

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

Helena, Montana
March 7, 2013

House Chambers
State Capitol

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

Roll Call. All members present, except Representatives Doane, Halvorson, and McNally excused. Quorum present.

BILLS (O'Hara, Chair): 3/7/2013

Correctly printed: **HB 373, HB 393, HB 415, HB 488, HB 524, HB 582, HJR 17, SB 61, SB 62.**
Correctly engrossed: **HB 489, HB 542.**
Correctly enrolled: **HB 28, HB 123, HB 190, HB 212.**

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth, and thirtieth legislative days, find the same to be correct.

Representative O'Hara, Chair

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Berry, Chair): 3/7/2013
SB 61, be concurred in. Report adopted.
SB 62, be concurred in. Report adopted.

TRANSPORTATION (Lavin, Chair): 3/6/2013
HB 542, introduced bill, be amended as follows:

1. Title, page 1, line 8 through line 10.
Strike: "ADDING" on line 8 through "DRIVING;" on line 10

2. Title, page 1, line 10.
Strike: "SECTIONS 61-8-301,"
Insert: "SECTION"
Strike: "61-8-715," through "61-9-402,"

3. Page 1, line 15 through page 2, line 6.
Strike: section 1 in its entirety
Renumber: subsequent sections

4. Page 3, line 8 through line 9.

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Strike: subsection (5) in its entirety

5. Page 3, line 11 through page 5, line 4.

Strike: sections 3 and 4 in their entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

March 7, 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 81** sponsored by Representative Ankney on March 7, 2013.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

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

HB 582, introduced by Hertz, referred to Business and Labor.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 17, introduced by Gibson, referred to State Administration.

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

SB 14, introduced by Wanzenried (by request of the Office of Public Instruction), referred to Education.

SB 33, introduced by Jent (by request of the Department of Military Affairs), referred to State Administration.

SB 48, introduced by Jergeson (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

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- SB 63**, introduced by Blewett (by request of the Department of Military Affairs), referred to State Administration.
- SB 67**, introduced by Van Dyk (by request of the State Administration and Veterans' Affairs Interim Committee), referred to State Administration.
- SB 69**, introduced by Walker (by request of the Select Committee on Efficiency in Government), referred to Human Services.
- SB 107**, introduced by Facey, Schwaderer, referred to Judiciary.
- SB 112**, introduced by Blewett, referred to Education.
- SB 116**, introduced by Arthun, referred to Transportation.
- SB 122**, introduced by Facey, referred to State Administration.
- SB 125**, introduced by Olson, Arthun, Clark, Jackson, L. Jones, Kary, Knudsen, O'Hara, Taylor, Walker, Zolnikov, referred to Federal Relations, Energy, and Telecommunications.
- SB 127**, introduced by Buttrey, referred to Business and Labor.
- SB 128**, introduced by Buttrey, referred to Business and Labor.
- SB 132**, introduced by Jergeson, referred to Local Government.
- SB 135**, introduced by Wittich, referred to Education.
- SB 154**, introduced by Vincent, referred to Natural Resources.
- SB 185**, introduced by Sesso, Ankney, Caferro, Jent, Larsen, Shaw, referred to State Administration.
- SB 194**, introduced by Blewett, Murphy, referred to Judiciary.
- SB 195**, introduced by Blewett, Zolnikov, Miller, referred to Business and Labor.
- SB 201**, introduced by Hamlett, Connell, referred to Natural Resources.
- SB 203**, introduced by Buttrey, Arthun, Brenden, Hamlett, L. Jones, Larsen, Mehlhoff, Price, Taylor, Windy Boy, referred to Education.
- SB 209**, introduced by Arthun, Bangerter, referred to Local Government.
- SB 215**, introduced by F. Moore, referred to Agriculture.
- SB 217**, introduced by Hamlett, Connell, referred to Natural Resources.
- SB 239**, introduced by Buttrey, referred to Taxation.
- SB 242**, introduced by Sesso, Ankney, Buttrey, Cuffe, Hollenbaugh, Keane, Larsen, Lynch, McClafferty, Wittich, referred to State Administration.
- SB 245**, introduced by Arthun, referred to Local Government.
- SB 249**, introduced by Debby Barrett, referred to Fish, Wildlife and Parks.
- SB 250**, introduced by Debby Barrett, Brenden, Fielder, Hamlett, Ripley, Thomas, referred to Agriculture.
- SB 251**, introduced by Wittich, Dudik, Jent, Knudsen, referred to Judiciary.
- SB 256**, introduced by F. Moore, Arthun, Debby Barrett, Boulanger, Brenden, T. Brown, Flynn, Harris, Redfield, Ripley, Rosendale, Salomon, Taylor, Thomas, Vincent, Walker, referred to Agriculture.
- SB 262**, introduced by Brenden, referred to Natural Resources.
- SB 267**, introduced by Thomas, Phillips, Wanzenried, referred to Judiciary.
- SB 272**, introduced by Windy Boy, B. Bennett, Boland, Caferro, Dudik, Gursky, Hamlett, Kaufmann, Lieser, Pease-Lopez, Peppers, Pierson, B. Smith, Stewart-Peregoy, Vuckovich, Whitford, referred to Human Services.

