

**HOUSE JOURNAL
63RD LEGISLATURE
NINETEENTH LEGISLATIVE DAY**

Helena, Montana
January 29, 2013

House Chambers
State Capitol

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

Roll Call. All members present. Quorum present.

BILLS (O'Hara, Chair):

1/29/2013

Correctly printed: **HB 18, HB 19, HB 28, HB 38, HB 81, HB 140, HB 168, HB 182, HB 184, HB 188, HB 189, HB 232, HB 248, HB 250, HB 324, HB 325, HB 326, HB 327, HB 328, HB 329, HB 330, HB 331, HB 332, HJR 7, SB 8, SB 50.**

Correctly engrossed: **HB 24, HB 37, HB 106, HB 206.**

Transmitted to the Senate: **HB 138, HB 169, HB 193, HB 202, HB 243.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

1/28/2013

HB 38, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

1/28/2013

HB 250, do pass. Report adopted.

NATURAL RESOURCES (Bennett, Chair):

1/28/2013

HB 37, introduced bill, be amended as follows:

1. Page 1, line 13.

Following: "85-2-407,"

Strike: "or"

Following: "85-2-408"

Insert: ", or 85-2-436"

2. Page 1, line 19.

Strike: "10"

Insert: "5"

3. Page 1, line 23.

Following: line 22

Insert: (c) The point of diversion for the appropriation right may not be changed."

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4. Page 3, line 4 through line 6.

Strike: "If the" on page 3, line 4 through line 6

Insert: "The department shall issue an order reinstating approval for the use of the appropriation right under the lease if the applicant proves by a preponderance of the evidence that the water rights of other appropriators will not be adversely affected by the lease."

5. Page 3, line 16.

Following: line 15

Insert: "(15) The department shall report annually to the water policy interim committee provided for in 5-5-231. The report must include the number of leases, the amount of water leased, and the number of irrigated acres taken out of production."

And, as amended, do pass. Report adopted.

HB 248, do pass. Report adopted.

HJR 7, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

1/29/2013

HB 184, do pass. Report adopted.

HB 232, do pass. Report adopted.

JUDICIARY (Kerns, Chair):

1/29/2013

HB 206, introduced bill, be amended as follows:

1. Page 1, line 13.

Strike: "\$50" through "plaintiff;"

Insert: "when a complaint is filed, the following fee to be paid by the plaintiff:

- (a) \$30 in 2013;
- (b) \$35 in 2014;
- (c) \$40 in 2015;
- (d) \$45 in 2016; and
- (e) \$50 in 2017 and subsequent years;"

2. Page 1, line 16.

Strike: "\$25"

Insert: "fee provided in subsection (1)"

And, as amended, do pass. Report adopted.

SB 8, be concurred in. Report adopted.

SB 50, be concurred in. Report adopted.

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1/29/2013

NATURAL RESOURCES (Bennett, Chair):

HB 24, introduced bill, be amended as follows:

1. Title, page 1, line 9 through line 10.

Strike: "23-2-501," on line 9 through "23-2-806," on line 10

2. Title, page 1, line 11.

Strike: "87-1-306,"

3. Page 2, line 2.

Strike: "5, 6, 8,"

4. Page 2, line 9.

Strike: subsection (7) in its entirety

5. Page 2, line 14.

Strike: "5, 6, 8,"

6. Page 2, line 17.

Strike: "in a way that promotes their importance"

Insert: "and their appropriate role relative"

7. Page 2, line 20.

Strike: "and"

Following: "boating"

Insert: ", and swimming"

8. Page 2, line 22.

Following: "properties"

Strike: ", "

Insert: "and"

Following: "lands"

Strike: ", and waters"

9. Page 2, line 23.

Following: "safety,"

Insert: "public welfare,"

10. Page 2, line 24.

Following: "regulating"

Insert: "recreation, including"

Following: "camping,"

Insert: "and swimming, and"

11. Page 2, line 24 through line 26.

Following: "sanitation" on line 24

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Strike: ", swimming," on line 24 through "surfboarding" on line 26

12. Page 2, line 30.

Following: "department"

Insert: ", except as provided in 87-1-209(4)"

13. Page 3, line 3 through line 4.

Strike: "\$1,000" on line 3 through "than" on line 4

14. Page 5, line 24.

Following: "of the"

Insert: ":

(1)"

Following: "2-15-3402"

Insert: "; and

(2) state parks and recreation board established in [section 1]"

