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

Roll Call. All members present, except Representatives Ankney, Calf Boss Ribs, McNally, and Pease-Lopez, excused. Quorum present.

BILLS (O'Hara, Chair):

Correctly engrossed: HB 76, HB 218, SB 11, SB 18, SB 69, SB 122, SB 217, SB 242, SB 346.
Correctly enrolled: HB 110, HB 224, HB 225, HB 226, HB 232, HB 278, HB 280, HB 469.
Examined by the sponsor and found to be correct: HB 50, HB 140, HB 163, HB 224, HB 302, HB 325, HB 360, HB 469, HJR 11.
Transmitted to the Senate: SB 24, SB 26, SB 67, SB 76, SB 103, SB 105, SB 148, SB 181.
Signed by the Speaker at 2:25 p.m., March 21, 2013: HB 245, HB 368, HB 371, HB 422, HJR 2.
Signed by the Chief Clerk of the House at 2:53 p.m., March 21, 2013: HB 245, HB 368, HB 371, HB 422, HJR 2.
Signed by the Speaker at 8:05 a.m., March 22, 2013: HB 140, HB 163, HB 325, HB 360, HJR 11.
Signed by the Chief Clerk of the House at 10:24 a.m., March 22, 2013: HB 140, HB 163, HB 325, HB 360, HJR 11.
Signed by the President at 4:18 p.m., March 21, 2013: HB 245, HB 368, HB 371, HB 422, HJR 2.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

HB 218, introduced bill, be amended as follows:

1. Title, page 1, line 5.
   Following: "INFRASTRUCTURE"
   Insert: "AND OTHER"

2. Title, page 1, line 9 through line 10.
   Strike: "TRANSFERRING" on line 9 through "ACCOUNT;" on line 10

   Strike: "or"

4. Page 2, line 5.
   Following: "services"
   Insert: ", or
   (h) public health, public welfare, and social issues related to an increase in development
of oil and natural gas, including educational or counseling programs related to sex trafficking and
criminal solicitation issues, especially concerning youth; or
(i) law enforcement personnel for the department of justice

5. Page 2, line 10.
   **Following:** "governments
   **Insert:** ", school districts, and nonprofit organizations"

6. Page 2, line 16.
   **Strike:** "to the local government"

   **Strike:** subsection (a) in its entirety
   **Renumber:** subsequent subsections

   **Following:** ":[sections 1 through 9]." on line 13
   **Insert:** "In each year, up to $50,000 may be used for grants for public health, public welfare, and
   social issues as described in [section 3(3)(h)]."

9. Page 5, line 26 through page 6, line 5.
   **Strike:** section 12 in its entirety
   **Renumber:** subsequent sections


**HUMAN SERVICES** (Howard, Chair):

HB 76, introduced bill, be amended as follows:

1. Title, page 1, line 8.
   **Strike:** "PROVIDING AN APPROPRIATION;"
   **Following:** "MCA;"
   **Insert:** "PROVIDING FOR CONTINGENT VOIDNESS;"

2. Title, page 1, line 9.
   **Following:** "DATE"
   **Insert:** "AND A TERMINATION DATE"

3. Page 1, line 14.
   **Following:** "ombudsman"
   **Insert:** "within the department of justice provided for in 2-15-2001"
4. Page 1, line 16 through line 17.
**Strike:** subsection (3) in its entirety

5. Page 1, line 25.
**Strike:** "governor," through "senate,"
**Insert:** "attorney general"

6. Page 2, line 5.
**Strike:** "governor"
**Insert:** "attorney general"

**Strike:** "governor"
**Insert:** "attorney general"

8. Page 2, line 11.
**Strike:** "The"
**Insert:** "Subject to available funding, the"  
**Strike:** "ombudsman may select, and the"

**Strike:** "as provided in 2-15-121,"

**Following:** "governor"
**Insert:** ", the attorney general,"

**Following:** "ombudsman"
**Insert:** "provided for in [section 1]"

12. Page 7, line 10 through line 12.
**Strike:** section 10 in its entirety
**Renumber:** subsequent sections

**Following:** "part of"
**Strike:** "Title 52, chapter 2"
**Insert:** "Title 41"
**Following:** "provisions of"
**Strike:** "Title 52, chapter 2,"
**Insert:** "Title 41"

**Insert:** **NEW SECTION. Section 11. Contingent voidness.** If House Bill No. 2 does not
appropriate money to the department of justice for the purposes of [sections 1 through 8], then [this act] is void."

