

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

Helena, Montana
April 6, 2013

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative Pierson. Pledge of Allegiance to the Flag.

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

BILLS (O'Hara, Chair):

4/6/2013

Correctly printed: **SB 81, SB 203, SB 256, SB 275, SB 278, SB 340, SB 344, SB 345, SB 351, SB 361, SB 364.**

Correctly engrossed: **SB 88, SB 258, SB 306, SB 325, SB 339.**

Signed by the President at 10:10 a.m., April 9, 2013: **HB 84.**

Signed by the President at 10:12 a.m., April 9, 2013: **HB 66.**

Signed by the President at 10:15 a.m., April 9, 2013: **HB 117.**

Signed by the President at 10:25 a.m., April 9, 2013: **HB 566.**

Signed by the President at 10:40 a.m., April 9, 2013: **HB 287, HB 488.**

Signed by the President at 10:41 a.m., April 9, 2013: **HB 217.**

Signed by the President at 10:47 a.m., April 9, 2013: **HB 124.**

Signed by the President at 10:52 a.m., April 9, 2013: **HB 359.**

Signed by the President at 10:53 a.m., April 9, 2013: **HB 225.**

REPORTS OF STANDING COMMITTEES

EDUCATION (Hansen, Chair):

4/5/2013

SB 348, be amended as follows:

1. Page 4, line 27.

Strike: "per-quality-educator"

Insert: "per-ANB"

2. Page 4, line 29.

Strike: "number" through "20-4-502"

Insert: "statewide ANB"

3. Page 4, line 30.

Strike: "number" through "educators in"

Insert: "total ANB for"

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4. Page 13, line 16.

Following: "debt service fund"

Insert: "or retirement fund"

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House amendments to Senate bill concurred in: 4/5/2013

SB 346, introduced by Vincent

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

4/5/2013

HB 104, introduced by Regier

HB 240, introduced by C. Smith

HB 395, introduced by Wagoner

HB 554, introduced by B. Smith

Senate bills passed and transmitted to the House for concurrence: 4/5/2013

SB 143, introduced by Brenden

SB 240, introduced by Tutvedt

SB 282, introduced by Tutvedt

SB 369, introduced by Facey

SB 374, introduced by Lewis

SB 380, introduced by Vincent

SB 381, introduced by Vincent

SB 387, introduced by Debby Barrett

SB 392, introduced by Kaufmann

SB 394, introduced by Wittich

SB 395, introduced by Wanzenried

SB 396, introduced by Brenden

SB 397, introduced by Boulanger

SB 398, introduced by Tutvedt

SB 400, introduced by Arntzen

SB 405, introduced by Olson

SB 408, introduced by Olson

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MESSAGES FROM THE GOVERNOR

April 5, 2013

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

Dear Speaker Blasdel:

On Friday, April 5, I signed the following House bills:

House Bill 168 - D. Moore
House Bill 224 - C. Smith

These bills were delivered to the Secretary of State's Office today.

The following bills were returned to the Secretary of State's Office without signature:

House Bill 226 - Jones
House Bill 278 - Washburn
House Bill 469 - Fitzpatrick

I have vetoed:

House Bill 50 - Howard
House Bill 280 - C. Smith.

Sincerely,

STEVE BULLOCK
Governor

April 5, 2013

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

The Honorable Jeff Essmann
President of the Senate
State Capitol
Helena, MT 59620

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Dear Speaker Blasdel and President Essmann:

By the power vested in me as Governor by the Constitution and the Laws of the State of Montana, I hereby veto House Bill 50 (HB 50), entitled, "AN ACT PROHIBITING LOCAL GOVERNING BODIES FROM ENACTING, ADOPTING, IMPLEMENTING, ENFORCING, OR REFERRING TO THE ELECTORATE IMMIGRATION ANTICOOPERATION POLICIES; PROVIDING DEFINITIONS; ALLOWING FOR THE WITHHOLDING OF FUNDS TO LOCAL GOVERNING BODIES THAT DO NOT COMPLY; AMENDING SECTION 7-1-111, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HB 50 prohibits local governing bodies, including school districts, from enacting or implementing anticooperation policies with regard to a person's immigration status. It would allow for state withholding offunds to any local government that enacts such a policy, and encourages lawsuits against localities by anyone who believes a local government is out of compliance with HB 50.

There are several problems with HB 50. First, it has not been shown that there is a single city, county or other local government that has sought to enact anticooperation policies in Montana. To the contrary, testimony on this bill clearly indicated that no jurisdiction in Montana has enacted such a policy, nor is any jurisdiction close to enacting such a policy. HB 50 addresses a nonexistent problem.

