

**HOUSE JOURNAL
63RD LEGISLATURE
SIXTY-NINTH LEGISLATIVE DAY**

Helena, Montana
April 3, 2013

House Chambers
State Capitol

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

Roll Call. All members present, except Representative Pease-Lopez, excused. Quorum present.

BILLS (O'Hara, Chair):

4/3/2013

Correctly printed: **HB 213, HB 443, HB 359, HB 581, HB 589, HB 619, HB 631, HB 635, HJR 21, HR 5, SB 147, SB 200, SB 305, SB 323, SB 324, SJR 18.**

Correctly engrossed: **HB 14, HB 423, HB 521, HB 634, HB 637, SB 269, SB 335.**

Correctly enrolled: **HB 127, HB 170, HB 359, HB 388, HB 451, HB 502.**

Examined by the sponsor and found to be correct: **HB 127, HB 170, HB 359, HB 388, HB 451, HB 502.**

Transmitted to the Senate: **HB 593, HB 605, HB 608, HB 626.**

Signed by the President at 11:20 a.m., April 3, 2013: **HB 283, HB 328, HB 374, HB 402, HB 455, HB 462, HJR 1, HJR 3.**

Delivered to the Governor for approval at 11:39 a.m., April 3, 2013: **HB 283, HB 328, HB 374, HB 402, HB 455, HB 462.**

Delivered to the Secretary of State at 1:30 p.m., April 3, 2013: **HJR 1, HJR 3.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

4/2/2013

HB 14, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Strike: "FOR JOBS AND OPPORTUNITY BY BUILDING SCHOOLS AND OTHER FACILITIES"

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

Strike: "AUTHORIZING" on line 8 through "PROJECTS;" on line 9

3. Page 1, line 14.

Strike: "9"

Insert: "4"

4. Page 1, line 17.

Following: "furnishing,"

Strike: "or"

Following: "projects"

Strike: remainder of line 17

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

Insert: ", or projects to implement tribal compacts."

5. Page 1, line 23.

Following: the first "of"

Strike: "administration"

Insert: "natural resources and conservation"

Strike: "4"

Insert: "3"

6. Page 1, line 25 through page 2, line 3.

Strike: line 25 on page 1 through line 3 on page 2 in their entirety

Insert: "(1) \$3 million to be deposited in the Peoples Creek minimum flow account provided for in 85-20-1007 for implementation of the Fort Belknap Indian Community-Montana water rights compact;

(2) \$14 million to be deposited in the Blackfeet Tribe water rights compact infrastructure account provided for in 85-20-1505 for water-related infrastructure projects within exterior boundaries of the Blackfeet Indian reservation as provided for in 85-20-1505."

7. Page 2, line 5 through line 21.

Strike: section 3 in its entirety

ReNUMBER: subsequent sections

8. Page 2, line 24.

Strike: "\$75.5"

Insert: "\$17"

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

Strike: section 5 through section 8 in their entirety

ReNUMBER: subsequent sections

10. Page 4, line 4.

Strike: "[sections 2 and 3]"

Insert: "[section 2]"

11. Page 4, line 5.

Strike: "[sections 2 and 3]"

Insert: "[section 2]"

12. Page 4, line 8.

Following: "COORDINATION."

Strike: "IF THE"

Insert: "Excluding the capital projects to implement tribal compacts, if the unassigned and unencumbered"

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

13. Page 4, line 9.

Following: "FOR"

Insert: "the fiscal year ending"

Following: "BY THE"

Strike: "STATE ACCOUNTANT"

Insert: "department of administration, accounting division,"

14. Page 4, line 10.

Strike: "\$150"

Insert: "\$466"

Strike: "[SECTION 4],"

Insert: "[section 3], there is an appropriation from the general fund in fiscal year 2014 for the amount of"

15. Page 4, line 11.

Following: "[THIS ACT]"

Strike: remainder of line 11

16. Page 4, line 12.

Following: "AND"

Strike: "ALL"

Insert: "the"

Following: "IS"

Strike: "VOID"

Insert: "reduced to the amount of the bonds for capital projects to implement tribal compacts"

17. Page 4, line 14 through line 18.

Strike: section 11 in its entirety

Renumber: subsequent sections

18. Page 4, line 20.

Strike: "4"

Insert: "3"

And, as amended, do pass. Report adopted.