15. Page 7, line 19.


SB 11, be amended as follows:

1. Page 1, line 27.
Following: "education,"
Insert: "medicine,"
Following: "sociology,"
Insert: "psychiatric nursing,"

2. Page 10, line 25.
Strike: "the standard" through "met through"
Insert: "the board may require as a condition of parole"

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

SB 69, be amended as follows:

1. Page 1, line 12.
Following: "assistance"
Insert: "for certain services"

2. Page 1, line 14.
Strike: "under this part"
Insert: "for long-term care or home and community-based services"

3. Page 1, line 24.
Following: "recipient."
Insert: "Action under this subsection must be undertaken using available resources."

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

SB 292, be concurred in. Report adopted.

NATURAL RESOURCES (Bennett, Chair):

1. Page 2, line 16 through line 17.
Strike: "BUT THE DEPARTMENT" on line 16 through "STATEHOOD" on line 17
   Strike: ","
   Following: ":"
   Insert: ":"

   Following: "(a)"
   Insert: "(a) "abandoned bed" means a riverbed, streambed, or lakebed with no water over it at the low-water mark;
   (b)"

   Strike: "as defined in 77-1-102"

   Strike: ", abandoned riverbeds,"

6. Page 3, line 24 through line 27.
   Strike: subsection (4) in its entirety

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

SB 19, be concurred in. Report adopted.
SB 48, be concurred in. Report adopted.
SB 217, be amended as follows:

1. Page 2, line 5.
   Strike: ", especially"
   Insert: "and restore"

   Following: "(c) a"
   Insert: "catastrophic"

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

SB 346, be amended as follows:

1. Page 5, line 22.
   Strike: "this limitation"
   Insert: "10 acre-feet, regardless of the flow rate,"

   And, as amended, be concurred in. Report adopted.
STATE ADMINISTRATION (Ingraham, Chair):

SB 122, be amended as follows:

1. Page 1, line 22.
   Following: "determines that a"
   Insert: "municipal"
   Following: "election"
   Insert: "held pursuant to 13-1-107(2)"

2. Page 1, line 26.
   Following: "(2)(a)"
   Insert: "or (2)(b)"

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

SB 242, be amended as follows:

1. Title, page 1, line 7.
   Following: "KILLED"
   Insert: "OR CLASSIFIED AS MISSING IN ACTION"
   Following: "COMBAT"
   Insert: "OR MILITARY OPERATIONS"

2. Page 2, line 3.
   Following: "on or after"
   Strike: "the"

3. Page 2, line 3 through line 4.
   Strike: "DECLARATION" on line 3 through "ON" on line 4
   Strike: "8" on line 4
   Insert: "7"

   Strike: "and"
   Following: "Guard"
   Insert: ", and the Merchant Marine"

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

SB 258, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/20/2013
HB 140, introduced by Berry
HB 163, introduced by Flynn
HB 325, introduced by Regier
HB 360, introduced by White

House joint resolution concurred in and returned to the House: 3/20/2013

HJR 11, introduced by Regier

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

HB 22, introduced by Dudik
HB 65, introduced by Pomnichowski

House bills not concurred in and returned to the House: 3/20/2013

HB 26, introduced by Washburn
HB 251, introduced by Ingraham
HB 296, introduced by Ingraham

MESSAGES FROM THE GOVERNOR

March 20, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Blasdel:

Please be informed that I have signed House Bill 82 sponsored by Representative Reichner, House Bill 212 sponsored by Representative Knudsen, House Bill 252 sponsored by Representative Ingraham, House Bill 317 sponsored by Representative Hunter, House Bill 318 sponsored by Representative Mehlhoff, and House Bill 389 sponsored by Representative Mehlhoff on March 20, 2013.

Sincerely,

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

**HB 616**, introduced by Hagan, referred to Business and Labor.

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

**SB 226**, introduced by F. Moore, referred to Agriculture.

**SB 348**, introduced by Thomas, referred to Education.

### 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 10** passed as follows:


Total 74


Total 22

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.

Total 4

Absent or not voting: None.

Total 0

**HB 224** passed as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick,
Total 96

Nays: None.
Total 0

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.
Total 4

Absent or not voting: None.
Total 0

HB 469 passed as follows:

Total 96

Nays: None.
Total 0

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.
Total 4

Absent or not voting: None.
Total 0
HB 535 passed as follows:

Total 67

Total 29

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.
Total 4

Absent or not voting: None.
Total 0

HB 546 passed as follows:

Total 93

Nays: Brodehl, Kerns, O'Neil.
Total 3

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.
Total 4
Absent or not voting: None.
Total 0

**HJR 16** adopted as follows:

Total 70

Total 26

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.
Total 4

Absent or not voting: None.
Total 0

**SB 116** concurred in as follows:

Total 96

Nays: None.
Total 0

Voted Absentee: None.
Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.
Total 4

