

**HOUSE JOURNAL
63RD LEGISLATURE
TWENTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
February 5, 2013

House Chambers
State Capitol

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

Roll Call. All members present, except Representatives Peppers, Squires, excused. Quorum present.

BILLS (O'Hara, Chair):

2/5/2013

Correctly printed: **HB 27, HB 49, HB 78, HB 79, HB 92, HB 95, HB 133, HB 214, HB 217, HB 251, HB 258, HB 262, HB 273, HB 296, HB 320, HB 369, HB 370, HB 371, HB 372, HB 373, HB 374, HB 377, HB 378, HB 379, HB 380, HB 381, HB 382, HB 383, HB 384, HB 385, HB 386, HB 387, HB 388, HB 389, SB 30, SB 32, SB 87, SB 111, SB 121, HJR 5, SJR 2 .**

Correctly engrossed: **HB 178.**

Correctly enrolled: **HR 2, HB 34, HB 35, HB 51.**

Examined by the sponsor and found to be correct: **HB 92.**

Signed by the Speaker at 9:10 a.m., February 5, 2013: **HB 21, HB 132, HB 139.**

Signed by the Chief Clerk of the House at 10:15 a.m., February 5, 2013: **HB 21, HB 132, HB 139.**

Signed by the President at 11:43 a.m., February 5, 2013: **HB 21, HB 132, HB 139.**

Delivered to the Governor for approval at 2:09 p.m., February 5, 2013: **HB 21, HB 132, HB 139.**

Signed by the Speaker at 3:30 p.m., February 5, 2013: **HR 2.**

Signed by the Chief Clerk of the House at 3:35 p.m., February 5, 2013: **HR 2.**

Delivered to the Secretary of State at 3:42 p.m., February 5, 2013: **HR 2.**

Signed by the Speaker at 4:00 p.m., February 5, 2013: **HB 92.**

Signed by the Chief Clerk of the House at 4:04 p.m., February 5, 2013: **HB 92.**

Signed by the President at 4:45 p.m., February 5, 2013: **HB 92.**

Transmitted to the Senate: **HB 128, HB 208, HB 245, HB 252, HB 270, HB 308, SB 29, SB 46, SB 64.**

REPORTS OF STANDING COMMITTEES

HUMAN SERVICES (Howard, Chair):

2/1/2013

HB 262, do pass. Report adopted.

EDUCATION (Hansen, Chair):

2/4/2013

HB 178, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "SECTION"

Insert: "SECTIONS 20-7-507 AND"

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2. Page 1, following line 8.

Insert: "Section 1. Section 20-7-507, MCA, is amended to read:

"20-7-507. District traffic education fund. The trustees of any district maintaining a traffic education course shall establish a special nonbudgeted fund with the county treasurer for traffic education. All nontax receipts for traffic education must be deposited in the district's traffic education fund. The expenditure of the money deposited in the district's traffic education fund is not subject to the budgeting provisions of this title, and the money may be expended for traffic education. A district may not transfer funds from the traffic education fund to any other fund or to another entity. Funds in the traffic education fund must be used to increase the rate of student participation in traffic education, including recruiting instructors and reducing the cost to students and parents of students who participate in traffic education."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

SB 32, be concurred in. Report adopted.

SB 87, be concurred in. Report adopted.

TRANSPORTATION (Lavin, Chair):

2/4/2013

SB 111, be concurred in. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

2/5/2013

SB 30, be concurred in. Report adopted.

