

**SENATE JOURNAL  
63RD LEGISLATURE  
SIXTY-THIRD LEGISLATIVE DAY**

Helena, Montana  
March 23, 2013

Senate Chambers  
State Capitol

Senate convened at 7:59 a.m. President Essmann presiding. Invocation by Father Jerry Lowney. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Senator Keane, excused. Quorum present.

Kaitlin Kolka, Montana State High School Rodeo Queen, and one of the Senate pages for the past week, spoke briefly to the Senate members about high school rodeo.

**BILLS AND JOURNALS** (Buttrey, Chair): 3/23/2013

Correctly printed: **SB 375, SB 400, SB 401, SB 402, SR 28, SR 40, SR 41, HB 7, HB 8, HB 37, HB 127, HB 250, HB 277, HB 322, HB 335, HB 402, HB 455, HB 462, HB 502, HB 508, HB 510, HJR 3.**

Correctly engrossed: **HB 297, HB 304.**

Transmitted to the House: **SB 260, HB 168, HB 274, HJR 12.**

**REPORTS OF STANDING COMMITTEES**

**BUSINESS, LABOR, AND ECONOMIC AFFAIRS** (Sonju, Chair): 3/21/2013  
**SR 17, preliminary report**, be adopted. Report adopted.

**BUSINESS, LABOR, AND ECONOMIC AFFAIRS** (Sonju, Chair): 3/22/2013  
**HB 297**, be amended as follows:

1. Page 2, line 30 through page 3, line 5.

**Strike:** ":" on page 2, line 30 through "(c)" on page 3, line 5

2. Page 3.

**Following:** line 10

**Insert:** "(a) notify the employer that a complaint has been filed and that the employer has 15 days to respond to the complaint. Information included in the notification must include the name and contact information of the person submitting the complaint to the department."

**Renumber:** subsequent subsections

3. Page 4, line 16.

**Following:** "(4)"

**Insert:** "(a)"

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4. Page 4, line 18.

**Following:** "work."

**Insert:** "  
(b)"

5. Page 4, lines 26 through 28.

**Following:** "If" on line 26

**Strike:** "a" on line 26 through "general" on page 4, line 28

**Insert:** "the provisions of subsection (4)(b) apply"

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

**STATE ADMINISTRATION** (Arthun, Chair):

3/22/2013

**SR 23, preliminary report**, be adopted. Report adopted.

**SR 25**, be adopted. Report adopted.

**MESSAGES FROM THE GOVERNOR**

March 22, 2013

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

Dear President Essmann:

On Friday, March 22, 2013, I signed the following Senate bill:

**Senate Bill 123** - Senator Van Dyk

This bill was delivered to the Secretary of State's Office today.

Sincerely,

STEVE BULLOCK  
Governor

**MESSAGES FROM THE OTHER HOUSE**

**Senate bills** concurred in and returned to the Senate:

3/22/2013

**SB 116**, introduced by Arthun

**SB 137**, introduced by Olson

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**SB 172**, introduced by Walker  
**SB 176**, introduced by Peterson  
**SB 230**, introduced by Wanzenried  
**SB 270**, introduced by Buttrey  
**SB 293**, introduced by Tutvedt  
**SB 312**, introduced by Sonju  
**SB 314**, introduced by Wanzenried  
**SB 327**, introduced by Olson  
**SB 332**, introduced by Tutvedt

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

3/22/2013

**SB 125**, introduced by Olson  
**SB 185**, introduced by Sesso  
**SB 224**, introduced by Debby Barrett  
**SB 259**, introduced by Arntzen

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

3/22/2013

**HB 10**, introduced by Pomnichowski  
**HB 535**, introduced by G. Bennett  
**HB 546**, introduced by Hollandsworth

**House joint resolution** passed and transmitted to the Senate for concurrence:

3/22/2013

**HJR 16**, introduced by Eck

### FIRST READING AND COMMITMENT OF BILLS

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

**HB 10**, introduced by Pomnichowski (by request of the Office of Budget and Program Planning), referred to Finance and Claims.

**HB 19**, introduced by Hollandsworth (by request of the Revenue and Transportation Interim Committee), referred to Taxation.

**HB 87**, introduced by Welborn (by request of the State Auditor), referred to Public Health, Welfare and Safety.

**HB 126**, introduced by Ingraham (by request of the Secretary of State), referred to State Administration.

**HB 284**, introduced by Cook, referred to Business, Labor, and Economic Affairs.

**HB 401**, introduced by Welborn, Ankney, B. Bennett, Blewett, Brenden, T. Brown, Cook, Curtis, Ehli, Flynn, Glimm, Hamlett, Hollenbaugh, Jacobson, Keane, Larsen, MacDonald, Miller, Murphy, Peterson, Pomnichowski, Priest, Reichner, Sesso, Shaw, Vincent, Whitford, Wittich, referred to

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Fish and Game.

