

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

Helena, Montana  
February 19, 2013

House Chambers  
State Capitol

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

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

**BILLS** (O'Hara, Chair):

2/19/2013

Correctly printed: **HB 203, HB 286, HB 301, HB 335, HB 374, HB 388, HB 389, HB 402, HB 458, HB 535, HB 536, HB 537, HB 538, HB 539, HB 540, HB 541, HB 542, HB 543, HB 544, HB 545, HB 546, HB 547.**

Correctly engrossed: **HB 405, HB 414, HB 435, HJR 12.**

Correctly enrolled: **HB 36, HB 152, HB 155, HB 192.**

Examined by the sponsor and found to be correct: **HB 148.**

Transmitted to the Senate: **HB 66, HB 95, HB 163, HB 189, HB 287, HB 334, HB 367, HB 371, SB 90.**

Signed by the Speaker at 2:45 p.m., February 19, 2013: **HB 148.**

Signed by the Chief Clerk of the House at 3:02 p.m., February 19, 2013: **HB 148.**

Signed by the President at 4:00 p.m., February 19, 2013: **HB 148.**

Delivered to the Governor for approval at 8:18 a.m., February 19, 2013: **HB 164.**

Delivered to the Governor for approval at 4:25 p.m., February 19, 2013: **HB 148.**

**COMMUNICATIONS AND PETITIONS**

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the twenty-first, twenty-second, twenty-third, twenty-fourth, and twenty-fifth legislative days, find the same to be correct.

Representative O'Hara, Chair

**REPORTS OF STANDING COMMITTEES**

**BUSINESS AND LABOR** (Berry, Chair):

2/18/2013

**HB 405**, introduced bill, be amended as follows:

1. Title, line 6 through line 9.

**Strike:** "PROVIDING" on line 6 through "LAWS;" on line 9

2. Title, line 12.

**Following:** "VIOLATIONS;"

**Insert:** "REVISING THE DEFINITION OF "BOTTLE CLUB";"

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3. Title, line 13.

**Following:** "AND"

**Strike:** "16-6-101"

**Insert:** "16-6-306"

4. Page 2, line 27 through page 3, line 10.

**Strike:** section 3 in its entirety

**Insert:** "**Section 3.** Section 16-6-306, MCA, is amended to read:

**"16-6-306. Bottle clubs prohibited -- definition.** (1) The operation of alcoholic beverage bottle clubs is hereby prohibited by ~~any person, persons, partnership, firm, corporation, or association.~~ A bottle club is defined as ~~any person, persons, partnership, firm, corporation, or association maintaining premises not licensed for the sale of alcoholic beverages, for a fee or other consideration, including the sale of food, mixes, ice, or any other fluids for alcoholic beverages, or otherwise furnishing premises for such purposes and from which they would derive revenue.~~

(2) For the purposes of this section, "bottle club" means a commercial enterprise that is open to the public, is not licensed or permitted for the sale of alcohol, and allows on-premises consumption of alcohol with or without consideration."

And, as amended, do pass. Report adopted.

**NATURAL RESOURCES** (Bennett, Chair):

2/18/2013

**HB 435**, introduced bill, be amended as follows:

1. Page 3, line 1.

**Strike:** "(5)"

**Insert:** "(6)"

2. Page 3, line 23 through line 28.

**Strike:** subsection (2) in its entirety

**Insert:** "(2) The department of commerce shall biennially designate each local government unit that has or expects to have within 2 years the rail transportation of coal through the local government unit in a number averaging at least eight loaded or unloaded coal trains each day.

(3) The department of commerce shall biennially designate each local government unit that is designated under subsections (1) and (2) and that has proposed a railroad quiet zone under 49 CFR, parts 222 and 229."

**Renumber:** subsequent subsections

3. Page 4, line 29 through line 30.

**Strike:** subsection (9) in its entirety

**Insert:** "(10) In awarding funds, preference must be given to local government units based on the following order of priority:

(a) local government units that are designated under subsection (1);

(b) local government units that are designated under subsection (3); and

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(c) local government units that are designated under subsection (2) and that have proposed a railroad quiet zone under 49 CFR, parts 222 and 229."

4. Page 5, line 1.

**Strike:** "(10)"

**Insert:** "(11)"

**Strike:** "subsection (9)"

**Insert:** "subsections (10)(b) and (10)(c)"

And, as amended, do pass. Report adopted.

**STATE ADMINISTRATION** (Ingraham, Chair):  
**HJR 12**, do pass. Report adopted.

2/18/2013

**TRANSPORTATION** (Lavin, Chair):  
**HB 414**, introduced bill, be amended as follows:

2/18/2013

1. Title, line 5.

**Strike:** The second "MONTANA"

**Insert:** "THE COUNTY WHERE THE ABODE IS LOCATED"

2. Page 2, line 18.

**Following:** "register"

**Insert:** "in the county where the abode is located"

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence:

2/18/2013

**SB 14**, introduced by Wanzenried  
**SB 81**, introduced by Lewis  
**SB 114**, introduced by Taylor  
**SB 139**, introduced by Walker  
**SB 189**, introduced by Webb  
**SB 192**, introduced by Wanzenried  
**SB 197**, introduced by Boulanger  
**SB 238**, introduced by Hamlett

**MESSAGES FROM THE GOVERNOR**

February 18, 2013

The Honorable Mark Blasdel

**STATE INTERNET/BBS COPY**

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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 34** sponsored by Representative Boland, **House Bill 41** sponsored by Representative Squires, and **House Bill 53** sponsored by Representative Ingraham on February 18, 2013.

