

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

Helena, Montana
April 19, 2011

House Chambers
State Capitol

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

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

BILLS (O'Hara, Chairman): 4/19/2011

Correctly printed: **SB 199, SB 292, SB 406, SJR 26.**

Correctly engrossed: **HB 13.**

Delivered to the Governor for approval at 1:15 p.m., April 19, 2011: **HB 306, HB 358, HB 618.**

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the sixty-third, sixty-fourth, sixty-fifth, sixty-sixth, and sixty-seventh legislative days, find the same to be correct.

Representative O'Hara, Chair

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (McNutt, Chairman): 4/18/2011

HB 13, introduced bill, be amended as follows:

1. Page 5, line 13.

Strike: "\$32,323"

Insert: "\$35,323"

And, as amended, do pass. Report adopted.

SB 199, be concurred in. Report adopted.

SB 292, be concurred in. Report adopted.

SB 406, be concurred in. Report adopted.

MESSAGES FROM THE GOVERNOR

April 18, 2011

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

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

The Honorable Jim Peterson
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Milburn and President Peterson:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto House Bill 307, "**AN ACT PROHIBITING STATE BUILDING CODES FROM REQUIRING MANDATORY INSTALLATION OF FIRE SPRINKLER SYSTEMS IN CERTAIN RESIDENTIAL BUILDINGS; AMENDING SECTION 50-60-203, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE**" for the following reasons.

House Bill 307 was returned to my office after the House and Senate failed to adopt my amendments. The bill prohibits the Department of Labor and Industry from adopting a state building code requirement that sprinklers be installed in certain residential buildings. My proposed amendments to HB 307 would have permitted our state building codes to include a rule authorizing local jurisdictions to adopt and enforce building standards to decide how and when additional requirements for fire suppression should be required in new construction.

I am now vetoing House Bill 307 in its entirety because of serious public safety concerns. Firefighters across the state who risk their lives every day have run into serious obstacles in suppressing fires in new residential housing projects that have limited water supply or are remotely located from volunteer fire departments. The State Building Codes need to at least have the option of considering mandatory sprinklers. Public hearings would be required before any new code requirement was adopted.

I respectfully request that the legislature sustain my veto.

Sincerely,
BRIAN SCHWEITZER
Governor

April 18, 2011

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

The Honorable Jim Peterson
President of the Senate
State Capitol
Helena, Montana 59620

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

Dear Speaker Milburn and President Peterson:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return with amendments House Bill 565, "**AN ACT PROVIDING CHILDREN WITH MENTAL HEALTH NEEDS WITH IN-STATE SERVICE ALTERNATIVES TO OUT-OF-STATE PLACEMENT; REVISING DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES PROCEDURES FOR DETERMINING PLACEMENT OF CHILDREN IN OUT-OF-STATE SERVICES; REQUIRING THE DEPARTMENT TO DIFFERENTIATE BETWEEN MODERATE AND INTENSIVE NEEDS FOR HIGH-RISK CHILDREN; EXPANDING REPORTING REQUIREMENTS; PROVIDING RULEMAKING AUTHORITY; AND AMENDING SECTIONS 52-2-308, 52-2-310, AND 52-2-311, MCA**" for the following reasons.

House Bill 565 addresses the important public policy of prioritizing placement of high-risk children with complex multiagency service needs in-state. I have proposed amendments to the bill for purposes of ensuring conformity with federal Medicaid law, to remove requirements regarding "performance standards" where no objective standards are available, and to make the current law more meaningful in a manner consistent with the sponsor's, Representative Noonan's, intent.

In its current form, HB 565 would require the Department of Public Health and Human Services (DPHHS) to establish a performance-based system for assigning in-state providers to cases. This provision in the bill conflicts with federal Medicaid requirements that any willing provider must be allowed to participate in the program if the provider meets established licensure and certification requirements. Additionally, HB 565 would require DPHHS to adopt rules establishing measurable performance standards and demonstrated successful outcomes for providers. While a laudable goal, no widely accepted performance standards exist, and it is extremely difficult to measure performance outcomes due to limited sample sizes and the inability to control for the vast differences between children with emotional disturbances.

