen, Lavin, Loney, McGillvray, McNiven, Miller, More, O'Neil, Osmundson, Peterson, Randall, Read, Regier, Rosendale, Salomon, Skattum, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn.
Total 48

Nays: Ankney, Bangerter, Barrett, Belcourt, B. Bennett, Berry, Boland, Clark, Cook, Court, Driscoll, Ehli, Esp, Fitzpatrick, Furey, Gibson, Greef, Hands, Hill, Hiner, Hollenbaugh, Hoven, Hunter, Klock, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, McNutt, Mehlhoff, Menahan, Noonan, O'Hara, Pease-Lopez, Phillips, Price, Reichner, Reinhart, Roberts, Sands, Schmidt, Sesso, F. Smith, Squires, Swanson, Welborn, Williams, Wilmer, Yates, Mr. Speaker.
Total 52

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative D. Barrett rose on a point of personal privilege to state that Representative Wagner had misrepresented what Representative Barrett had said during committee about the redistribution of wealth.

Representative Wagner rose on a point of personal privilege to apologize but stated that the Keynesian economics remain the same.

SB 367 - Representative G. Bennett moved **SB 367** be concurred in.

SB 367 - Representative G. Bennett moved **SB 367**, second reading copy, be amended as follows:

1. Page 13, line 17 through line 18.
Strike: "nutrient" on line 17 through "(5)(b)" on line 18
Insert: "base numeric nutrient standards"

Amendment adopted as follows:

Yeas: Arntzen, Bangerter, Barrett, 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,

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

Total 98

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Ankney, B. Beck.

Total 2

SB 367 - Representative G. Bennett moved **SB 367**, as amended, be concurred in. Motion carried as follows:

Yeas: 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 99

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Ankney.

Total 1

HB 595 - Representative Stahl moved **HB 595** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry, Blasdel, Boland, Brodehl, Clark, Connell, Cook, Court, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Furey, Hands, Hansen, Harris, Hendrick, Hill, Hiner, Hollenbaugh, Howard, Hunter, Ingraham, Kary, Kennedy, Klock, Knox, Knudsen, Lavin, MacDonald, MacLaren, Malek,

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

Total 84

Nays: Blyton, Burnett, Flynn, Gibson, Greef, Hale, Hollandsworth, Hoven, Kerns, Loney, Randall, Roberts, Skattum, Small, Wagner.

Total 15

Excused: None.

Total 0

Absent or not voting: Osmundson.

Total 1

SB 352 - Representative Rosendale moved **SB 352** 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, 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, 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, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 96

Nays: Hale, Stahl.

Total 2

Excused: None.

Total 0

Absent or not voting: Connell, Kennedy.

Total 2

SB 43 - Representative Price moved **SB 43** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Belcourt, B. Bennett, Berry, Boland, Burnett, Clark, Connell, Cook, Court, Driscoll, Edmunds, Ehli, Evans, Fitzpatrick, Furey, Gibson, Greef, Hands, Harris, Hill, Hiner, Hollenbaugh, Hoven, Hunter, Ingraham, Kary, Klock, Knudsen, Lavin, Loney,

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MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, Mehlhoff, Menahan, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, F. Smith, Squires, Swanson, Taylor, Warburton, Washburn, Welborn, Williams, Wilmer, Yates.

Total 67

Nays: Arntzen, Bangerter, B. Beck, G. Bennett, Blasdel, Blyton, Brodehl, Cuffe, Esp, Flynn, Hale, Hansen, Hendrick, Hollandsworth, Howard, Kennedy, Kerns, Knox, McGillvray, McNiven, McNutt, Miller, More, Read, Regier, Skattum, Skees, Small, C. Smith, Stahl, Vance, Wagner, Mr. Speaker.

Total 33

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 Edmunds 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, Cook, Court, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hands, Hansen, Harris, Hendrick, Hiner, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, More, Noonan, O'Hara, O'Neil, Osmundson, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Yates.