APPROPRIATIONS (Ankney, Chair):

4/3/2013

HB 581, do pass. Report adopted.

HB 589, do pass. Report adopted.

HB 637, introduced bill, be amended as follows:

1. Page 2.

Following: line 18

Insert: "COORDINATION SECTION. Section 3. Coordination instruction. If both House Bill No. 377 and [this act] are passed and approved, then [section 20] of House Bill No. 377

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

amending 20-9-622 is void and 20-9-622 must be amended as follows:

"20-9-622. Guarantee account. (1) There is a guarantee account in the state special revenue fund. The guarantee account is intended to:

(a) stabilize the long-term growth of the permanent fund; and

(b) maintain a constant and increasing distributable revenue stream. All realized capital gains and all distributable revenue must be deposited in the guarantee account.

(2) Except as provided in subsection ~~(2)~~ (3), the guarantee account is statutorily appropriated, as provided in 17-7-502, for distribution to school districts through school equalization aid as provided in 20-9-343.

~~(2)(3)(a) As long as a portion of the coal severance tax loan authorized in section 8, Chapter 418, Laws of 2001, is outstanding, the department of natural resources and conservation shall monthly transfer from the guarantee account to the general fund an amount that represents the amount of interest income that would be earned from the investment of the amount of the loan that is currently outstanding. When the loan is fully paid, all mineral royalties deposited in the guarantee account must be transferred to the school facility and technology account pursuant to 17-6-340. An amount equal to \$25 million minus the amount of lottery net revenue transferred to the pension accumulation account pursuant to 23-7-402(3) each fiscal year is statutorily appropriated, as provided in 17-7-502, to the teachers' retirement system established pursuant to 19-20-102.~~

(b) Amounts deposited to the guarantee account must be paid to the teachers' retirement system as soon as feasible after the deposits are made until the full amount provided for in subsection (3)(a) is paid and prior to any distribution to the school districts under subsection (2)."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Welborn, Chair):
SB 200, be concurred in. Report adopted.

4/2/2013

JUDICIARY (Kerns, Chair):
HB 521, introduced bill, be amended as follows:

4/3/2013

1. Page 11, line 3 through line 4.

Strike: "the consent" on line 3 through "younger." on line 4

Insert: "on Legislative Referendum No. ____"

2. Page 11, line 5 through line 6.

Strike: "the consent" on line 5 through "younger." on line 6

Insert: "on Legislative Referendum No. ____"

And, as amended, do pass. Report adopted.

HB 619, do pass. Report adopted.

HB 631, do pass. Report adopted.

HR 5, do pass. Report adopted.

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

LOCAL GOVERNMENT (Bangerter, Chair): 4/2/2013
SB 147, be concurred in. Report adopted.

STATE ADMINISTRATION (Ingraham, Chair): 4/3/2013
HJR 21, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/2/2013

HB 127, introduced by Berry
HB 170, introduced by Galt
HB 359, introduced by Fitzpatrick
HB 388, introduced by Cuffe
HB 451, introduced by Galt
HB 502, introduced by Brodehl

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/2/2013

HB 106, introduced by Connell
HB 189, introduced by Lenz
HB 217, introduced by Howard
HB 256, introduced by Hoven
HB 297, introduced by Howard
HB 508, introduced by Edmunds
HB 513, introduced by McChesney

House joint resolution concurred in as amended and returned to the House for concurrence in Senate amendments: 4/2/2013

HJR 9, introduced by McNiven

House bills not concurred in and returned to the House: 4/2/2013

HB 251, introduced by Ingraham
HB 296, introduced by Ingraham

House amendments to Senate bills not concurred in and returned to the House: 4/2/2013

SB 26, introduced by Jergeson
SB 133, introduced by Rosendale
SB 148, introduced by L. Jones

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

MESSAGES FROM THE GOVERNOR

April 2, 2013

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

Dear Speaker Blasdel:

Please be informed that on April 2, 2013, I signed the following House Bill:

House Bill 140 - Berry
on April 2, 2013.