My proposed amendments address these problems in the bill and also clarify current law consistent with DPHHS' experiences. For example, the amendments delete current requirements that DPHHS differentiate in definition and reimbursement rates between therapeutic settings that provide a moderate level of service and those providing an intensive level. For many years, the children served by DPHHS have required intensive level of services, so the amendments remove the distinction in statute that has proven unnecessary. Most other proposed amendments should be self-explanatory.

I share with the Legislature endorsement for the policy reflected in the law and in the improvements to the law contained in HB 565 that, to the extent possible, our state must prioritize treating children with complex and serious mental health needs close to home. We have made great strides in the past four years reducing the number of out-of-state placements of children requiring mental health treatment by 40%. We must continue in our efforts.

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

Representative Noonan has indicated his support for my amendments, and I respectfully ask you to join him with your support as well.

Sincerely,

BRIAN SCHWEITZER
Governor

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 565
Report No. 1, April 19, 2011

Governor's recommendations for amendments to **House Bill 565** (reference copy -- salmon) are as follows:

1. Title, line 4.

Following: "ACT"

Insert: "CLARIFYING REQUIREMENTS FOR"

2. Title, line 7 through line 8.

Strike: "REQUIRING" on line 7 through "EXPANDING" on line 8

Insert: "REVISING"

3. Page 1, line 26.

Following: "children"

Insert: "have decreased by 40% in the last 4 years but still"

4. Page 2, line 7 through line 8.

Strike: "and a" on line 7 through "providers" on line 9

5. Page 2, line 13.

Strike: " and"

6. Page 2, line 14.

Following: "care"

Insert: "and planning process; and

(d) using criteria established by the department to address the specialized needs of high-risk children with multiagency service needs"

7. Page 2, line 15 through line 27.

Strike: subsections (2) and (3) in their entirety

Renumber: subsequent subsections

8. Page 2, line 28.

Strike: "establish" through "assigning a"

Insert: "allow any willing and"

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

9. Page 3, line 1.

Following: "(b)"

Strike: "The"

Insert: "Prior to contracting with a provider for the delivery of in-state services, the department must determine that the plan of care submitted by the in-state provider is both cost-effective and in the best interests of the child.

(c) If a qualified in-state provider proposes a plan of care for providing in-state services to the child, the"

10. Page 3, line 3 through line 4.

Strike: subsection (5) in its entirety

11. Page 3, line 12 through line 22.

Strike: "efforts the department made"

Insert: "process used"

Following: "placements"

Strike: ", including:" on line 12 through line 22

Insert: "; and

(e) the number of in-state providers participating in the pool."

12. Page 3, line 23.

Strike: "the department"

Insert: "medicaid"

13. Page 3, line 24.

Following: "indicating"

Strike: "the"

Insert: "other"

Strike: "program"

Insert: "programs"

**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 Phillips in the chair.

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

HB 140 - Senate Amendments - Representative Hiner moved Senate amendments to **HB 140** be concurred in. Motion carried as follows:

Yeas: Arntzen, Bangerter, B. Beck, B. Bennett, Boland, Burnett, Clark, Connell, Court,

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

Edmunds, Ehli, Evans, Furey, Hands, Harris, Hiner, Hollandsworth, Hoven, Hunter, Kary, Klock, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Regier, Reichner, Reinhart, Roberts, Rosendale, Sands, Schmidt, Sesso, Small, F. Smith, Squires, Swanson, Warburton, Washburn, Williams, Wilmer, Yates, Mr. Speaker.
Total 59

Nays: Ankney, Barrett, Belcourt, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Cook, Cuffe, Driscoll, Esp, Fitzpatrick, Flynn, Gibson, Greef, Hale, Hansen, Hendrick, Hill, Hollenbaugh, Howard, Ingraham, Kennedy, Kerns, Knox, Knudsen, Menahan, Miller, More, Randall, Read, Salomon, Skattum, Skees, C. Smith, Stahl, Taylor, Vance, Wagner, Welborn.
Total 41

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 370 - Senate Amendments - Representative Squires moved Senate amendments to **HB 370** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, Barrett, Belcourt, B. Bennett, G. Bennett, Berry, Boland, Clark, Connell, Cook, Court, Driscoll, Ehli, Evans, Furey, Hands, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Kennedy, Klock, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNutt, Mehlhoff, Menahan, Miller, Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Price, Read, Reichner, Reinhart, Sands, Schmidt, Sesso, Small, Squires, Stahl, Swanson, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.
Total 62