SB 121, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

JOINT SELECT COMMITTEE ON PENSIONS (Lewis, Chair):

2/5/2013

HB 320, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/4/2013

SB 18, introduced by Hamlett

SB 83, introduced by Murphy

SB 148, introduced by L. Jones

SB 161, introduced by Tropila

SB 172, introduced by Walker

MESSAGES FROM THE GOVERNOR

February 5, 2013

The Honorable Mark Blasdel

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Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Blasdel:

Please be informed that I have signed **House Bill 20** sponsored by Representative Cook, **House Bill 25** sponsored by Representative Gibson, and **House Bill 42** sponsored by Representative Regier on February 5, 2013.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

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

- HB 369**, introduced by Fitzpatrick, referred to Judiciary.
- HB 370**, introduced by Kary, Larsen, MacDonald, Rosendale, Wanzenried, referred to Judiciary.
- HB 371**, introduced by Ingraham, referred to Local Government.
- HB 372**, introduced by Hollandsworth, B. Bennett, Calf Boss Ribs, Coffin, Facey, Hollenbaugh, Lynch, McClafferty, Noonan, Pierson, Price, Schreiner, Sesso, Vuckovich, Wilmer, Woods, referred to Education.
- HB 373**, introduced by Reichner, Schwaderer, referred to Taxation.
- HB 374**, introduced by Fitzpatrick, Blasdel, Hansen, Knudsen, C. Smith, Vance, Welborn, Wittich, referred to Judiciary.
- HB 377**, introduced by Woods, referred to Joint Select Committee on Pensions.
- HB 378**, introduced by McClafferty, B. Bennett, Calf Boss Ribs, Coffin, Curtis, Facey, Hollenbaugh, Lynch, MacDonald, Noonan, Pierson, Price, Schreiner, Vuckovich, Wilmer, referred to Education.
- HB 379**, introduced by Lieser, B. Bennett, Curtis, Gursky, Schreiner, referred to Local Government.
- HB 380**, introduced by Lieser, B. Bennett, Gursky, Schreiner, referred to Local Government.
- HB 381**, introduced by Lieser, B. Bennett, Gursky, Schreiner, referred to Natural Resources.
- HB 382**, introduced by Bangerter, Jent, referred to Joint Select Committee on Pensions.
- HB 383**, introduced by Fiscus, Webb, referred to Transportation.
- HB 384**, introduced by O'Neil, referred to Judiciary.
- HB 385**, introduced by Lavin, referred to Judiciary.
- HB 386**, introduced by Lavin, referred to Judiciary.
- HB 387**, introduced by Hansen, Debby Barrett, Blasdel, Knudsen, Vance, Wittich, referred to Education.
- HB 388**, introduced by Cuffe, referred to Natural Resources.
- HB 389**, introduced by Mehlhoff, referred to Natural Resources.

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**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 Eck in the chair.

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

SJR 2 - Representative Miller moved **SJR 2** 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, 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: Peppers, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 27 - Representative Washburn moved **HB 27** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McChesney, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.
Total 68

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Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Flynn, Gursky, Hill, Hollenbaugh, Hunter, MacDonald, McCarthy, McClafferty, McNally, Neill, O'Hara, Pease-Lopez, Peppers, Pomnichowski, Price, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.

Total 32

Voted Absentee: Peppers, Squires, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 49 - Representative Ingraham moved **HB 49** do pass. Motion carried as follows:

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

Total 57

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

Total 43

Voted Absentee: Peppers, Squires, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 78 - Representative Regier moved **HB 78** 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, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham,

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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, 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: Schwaderer.
Total 1

Voted Absentee: Peppers, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: Edmunds.
Total 1

HB 79 - Representative Berry moved **HB 79** 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, 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, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: J. Bennett, Kerns, Schwaderer, C. Smith, Vance.
Total 5

Voted Absentee: Peppers, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 95 - Representative Wilmer moved **HB 95** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 79

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Glimm, Harris, Ingraham, Kerns, Miller, Osmundson, Randall, Redfield, C. Smith, Vance, Warburton, Zolnikov.
Total 21

Voted Absentee: Peppers, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 133 - Representative Berry moved **HB 133** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 72

Nays: J. Bennett, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Halvorson, Hansen, Harris, Kerns, Knudsen, Laszloffy, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Warburton, White, Zolnikov.
Total 28

Voted Absentee: Peppers, Squires, Aye.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 214 - Representative Wagoner moved **HB 214** 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, 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: McNiven.

