

**HOUSE JOURNAL
63RD LEGISLATURE
THIRTY-SECOND LEGISLATIVE DAY**

Helena, Montana
February 13, 2013

House Chambers
State Capitol

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

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

BILLS (O'Hara, Chair):

2/13/2013

Correctly printed: **HB 48, HB 283, HB 305, HB 318, HB 351, HB 360, HB 439, HB 454, HB 456, HB 457, HB 459, HB 460, HB 461, HB 462, HB 463, HB 468, SB 5, SB 36, SB 51, SB 65, SB 66, SB 73, SB 75.**

Correctly enrolled: **HB 32, HB 55, HB 60, HB 111.**

Correctly engrossed: **HB 281, HB 284, HB 345, HB 362.**

Transmitted to the Senate: **HB 105, HB 158.**

Signed by the Speaker at 3:20 p.m., February 13, 2013: **HB 17, HB 41, HB 107, HB 137.**

Signed by the Chief Clerk of the House at 3:43 p.m., February 13, 2013: **HB 17, HB 41, HB 107, HB 137.**

REPORTS OF STANDING COMMITTEES

FISH, WILDLIFE AND PARKS (Welborn, Chair):

2/12/2013

HB 360, do pass. Report adopted.

SB 75, be concurred in. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

2/13/2013

HB 48, do pass. Report adopted.

HB 281, introduced bill, be amended as follows:

1. Page 2, line 6.

Following: "surgeon,"

Insert: "physician assistant,"

Following: "dentist,"

Insert: "dental hygienist,"

And, as amended, do pass. Report adopted.

HB 284, introduced bill, be amended as follows:

1. Page 2, line 15 through line 18.

Strike: line 15 through line 18

Insert: "(A) for agency liquor stores with a volume of sales up to \$1.1 million:

HOUSE JOURNAL
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 13, 2013

- (I) 2.25% during the period beginning July 1, 2013, and ending June 30, 2014;
- (II) 3% beginning July 1, 2014;
- (B) for agency liquor stores with a volume of sales greater than \$1.1 million and up to \$3.1 million:
- (I) 1.375% during the period beginning July 1, 2013, and ending June 30, 2014;
- (II) 1.875% beginning July 1, 2014;
- (C) for agency liquor stores with a volume of sales greater than \$3.1 million and up to \$5.1 million:
- (I) 1% during the period beginning July 1, 2013, and ending June 30, 2014;
- (II) 1.125% beginning July 1, 2014;
- (D) for agency liquor stores with a volume of sales greater than \$5.1 million:
- (I) 0.875% during the period beginning July 1, 2013, and ending June 30, 2014;
- (II) 1% beginning July 1, 2014; or"

2. Page 2, line 19.

Strike: "(C)"

Insert: "(E)"

3. Page 2, line 20.

Strike: "(4)(a)(ii)(A) or (4)(a)(ii)(B)"

Insert: "(4)(a)(ii)"

4. Page 2, line 23.

Strike: "subsections (4)(a)(ii)(A) and (4)(a)(ii)(B)"

Insert: "subsection (4)(a)(ii) of the relevant year"

And, as amended, do pass. Report adopted.

HB 345, introduced bill, be amended as follows:

1. Page 2, line 18.

Following: line 17

Insert: "(8) "State" means the state of Montana."

2. Page 3, lines 9 and 10.

Strike: "to conceal" on line 9 through "contractors" on line 10

Insert: "material to an obligation to pay or transmit money or property to a governmental entity or knowingly conceals or knowingly and improperly avoids or decreases an obligation to pay or transmit money or property to a governmental entity"

3. Page 4, line 5.

Strike: "a"

4. Page 4, line 6.

Following: "(i)"

HOUSE JOURNAL
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 13, 2013

Insert: "a"

5. Page 4, line 8.

Following: "(ii)"

Insert: "a"

6. Page 4, line 9.

Following: "(iii)"

Insert: "the"

Strike: "report"

7. Page 4, line 15 through line 18.

Strike: ":" on line 15 through "entity;" on line 18

Insert: "brought under 17-8-406 against the state or an officer or employee of the state arising from conduct by the officer or employee within the scope of the officer's or employee's duties to the state."