Nays: Arntzen, B. Beck, Blasdel, Blyton, Brodehl, Burnett, Cuffe, Edmunds, Esp, Fitzpatrick, Flynn, Gibson, Greef, Hale, Hansen, Ingraham, Kary, Kerns, Knox, Knudsen, Lavin, McNiven, More, O'Neil, Osmundson, Randall, Regier, Roberts, Rosendale, Salomon, Skattum, Skees, C. Smith, F. Smith, Taylor, Vance, Wagner, Warburton.
Total 38

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

HB 159 - Senate Amendments - Representative C. Smith moved Senate amendments to **HB 159** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, 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, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, 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 92

Nays: Boland, Court, Hands, Hill, Hollenbaugh, MacDonald, Pease-Lopez, Reinhart.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 186 - Senate Amendments - Representative Hunter moved Senate amendments to **HB 186** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry, Boland, Brodehl, Clark, Connell, Cook, Court, Cuffe, Driscoll, Ehli, Esp, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Hansen, Harris, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Klock, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, McNiven, McNutt, Mehlhoff, Menahan, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Reichner, Reinhart, Roberts, Salomon, Sands, Schmidt, Sesso, Small, F. Smith, Squires, Swanson, Vance, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.
Total 71

Nays: Arntzen, Blasdel, Blyton, Burnett, Edmunds, Evans, Hale, Hendrick, Howard, Ingraham, Kary, Kennedy, Kerns, Knox, Knudsen, McGillvray, Miller, More, Randall, Read, Regier, Rosendale, Skattum, Skees, C. Smith, Stahl, Taylor, Wagner, Warburton.
Total 29

Excused: None.
Total 0

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

Absent or not voting: None.

Total 0

HB 209 - Senate Amendments - Representative Washburn moved Senate amendments to **HB 209** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hansen, Harris, Hendrick, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, 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, Swanson, Taylor, Vance, Wagner, Washburn, Welborn, Williams, Yates, Mr. Speaker.

Total 87

Nays: Boland, Cook, Court, Hands, Hill, MacDonald, Malek, Noonan, Pease-Lopez, F. Smith, Stahl, Warburton, Wilmer.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 283 - Senate Amendments - Representative Bangerter moved Senate amendments to **HB 283** 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, Flynn, Gibson, Greef, Hale, Harris, Hendrick, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McGillvray, McNiven, McNutt, Miller, More, O'Hara, O'Neil, Osmundson, Peterson, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Skattum, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Mr. Speaker.

Total 65

Nays: Barrett, Belcourt, B. Bennett, Boland, Court, Driscoll, Fitzpatrick, Furey, Hands, Hansen, 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, Yates.

Total 35

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 317 - Senate Amendments - Representative Cook moved Senate amendments to **HB 317** be concurred in. Motion carried as follows:

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

Total 70

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

Total 30

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 518 - Senate Amendments - Representative Hunter moved Senate amendments to **HB 518** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, Belcourt, B. Bennett, Berry, Boland, 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, 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, Read,

Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Small, F. Smith, Squires, Stahl, Swanson, Taylor, Warburton, Washburn, Williams, Wilmer, Yates, Mr. Speaker.

Total 81

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

Nays: B. Beck, G. Bennett, Blasdel, Blyton, Brodehl, Burnett, Hale, Kennedy, Kerns, Knox, Lavin, Randall, Regier, Skattum, Skees, C. Smith, Vance, Wagner, Welborn.
Total 19

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 615 - Senate Amendments - Representative K. Williams moved Senate amendments to **HB 615** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Blasdel, Blyton, Boland, Clark, Connell, Cook, Court, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hands, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Kary, Kerns, Klock, Knox, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Phillips, Price, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Small, F. Smith, Squires, Stahl, Swanson, Taylor, Vance, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.
Total 83

Nays: Berry, Brodehl, Burnett, Hale, Howard, Ingraham, Kennedy, Knudsen, Lavin, Loney, More, Randall, Skees, C. Smith, Wagner, Warburton.
Total 16

Excused: None.
Total 0

Absent or not voting: Peterson.
Total 1

HB 622 - Senate Amendments - Representative Ankney moved Senate amendments to **HB 622** 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,

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

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

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 638 - Senate Amendments - Representative Howard moved Senate amendments to **HB 638** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett, 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, Price, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Skattum, Skees, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Williams, Mr. Speaker.