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- SB 275**, introduced by Buttrey, Arthun, Edmunds, Hagan, Ingraham, Jent, Larsen, McCarthy, Mehlhoff, Williams, Wittich, referred to Transportation.
- SB 288**, introduced by Vincent, Olson, referred to Federal Relations, Energy, and Telecommunications.
- SB 293**, introduced by Tutvedt, referred to Local Government.
- SB 297**, introduced by Arntzen, Knudsen, referred to Human Services.
- SB 298**, introduced by Windy Boy, Brockie, Caferro, Dudik, Hamlett, Pease-Lopez, referred to Human Services.
- SB 302**, introduced by Arntzen, referred to Education.
- SB 305**, introduced by Peterson, referred to Agriculture.
- SB 314**, introduced by Wanzenried, referred to Transportation.
- SB 323**, introduced by Thomas, referred to Business and Labor.
- SB 324**, introduced by Rosendale, Buttrey, Edmunds, Hertz, Hill, Kary, Larsen, D. Moore, Washburn, referred to Local Government.
- SB 325**, introduced by Olson, referred to Federal Relations, Energy, and Telecommunications.
- SB 326**, introduced by Malek, Arntzen, Augare, Dick Barrett, Blewett, Buttrey, Coffin, Driscoll, Gursky, Hill, Jackson, Jent, L. Jones, Kary, Kaufmann, Keane, Larsen, MacDonald, McCarthy, Olson, Phillips, Sales, Sonju, Vincent, Van Dyk, referred to Judiciary.
- SB 327**, introduced by Olson, referred to Federal Relations, Energy, and Telecommunications.
- SB 328**, introduced by Augare, Boulanger, Jent, Malek, O'Hara, C. Smith, Stewart-Peregoy, Taylor, Vincent, Windy Boy, Wittich, referred to Fish, Wildlife and Parks.
- SB 332**, introduced by Tutvedt, Connell, referred to Agriculture.
- SB 332**, introduced by Tutvedt, Connell, referred to Natural Resources.
- SB 336**, introduced by Hamlett, Connell, McChesney, referred to Natural Resources.
- SB 337**, introduced by Hamlett, Debby Barrett, Connell, McChesney, Peterson, Stewart-Peregoy, Vincent, referred to Judiciary.
- SB 340**, introduced by Brenden, referred to Education.
- SB 341**, introduced by Fielder, Hamlett, Murphy, referred to Fish, Wildlife and Parks.
- SB 342**, introduced by Windy Boy, Hansen, referred to Education.
- SB 344**, introduced by Vincent, referred to Fish, Wildlife and Parks.
- SB 345**, introduced by Vincent, referred to Natural Resources.
- SB 346**, introduced by Vincent, referred to Natural Resources.
- SB 347**, introduced by Vincent, referred to Natural Resources.
- SB 351**, introduced by Olson, referred to Human Services.
- SB 356**, introduced by Arntzen, referred to Education.
- SB 361**, introduced by Tutvedt, referred to Taxation.
- SB 364**, introduced by Vincent, referred to Natural Resources.
- SB 366**, introduced by Arthun, referred to Natural Resources.
- SB 370**, introduced by Essmann, referred to Taxation.
- SB 372**, introduced by Boulanger, referred to Judiciary.

The following Senate joint resolutions were introduced, read first time, and referred to committees:

- SJR 13**, introduced by T. Brown, Ankney, Arntzen, Arthun, Ballance, Debby Barrett, Berry,

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Brenden, Buttrey, Driscoll, Fielder, Fiscus, Hamlett, Hollandsworth, Jackson, D. Jones, L. Jones, Larsen, Lewis, Mehlhoff, F. Moore, Olson, Priest, Rosendale, Sonju, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Walker, Webb, Windy Boy, Wittich, referred to Education.