Total 88

Nays: Belcourt, B. Bennett, Boland, Hill, Hollenbaugh, Malek, Pease-Lopez, Reinhart, Wilmer.

Total 9

Excused: Mr. Speaker.

Total 1

Absent or not voting: Connell, Miller.

Total 2

SECOND READING OF BILLS

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(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 Edmunds in the chair.

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

HB 274 - Representative Howard moved **HB 274** do pass.

HB 274 - Representative Howard moved **HB 274**, second reading copy, be amended as follows:

1. Title, line 6.

Strike: "REQUIRING CERTAIN"

Insert: "ENCOURAGING"

2. Title, line 7.

Following: "PROCEDURES"

Insert: "AND PENALTIES"

3. Page 2, line 10.

Strike: "EMPLOYING" through "shall"

Insert: "is encouraged"

4. Page 2, line 11.

Following: "employee,"

Insert: "to"

5. Page 2, line 12.

Strike: "The verification must"

Insert: "If the verification is made, it should"

6. Page 5, line 1.

Following: "order"

Insert: "and to pay a civil penalty of not more than \$20 for each alien unlawfully employed by the employer. Any civil penalty collected pursuant to this subsection must be deposited in the general fund"

Amendment adopted 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,

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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, McChesney, McGillvray, McNally, McNiven, McNutt, Menahan, More, O'Hara, O'Neil, Osmundson, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, Squires, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Yates, Mr. Speaker.

Total 89

Nays: Boland, Loney, Malek, McClafferty, Mehlhoff, Noonan, Pease-Lopez, F. Smith, Swanson, Wilmer.

Total 10

Excused: Miller.

Total 1

Absent or not voting: None.

Total 0

HB 274 - Representative Howard moved **HB 274**, as amended, 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, Greef, Hale, Hansen, Harris, Hendrick, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kennedy, Kerns, 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, Mr. Speaker.

Total 65

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

Total 35

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 603 - Representative Blasdel moved **HB 603** do pass. Motion carried as follows:

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Yeas: Arntzen, Bangerter, B. Beck, G. Bennett, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cuffe, Edmunds, Ehli, Esp, Evans, Flynn, Greef, Hale, Hansen, Harris, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kennedy, Kerns, 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, Mr. Speaker.
Total 60

Nays: Ankney, Barrett, Belcourt, B. Bennett, Berry, Boland, Cook, Court, Driscoll, Fitzpatrick, Furey, Gibson, Hands, Hendrick, Hill, Hiner, Hollenbaugh, Hunter, Klock, MacDonald, Malek, McChesney, McClafferty, McNally, Mehlhoff, Menahan, Noonan, Pease-Lopez, Phillips, Price, Reinhart, Sands, Schmidt, Sesso, F. Smith, Squires, Swanson, Williams, Wilmer, Yates.
Total 40

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 Edmunds 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, Driscoll, Edmunds, Ehli, Esp, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hansen, Harris, Hendrick, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McGillvray, McNiven, McNutt, Menahan, More, Noonan, 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.
Total 71

Nays: Belcourt, B. Bennett, Boland, Court, Hands, Hill, Hiner, Hollenbaugh, MacDonald, Malek, McChesney, McClafferty, McNally, Mehlhoff, Pease-Lopez, Phillips, Price, Reinhart, Sands, Schmidt, Sesso, F. Smith, Squires, Swanson, Wilmer.
Total 25

Excused: Miller, Mr. Speaker.
Total 2

Absent or not voting: Cuffe, Evans.
Total 2

House Recessed.

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House Reconvened.

Roll Call. All members present, except Representatives Evans, Milburn, and Miller, excused. Quorum present.