Total 67

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

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 372 - Senate Amendments - Representative Washburn moved Senate amendments to **HB 372** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, B. Beck, B. Bennett, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Court, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Gibson, Greef, Hale, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, McChesney, McGillvray, McNally, McNiven, McNutt,

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

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

Total 86

Nays: Barrett, Belcourt, Boland, Furey, Hands, Malek, McClafferty, Mehlhoff, Menahan, Noonan, Pease-Lopez, Sesso, F. Smith.

Total 13

Excused: None.

Total 0

Absent or not voting: Warburton.

Total 1

HB 416 - Governor's Amendments - Representative Klock moved Governor's amendments to **HB 416** be **not** concurred in. Motion carried as follows:

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

Total 55

Nays: Bangerter, Barrett, Belcourt, B. Bennett, Berry, Boland, Court, Driscoll, Edmunds, Fitzpatrick, Furey, Hands, Hansen, Hill, Hiner, Hollenbaugh, Hoven, Hunter, Kennedy, Loney, MacDonald, Malek, McChesney, McClafferty, McNally, Mehlhoff, Menahan, More, Noonan, O'Neil, Pease-Lopez, Peterson, Phillips, Price, Read, Reinhart, Sands, Schmidt, Sesso, F. Smith, Squires, Swanson, Williams, Wilmer, Yates.

Total 45

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

Yeas: Ankney, Arntzen, Bangerter, 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, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McChesney, McGillvray, McNally, McNiven, McNutt, Menahan, Miller, More, O'Hara, O'Neil, Osmundson, Peterson, Price, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Sands, Schmidt, Skattum, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Yates, Mr. Speaker.

Total 77

Nays: Barrett, Belcourt, B. Bennett, Boland, Court, Cuffe, Hands, Hill, MacDonald, Malek, McClafferty, Mehlhoff, Noonan, Pease-Lopez, Phillips, Reinhart, Sesso, F. Smith, Squires, Swanson, Williams, Wilmer.

Total 22

Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

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

Total 97

Nays: Hale, Small.

Total 2

Excused: Evans.

Total 1

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

Absent or not voting: None.

Total 0

HB 111 passed as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, B. Bennett, G. Bennett, Berry, Blasdel, Blyton, Boland, Brodehl, Burnett, Clark, Connell, Cook, Court, Cuffe, Driscoll, Edmunds, Ehli, Esp, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hands, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Knox, Knudsen, Lavin, 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, Skees, Small, C. Smith, Squires, Stahl, Swanson, Taylor, Vance, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 92

Nays: Belcourt, Kerns, Klock, Loney, Skattum, F. Smith, Wagner.

Total 7

Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

HB 152 passed as follows:

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

Total 65

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, Small, F. Smith, Squires, Swanson, Williams, Wilmer, Yates.

Total 34

Excused: Evans.

Total 1

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

Absent or not voting: None.

Total 0

HB 167 passed as follows:

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

Total 70

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

Total 29

Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

HB 172 passed as follows:

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

Total 81

Nays: Barrett, Belcourt, B. Bennett, Driscoll, Furey, Hands, Hill, McClafferty, Miller, Noonan, Price, Reinhart, Sands, Sesso, F. Smith, Squires, Swanson, Williams.

Total 18

Excused: Evans.

Total 1

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

Absent or not voting: None.

Total 0

HB 249 passed as follows:

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

Total 68

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

Total 30

Excused: Evans.

Total 1

Absent or not voting: Kary.

Total 1

HB 265 passed as follows:

Yeas: Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Blasdel, Blyton, Boland, Brodehl, Connell, Court, Cuffe, Driscoll, Edmunds, Ehli, Flynn, Furey, Gibson, Greef, Hale, Hands, Hansen, Harris, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Kary, Kennedy, Knox, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, Mehlhoff, Menahan, Miller, More, 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, Stahl, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Williams, Wilmer, Yates, Mr. Speaker.