Sincerely,

STEVE BULLOCK  
Governor

**MESSAGES FROM THE GOVERNOR**

February 19, 2013

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

Dear Speaker Blasdel:

Please be informed that I have signed **House Bill 17** sponsored by Representative Hill, **House Bill 107** sponsored by Representative Lynch, and **House Bill 137** sponsored by Representative Dudik on February 19, 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 458**, introduced by Noonan, Kaufmann, referred to Human Services.

**HB 535**, introduced by G. Bennett, B. Bennett, Blasdel, Lieser, D. Moore, referred to Natural Resources.

**HB 536**, introduced by Wilmer, referred to Judiciary.

**HB 537**, introduced by Hansen, referred to State Administration.

**HB 538**, introduced by Gursky, B. Bennett, Curtis, Harris, Lieser, McNally, O'Hara, referred to State

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Administration.

**HB 539**, introduced by Edmunds, referred to State Administration.

**HB 540**, introduced by Lavin, referred to Federal Relations, Energy, and Telecommunications.

**HB 541**, introduced by D. Jones, referred to Local Government.

**HB 542**, introduced by Curtis, referred to Transportation.

**HB 543**, introduced by Dudik, Ankney, Ballance, Brockie, Coffin, Cook, Curtis, Doane, Eck, Ehli, Gibson, Gursky, Hill, Hollandsworth, Hollenbaugh, Jacobson, Knudsen, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Osmundson, Pease-Lopez, Pomnichowski, Price, Schreiner, Shaw, Squires, Steenberg, Swanson, Wilson, Woods, referred to Judiciary.

**HB 544**, introduced by Reichner, referred to Business and Labor.

**HB 545**, introduced by Reichner, referred to Business and Labor.

**HB 546**, introduced by Hollandsworth, referred to Federal Relations, Energy, and Telecommunications.

**HB 547**, introduced by Glimm, Ballance, G. Bennett, Blasdel, Doane, Fitzpatrick, Knudsen, McChesney, Redfield, Shaw, C. Smith, Vance, Welborn, referred to Natural Resources.

**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 Reichner in the chair.

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

**HB 47 - Senate Amendments** - Representative McClafferty moved Senate amendments to **HB 47** 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: Warburton, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 203** - Representative Clark moved **HB 203** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, 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 73

Nays: J. Bennett, Berry, Brodehl, Edmunds, Fitzpatrick, Glimm, Hagstrom, Harris, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Lenz, McNiven, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Warburton, White, Zolnikov.

Total 27

Voted Absentee: Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 286** - Representative Brockie moved **HB 286** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, 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, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 83

Nays: J. Bennett, Brodehl, Doane, Edmunds, Fiscus, Flynn, Greef, Harris, Howard, Kerns,

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Miller, O'Neil, Schwaderer, C. Smith, Warburton, Welborn, Zolnikov.

Total 17

Voted Absentee: Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 301** - Representative Halvorson moved **HB 301** 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, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 90

Nays: Fitzpatrick, Kary, Kerns, Miller, O'Neil, Redfield, Schwaderer, C. Smith, Warburton, Zolnikov.

Total 10

Voted Absentee: Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 335** - Representative Eck moved **HB 335** 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,

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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: Warburton, Aye.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 374** - Representative Fitzpatrick moved **HB 374** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, 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 60

Nays: Bangerter, 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 40

Voted Absentee: Warburton, Aye.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0



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**HB 388** - Representative Cuffe moved **HB 388** 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, 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, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 92

Nays: Edmunds, Kerns, Pomnichowski, Salomon, C. Smith, Warburton, Welborn, Zolnikov.

Total 8

Voted Absentee: Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 389** - Representative Mehlhoff moved **HB 389** 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: Warburton, Aye.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

**HB 402** - Representative Hunter moved **HB 402** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, 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, 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, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Bangerter, Harris, McNiven, Reichner, C. Smith, Warburton.

Total 6

Voted Absentee: Warburton, 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 Reichner 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, Glimm, Greef, Gursky, Hagan, 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, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Gibson, Squires.

Total 2

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Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Hagstrom.

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 281** passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, 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, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Vance, Wagoner, Washburn, Welborn, White, Woods, Zolnikov, Mr. Speaker.

Total 67

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

Total 32

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

**HB 345** 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, Laszloffy, Lavin, Lenz, Lieser,

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Lynch, MacDonald, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, 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 95

Nays: McClafferty, Noonan, O'Neil.  
Total 3

Voted Absentee: None.

Excused: Warburton.  
Total 1

Absent or not voting: Lang.  
Total 1

**SB 47** concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Fiscus, Fitzpatrick, Flynn, Gibson, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, 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, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.  
Total 80

Nays: Ballance, Brodehl, Doane, Edmunds, Ehli, Galt, Glimm, Greef, Howard, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Zolnikov.  
Total 19

Voted Absentee: None.

Excused: Warburton.  
Total 1

Absent or not voting: None.  
Total 0

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**MOTIONS**

Representative Brockie moved to change her vote on **HB 286** from Not Voting to Yes. Without objection, so ordered.

Majority Leader Vance moved **HB 286** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 402** be moved from the Committee of the Whole to the Appropriations committee.

**SPECIAL ORDERS OF THE DAY**

Representative Broedehl made an announcement on behalf of former Representative Scott Mendenhall that the 2013 (53rd annual) Montana Governor's Prayer Breakfast would be held, Saturday, March 2nd at the Carroll College Commons.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Wednesday, February 20, 2013. Motion carried.

House adjourned at 2:00 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

MARK BLASDEL  
Speaker of the House