SJR 17, introduced by Jackson, G. Bennett, Vincent, referred to Natural Resources.

SJR 18, introduced by Thomas, referred to Judiciary.

SJR 19, introduced by Larsen, Augare, Blewett, Driscoll, Facey, Jergeson, Kaufmann, Malek, Phillips, Sesso, Tropila, Van Dyk, referred to Judiciary.

**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 Ballance in the chair.

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

HB 373 - Representative Reichner moved **HB 373** 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, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Wilson.
Total 1

Voted Absentee: Doane, Halvorson, McNally, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 393 - Representative Hoven moved **HB 393** 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, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, 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, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

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

Total 39

Voted Absentee: Doane, Halvorson, Aye; McNally, No.

Excused: None.

Total 0

Absent or not voting: Hansen, Reichner.

Total 2

HB 405 - Representative Hagan moved **HB 405** do pass.

HB 405 - Representative Hagan moved **HB 405**, second reading copy, be amended as follows:

1. Title, line 6.

Following: "PERSONS"

Insert: "OR ENTITIES"

2. Title, line 10.

Following: "BEER"

Insert: ", "

Strike: "AND"

Following: "WINE"

Insert: ", OR LIQUOR"

3. Title, line 12.

Strike: "CIVIL FINES"

Insert: "CRIMINAL PENALTIES"

4. Page 1, line 22.

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Following: "persons"

Insert: "or entities"

5. Page 2, line 17.

Following: "beer"

Insert: ", "

Strike: "and"

Following: "wine"

Insert: ", or liquor"

Strike: "pursuant to 16-4-420"

6. Page 2, line 19.

Following: "person"

Insert: "or entity"

Following: "(a)"

Strike: "."

Insert: "is guilty of a misdemeanor and may be sentenced to a term of imprisonment not to exceed 6 months in the county jail or fined an amount not to exceed \$500, or both."

7. Page 2, line 20 through line 25.

Strike: "(i)" on line 20 through "." on line 25

8. Page 3, line 18.

Following: "."

Insert: "Any person or entity violating the provisions of this section is guilty of a misdemeanor and may be sentenced to a term of imprisonment not to exceed 6 months in the county jail or fined an amount not to exceed \$500, or both."

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, 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, 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 92

Nays: B. Bennett, Court, Cuffe, Eck, Gursky, Hill, Miller, O'Neil.

Total 8

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Voted Absentee: Doane, Halvorson, McNally, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 405 - Representative Hagan moved **HB 405**, as amended, do pass. Motion **failed** as follows:

Yeas: Ballance, Bangerter, Berry, Boland, Connell, Cook, Curtis, Gibson, Glimm, Greef, Hagan, Hollandsworth, Hunter, Jacobson, Lang, McNiven, Mehlhoff, Moore, Noonan, O'Hara, Pierson, Price, Reichner, Salomon, Shaw, C. Smith, Squires, Steenberg, Welborn, Wilmer, Mr. Speaker.

Total 31

Nays: Ankney, B. Bennett, J. Bennett, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Court, Cuffe, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollenbaugh, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Miller, Neill, O'Neil, Osmundson, Pease-Lopez, Peppers, Pomnichowski, Randall, Redfield, Regier, Schreiner, Schwaderer, B. Smith, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilson, Woods, Zolnikov.

Total 69

Voted Absentee: Doane, Halvorson, McNally, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 415 - Representative Hagan moved **HB 415** 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, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Hollandsworth, 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, 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, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 86

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Nays: J. Bennett, Cuffe, Eck, Edmunds, Hagstrom, Harris, Hertz, Hill, Hollenbaugh, Hoven, Jones, Kerns, Wagoner, Williams.

Total 14

Voted Absentee: Doane, Halvorson, McNally, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 429 - Representative Wilmer moved **HB 429** do pass. Motion **failed** as follows:

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

Total 46

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

Total 54

Voted Absentee: McNally, Aye; Doane, Halvorson, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 488 - Representative Gursky moved **HB 488** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Boland, Boss Ribs, Brockie, 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,

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Total 96

Nays: Blyton, Brodehl, Kerns, Welborn.

Total 4

Voted Absentee: Doane, Halvorson, McNally, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 489 - Representative Hunter moved **HB 489** do pass.