8. Page 7, line 10.

Strike: "If the" through ", a"

Insert: "A"

9. Page 7, line 14.

Following: "."

Insert: "If the governmental entity does not intervene, it is not responsible for any of the defendant's fees and costs."

10. Page 7, line 17.

Strike: "Prohibition on employers -- employee

Insert: "Retaliatory actions prohibited --"

11. Page 7, line 18.

Strike: "officer, agency,"

Insert: "agent,"

12. Page 7, line 22.

Strike: "officer, agency,"

Insert: "agent,"

13. Page 7, line 24.

Strike: "officer, agency,"

Insert: "agent,"

14. Page 7, line 26 through page 8, line 5.

Strike: "(a) A governmental" on page 7, line 26 through "occurred." on page 8, line 5

Insert: "An employee, contractor, or agent is entitled to all relief necessary to make the employee,

HOUSE JOURNAL
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 13, 2013

contractor, or agent whole if the employee, contractor, or agent is discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment because of lawful acts done by the employee, contractor, or agent or associated others in furtherance of an action under this part or other efforts to stop one or more violations of this part.

(4) Relief under subsection (3) includes reinstatement with the same seniority status the employee, contractor, or agent would have had but for the discrimination, two times the amount of back pay, interest on the back pay, and compensation for any special damages sustained as a result of the discrimination, including litigation costs and reasonable attorney fees. A civil action may be brought in the appropriate district court of the state for the relief provided in this subsection.

(5) A civil action under this section may not be brought more than 3 years after the date on which the retaliation occurred."

And, as amended, do pass. Report adopted.

HB 362, introduced bill, be amended as follows:

1. Title, line 8.

Following: "35-8-202,"

Insert: "35-8-205,"

2. Page 5, line 7.

Strike: "does not apply"

Insert: "applies"

3. Page 7, following line 16.

Insert: "**Section 5.** Section 35-8-205, MCA, is amended to read:

"35-8-205. Filing with secretary of state. (1) The articles of organization or any other document required to be filed pursuant to this chapter must be delivered to the secretary of state. If the secretary of state determines that the documents conform to the filing provisions of this chapter and that all required filing fees have been paid, the secretary of state shall:

(a) endorse on the signed document the word "filed" and the date and time of accepting the document for filing;

(b) retain the signed document in the secretary of state's files; and

(c) send a certification letter to the person who filed the document or to the person's representative.

(2) If the secretary of state is unable to make the determination required for filing by subsection (1) at the time any documents are delivered for filing, the documents are considered to have been filed at the time of delivery if the secretary of state subsequently determines that the documents as delivered conform to the filing provisions of 35-8-201 through 35-8-211.

(3) All documents filed with the secretary of state must reflect the name of the limited liability company and all series of members within the limited liability company if the limited liability company has one or more series of members."

Renumber: subsequent sections

HOUSE JOURNAL
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 13, 2013

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Ingraham, Chair): 2/13/2013
SB 5, be concurred in. Report adopted.
SB 36, be concurred in. Report adopted.
SB 66, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/12/2013

SB 174, introduced by Keane
SB 183, introduced by Arntzen
SB 213, introduced by Larsen

Senate joint resolution passed and transmitted to the House for concurrence: 2/12/2013

SJR 11, introduced by D. Brown

FIRST READING AND COMMITMENT OF BILLS

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

HB 439, introduced by MacDonald, referred to Agriculture.
HB 454, introduced by McChesney, referred to Joint Select Committee on Pensions.
HB 456, introduced by Wilmer, referred to Human Services.
HB 457, introduced by Price, referred to Education.
HB 459, introduced by Kerns, referred to Judiciary.
HB 460, introduced by Hagan, Berry, referred to Business and Labor.
HB 461, introduced by Lieser, Ankney, B. Bennett, Coffin, Curtis, Gursky, Pomnichowski, Steenberg, Whitford, referred to Local Government.
HB 462, introduced by D. Jones, Knudsen, C. Smith, referred to Judiciary.
HB 463, introduced by G. Bennett, Sonju, referred to Business and Labor.
HB 468, introduced by Doane, referred to Taxation.

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

SB 164, introduced by Keane, 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 McNiven in the chair.