Second, HB 50 could prevent victims of domestic violence, labor exploitation, unsafe working conditions, or human trafficking from coming forward or seeking help from law enforcement. Not only does this endanger the victims of these crimes, it undermines the ability of local law enforcement to set priorities according to the needs of their communities.

Third, HB 50 includes school districts within its scope. The U.S. Supreme Court has held that denying children access to a public education based upon the immigration status of their parents is not constitutionally sound. Plyler v. Doe, 457 U.S. 202 (1982). The operation of HB 50 as applied to the public schools could well be challenged as a violation of the equal protection clause of the U.S. Constitution.

While any member of the citizenry is entitled to make political statements, we ought not clutter our state code with such statements.

For these reasons, I respectfully ask you to sustain my veto of HB 50.

Sincerely,

STEVE BULLOCK
Governor

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April 5, 2013

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

The Honorable Jeff Essmann
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Blasdel and President Essmann:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 280 (HB 280) "AN ACT ALLOWING FOR THE PROVISION OF HEALTH OR DISABILITY INSURANCE BY OUT-OF-STATE INSURERS; PROVIDING A STREAMLINED PROCESS FOR OUT-OF-STATE HEALTH INSURERS TO ISSUE POLICIES IN MONTANA REQUIRING PAYMENT OF PREMIUM TAXES, REQUIRING SPECIFIC NOTICE IN APPLICATIONS AND IN POLICIES, PROVIDING FOR REVOCATION OF REGISTRATION OR OTHER PENAL TIES; PROVIDING RULEMAKING AUTHORITY TO THE INSURANCE COMMISSIONER; AMENDING SECTIONS 33-1-102,33-1-20],33-2-705,33-2-710,33-32-105 AND 33-32-2201, MCA."

House Bill 280 leaves Montana citizens vulnerable to fraud and abuse. Under this law, the Montana insurance commissioner would not be able to effectively enforce Montana laws that protect Montana citizens when a health or disability insurer is from another state. Because all health insurance policies will be subject to the same federal essential mandated benefits in 2014, this bill will not reduce premiums for Montanans buying health insurance or result in more competition. It does not give the Montana insurance commissioner rate review authority, leaving Montanans unprotected from insurance rates rising out of control.

Because this bill does not serve the interests of Montana citizens, I respectfully request that you sustain my veto.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

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

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SB 143, introduced by Brenden, Arthun, Boulanger, T. Brown, Buttrey, L. Jones, Keane, Lang, Lewis, F. Moore, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Walker, Webb, referred to Agriculture.

SB 240, introduced by Tutvedt, Zolnikov, referred to Taxation.

SB 282, introduced by Tutvedt, referred to Taxation.

SB 369, introduced by Facey, Hamlett, Ripley, Vincent, referred to Natural Resources.

SB 374, introduced by Lewis, Windy Boy, referred to Education.

SB 381, introduced by Vincent, referred to Fish, Wildlife and Parks.

SB 387, introduced by Debby Barrett, referred to State Administration.

SB 392, introduced by Kaufmann, referred to State Administration.

SB 394, introduced by Wittich, referred to Taxation.

SB 395, introduced by Wanzenried, referred to Human Services.

SB 396, introduced by Brenden, Blasdel, Doane, Halvorson, Knudsen, Lang, Olson, Osmundson, Rosendale, referred to Appropriations.

SB 397, introduced by Boulanger, Brenden, Thomas, referred to Fish, Wildlife and Parks.

SB 398, introduced by Tutvedt, referred to Taxation.

SB 400, introduced by Arntzen, referred to Business and Labor.

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:

SB 106 concurred in as follows:

Yeas: Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 73

Nays: Ankney, Ballance, J. Bennett, Berry, Doane, Fitzpatrick, Gibson, Glimm, Halvorson, Harris, Hoven, Kary, Kerns, McNiven, Miller, Moore, Randall, Redfield, Schwaderer, C. Smith, Vance, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 26

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

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Absent or not voting: Peppers.

Total 1

SB 147 concurred in 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, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, 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 64

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

Total 36

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 149 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, 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, 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, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 95

Nays: Cook, Cuffe, Ingraham, C. Smith, Zolnikov.

Total 5

Voted Absentee: Wilmer, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 160 concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Connell, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, 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, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 68

Nays: Ballance, J. Bennett, Berry, Brodehl, Coffin, Cuffe, Doane, Edmunds, Ehli, Fiscus, Glimm, Hagstrom, Halvorson, Hansen, Harris, Hoven, Jones, Kerns, Knudsen, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov.