Total 79

Nays: Ankney, Arntzen, Berry, Burnett, Clark, Cook, Esp, Fitzpatrick, Hendrick, Howard, Kerns, Klock, Knudsen, McGillvray, McNiven, McNutt, Salomon, Skattum, Skees, Welborn.

Total 20

Excused: Evans.

Total 1

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

Absent or not voting: None.

Total 0

HB 405 passed as follows:

Yeas: Ankney, Arntzen, Bangerter, B. Beck, G. Bennett, 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, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McGillvray, McNiven, McNutt, Miller, More, O'Hara, O'Neil, Osmundson, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Skattum, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Mr. Speaker.

Total 63

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

Total 36

Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

HB 408 passed as follows:

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

Total 67

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

Total 32

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

HB 414 passed as follows:

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

Total 65

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

Total 34

Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

HB 460 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, 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, 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

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

HB 530 passed as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, Belcourt, G. Bennett, Berry, Blyton, Boland, Burnett, Clark, Connell, Cook, Court, Cuffe, Driscoll, Edmunds, Ehli, Esp, Flynn, Furey, Gibson, Greef, Hendrick, Hiner, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Loney, MacDonald, MacLaren, Malek, McChesney, McGillvray, McNally, McNiven, McNutt, More, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Reichner, Roberts, Salomon, Sands, Schmidt, Sesso, Skattum, Small, C. Smith, F. Smith, Squires, Stahl, Swanson, Taylor, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 77

Nays: B. Beck, B. Bennett, Blasdel, Brodehl, Fitzpatrick, Hale, Hands, Hansen, Harris, Hill, Hollenbaugh, Hunter, Lavin, McClafferty, Mehlhoff, Menahan, Miller, Regier, Reinhart, Rosendale, Skees, Vance.

Total 22

Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

HB 543 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, Ehli, Esp, 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, 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, Small, C. Smith, F. Smith, Squires, Stahl, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Mr. Speaker.

Total 93

Nays: Hale, Kerns, Knox, Skattum, Skees, Yates.

Total 6

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

HJR 33 adopted as follows:

Yeas: Arntzen, Bangerter, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Ehli, Esp, Fitzpatrick, Flynn, Gibson, Greef, Hale, Hansen, Harris, Hendrick, Hollandsworth, Hoven, Howard, Ingraham, Kary, Klock, Lavin, Loney, MacLaren, McGillvray, McNiven, McNutt, More, O'Hara, Peterson, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Skees, C. Smith, Stahl, Vance, Warburton, Washburn, Mr. Speaker.

Total 52

Nays: Ankney, Barrett, Belcourt, B. Bennett, Boland, Court, Driscoll, Edmunds, Furey, Hands, Hill, Hiner, Hollenbaugh, Hunter, Kennedy, Kerns, Knox, Knudsen, MacDonald, Malek, McChesney, McClafferty, McNally, Mehlhoff, Menahan, Miller, Noonan, O'Neil, Osmundson, Pease-Lopez, Phillips, Price, Reinhart, Sands, Schmidt, Sesso, Skattum, Small, F. Smith, Swanson, Taylor, Wagner, Welborn, Williams, Wilmer, Yates.

Total 46

Excused: Evans.

Total 1

Absent or not voting: Squires.

Total 1

HJR 37 failed as follows:

Yeas: Arntzen, Bangerter, B. Beck, Blasdel, Blyton, Clark, Connell, Cuffe, Driscoll, Ehli, Fitzpatrick, Flynn, Gibson, Greef, Hale, Hansen, Harris, Hendrick, Hollandsworth, Hoven, Ingraham, Kary, Knudsen, Lavin, Loney, MacLaren, McGillvray, McNiven, More, O'Hara, O'Neil, Osmundson, Peterson, Read, Reichner, Roberts, Salomon, Skattum, Skees, C. Smith, Stahl, Taylor, Vance, Warburton, Washburn, Welborn, Wilmer, Mr. Speaker.