HOUSE JOURNAL
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 13, 2013

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

HB 88 - Representative Hoven moved **HB 88** do pass. Motion **failed** as follows:

Yeas: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, 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 40

Nays: 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, 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

Voting Absentee: Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 283 - Representative Wagoner moved **HB 283** 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, 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: Schwaderer.

Total 1

HOUSE JOURNAL
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 13, 2013

Voting Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 300 - Representative Salomon moved consideration of **HB 300** be passed for the day.
Motion Carried.

HB 305 - Representative Lang moved **HB 305** 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

Voting Absentee: Warburton, Aye.

Voting Absentee: Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 318 - Representative Mehlhoff moved **HB 318** 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,

HOUSE JOURNAL
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 13, 2013

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

Voting Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 351 - Representative Edmunds moved **HB 351** 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

Voting Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 51 - Representative Hill moved **SB 51** be concurred in. Motion carried as follows:

HOUSE JOURNAL
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 13, 2013

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, 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: Miller.
Total 1

Voting Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 65 - Representative Hill moved **SB 65** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, 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, 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, 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, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: B. Bennett, Dudik, Pomnichowski, Wilson.
Total 4

Voting Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.

HOUSE JOURNAL
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 13, 2013

Total 0

SB 73 - Representative Gursky moved **SB 73** 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, 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: Cuffe.

Total 1

Voting Absentee: Warburton, Aye.

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 McNiven 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, 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, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

HOUSE JOURNAL
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 13, 2013

Voting Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Connell.

Total 1

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 12 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Gibson, Gursky, Hagan, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Kary, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 68

Nays: Ballance, J. Bennett, Blyton, Brodehl, Doane, Edmunds, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Howard, Jones, Kerns, Knudsen, Laszloffy, McChesney, Miller, O'Neil, Osmundson, Randall, Redfield, Schwaderer, Vance, Wagoner, Washburn, White.

Total 29

Voting Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Berry, Hoven.

Total 2

HB 233 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, 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, Moore, Neill,

HOUSE JOURNAL
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 13, 2013

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, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Kerns, Miller, Schwaderer, Williams.

Total 4

Voting Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Flynn.

Total 1

HB 277 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Mr. Speaker.

Total 80

Nays: Brodehl, Doane, Fitzpatrick, Halvorson, Harris, Hertz, Hoven, Jones, Kary, Kerns, O'Neil, Osmundson, Pomnichowski, Regier, Schwaderer, Vance, White, Woods, Zolnikov.

Total 19

Voting Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 321 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,

HOUSE JOURNAL
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 13, 2013

Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, Osmundson, Pease-Lopez, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Mr. Speaker.

Total 63

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

Total 36

Voting Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 325 passed as follows:

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

Total 77

Nays: J. Bennett, Berry, Cuffe, Fitzpatrick, Flynn, Galt, Glimm, Hagstrom, Halvorson, Jones, Kerns, Knudsen, Miller, O'Neil, Osmundson, Redfield, Salomon, Schwaderer, C. Smith, Vance, Zolnikov, Mr. Speaker.

Total 22

Voting Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HOUSE JOURNAL
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 13, 2013

HB 328 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Doane, 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, McChesney, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Wilmer, Woods, Zolnikov, Mr. Speaker.
Total 79

Nays: Boland, Boss Ribs, Brockie, Curtis, Dudik, Lynch, MacDonald, McCarthy, McClafferty, McNally, Noonan, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, B. Smith, Whitford, Williams, Wilson.
Total 20

Voting Absentee: None.

Excused: Warburton.
Total 1

Absent or not voting: None.
Total 0

HB 337 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, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: None.
Total 0

Voting Absentee: None.

Excused: Warburton.

HOUSE JOURNAL
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 13, 2013

Total 1

Absent or not voting: None.

Total 0

HB 356 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, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voting Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HJR 9 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, 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, Pease-Lopez, Peppers, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 70

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

HOUSE JOURNAL
THIRTY-SECOND LEGISLATIVE DAY - FEBRUARY 13, 2013

Total 29

Voting Absentee: None.

Excused: Warburton.
Total 1

Absent or not voting: None.
Total 0

MOTIONS

Representative Lieser moved to change his vote on **HJR 9** from Yes to No. Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Thursday, February 14, 2013. Motion carried.

House adjourned at 2:00 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House