The following bill was returned to the Secretary of State without signature:

House Bill 371 - Ingraham

Sincerely,

STEVE BULLOCK
Governor

**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 Greef in the chair.

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

HB 213 - Representative Fitzpatrick moved **HB 213** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Mr. Speaker.

Total 56

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 43

Excused: None.
Total 0

Voted Absentee: Pease-Lopez, No.

Absent or not voting: Zolnikov.
Total 1

HB 217 - Senate Amendments - Representative Howard moved Senate amendments to **HB 217** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McNally, McNiven, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Peppers, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Zolnikov, Mr. Speaker.
Total 69

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Lynch, MacDonald, McCarthy, McChesney, McClafferty, Mehlhoff, Noonan, Pease-Lopez, Pierson, Pomnichowski, Price, Schreiner, Squires, Steenberg, Swanson, Whitford, Wilmer, Wilson, Woods.
Total 31

Voted Absentee: Pease-Lopez, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 423 - Representative C. Smith moved **HB 423** do pass.

HB 423 - Representative C. Smith moved **HB 423**, second reading copy, be amended as follows:

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

1. Page 2, line 9.

Strike: "each"

Insert: "that"

Amendment adopted as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.
Total 80

Nays: Ankney, B. Bennett, Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Hill, Hollenbaugh, Jacobson, Lynch, McClafferty, Neill, Noonan, Peppers, Schreiner, Swanson, Whitford, Wilson.
Total 20

Excused: None.

Total 0

Voted Absentee: Pease-Lopez, Aye.

Absent or not voting: None.

Total 0

HB 423 - Representative C. Smith moved **HB 423**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.
Total 56

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gursky, Hagan, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 44

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

Voted Absentee: Pease-Lopez, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 634 - Representative Wagoner moved **HB 634**, as amended, do pass.

HB 634 - Representative Wagoner moved **HB 634**, second reading copy, be amended as follows:

1. Page 2, line 24 through line 26.

Strike: "the county" on line 24 through "Approval" on line 26

Insert: "the approval"

2. Page 3, line 2.

Strike: "the transition" through "subsection (8)"

Insert: "expansion into a K-12 district"

3. Page 3, line 2 through line 3.

Strike: "by a" on line 2 through "the election" on line 3

Insert: "under the procedure provided in subsection (2)"

4. Page 3, line 4.

Following: "amount of the"

Insert: "transition"

5. Page 3, line 23.

Following: "enter into"

Insert: "negotiations for"

6. Page 4, line 1.

Strike: "required"

Insert: "provided"

7. Page 4, line 2.

Strike: "the agreement must be referred"

Insert: "the affected school districts shall submit their proposals"

8. Page 4, line 3.

Strike: "referral"

Insert: "submission"

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

Strike: "multidistrict cooperative agreement"

Insert: "proposals"

9. Page 4, line 10.

Strike: "the multidistrict cooperative agreement"

Insert: "their proposal's"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McNally, McNiven, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Wilson, Zolnikov, Mr. Speaker.

Total 84

Nays: B. Bennett, Boland, Curtis, Dudik, Eck, Hill, Lynch, McClafferty, Mehlhoff, Noonan, Pomnichowski, Price, B. Smith, Steenberg, Whitford, Woods.

Total 16

Voted Absentee: Pease-Lopez, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Wagoner moved to reconsider action on **Amendment HB 634-001**.