HB 489 - Representative Hunter moved **HB 489**, second reading copy, be amended as follows:

1. Page 11, line 13.

Following: "Appropriation."

Insert: "(1)"

2. Page 11.

Following: line 15

Insert: "(2) If the health care database board receives private or federal grants as allowed under [section 4], the general fund appropriation is decreased in accordance with the provisions of 17-2-108."

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, 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, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 94

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Nays: Fiscus, Galt, Schwaderer, C. Smith, White, Zolnikov.

Total 6

Voted Absentee: Doane, Halvorson, McNally, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 489 - Representative Hunter moved **HB 489**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Gursky, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lang, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 54

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

Total 46

Voted Absentee: McNally, Aye; Doane, Halvorson, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 524 - Representative Clark moved **HB 524** 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, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan,

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Total 96

Nays: Fitzpatrick, Hagan, Lenz, C. Smith.
Total 4

Voted Absentee: Doane, Halvorson, McNally, 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 Ballance 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, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Gursky, Hagan, Hagstrom, 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, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, 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, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 93

Nays: Fitzpatrick, Gibson, Osmundson, Welborn.
Total 4

Voted Absentee: None.

Excused: Doane, Halvorson, McNally.
Total 3

Absent or not voting: None.
Total 0

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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 313 passed as follows:

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

Total 66

Nays: Ankney, Ballance, J. Bennett, Brodehl, Cuffe, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Harris, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Miller, O'Neil, Osmundson, Randall, Reichner, Schwaderer, C. Smith, Vance, Warburton, Welborn, White, Zolnikov, Mr. Speaker.

Total 31

Voted Absentee: None

Excused: Doane, Halvorson, McNally.

Total 3

Absent or not voting: None.

Total 0

HB 465 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Brockie, Clark, Coffin, Connell, Cook, Curtis, Dudik, Ehli, Flynn, Gibson, Greef, Gursky, Hagan, Hansen, Hertz, Hollandsworth, Howard, Hunter, Ingraham, Knudsen, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Salomon, Shaw, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Williams, Wilson, Woods.

Total 58

Nays: J. Bennett, Boss Ribs, Brodehl, Court, Cuffe, Eck, Edmunds, Fiscus, Fitzpatrick, Galt, Glimm, Hagstrom, Harris, Hill, Hollenbaugh, Hoven, Jacobson, Jones, Kary, Kerns, Laszloffy, McNiven, Mehlhoff, Miller, Moore, O'Neil, Osmundson, Randall, Reichner, Schreiner, Schwaderer, B. Smith, C. Smith, Welborn, White, Whitford, Wilmer, Zolnikov, Mr. Speaker.

Total 39

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Voted Absentee: None

Excused: Doane, Halvorson, McNally.
Total 3

Absent or not voting: None.
Total 0

SB 41 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, 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

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 37

Voted Absentee: None

Excused: Doane, Halvorson, McNally.
Total 3

Absent or not voting: None.
Total 0

SB 123 concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 69

Nays: Ballance, J. Bennett, Berry, Brodehl, Cuffe, Edmunds, Fitzpatrick, Glimm, Hansen,

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Harris, Jones, Kerns, Knudsen, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Reichner, Schwaderer, C. Smith, Vance, Warburton, White, Zolnikov, Mr. Speaker.
Total 28

Voted Absentee: None

Excused: Doane, Halvorson, McNally.
Total 3

Absent or not voting: None.
Total 0

SB 164 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, 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, 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 97

Nays: None.
Total 0

Voted Absentee: None

Excused: Doane, Halvorson, McNally.
Total 3

Absent or not voting: None.
Total 0

MOTIONS

Majority Leader Vance moved **HB 393** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 489** be moved from the Committee of the Whole to the Appropriations committee.

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SPECIAL ORDERS OF THE DAY

Representative Boland introduced the Expressions of Silence, they are a performing group made up of 5th through 12th grade students with hearing or vision loss from The Montana School for the Deaf and the Blind.

The Expressions of Silence have performed across Montana and this April will travel to Washington, D.C. and Gettysburg to perform for the American Musical Salute in honor of the 150th Anniversary of the American Civil War.

The students performed "Don't Laugh at Me" and "America's Song."

The students were presented with a certificate declaring them "Honorary Members of the House of Representatives."

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Friday, March 8, 2013.
Motion carried.

House adjourned at 2:50 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House