Total 48

Nays: Ankney, Barrett, Belcourt, B. Bennett, G. Bennett, Berry, Boland, Brodehl, Burnett, Cook, Court, Edmunds, Esp, Furey, Hands, Hill, Hiner, Hollenbaugh, Howard, Hunter, Kennedy, Kerns, Klock, Knox, MacDonald, Malek, McChesney, McClafferty, McNally, McNutt, Mehlhoff, Menahan, Miller, Noonan, Pease-Lopez, Phillips, Price, Randall, Regier, Reinhart, Rosendale, Sands, Schmidt, Sesso, Small, F. Smith, Squires, Swanson, Wagner, Williams, Yates.

Total 51

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

SB 153 concurred in as follows:

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

Total 91

Nays: Cuffe, Gibson, Hale, Osmundson, Rosendale, Salomon, Vance, Warburton.

Total 8

Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

SB 221 concurred in as follows:

Yeas: Arntzen, Bangerter, Barrett, Belcourt, B. Bennett, Blyton, Boland, Clark, Connell, Cook, Court, Driscoll, Ehli, Fitzpatrick, Furey, Gibson, Greef, Hands, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Kary, Klock, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, Noonan, O'Hara, O'Neil, Pease-Lopez, Phillips, Price, Reichner, Reinhart, Rosendale, Salomon, Sands, Schmidt, Sesso, Small, C. Smith, F. Smith, Squires, Stahl, Swanson, Taylor, Vance, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 70

Nays: Ankney, B. Beck, G. Bennett, Berry, Blasdel, Brodehl, Burnett, Cuffe, Edmunds, Esp, Flynn, Hale, Howard, Kennedy, Kerns, Knox, Knudsen, Miller, More, Osmundson, Peterson, Randall, Read, Regier, Roberts, Skattum, Skees, Wagner, Warburton.

Total 29

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

SB 414 failed as follows:

Yeas: Arntzen, B. Beck, G. Bennett, Blasdel, Blyton, Burnett, Clark, Cuffe, Edmunds, Esp, Flynn, Hale, Hansen, Harris, Hendrick, Hollandsworth, Howard, Ingraham, Kennedy, Kerns, Knox, Knudsen, Lavin, Loney, McGillvray, McNiven, More, Osmundson, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Skattum, Skees, Small, C. Smith, Taylor, Vance, Wagner, Warburton, Welborn, Mr. Speaker.

Total 45

Nays: Ankney, Bangerter, Barrett, Belcourt, B. Bennett, Berry, Boland, Brodehl, Connell, Cook, Court, Driscoll, Ehli, Fitzpatrick, Furey, Gibson, Greef, Hands, Hill, Hiner, Hollenbaugh, Hoven, Hunter, Kary, Klock, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, McNutt, Mehlhoff, Menahan, Miller, Noonan, O'Hara, O'Neil, Pease-Lopez, Peterson, Phillips, Price, Reinhart, Sands, Schmidt, Sesso, F. Smith, Squires, Stahl, Swanson, Washburn, Williams, Wilmer, Yates.

Total 54

Excused: Evans.

Total 1

Absent or not voting: None.

Total 0

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 593**
Report No. 1, April 18, 2011

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 593** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 593** (reference copy -- salmon) be amended as follows:

1. Page 1, line 24.

Strike: "SHALL"

Insert: "may"

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

For the House:
Ankney, Chair
McChesney
Stahl

For the Senate:
Olson, Vice Chair
Keane
Walker

CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 338**
Report No. 1, April 18, 2011

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 338** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that House amendments to **Senate Bill 338** (reference copy -- salmon) be accepted by the Senate.

For the Senate:
Brown, Chair
Arthun

For the House:
G. Bennett, Vice Chair
Kennedy

April 18, 2011

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

Dear Representative Milburn:

Please be informed that I have signed **House Bill 61** sponsored by Representative MacLaren, **House Bill 95** sponsored by Representative McNutt, **House Bill 103** sponsored by Representative Fitzpatrick, **House Bill 178** sponsored by Representative Howard et al., **House Bill 191** sponsored by Representative Flynn et al., **House Bill 213** sponsored by Representative Harris et al., **House Bill 251** sponsored by Representative Hoven, **House Bill 288** sponsored by Representative Sands et al., **House Bill 300** sponsored by Representative Flynn et al., **House Bill 352** sponsored by Representative Osmundson et al., **House Bill 380** sponsored by Representative Blasdel et al., **House Bill 529** sponsored by Representative Stahl, and **House Bill 535** sponsored by Representative Knudsen et al., on April 18, 2011.