Motion **passed** as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, 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, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith,

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn,

White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: None.
Total 0

Voted Absentee: None.

Excused: Pease-Lopez.
Total 1

Absent or not voting: None.
Total 0

HB 634 - Representative Wagoner moved **HB 634**, second reading copy, be further amended as follows:

1. Page 2, line 24 through line 26.

Strike: "the county" on line 24 through "Approval" on line 26

Insert: "the approval"

2. Page 3, line 2.

Strike: "the transition" through "subsection (8)"

Insert: "expansion into a K-12 district"

3. Page 3, line 2 through line 3.

Strike: "by a" on line 2 through "the election" on line 3

Insert: "under the procedure provided in subsection (2)"

4. Page 3, line 4.

Following: "amount of the"

Insert: "transition"

5. Page 3, line 23.

Following: "enter into"

Insert: "negotiations for"

6. Page 4, line 1.

Strike: "required"

Insert: "provided"

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

7. Page 4, line 2.

Strike: "the agreement must be referred"

Insert: "the affected school districts shall submit their proposals"

8. Page 4, line 3.

Strike: "referral"

Insert: "submission"

Strike: "multidistrict cooperative agreement"

Insert: "proposals"

9. Page 4, line 10.

Strike: "the multidistrict cooperative agreement's"

Insert: "their proposal's"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McNally, McNiven, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pomnichowski, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 85

Nays: B. Bennett, Curtis, Dudik, Eck, Hill, Lynch, McChesney, McClafferty, Mehlhoff, Noonan, Pierson, Price, B. Smith, Williams.

Total 14

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Berry.

Total 1

HB 634 - Representative Wagoner moved **HB 634**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Court, Cuffe, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham,

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McNiven, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Vance, Wagoner, Warburton, Washburn, White, Woods, Zolnikov, Mr. Speaker.

Total 64

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Curtis, Doane, Dudik, Eck, Flynn, Gursky, Hertz, Hill, Jacobson, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, Mehlhoff, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, B. Smith, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson.

Total 36

Voted Absentee: Pease-Lopez, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 635 - Representative Shaw moved **HB 635** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, B. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Edmunds, Ehli, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, McCarthy, McChesney, McNiven, O'Hara, O'Neil, Osmundson, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Whitford, Woods, Mr. Speaker.

Total 58

Nays: Bangerter, J. Bennett, Boland, Boss Ribs, Brockie, Court, Curtis, Doane, Dudik, Eck, Fiscus, Galt, Ingraham, Jones, Knudsen, Lynch, MacDonald, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Squires, Warburton, White, Williams, Wilmer, Wilson, Zolnikov.

Total 42

Voted Absentee: Pease-Lopez, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

SB 269 - Representative Hollandsworth moved **SB 269** be concurred in.

SB 269 - Representative Cook moved **SB 269**, second reading copy, be amended as follows:

1. Page 1, line 26.

Strike: "second year of the biennium"

Insert: "current fiscal year"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, 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, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Pease-Lopez, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 269 - Representative Hollandsworth moved **SB 269**, as amended, be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 61

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: Pease-Lopez, No.

Excused: None.

Total 0

Absent or not voting: Curtis.

Total 1

SB 305 - Representative Lang moved **SB 305** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 62

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: Pease-Lopez, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 323 - Representative Reichner moved **SB 323** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, 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, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson,

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: J. Bennett, Ingraham, Kerns, B. Smith.

Total 4

Voted Absentee: Pease-Lopez, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 324 - Representative Fitzpatrick moved **SB 324** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, 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, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Voted Absentee: Pease-Lopez, Aye.

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Kerns.

Total 1

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

SB 335 - Representative Connell moved **SB 335** be concurred in.

SB 335 - Representative Connell moved **SB 335**, second reading copy, be amended as follows:

1. Title, line 5.

Following: "RIGHT"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 1, line 28 through line 30.