15. Page 7, line 27.

Strike: "With the consent of the board, the"

Insert: "The"

16. Page 8, line 1.

Following: "(b)"

Insert: "with the consent of the board,"

17. Page 8, line 25.

Strike: "this section"

Insert: "subsection (3)"

18. Page 14, line 19 through page 22, line 1.

Strike: section 20 through section 30 in their entirety

Renumber: subsequent sections

19. Page 28, line 25.

Strike: "or the board"

20. Page 28, line 26.

Following: "regulations"

Insert: "or by the board setting seasonal land use regulations"

21. Page 29, line 16.

Following: "87-1-218"

Insert: "and subsection (8) of this section"

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22. Page 31, line 19.

Following: "land."

Insert: "(8) Approval of the board for the acquisition or disposal of land or water pursuant to this section is required only for land and water administered under Title 23, chapter 1, or Title 23, chapter 2, parts 1 and 4."

23. Page 31, line 20.

Following: "87-1-218"

Insert: "and subsection (8) of this section"

24. Page 33, line 18.

Following: "land."

Insert: "(8) Approval of the board for the acquisition or disposal of land or water pursuant to this section is required only for land and water administered under Title 23, chapter 1, or Title 23, chapter 2, parts 1 and 4."

25. Page 34, line 13.

Following: "section 2"

Strike: ", 23-2-501,"

26. Page 36, line 21.

Strike: "5, 6, 8,"

27. Page 36, line 30.

Strike: "[section 2], 23-2-501, and"

28. Page 37, line 29 through page 38, line 11.

Strike: section 42 in its entirety

Renumber: subsequent sections

29. Page 40, line 6.

Strike: "5, 6, 8,"

And, as amended, do pass. Report adopted.

HB 106, introduced bill, be amended as follows:

1. Page 10, line 1.

Following: "preliminarily"

Insert: "determined to be"

2. Page 10, line 3.

Following: "preliminarily"

Insert: "determined to be"

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3. Page 15, line 1.

Following: "petition"

Insert: "if the department finds, on the basis of information reasonably available to it, that the petition as proposed in the application will not adversely affect the rights of other appropriators"

4. Page 15, line 6.

Following: "petition does"

Insert: "not"

5. Page 17, line 20.

Following: "effect."

Insert: "A determination of whether or not there is an adverse effect on a prior appropriator as the result of a new appropriation right is a determination that must be made by the department based on the rate, location, and timing of the net depletion that causes the adverse effect relative to the historic beneficial use of the appropriation right that may be adversely affected."

6. Page 17, line 27 through line 29.

Strike: "If the department" on line 27 through "that the potential" on line 29

Insert: "The department may grant a permit for a new appropriation only if the applicant proves by a preponderance of the evidence that the"

7. Page 19, line 2.

Strike: "could"

Insert: "may"

8. Page P19, line 2 through line 3.

Strike: "and a potential" on line 2 through "appropriator" on line 3

Following: "depletion" on line 3

Insert: ", if any"

9. Page 20, line 22 through line 24.

Strike: "If the department" on line 22 through "is required." on line 24

Insert: "An applicant whose hydrogeologic report conducted pursuant to 85-2-361 predicts that there will be a net depletion of surface water shall submit an aquifer recharge or mitigation plan."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/28/2013

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SB 26, introduced by Jergeson
SB 70, introduced by Walker
SB 90, introduced by Olson
SB 141, introduced by Olson

FIRST READING AND COMMITMENT OF BILLS

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

HB 324, introduced by Warburton, referred to Fish, Wildlife and Parks.
HB 325, introduced by Regier, referred to State Administration.
HB 326, introduced by Flynn, Ballance, Fielder, White, referred to Local Government.
HB 327, introduced by Wilmer, referred to State Administration.
HB 328, introduced by Washburn, referred to Fish, Wildlife and Parks.
HB 329, introduced by Brodehl, Blasdel, Blyton, Ehli, Fiscus, Harris, Howard, Kary, Knudsen, McNiven, O'Hara, O'Neil, Regier, C. Smith, Vance, White, referred to State Administration.
HB 330, introduced by Fitzpatrick, Jent, referred to Judiciary.
HB 331, introduced by Wilson, B. Bennett, Boland, Coffin, Edmunds, Gursky, Hill, Jacobson, Lenz, MacDonald, Mehlhoff, D. Moore, O'Hara, Pomnichowski, Steenberg, referred to Transportation.
HB 332, introduced by McNally, B. Bennett, Boland, Calf Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hunter, Jacobson, Larsen, MacDonald, McCarthy, McClafferty, Noonan, Pierson, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, referred to Taxation.