Total 32

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 161 concurred in as follows:

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

Total 72

Nays: J. Bennett, Berry, Brodehl, Cuffe, Doane, Edmunds, Fitzpatrick, Flynn, Galt, Glimm, Hagstrom, Halvorson, Hansen, Harris, Kerns, Knudsen, Lang, Laszloffy, O'Neil, Osmundson, Randall, Schwaderer, C. Smith, Vance, Wagoner, Welborn, Zolnikov, Mr. Speaker.

Total 28

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Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 182 concurred in as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, 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, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, 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, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Ankney, Cook, Fitzpatrick, Jacobson, Mehlhoff, Regier, Welborn, White.

Total 8

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 198 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, 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, 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, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

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Nays: Berry, Harris, Kerns, Miller, O'Neil, Schwaderer.

Total 6

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 199 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, 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, 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 98

Nays: Harris, Kerns.

Total 2

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 207 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, 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,

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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: Doane.

Total 1

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 209 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Galt, Gibson, 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, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 87

Nays: J. Bennett, Brodehl, Doane, Fiscus, Flynn, Glimm, Kerns, Regier, Reichner, C. Smith, Wagoner, Warburton, Mr. Speaker.

Total 13

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 245 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, Doane, Dudik, Eck, Edmunds,

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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: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 251 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, 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: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 271 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, 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: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 290 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, 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, 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, Regier, Reichner, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 93

Nays: Ingraham, Kerns, Redfield, Salomon, Schwaderer, Welborn, Zolnikov.

Total 7

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

SB 292 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, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 93

Nays: Gursky, Lynch, McClafferty, Noonan, O'Neil, Schreiner, B. Smith.

Total 7

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 297 concurred in 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, 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 61

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: Wilmer, No.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 336 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, 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, 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: Coffin, Cook, Miller, Redfield, Warburton.
Total 5

Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 347 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, 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, Lynch, McChesney, McClafferty, McNiven, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 64

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, MacDonald, McCarthy, McNally, Mehlhoff, Neill, Pease-Lopez, Peppers, Pomnichowski, Price, Salomon, Schreiner, B. Smith, Squires, Steenberg,

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Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 35

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: Berry.

Total 1

SB 366 concurred in 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, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.

Total 60

Nays: 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, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.

Total 40

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**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 Hollenbaugh in the chair.

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

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SB 258 - Representative Hollenbaugh moved **SB 258** 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, 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, 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, Mr. Speaker.

Total 93

Nays: Glimm, Kerns, O'Neil, Osmundson, Warburton, Zolnikov.

Total 6

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

SB 81 - Representative C. Smith moved **SB 81** be concurred in.

SB 81 - On a **Point of Personal Privilege** Representative McClafferty gave comments regarding Idaho Charter School testimony.

SB 81 - Representative C. Smith moved **SB 81** be concurred in. Motion carried as follows:

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

Total 53

Nays: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lang, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Schreiner, Shaw, B. Smith, Squires,

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Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 47

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 88 - Representative Fitzpatrick moved **SB 88** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 81

Nays: Boss Ribs, Brockie, Brodehl, Cuffe, Doane, Edmunds, Glimm, Halvorson, Harris, Howard, Kerns, Lavin, O'Neil, Peppers, Regier, C. Smith, Vance, Warburton, Whitford.

Total 19

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 256 - Representative Redfield moved **SB 256** be concurred in. 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, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 62

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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, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 38

Voted Absentee: Wilmer, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 275 - Representative Clark moved **SB 275** 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, Mr. Speaker.
Total 99

Nays: None.
Total 0

Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: Zolnikov.
Total 1

SB 278 - Representative Williams moved **SB 278** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy,

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Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 82

Nays: Brodehl, Cuffe, Doane, Edmunds, Glimm, Halvorson, Harris, Howard, Kerns, Lavin, Miller, O'Neil, Randall, Regier, Vance, Warburton, Zolnikov.

Total 17

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

SB 299 - Representative Knudsen moved **SB 299** be concurred in. Motion **failed** as follows:

Yeas: Ballance, Bangerter, Berry, Blyton, Clark, Connell, Cook, Cuffe, Doane, Ehli, Fiscus, Flynn, Galt, Glimm, Hagan, Halvorson, Hansen, Hertz, Hollandsworth, Howard, Knudsen, Lang, Laszloffy, Lenz, Moore, Osmundson, Randall, Redfield, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Mr. Speaker.

Total 41

Nays: Ankney, B. Bennett, J. Bennett, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Court, Curtis, Dudik, Eck, Edmunds, Fitzpatrick, Gibson, Greef, Gursky, Hagstrom, Harris, Hill, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Schreiner, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 59

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 306 - Representative Ankney moved **SB 306** be concurred in. Motion carried as follows:

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

Total 58

Nays: Ballance, J. Bennett, Berry, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Mr. Speaker.