Total 1

Voted Absentee: Peppers, Squires, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 215 - Representative Greef moved **HB 215** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berry, Blyton, Brodehl, Connell, Cuffe, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Glimm, Greef, Hagan, Halvorson, Harris, Hertz, Hollandsworth, Howard, Ingraham, Kary, Kerns, Knudsen, Lang, Lavin, Lenz, O'Neil, Osmundson, Randall, Regier, Reichner, Salomon, C. Smith, Vance, Wagoner, Washburn, White, Mr. Speaker.
Total 39

Nays: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Doane, Dudik, Eck, Flynn, Gibson, Gursky, Hagstrom, Hansen, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

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Total 61

Voted Absentee: Peppers, Squires, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 217 - Representative Howard moved **HB 217** do pass. Motion carried as follows:

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

Total 88

Nays: Boland, Dudik, Hill, Jacobson, Lynch, Noonan, Pomnichowski, Schreiner, Williams, Wilson, Woods.

Total 11

Voted Absentee: Peppers, Squires, Aye.

Excused: None.

Total 0

Absent or not voting: O'Neil.

Total 1

HB 251 - Representative Ingraham moved **HB 251** 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, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, 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, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires,

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Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford,
Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: Dudik, Lavin, Regier.
Total 3

Voted Absentee: Peppers, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: Hansen.
Total 1

HB 258 - Representative B. Smith moved **HB 258** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, 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, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Reichner,
Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance,
Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr.
Speaker.
Total 92

Nays: Ballance, B. Bennett, O'Neil, Redfield, Regier, Schwaderer, Wagoner, White.
Total 8

Voted Absentee: Peppers, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 273 - Representative McClafferty moved **HB 273** 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,

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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: Peppers, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 296 - Representative Ingraham moved **HB 296** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov.
Total 83

Nays: J. Bennett, Cuffe, Fitzpatrick, Halvorson, Hansen, Harris, Jacobson, Lavin, Mehlhoff, Osmundson, Pomnichowski, Regier, Vance, Wagoner, Warburton, Williams, Mr. Speaker.
Total 17

Voted Absentee: Peppers, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HJR 5 - Representative O'Neil moved **HJR 5** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, 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 56

Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hoven, 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 44

Voted Absentee: Peppers, Squires, 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 Eck 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, 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.

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Excused: Peppers, Squires.

Total 2

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 157 passed as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, 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, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Clark, Neill, Pomnichowski, Wilson.

Total 4

Voted Absentee: None.

Excused: Peppers, Squires.

Total 2

Absent or not voting: Ankney, Shaw.

Total 2

HB 187 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, Pierson,

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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.

Excused: Peppers, Squires.
Total 2

Absent or not voting: None.
Total 0

HB 206 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, 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, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilson, Woods.
Total 88

Nays: J. Bennett, Berry, Fitzpatrick, Kerns, O'Neil, C. Smith, Welborn, Wilmer, Zolnikov, Mr. Speaker.
Total 10

Voted Absentee: None.

Excused: Peppers, Squires.
Total 2

Absent or not voting: None.
Total 0

HB 210 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, Ehli,

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Fitzpatrick, Flynn, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Kary, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 78

Nays: Edmunds, Fiscus, Galt, Greef, Harris, Howard, Jones, Kerns, Knudsen, Lang, McNiven, O'Neil, Osmundson, Randall, Redfield, Schwaderer, C. Smith, Vance, White, Zolnikov.
Total 20

Voted Absentee: None.

Excused: Peppers, Squires.
Total 2

Absent or not voting: None.
Total 0

MOTIONS

Majority Leader Vance moved **HB 49** be moved to the Appropriations committee.
Majority Leader Vance moved **HB 95** be moved to the Appropriations committee.
Majority Leader Vance moved **HB 273** be moved to the Appropriations committee.

SPECIAL ORDERS OF THE DAY

Representative Wilmer asked the body to rise for a moment of silence for Representative Peppers who recently lost a family member.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Wednesday, February 6, 2013. Motion carried.

House adjourned at 2:45 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House