**HB 477**, introduced by Berry, referred to Energy and Telecommunications.

**HB 501**, introduced by Berry, referred to Business, Labor, and Economic Affairs.

**HB 524**, introduced by Clark, referred to Local Government.

**HB 533**, introduced by Cook, referred to Natural Resources.

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

**HB 546**, introduced by Hollandsworth, referred to Local Government.

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

**HJR 16**, introduced by Eck, referred to Public Health, Welfare and Safety.

**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 510** concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 48

Nays: Olson.

Total 1

Absent or not voting: None.

Total 0

Excused: Keane.

Total 1

**HB 7** concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, T. Brown, Buttrey, Caferro, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Windy Boy.

Total 43

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Nays: D. Brown, Driscoll, Sales, Webb, Wittich, Mr. President.

Total 6

Absent or not voting: None.

Total 0

Excused: Keane.

Total 1

**HB 8** concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried, Webb, Windy Boy.

Total 45

Nays: Sales, Walker, Wittich, Mr. President.

Total 4

Absent or not voting: None.

Total 0

Excused: Keane.

Total 1

**HB 304** concurred in as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Hamlett, Jackson, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.

Total 30

Nays: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Jent, Jergeson, Kaufmann, Larsen, Malek, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 19

Absent or not voting: None.

Total 0

Excused: Keane.

Total 1

**HB 335** concurred in as follows:

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Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.  
Total 49

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Keane.  
Total 1

**HB 37** concurred in as follows:

Yeas: Arntzen, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Jackson, Jent, Jergeson, Jones, Larsen, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Walker, Webb, Wittich, Mr. President.  
Total 33

Nays: Arthun, Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Hamlett, Kaufmann, Malek, Phillips, Stewart-Peregoy, Tropila, Van Dyk, Wanzenried, Windy Boy.  
Total 16

Absent or not voting: None.  
Total 0

Excused: Keane.  
Total 1

**HJR 3** failed as follows:

Yeas: Arntzen, Barrett Debby, D. Brown, T. Brown, Fielder, Jackson, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Taylor, Thomas, Walker, Webb, Wittich, Mr. President.  
Total 21

Nays: Arthun, Augare, Barrett Dick, Blewett, Boulanger, Brenden, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Kaufmann, Larsen, Malek, Phillips, Sales, Sesso, Sonju, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried, Windy Boy.  
Total 28

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Absent or not voting: None.

Total 0

Excused: Keane.

Total 1

**HB 277** concurred in as follows:

Yeas: Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Facey, Hamlett, Jackson, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Tutvedt, Van Dyk, Vincent, Vuckovich, Webb, Windy Boy, Mr. President.

Total 34

Nays: Arntzen, Caferro, Driscoll, Fielder, Jent, Jergeson, Jones, Kaufmann, Priest, Rosendale, Thomas, Tropila, Walker, Wanzenried, Wittich.

Total 15

Absent or not voting: None.

Total 0

Excused: Keane.

Total 1

**HB 187** concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Van Dyk, Vincent, Walker, Webb, Windy Boy, Mr. President.

Total 44

Nays: Kaufmann, Tropila, Vuckovich, Wanzenried, Wittich.

Total 5

Absent or not voting: None.

Total 0

Excused: Keane.

Total 1

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**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Senator Wittich moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Wanzenried in the chair.

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

**HB 184** - Senator Arntzen moved **HB 184** be concurred in.

**HB 184** - Senator Blewett moved **HB 184**, second reading copy, be amended as follows:

1. Title, line 6.

**Following:** "SALESPERSON"

**Insert:** "UNLESS THE PERSONAL TRANSACTION DIRECTLY INVOLVES THE  
SALESPERSON'S SUPERVISING BROKER OR REAL ESTATE FIRM"

2. Page 1, line 30.

**Following:** "salesperson"

**Insert:** "unless the personal transactions directly involve the salesperson's supervising broker  
or real estate firm"

Amendment adopted as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Rosendale, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 46

Nays: Brenden, Ripley, Sales.

Total 3

Absent or not voting: None.

Total 0

Excused: Keane.