**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 Edmunds in the chair.

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

HB 240 - Representative Flynn moved **HB 240** do **not** 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, Driscoll, Edmunds, Ehli, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hands, Hansen, Harris, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, 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, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Swanson, Wagner, Washburn, Williams, Wilmer, Yates, Mr. Speaker.
Total 90

Nays: Cuffe, Esp, Hendrick, Howard, Randall, Taylor, Vance, Warburton, Welborn.
Total 9

Excused: Evans.
Total 1

Absent or not voting: None.
Total 0

HB 334 - Senate Amendments - Representative Reichner moved Senate amendments to **HB 334** 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, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Klock, Knox, Knudsen,

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Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, 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, Skattum, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Swanson, Taylor, Vance, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 92

Nays: Edmunds, Evans, Hale, Kennedy, Kerns, More, Wagner, Warburton.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 629 - Representative Knudsen moved **HB 629** do pass.

HB 629 - Representative Knox moved **HB 629**, second reading copy, be amended as follows:

1. Title, page 1, line 12.

Strike: "AND"

2. Title, page 1, line 13.

Following: "DATE"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 16, line 13.

Following: line 12

Insert: "NEW SECTION. Section 13. 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

4. Page 16, line 17.

Following: line 17

Insert: "NEW SECTION. Section 15. Effective date. [This act] is effective July 1, 2011."

Amendment adopted as follows:

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

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Hollenbaugh, Hoven, Howard, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McChesney, McGillvray, McNally, McNiven, McNutt, Mehlhoff, More, O'Hara, O'Neil, Osmundson, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Schmidt, Skattum, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Wilmer, Mr. Speaker.
Total 81

Nays: Barrett, Belcourt, B. Bennett, Boland, Hands, Hill, Hunter, MacDonald, Malek, McClafferty, Menahan, Noonan, Pease-Lopez, Sands, Sesso, Swanson, Williams, Yates.
Total 18

Excused: Miller.
Total 1

Absent or not voting: None.
Total 0

HB 629 - Representative Knudsen moved **HB 629**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, B. Beck, Belcourt, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hansen, Harris, Hendrick, Hiner, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McChesney, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Miller, More, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Price, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Skattum, Skees, Small, C. Smith, F. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Mr. Speaker.
Total 77

Nays: Barrett, B. Bennett, Boland, Court, Hands, Hill, Hollenbaugh, Hunter, MacDonald, Malek, McClafferty, Menahan, Noonan, Phillips, Reinhart, Sands, Schmidt, Sesso, Squires, Swanson, Williams, Wilmer, Yates.
Total 23

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 636 - Representative Loney moved **HB 636** do pass. Motion carried as follows:

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

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Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kennedy, Kerns, Klock, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Hara, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Small, F. Smith, Squires, Swanson, Taylor, Vance, Wagner, Warburton, Welborn, Williams, Wilmer, Yates.

Total 86

Nays: Bangerter, Esp, Hale, Kary, Knox, McGillvray, O'Neil, Randall, Skattum, Skees, C. Smith, Stahl, Mr. Speaker.

Total 13

Excused: None.

Total 0

Absent or not voting: Washburn.

Total 1

SB 222 - Representative Knox moved **SB 222** be concurred in.

SB 222 - Representative Di. Barrett moved **SB 222**, second reading copy, be amended as follows:

1. Page 1, line 19.

Following: "States"

Insert: "or a legal, permanent resident of the United States"

Amendment **not** adopted as follows:

Yeas: Barrett, Belcourt, B. Bennett, Boland, Clark, Cook, Court, Driscoll, Edmunds, Fitzpatrick, Furey, Hands, Hansen, Hill, Hiner, Hollenbaugh, Hoven, Hunter, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, Mehlhoff, Menahan, O'Neil, Pease-Lopez, Price, Reinhart, Sands, Schmidt, Sesso, F. Smith, Squires, Swanson, Taylor, Vance, Williams, Wilmer, Yates.

Total 41

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

Total 56

Excused: Miller.

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Total 1

Absent or not voting: Noonan, Phillips.