Total 42

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 325 - Representative Regier moved **SB 325** be concurred in.

SB 325 - Representative Connell moved **SB 325**, second reading copy, be amended as follows:

1. Page 2, line 30.

Following: "arsenic"

Insert: ", including wood pieces that have been treated with chemical preservatives, such as creosote, pentachlorophenol, or copper-chrome arsenic, and that are used at a facility that has a nameplate capacity of 5 megawatts or less"

Amendment adopted as follows:

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

Total 61

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Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Doane, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Kary, Lieser, Lynch, MacDonald, McCarthy, McClafferty, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Woods.

Total 38

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: Gibson.

Total 1

SB 325 - Representative Regier moved **SB 325**, as amended, be concurred in. 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, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, 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, McClafferty, McNally, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: Hoven.

Total 1

SB 337 - Representative Lenz moved **SB 337** be concurred in.

SB 337 - Representative Lenz moved **SB 337**, second reading copy, be amended as follows:

1. Page 1, line 22.

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Following: "85-2-316"

Insert: "or a right to receive water through an irrigation project"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, 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 61

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

Voted Absentee: Wilmer, No.

Excused: None.
Total 0

Absent or not voting: Greef, Hill.
Total 2

SB 337 - Representative Lenz moved **SB 337**, as amended, be concurred in. 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, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, 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, 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

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Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: O'Hara.

Total 1

SB 340 - Representative Washburn moved **SB 340** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Cook, Cuffe, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McChesney, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Peppers, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Mr. Speaker.

Total 75

Nays: Boss Ribs, Court, Curtis, Dudik, Gursky, MacDonald, McCarthy, McClafferty, Miller, O'Neil, Pease-Lopez, Pomnichowski, Price, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 24

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: Connell.

Total 1

SB 344 - Representative Welborn moved **SB 344** 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, 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, Welborn, White,

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Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: Hagan, Washburn.

Total 2

SB 345 - Representative G. Bennett moved **SB 345** 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: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 351 - Representative Howard moved **SB 351** 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, Hunter,

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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: None.

Total 0

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: Howard.

Total 1

SB 361 - Representative Randall moved **SB 361** 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, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Squires.

Total 1

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 364 - Representative G. Bennett moved **SB 364** 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

Voted Absentee: Wilmer, Aye.

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 372 - Representative Fiscus moved **SB 372** be concurred in. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Lavin, McNiven, Miller, O'Neil, Osmundson, Randall, Regier, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.
Total 43

Nays: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Court, Curtis, Dudik, Eck, Ehli, Galt, Gibson, Gursky, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 56

Voted Absentee: Wilmer, No.

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Excused: None.

Total 0

Absent or not voting: O'Hara.

Total 1

SJR 11 - Representative Greef moved **SJR 11** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Kary, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Regier, Reichner, Salomon, Schreiner, Shaw, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Wilmer, Wilson, Woods, Mr. Speaker.

Total 80

Nays: J. Bennett, Berry, Boss Ribs, Edmunds, Halvorson, Howard, Ingraham, Kerns, Lang, Pomnichowski, Randall, Redfield, Schwaderer, B. Smith, Vance, White, Whitford, Williams, Zolnikov.

Total 19

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: McNally.

Total 1

SJR 13 - Representative Coffin moved **SJR 13** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, 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, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Wilson, Woods, Mr. Speaker.

Total 81

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Nays: J. Bennett, Court, Cuffe, Doane, Edmunds, Fiscus, Harris, Howard, Kerns, Knudsen, Miller, O'Neil, Randall, Regier, B. Smith, Vance, Whitford, Williams, Zolnikov.
Total 19

Voted Absentee: Wilmer, 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 Hollenbaugh 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, 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'Neil, Osmundson, Pease-Lopez, Peppers, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilson, Zolnikov, Mr. Speaker.
Total 90

Nays: Hansen, Pierson, Woods.
Total 3

Voted Absentee: None.

Excused: Wilmer.
Total 1

Absent or not voting: McNally, O'Hara, Pomnichowski, Salomon, Steenberg, Whitford.
Total 6

MOTIONS

Majority Leader Vance moved **SB 81** be moved from the Committee of the Whole to the Appropriations committee.

Representative Dudik moved to change her vote on **SJR 11** from Not Voting to Yes. Without objection, so ordered.

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SPECIAL ORDERS OF THE DAY

Representative Reichner thanked the pages for their service.

Representative Jerry Bennett introduced Evan Pate (Helena) and Cassidy Lavin (Kalispell) who were honorary pages for the day

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

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

House adjourned at 10:45 a.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House