Sincerely,

BRIAN SCHWEITZER
Governor

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

House Recessed.
House Reconvened.

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

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (McNutt, Chairman):
SJR 26, be concurred in. Report adopted.

4/19/2011

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 97**
Report No. 1, April 19, 2011

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 97** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 97** (reference copy -- salmon) be amended as follows:

1. Title, line 6.

Strike: "18"

Insert: "16"

2. Page 2, line 18.

Strike: "18"

Insert: "16"

3. Page 3, line 23.

Strike: "OR JUSTICE'S"

4. Page 3, line 26 through line 27.

Strike: "OR JUSTICE'S"

5. Page 4, line 21.

Strike: "OR JUSTICE'S"

For the Senate:
Essmann, Chair
Shockley

For the House:
K. Peterson, Vice Chair
Bangerter

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

FREE CONFERENCE COMMITTEE
on **Senate Bill 348**
Report No. 1, April 19, 2011

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 348** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 348** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 5.

Strike: ", MONITORING,"

2. Title, page 1, LINE 6.

Following: "MCA;"

Insert: "AMENDING SECTION 87-5-132, MCA;"

3. Page 2.

Following: line 20

Insert: "**Section 1.** Section 87-5-132, MCA, is amended to read:

"87-5-132. Use of radio-tracking collars for monitoring wolf packs. (1) As part of a wolf management plan approved by the department, a radio-tracking collar or a collar that uses global positioning system technology must be attached to at least one wolf in each wolf pack that is active near livestock or near a population center in areas where depredations are chronic or likely.

(2) The department ~~shall~~ may expend ~~only the state and~~ federal funds for wolf management purposes to fulfill the requirements of this section.

(3) The department may collaborate and cooperate with other state and federal agencies to fulfill the requirements of this section.""

Renumber: subsequent sections

4. Page 2, line 22 through page 3, line 4.

Strike: "(1)" on page 2, line 22 through "SEASONS." on page 3, line 4

Insert: "(1) The department shall allocate \$900,000 annually for wolf management.

(2) For the purposes of this section, the term "management" has the same meaning provided in 87-5-102 and includes:

(a) wolf collaring conducted pursuant to 87-5-132; and

(b) lethal action conducted pursuant to 87-1-217 to take problem wolves that attack livestock.

(3) Not more than 25% of the total funding allocated under this section may be used for administrative costs."

Renumber: subsequent subsections

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

5. Page 3, line 9.
Strike: "SOME OF"

6. Page 3.
Following: line 9

Insert: "NEW SECTION. Section 3. Appropriation. (1) The following money is appropriated to the department of fish, wildlife, and parks from the general license account for the purposes established in [section 1]:

Fiscal year 2012	\$274,000
Fiscal year 2013	\$274,000

(2) The following money is appropriated to the department of fish, wildlife, and parks from federal funds received from the United States fish and wildlife service for wolf management and the purposes established in [section 1]:

Fiscal year 2012	\$626,000
Fiscal year 2013	\$626,000

(3) The department may not expend more than 25% of the total appropriation in each fiscal year on administrative costs."

Renumber: subsequent sections

7. Page 3, line 11.
Strike: "[SECTION 1]"
Insert: "[Section 2]"

8. Page 3, line 13.
Strike: "[SECTION 1]"
Insert: "[section 2]"

For the Senate:
De. Barrett, Chair
Hamlett

For the House:
K. Peterson, Vice Chair
Connell
Phillips

MESSAGES FROM THE SENATE

House amendments to Senate bills concurred in:

4/19/2011

SB 187, introduced by Shockley
SB 253, introduced by Lake
SB 295, introduced by Lake
SB 326, introduced by Larsen

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

SB 379, introduced by Olson
SB 409, introduced by Tutvedt
SB 417, introduced by Buttrey

Governor's amendments to House bills concurred in and returned to the House: 4/19/2011

HB 90, introduced by McNutt
HB 559, introduced by Esp

SB 265 - The Senate failed to concur in House amendments to **SB 265**, authorized the President to appoint the following **Free** Conference Committee, and requested that the House appoint a like committee to confer on **SB 265**:

4/19/2011

Senator Tutvedt, Chair
Senator Hamlett
Senator Lake

**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 Phillips in the chair.

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

SB 126 - Conference Committee Report No. 1 - Representative Salomon moved the Conference Committee report to **SB 126** be adopted. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, Belcourt, B. Bennett, Blyton, Boland, Clark, Cook, Court, Driscoll, Ehli, Fitzpatrick, Furey, Greef, Hands, Hansen, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Klock, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, Noonan, O'Hara, Pease-Lopez, Peterson, Phillips, Price, Read, Reichner, Reinhart, Roberts, Salomon, Sands,

Schmidt, Sesso, Small, F. Smith, Squires, Stahl, Swanson, Taylor, Williams, Wilmer, Mr. Speaker.
Total 61

Nays: B. Beck, G. Bennett, Berry, Blasdel, Brodehl, Burnett, Connell, Cuffe, Edmunds, Esp, Evans, Flynn, Gibson, Hale, Harris, Hendrick, Howard, Ingraham, Kary, Kennedy, Kerns, Knox, Knudsen, McGillvray, More, O'Neil, Osmundson, Randall, Regier, Rosendale, Skattum, Skees,

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

C. Smith, Vance, Wagner, Warburton, Washburn, Welborn, Yates.
Total 39

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 593 - Conference Committee Report No. 1 - Representative Ankney moved the Conference Committee report to **HB 593** be adopted. 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, Noonan, O'Hara, O'Neil, Osmundson, Peterson, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Sesso, Skattum, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Yates, Mr. Speaker.
Total 74

Nays: Barrett, B. Bennett, Boland, Court, Driscoll, Furey, Hands, Hill, Hollenbaugh, Hunter, MacDonald, Malek, McClafferty, McNally, Menahan, Pease-Lopez, Phillips, Price, Reinhart, Sands, Schmidt, F. Smith, Squires, Swanson, Williams, Wilmer.
Total 26

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 338 - Conference Committee Report No. 1 - Representative Kennedy moved the Conference Committee report to **SB 338** be adopted. Motion carried as follows:

Yeas: Arntzen, Bangerter, Barrett, 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, MacDonald, MacLaren, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Sesso, Skattum, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Yates, Mr. Speaker.
Total 78

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

Nays: Belcourt, B. Bennett, Boland, Court, Driscoll, Furey, Hands, Hill, Hollenbaugh, Hunter, Malek, Menahan, Pease-Lopez, Reinhart, Sands, Schmidt, F. Smith, Squires, Swanson, Williams, Wilmer.

Total 21

Excused: None.

Total 0

Absent or not voting: Ankney.

Total 1

HB 565 - Governor's Amendments - Representative Noonan moved Governor's amendments to **HB 565** be concurred in. Motion carried as follows:

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

Total 71

Nays: G. Bennett, Blasdel, Burnett, Cuffe, Evans, Hale, Hansen, Hendrick, Howard, Kary, Kennedy, Kerns, Knox, Lavin, Loney, McGillvray, More, O'Neil, Osmundson, Randall, Regier, Skattum, Skees, C. Smith, Stahl, Vance, Wagner, Warburton, Washburn.

Total 29

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 13 - Representative McGillvray moved consideration of **HB 13** be passed for the day. Motion carried.

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

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Driscoll, Edmunds, Ehli, Esp, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen,

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 19, 2011

Lavin, Loney, MacLaren, Malek, McChesney, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Roberts, Rosendale, Skattum, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 83

Nays: B. Bennett, Boland, Court, Hands, MacDonald, McClafferty, Menahan, Pease-Lopez, Reinhart, Sands, Schmidt, Sesso, F. Smith, Squires, Swanson.

Total 15

Excused: Evans.

Total 1

Absent or not voting: Salomon.

Total 1

MOTIONS

Representative McGillvray moved to appoint a **Free** Conference Committee on **SB 265** and accede to the request the Senate to appoint a like committee. Motion Carried. Speaker Milburn appointed:

4/19/2011

Representative Blasdel
Representative Lavin
Representative K. Williams

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative McGillvray moved that the House adjourn until 8:00 a.m., Wednesday, April 20, 2011. Motion carried.

House adjourned at 1:33 p.m.

BETH CARGO
Chief Clerk of the House

MIKE MILBURN
Speaker of the House