Total 1

**HB 184** - Senator Arntzen moved **HB 184**, as amended, be concurred in. Motion carried as follows:



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Yeas: Arntzen, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.  
Total 45

Nays: Arthun, Kaufmann, Phillips, Van Dyk.  
Total 4

Absent or not voting: None.  
Total 0

Excused: Keane.  
Total 1

**HB 485** - Senator Blewett moved **HB 485** be concurred in.

**HB 485** - Senator Thomas moved **HB 485**, second reading copy, be amended as follows:

1. Title, page 1, line 6.  
**Following:** "SECURITY"  
**Insert:** "AND RENT"

2. Page 1, line 13.  
**Following:** "detainer,"  
**Insert:** "rent deposit,"

3. Page 1, line 15.  
**Following:** "entry"  
**Strike:** "and"  
**Insert:** ", "  
**Following:** "detainer"  
**Insert:** ", and rent deposits"

Amendment adopted as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Rosendale, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Walker, Wanzenried, Windy Boy, Wittich, Mr. President.  
Total 44

Nays: Brenden, Ripley, Sales, Vincent, Webb.

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Total 5

Absent or not voting: None.

Total 0

Excused: Keane.

Total 1

**HB 485** - Senator Blewett moved **HB 485**, as amended, be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Keane.

Total 1

**HB 146** - Senator Tutvedt moved **HB 146** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Keane.

Total 1

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**HB 162** - Senator Thomas moved **HB 162** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Barrett Dick, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Fielder, Jackson, Jones, Larsen, Lewis, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.

Total 35

Nays: Augare, Blewett, Facey, Hamlett, Jent, Jergeson, Kaufmann, Malek, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 14

Absent or not voting: None.

Total 0

Excused: Keane.

Total 1

**SB 249 - House Amendments** - Senator Debby Barrett moved House amendments to **SB 249** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Keane.

Total 1

**HB 189** - Senator T. Brown moved consideration of **HB 189** be passed for the day. Without objection, so ordered.

**HB 323** - Senator Phillips moved **HB 323** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest,

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Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.  
Total 49

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Keane.  
Total 1

**HB 250** - Senator Facey moved **HB 250** be concurred in.

**HB 250** - Senator Facey moved **HB 250**, second reading copy, be amended as follows:

1. Title, page 1, line 5.

**Following:** "EXCHANGE;"

**Insert:** "PROVIDING TRAINING REQUIREMENTS FOR OTHER PEOPLE WHO ASSIST  
THOSE SIGNING UP FOR THE EXCHANGE;"

2. Title, page 1, lines 6 through 7.

**Strike:** "PROVIDING RULEMAKING" on line 6 through "COMMISSIONER;" on line 7

3. Page 5, line 24.

**Following:** "program"

**Insert:** "-- training for certified application counselors and others"

4. Page 6, line 2.

**Strike:** "and the number of hours"

**Following:** "education"

**Insert:** "covering 10 hours in every 24-month period"

5. Page 6.

**Following:** line 17

**Insert:** "(5) The commissioner may prescribe training for an application counselor provided for in federal rule and other persons who while not part of the navigator program assist those who sign up for an exchange. The commissioner may require completion of the training before certification by the exchange. The training must be designed for those who assist applicants seeking to enroll in coverage through the exchange."

6. Page 12, line 20 through line 21.

**Strike:** subsection (5)(c) in its entirety

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Amendment adopted as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.  
Total 48

Nays: Jackson.  
Total 1

Absent or not voting: None.  
Total 0

Excused: Keane.  
Total 1

**HB 250** - Senator Facey moved **HB 250** be concurred in. Motion carried as follows:

Yeas: Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Olson, Peterson, Phillips, Ripley, Sesso, Sonju, Stewart-Peregoy, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.  
Total 34

Nays: Arntzen, Brenden, D. Brown, Jackson, Moore, Murphy, Priest, Rosendale, Sales, Taylor, Vincent, Walker, Webb, Wittich, Mr. President.  
Total 15

Absent or not voting: None.  
Total 0

Excused: Keane.  
Total 1

**HB 362** - Senator Facey moved **HB 362**, as amended, be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Driscoll, Facey, Jackson, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Van Dyk, Vincent, Vuckovich, Walker, Webb, Mr. President.  
Total 39

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Nays: Blewett, Caferro, Fielder, Hamlett, Rosendale, Sales, Tutvedt, Wanzenried, Windy Boy, Wittich.  
Total 10

Absent or not voting: None.  
Total 0

Excused: Keane.  
Total 1

Senator Thomas rose on a point of order. He stressed members should refrain from criticism of other members during floor discussion.

Senator Thomas excused at this time.

**HB 210** - Senator Olson moved **HB 210** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sesso, Stewart-Peregoy, Taylor, Tropila, Tutvedt, Van Dyk, Vuckovich, Walker, Wanzenried, Webb, Windy Boy.  
Total 42

Nays: Boulanger, Sales, Sonju, Vincent, Wittich, Mr. President.  
Total 6

Absent or not voting: None.  
Total 0

Excused: Keane, Thomas.  
Total 2

Senator Priest excused at this time.

Senator Thomas present at this time.