Strike: subsection (5) in its entirety

Insert: "(5) The landowner may present evidence showing that the removal is not necessary for the water right owner to exercise the right or that the provisions of subsection (4) could not be met if the removal is permitted.

(6) The court shall determine if the removal of the natural obstruction:

(a) is necessary for the water right owner to exercise the right; and

(b) would meet the provisions of subsection (4).

(7) If the court permits the removal, the court may require any conditions to ensure that the provisions of subsection (4) are met.

(8) The court may award court costs and attorney fees."

Renumber: subsequent subsection

3. Page 2, line 1 through line 2.

Strike: "If the landowner" on line 1 through "conditions." on line 2

4. Page 2, line 7.

Insert: "NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval."

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, 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, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

Voted Absentee: Pease-Lopez, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 335 - Representative Connell moved **SB 335**, as amended, be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, 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, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: Pease-Lopez, Aye.

Excused: None.

Total 0

Absent or not voting: J. Bennett.

Total 1

SJR 18 - Representative Halvorson moved **SJR 18** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: Pease-Lopez, No.

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

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Moore, Noonan, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.

Total 72

Nays: B. Bennett, Boland, Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hunter, Lynch, McClafferty, Miller, Neill, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Swanson, Whitford, Williams, Wilson, Woods.

Total 27

Voted Absentee: None

Excused: Pease-Lopez.

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:

STATE INTERNET/BBS COPY

1252

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

HB 230 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: None.

Total 0

HB 393 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNally, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 63

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, Mehlhoff, Neill, Noonan, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 36

Voted Absentee: None.

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

Excused: Pease-Lopez.

Total 1

Absent or not voting: None.

Total 0

HB 408 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Zolnikov, Mr. Speaker.

Total 66

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, Peppers, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Wilmer, Wilson, Woods.

Total 33

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: None.

Total 0

HB 591 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 82

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

Nays: J. Bennett, Doane, Fitzpatrick, Flynn, Galt, Hoven, Kerns, McNiven, Miller, O'Neil, Randall, Schwaderer, Squires, Warburton, Welborn, White, Zolnikov.
Total 17

Voted Absentee: None.

Excused: Pease-Lopez.
Total 1

Absent or not voting: None.
Total 0

HB 603 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Osmundson, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 90

Nays: Fitzpatrick, Greef, Hoven, Howard, Lavin, O'Hara, Peppers, Shaw, Welborn.
Total 9

Voted Absentee: None.

Excused: Pease-Lopez.
Total 1

Absent or not voting: None.
Total 0

HB 614 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Peppers,

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 87

Nays: Doane, Edmunds, Fiscus, Jones, Kerns, McCarthy, Miller, O'Neil, Redfield, Schwaderer, Wagoner, Zolnikov.

Total 12

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: None.

Total 0

HB 623 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Neil, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: None.

Total 0

SB 94 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brodehl, Coffin, Connell, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn,

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McNally, McNiven, Miller, Neill, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.

Total 78

Nays: Boss Ribs, Brockie, Clark, Cook, Court, Lang, Lynch, McClafferty, Mehlhoff, Moore, Noonan, Peppers, Pierson, Pomnichowski, Price, Salomon, Squires, Whitford, Williams, Wilson, Woods.

Total 21

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: None.

Total 0

SB 112 concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Court, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Flynn, Gibson, Greef, Gursky, Hagan, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 76

Nays: Ballance, J. Bennett, Brodehl, Cook, Cuffe, Edmunds, Fitzpatrick, Galt, Glimm, Hagstrom, Jones, Kerns, Miller, O'Neil, Randall, Redfield, Regier, Reichner, C. Smith, Vance, Welborn, White.

Total 22

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: Halvorson.

Total 1

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

SB 127 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, 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, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Mr. Speaker.