Total 2

SB 222 - Representative O'Neil moved **SB 222**, second reading copy, be amended as follows:

1. Page 2, line 1 through line 3.

Strike: "and" on line 1 through "penitentiary" on line 3

Amendment **not** adopted as follows:

Yeas: Ankney, B. Bennett, Brodehl, Connell, Cook, Court, Edmunds, Flynn, Furey, Gibson, Greef, Hale, Hansen, Hoven, Ingraham, Kennedy, Kerns, Knudsen, McGillvray, McNiven, More, O'Neil, Read, Regier, Reichner, Reinhart, Roberts, Sands, Small, F. Smith, Stahl, Taylor, Wagner, Mr. Speaker.

Total 34

Nays: Arntzen, Bangerter, Barrett, B. Beck, Belcourt, G. Bennett, Berry, Blasdel, Blyton, Boland, Burnett, Clark, Cuffe, Driscoll, Ehli, Esp, Fitzpatrick, Hands, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Howard, Hunter, Kary, Klock, Knox, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, McNutt, Mehlhoff, Menahan, Noonan, O'Hara, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Rosendale, Salomon, Schmidt, Sesso, Skattum, Skees, C. Smith, Squires, Swanson, Vance, Washburn, Welborn, Williams, Wilmer, Yates.

Total 63

Excused: Evans, Miller.

Total 2

Absent or not voting: Warburton.

Total 1

SB 222 - Representative Ehli moved **SB 222**, second reading copy, be amended as follows:

1. Page 2, line 1.

Strike: "and"

2. Page 2, line 3.

Following: "penitentiary"

Insert: "; and

(8) if required by the city or town in which the fire department is established, must be a qualified voter of the city or town"

Amendment **not** adopted as follows:

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Yeas: B. Beck, Blyton, Brodehl, Connell, Cook, Cuffe, Ehli, Evans, Greef, Hale, Harris, Knox, MacLaren, More, Squires, Stahl, Taylor, Warburton.
Total 18

Nays: Ankney, Arntzen, Bangerter, Barrett, Belcourt, B. Bennett, G. Bennett, Berry, Blasdel, Boland, Burnett, Clark, Court, Driscoll, Edmunds, Esp, Fitzpatrick, Flynn, Furey, Gibson, Hands, Hansen, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knudsen, Lavin, Loney, MacDonald, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, 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, Swanson, Vance, Wagner, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.
Total 81

Excused: Miller.
Total 1

Absent or not voting: None.
Total 0

SB 222 - Representative Knox moved **SB 222** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry, Blasdel, Blyton, Boland, Brodehl, Clark, Connell, Cook, Court, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Furey, Gibson, Greef, Hale, Hands, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Kary, Kennedy, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, McNiven, McNutt, Mehlhoff, Menahan, More, Noonan, O'Hara, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Swanson, Taylor, Vance, Warburton, Washburn, Welborn, Williams, Wilmer, Yates.
Total 90

Nays: Burnett, Flynn, Hoven, Howard, Kerns, McGillvray, O'Neil, Wagner, Mr. Speaker.
Total 9

Excused: Miller.
Total 1

Absent or not voting: None.
Total 0

SB 307 - Representative Knox moved **SB 307** be concurred in. Motion carried as follows:

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Yeas: Ankney, Arntzen, Bangerter, B. Beck, G. Bennett, Berry, 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, 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, Blasdel, 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: Miller.

Total 1

Absent or not voting: None.

Total 0

SB 327 - Representative Di. Barrett moved **SB 327** be concurred in. Motion **failed** as follows:

Yeas: Ankney, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, Boland, Court, Cuffe, Driscoll, Furey, Gibson, Greef, Hands, Hill, Hiner, Hollenbaugh, Hoven, Hunter, Klock, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNutt, Menahan, Noonan, O'Neil, Pease-Lopez, Peterson, Price, Reinhart, Roberts, Salomon, Sands, Schmidt, Sesso, Small, F. Smith, Squires, Stahl, Swanson, Williams, Wilmer, Mr. Speaker.