**HB 203** - Senator L. Jones moved **HB 203** be concurred in. Motion carried as follows:

Yeas: Augare, Barrett Debby, Barrett Dick, Blewett, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sesso, Stewart-Peregoy, Taylor, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.  
Total 33

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Nays: Arntzen, Arthun, Boulanger, Fielder, Jackson, Moore, Sales, Sonju, Thomas, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.  
Total 15

Absent or not voting: None.  
Total 0

Excused: Keane, Priest.  
Total 2

**HB 299** - Senator Jergeson moved to pass consideration of **HB 299**. Without objection, so ordered.

**HB 68** - Senator Murphy moved **HB 68** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Dick, Blewett, Boulanger, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Rosendale, Sesso, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Webb, Windy Boy, Wittich.  
Total 40

Nays: Barrett Debby, Brenden, Ripley, Sales, Sonju, Vincent, Walker, Mr. President.  
Total 8

Absent or not voting: None.  
Total 0

Excused: Keane, Priest.  
Total 2

Senator Boulanger excused at this time.

**HB 385** - Senator Wittich moved **HB 385** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Brenden, D. Brown, T. Brown, Buttrey, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Webb, Windy Boy, Wittich, Mr. President.  
Total 43

Nays: Blewett, Caferro, Kaufmann, Wanzenried.  
Total 4

Absent or not voting: None.

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Total 0

Excused: Boulanger, Keane, Priest.

Total 3

**HB 352** - Senator Blewett moved **HB 352** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 46

Nays: Sales.

Total 1

Absent or not voting: None.

Total 0

Excused: Boulanger, Keane, Priest.

Total 3

Senator Boulanger present at this time.

**HB 459** - Senator Sales moved **HB 459** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Driscoll, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Larsen, Lewis, Moore, Murphy, Olson, Peterson, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Webb, Windy Boy, Wittich, Mr. President.

Total 41

Nays: Barrett Dick, Caferro, Facey, Kaufmann, Malek, Phillips, Wanzenried.

Total 7

Absent or not voting: None.

Total 0

Excused: Keane, Priest.

Total 2

Senator Wittich moved the Senate recess for ten minutes. Without objection so ordered.



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Senate recessed at 10:03 a.m. and reconvened at 10:12 a.m.

**HB 314** - Senator Webb moved **HB 314** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Keane, Priest.

Total 2

**HB 562** - Senator Vuckovich moved **HB 562** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Keane, Priest.

Total 2

**HB 359** - Senator Thomas moved to pass consideration of **HB 359**. Without objection, so ordered.

**HB 24** - Senator Vincent moved **HB 24** be concurred in. Motion carried as follows:

Yeas: Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones,

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Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sesso, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried, Webb, Windy Boy.

Total 41

Nays: Arntzen, Sales, Sonju, Tropila, Walker, Wittich, Mr. President.

Total 7

Absent or not voting: None.

Total 0

Excused: Keane, Priest.

Total 2

**SB 355** - Senator Hamlett moved **SB 355** do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Keane, Priest.

Total 2

**HB 38** - Senator Sesso moved **HB 38** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich.

Total 47

Nays: Mr. President.

Total 1

Absent or not voting: None.

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Total 0

Excused: Keane, Priest.

Total 2

**HB 283** - Senator Peterson moved consideration of **HB 283** be passed for the day. Without objection, so ordered.

**SJR 21** - Senator Caferro moved **SJR 21** do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Keane, Priest.

Total 2

**HB 195** - Senator Tutvedt moved **HB 195** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich.

Total 47

Nays: Mr. President.

Total 1

Absent or not voting: None.

Total 0

Excused: Keane, Priest.

Total 2

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Senator Wittich moved the committee **rise and report**. Motion carried. Committee arose. Senate resumed. President Essmann presiding. Chair Wanzenried moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Keane, Priest.

Total 2

**FIRST READING AND COMMITMENT OF BILLS**

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

**SR 42**, introduced by Sonju (by request of the Senate Business, Labor, and Economic Affairs Standing Committee), referred to Business, Labor, and Economic Affairs.

**MOTIONS**

Senator Van Dyk moved **SB 402** be moved from the Fish and Game committee to the Agriculture, Livestock and Irrigation committee. Without objection, so ordered.

Senator Ripley moved **SB 355** be moved to the Finance and Claims committee. Without objection, so ordered.

**SPECIAL ORDERS OF THE DAY**

**SR 28** - Senator Brenden moved that the nomination transmitted by the Governor be confirmed by the Senate in accordance with **SR 28**. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson,

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Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Keane, Priest.

Total 2

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Wittich moved that the Senate adjourn until 1:00 p.m., Monday, March 25, 2013, the sixty-fourth legislative day. Motion carried.

Senate adjourned at 11:13 a.m.

MARILYN MILLER  
Secretary of the Senate

JEFF ESSMANN  
President of the Senate