Total 92

Nays: McCarthy, Miller, Moore, Pomnichowski, Redfield, Williams, Zolnikov.

Total 7

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: None.

Total 0

SB 144 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, 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, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

Excused: Pease-Lopez.

Total 1

Absent or not voting: Squires.

Total 1

SB 183 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: Ehli.

Total 1

SB 215 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

Nays: Cook.

Total 1

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: None.

Total 0

SB 217 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 72

Nays: B. Bennett, Boland, Boss Ribs, Coffin, Court, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, MacDonald, McCarthy, McNally, Neill, Peppers, Pomnichowski, Price, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 27

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: None.

Total 0

SB 242 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, 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, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller,

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 97

Nays: Kerns, Zolnikov.

Total 2

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: None.

Total 0

SB 250 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Greef, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: None.

Total 0

Majority Leader Vance moved **SB 256** be removed from Third Reading. Motion carried.

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

MOTIONS

Majority Leader Vance moved **HB 256** be moved from the Committee of the Whole to the Appropriations committee.

Representative Squires moved to change her vote on **HB 483** from Yes to No. Without objection, so ordered.

Representative McNally moved to change her vote on **HB 230** from Not Voting to No. Without objection, so ordered.

Representative Cook moved to reconsider action on **HB 443** and that **HB 443** be placed on Third reading on Thursday, April 4, 2013.

Motion **passed** as follows:

Yeas: Bangerter, J. Bennett, Berry, Boland, Clark, Connell, Cook, Curtis, Doane, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Hansen, Hertz, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Kerns, Knudsen, Lang, Lavin, Lenz, Lynch, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Pomnichowski, Redfield, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Mr. Speaker.
Total 58

Nays: Ankney, Ballance, B. Bennett, Blyton, Boss Ribs, Brockie, Brodehl, Coffin, Court, Cuffe, Dudik, Eck, Edmunds, Ehli, Greef, Gursky, Hagstrom, Halvorson, Hill, Hoven, Howard, Jones, Kary, Laszloffy, Lieser, MacDonald, McCarthy, McNally, Neill, Peppers, Price, Randall, Regier, Schreiner, Squires, Steenberg, Wilmer, Wilson, Woods, Zolnikov.
Total 40

Voted Absentee: None.

Excused: Pease-Lopez.
Total 1

Absent or not voting: Harris.
Total 1

Representative Williams moved that **HB 629** be taken from Judiciary and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Gursky, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally,

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

Mehlhoff, Neill, Noonan, O'Hara, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 51

Nays: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Howard, Ingraham, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.

Total 47

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: Gibson.

Total 1

Representative Bangerter made a motion that the House continue to require a donation to charity whenever a Representative moved to change their vote on a bill. The Speaker and House Minority Leader will pick the charity and Representative Bangerter will collect the money. Motion carried.

SPECIAL ORDERS OF THE DAY

Representative Reichner rose to announce that the April 2, 2013, Charity Basketball Game - House versus Senate, was won by the House for the third session in a row.

Representative Reichner thanked the following people:

- Former Representative Gordon Hendrick for coaching.
- Representative Pierson for gathering money during each days session.
- Speaker Blasdel and Representative Pierson for the donation of a meal which raised an additional \$600.
- Representative McClafferty and Representative Clark for coordinating the T-Shirts.
- Representative McNiven for heading up the practices.

Representative Reichner asked that all of the team members stand to be recognized. A record donation of \$7,100 was raised by the House on behalf of the Big Brothers and Big Sisters of Montana.

HOUSE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2013

MOTIONS

Representative Reichner moved that the Speaker assign a committee of Legislators to go to the Senate for the purpose of displaying the Basketball trophy. Mr. Speaker allowed any team members who wished to accompany Representative Reichner to the Senate to do so. Motion Carried

The House stood at ease awaiting the return of the ball players.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Thursday, April 4, 2013. Motion carried.

House adjourned at 4:10 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House