Total 49

Nays: Arntzen, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Hale, Hansen, Harris, Hendrick, Hollandsworth, Howard, Ingraham, Kary, Kennedy, Kerns, Knox, Knudsen, Lavin, McNiven, Mehlhoff, More, O'Hara, Osmundson, Randall, Read, Regier, Reichner, Rosendale, Skattum, Skees, C. Smith, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Yates.

Total 49

Excused: Miller.

Total 1

Absent or not voting: Phillips.

Total 1

SB 337 - Representative K. Peterson moved **SB 337** be concurred in.

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SB 337 - Representative K. Peterson moved **SB 337**, second reading copy, be amended as follows:

1. Page 4, line 13.

Following: "pleading"

Insert: "if the person is represented by an attorney"

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

Total 99

Nays: None.

Total 0

Excused: Miller.

Total 1

Absent or not voting: None.

Total 0

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

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry, Blasdel, Blyton, Boland, Brodehl, Burnett, Clark, Connell, Cook, Court, Cuffe, Driscoll, 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, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, More, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees,

Small, C. Smith, F. Smith, Squires, Stahl, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Williams, Wilmer, Yates, Mr. Speaker.

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Total 96

Nays: Hale, MacLaren, Welborn.

Total 3

Excused: Miller.

Total 1

Absent or not voting: None.

Total 0

HB 271 - Senate Amendments - Representative Kerns moved Senate amendments to **HB 271** be **not** 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, 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 68

Nays: Barrett, Belcourt, B. Bennett, Boland, Court, Driscoll, Furey, Hands, Hill, Hiner, Hollenbaugh, Hunter, Lavin, MacDonald, Malek, McChesney, McClafferty, McNally, 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

HB 593 - Senate Amendments - Representative Ankney moved Senate amendments to **HB 593** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, B. Beck, Belcourt, 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.

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Total 72

Nays: Barrett, 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 28

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 616 - Representative Randall moved **HB 616** do pass.

HB 616 - Representative Randall moved **HB 616**, second reading copy, be amended as follows:

1. Title, page 1, line 5 through line 10.
Strike: "REVISING" on line 5 through "COLLECTED;" on line 10
2. Title, page 1, line 15.
Strike: "PROVIDING" through "REFUNDS;"
3. Title, page 1, line 16.
Strike: "SECTIONS" through "15-7-111,"
Insert: "SECTION"
Strike: "15-7-202, AND 17-7-502,"
4. Title, page 1, line 17.
Strike: "AND" through "DATES"
5. Page 3, line 6 through page 8, line 9.
Strike: section 2 through section 5 in their entirety
Renumber: subsequent sections
6. Page 8, line 20.
Strike: "Subject to [section 2], in"
Insert: "In"
7. Page 10, line 21 through page 14, line 11.
Strike: section 7 through section 8 in their entirety
Renumber: subsequent sections
8. Page 14, line 18 through line 21.

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Strike: section 11 in its entirety

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, 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, 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, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 97

Nays: Evans, Warburton.

Total 2

Excused: Miller.

Total 1

Absent or not voting: None.

Total 0

HB 616 - Representative Randall moved **HB 616**, as amended, 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.

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Total 0

Absent or not voting: None.

Total 0

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

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

Total 73

Nays: Barrett, B. Bennett, Boland, Furey, Hands, Hill, Hiner, Malek, McClafferty, Mehlhoff, Noonan, O'Neil, Pease-Lopez, Price, Reinhart, Sands, Schmidt, Sesso, F. Smith, Squires, Swanson, Wilmer.

Total 22

Excused: Evans, Miller, Mr. Speaker.

Total 3

Absent or not voting: Phillips, Welborn.