Absent or not voting: None.
Total 0

**SB 125** concurred in as follows:

Total 61

Total 35

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.
Total 4

Absent or not voting: None.
Total 0

**SB 137** concurred in as follows:

Total 91

Total 4
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Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.
Total 4

Absent or not voting: O'Hara.
Total 1

SB 172 concurred in as follows:

Total 96

Nays: None.
Total 0

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.
Total 4

Absent or not voting: None.
Total 0

SB 176 concurred in as follows:

Total 88
Total  8

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.
Total  4

Absent or not voting: None.
Total  0

**SB 185 concurred in as follows:**

Total  92

Nays: Brodehl, Flynn, Glimm, Regier.
Total  4

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.
Total  4

Absent or not voting: None.
Total  0

**SB 224 concurred in as follows:**

SB 230 concurred in as follows:


Nays: None.

Total 96

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.

Total 4

Absent or not voting: None.

Total 0

SB 259 concurred in as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz,
Total 95

Nays: O'Neil.
Total 1

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.
Total 4

Absent or not voting: None.
Total 0

SB 270 concurred in as follows:

Total 88

Nays: Ballance, J. Bennett, Doane, Kerns, Miller, O'Neil, Schwaderer, Zolnikov.
Total 8

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.
Total 4

Absent or not voting: None.
Total 0
SB 293 concurred in as follows:

Total 96

Nays: None.
Total 0

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.
Total 4

Absent or not voting: None.
Total 0

SB 312 concurred in as follows:

Total 94

Nays: Schwaderer, White.
Total 2

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.
Total 4

STATE INTERNET/BBS COPY 1029
Absent or not voting: None.
Total 0

**SB 314** concurred in as follows:

Total 81

Total 15

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.
Total 4

Absent or not voting: None.
Total 0

**SB 327** concurred in as follows:

Total 96

Nays: None.
Total 0

Voted Absentee: None.

*STATE INTERNET/BBS COPY* 1030
Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.
Total  4

Absent or not voting: None.
Total  0

SB 332 concurred in as follows:

Total  81

Nays: B. Bennett, Court, Dudik, Eck, Gursky, Hill, Lieser, MacDonald, McClafferty, Neill, Pominichowski, Swanson, Williams, Wilson, Woods.
Total  15

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.
Total  4

Absent or not voting: None.
Total  0

MOTIONS

Majority Leader Vance moved the Republicans would Caucus until 1:40 p.m. Motion carried. Minority Leader Hunter said the Democrats would also Caucus.

House in Recess.
House Reconvened.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Schwaderer in the chair.
Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 338 - Representative Regier moved HB 338 do pass.

HB 338 - Representative Brodehl moved for cloture. Motion Carried as follows:

Total 88

Nays: Boland, Brockie, Gursky, Jacobson, Kary, Peppers, B. Smith, Swanson.
Total 8

Voted Absentee: None

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.
Total 4

Absent or not voting: None.
Total 0

HB 338 - Representative Regier moved HB 338 do pass. Motion carried as follows:

Total 64

Total 36

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 377 - Representative Woods moved HB 377 do pass. Motion carried as follows:

Total 67

Total 33


Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 454 - Representative McChesney moved HB 454 do pass. Motion carried as follows:

Total 64
Total 36


Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Schwaderer moved the Committee of the Whole report be adopted. Report adopted as follows:

Total 89

Nays: Howard, O’Neil, Regier.
Total 3

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.
Total 4

Absent or not voting: Harris, Hoven, Schwaderer, Welborn.
Total 4

MOTIONS

Representative Eck moved to change her vote on SB 293 from No to Yes. Without objection, so ordered.
Representative Dudik moved to change her vote on SB 332 from Yes to No. Without objection,
so ordered.
Representative Brockie moved to change her vote on HJR 16 from Not Voting to Yes. Without objection, so ordered.
Representative Lieser moved to change his vote on SB 137 from No to Yes. Without objection, so ordered.
Representative Edmunds moved to change his vote on HB 338 from No to Yes. Without objection, so ordered.

Majority Leader Vance moved HB 338 be moved from the Committee of the Whole to the Appropriations committee.
Majority Leader Vance moved HB 377 be moved from the Committee of the Whole to the Appropriations committee.
Majority Leader Vance moved HB 454 be moved from the Committee of the Whole to the Appropriations committee.
Majority Leader Vance moved HB 591 be moved from Business and Labor to the Appropriations committee.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Vance moved that the House adjourn until 1:00 p.m., Friday, March 22, 2013. Motion carried.

House adjourned at 3:35 p.m.