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

SB 141, introduced by Olson, referred to Federal Relations, Energy, and Telecommunications.

**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 Redfield in the chair.

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

HB 18 - Representative Hollenbaugh moved **HB 18** do pass. Motion carried as follows:

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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: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 19 - Representative Hollandsworth moved **HB 19** do pass. Motion carried 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, 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, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: J. Bennett, Doane, Kerns, C. Smith, White.
Total 5

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

HB 28 - Representative Bangerter moved **HB 28** do pass. 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, 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: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 81 - Representative Ankney moved **HB 81** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 87

Nays: Ballance, Doane, Flynn, Hansen, Jones, Kerns, Knudsen, McNiven, Miller, O'Neil, Schwaderer, C. Smith, Zolnikov.
Total 13

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Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 140 - Representative Berry moved **HB 140** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, 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, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 93

Nays: Coffin, Kerns, McCarthy, Miller, O'Neil, Schwaderer, Zolnikov.

Total 7

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 182 - Representative Ballance moved **HB 182** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, 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, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy,

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McClafferty, McNally, Miller, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 168 - Representative D. Moore moved **HB 168** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Dudik, Eck, Edmunds, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, MacDonald, McChesney, McClafferty, McNiven, Mehlhoff, Moore, Neill, O'Hara, O'Neil, Pease-Lopez, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Steenberg, Wagoner, Warburton, Washburn, White, Mr. Speaker.

Total 68

Nays: Ankney, B. Bennett, J. Bennett, Coffin, Cuffe, Curtis, Doane, Ehli, Flynn, Hill, Kerns, Lieser, McCarthy, McNally, Miller, Noonan, Peppers, Pomnichowski, Schreiner, Schwaderer, B. Smith, Squires, Swanson, Vance, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 31

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Osmundson.

Total 1

HB 188 - Representative Boland moved **HB 188**, second reading copy, be amended as follows:

1. Page 2, line 8.

Strike: "3"

Insert: "10"

2. Page 2, line 14.

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Strike: "3"

Insert: "10"

Amendment **not** adopted as follows:

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

Total 40

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

Total 60

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 188 - Representative Regier moved **HB 188** do pass. Motion carried as follows:

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

Total 63

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

Total 37

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Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 189 - Representative Lenz moved **HB 189** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, 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, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: J. Bennett, Berry, Cook, Doane, Hagstrom, Jones, Kerns, O'Neil, Regier, C. Smith, Wagoner, Warburton.

Total 12

Voted Absentee: None.

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 Redfield moved the Committee of the Whole report be adopted. Report 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,

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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: None.

Excused: None.
Total 0

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 91 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, 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: None.

Excused: None.
Total 0

Absent or not voting: McClafferty.
Total 1

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HB 122 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 75

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Kerns, Knudsen, Lang, McNiven, Miller, Osmundson, Randall, Redfield, Schwaderer, C. Smith, Vance, Warburton, Welborn, Zolnikov, Mr. Speaker.

Total 25

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 123 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, 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: None.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 127 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 72

Nays: J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Fitzpatrick, Flynn, Glimm, Hansen, Hertz, Kary, Kerns, Knudsen, Lang, Laszloffy, McNiven, Miller, O'Neil, Osmundson, Randall, Regier, Reichner, Schwaderer, C. Smith, Vance, Warburton, Zolnikov, Mr. Speaker.

Total 28

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 162 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, 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.

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Total 0

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 199 passed as follows:

Yeas: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Curtis, Dudik, Eck, Edmunds, Ehli, Flynn, Galt, Gibson, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Kary, Knudsen, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 68

Nays: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Court, Cuffe, Doane, Fiscus, Fitzpatrick, Glimm, Greef, Halvorson, Hansen, Harris, Howard, Ingraham, Jones, Kerns, Lang, Laszloffy, Lenz, McNiven, O'Hara, Osmundson, Redfield, Regier, Reichner, C. Smith, White, Williams.
Total 32

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vance moved **HB 19** be moved to the Appropriations committee.
Majority Leader Vance moved **HB 168** be moved to the Appropriations committee.
Majority Leader Vance moved **HB 189** be moved to the Appropriations committee.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Wednesday, January 30, 2013. Motion carried.

House adjourned at 2:40 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House