Total 2

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Kerns, Chairman):

3/29/2011

SB 218, be concurred in. Report adopted.

SB 237, be concurred in. Report adopted.

SB 296, be concurred in. Report adopted.

SJR 15, be amended as follows:

1. Page 2, line 4.

Following: "involved;"

Insert: "and"

2. Page 2, line 6 through line 8.

Strike: "; and" on line 6 through "decisions" on line 8

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

TAXATION (Blasdel, Chairman):
HB 641, do pass. Report adopted.

3/29/2011

MOTIONS

Representative McGillvray moved **HB 595** be moved from the Committee of the Whole after Second Reading to the Appropriations committee. Representative Stahl objected.

Motion carried as follows:

Yeas: Ankney, Bangerter, Barrett, Belcourt, B. Bennett, Berry, Blyton, Boland, Burnett, Clark, Connell, Cook, Court, Cuffe, Driscoll, Edmunds, Esp, Flynn, Furey, Gibson, Greef, Hands, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNutt, Mehlhoff, Menahan, Noonan, O'Hara, Pease-Lopez, Price, Randall, Read, Reinhart, Roberts, Rosendale, Sands, Schmidt, Sesso, Small, C. Smith, F. Smith, Squires, Swanson, Taylor, Wagner, Washburn, Williams, Wilmer.

Total 67

Nays: Arntzen, B. Beck, G. Bennett, Ehli, Fitzpatrick, Hale, Hansen, Harris, Howard, Knox, Knudsen, Lavin, McNiven, More, O'Neil, Osmundson, Peterson, Regier, Reichner, Salomon, Skees, Stahl, Vance, Warburton, Welborn, Yates.

Total 26

Excused: Evans, Miller, Mr. Speaker.

Total 3

Absent or not voting: Blasdel, Brodehl, Phillips, Skattum.

Total 4

Representative Belcourt moved that **HB 157** be taken from Appropriations and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: Ankney, Barrett, Belcourt, B. Bennett, Boland, Driscoll, Furey, Hands, Hill, Hiner, Hollenbaugh, Hunter, Kennedy, Knox, Malek, McChesney, McClafferty, McNally, Mehlhoff, Menahan, Noonan, O'Neil, Price, Reinhart, Rosendale, Salomon, Sands, Schmidt, Sesso, Skees, F. Smith, Squires, Swanson, Taylor, Vance, Wagner, Welborn, Williams, Yates.

Total 39

Nays: Arntzen, Bangerter, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Esp, Fitzpatrick, Flynn, Gibson, Greef, Hale, Hansen,

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Harris, Hendrick, Hollandsworth, Hoven, Ingraham, Kary, Kerns, Klock, Knudsen, Loney, MacDonald, MacLaren, McGillvray, McNutt, More, O'Hara, Osmundson, Peterson, Read, Regier, Roberts, Small, C. Smith, Stahl, Warburton, Washburn, Wilmer.
Total 49

Excused: Evans, Miller, Mr. Speaker.
Total 3

Absent or not voting: Court, Howard, Lavin, McNiven, Pease-Lopez, Phillips, Randall, Reichner, Skattum.
Total 9

Representative McGillvray moved to appoint a Conference Committee on **HB 593** and request the Senate to appoint a like committee. Motion Carried. Speaker Milburn appointed:
3/29/2011

Representative Ankney
Representative McChesney
Representative Stahl

Representative McGillvray moved to appoint a Conference Committee on **HB 271** and request the Senate to appoint a like committee. Motion Carried. Speaker Milburn appointed:
3/29/2011

Representative Kerns
Representative Mehlhoff
Representative Skattum

Representative Knox rose on a point of order about members not voting.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative McGillvray moved that the House adjourn until 10:00 a.m., Wednesday, March 30, 2011. Motion carried.

House adjourned at 6:22 p.m.

BETH CARGO
Chief Clerk of the House

MIKE MILBURN
Speaker of the House