

**SENATE JOURNAL  
63RD LEGISLATURE  
EIGHTY-FIRST LEGISLATIVE DAY**

Helena, Montana  
April 17, 2013

Senate Chambers  
State Capitol

Senate convened at 1:00 p.m. President Essmann presiding. Invocation by Father Jerry Lowney. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**BILLS AND JOURNALS** (Buttrey, Chair):

4/17/2013

Correctly printed: **SJR 34, SR 43, SR 60, SR 72, SR 73, SR 74, HB 76, HB 298, HB 408, HB 414, HB 423, HB 521, HB 535, HB 555, HB 556, HB 559, HB 588, HB 591, HB 593, HB 607, HB 614, HB 619, HB 626, HB 631.**

Correctly engrossed: **HB 129, HB 623.**

Correctly enrolled: **SB 108, SB 355.**

Examined by the sponsor and found to be correct: **SB 31, SB 178, SB 203, SR 32, SR 63.**

Signed by the Secretary of the Senate at 11:00 a.m., April 17, 2013: **SB 94, SB 114, SB 138, SB 158, SB 160, SB 183, SB 191, SB 250, SB 275, SB 301, SB 302, SB 325, SB 337, SB 357, SR 34, SR 41, SR 44, SR 45, SR 50, SR 54.**

Signed by the President at 12:20 p.m., April 17, 2013: **SB 94, SB 114, SB 138, SB 158, SB 160, SB 183, SB 191, SB 250, SB 275, SB 301, SB 302, SB 325, SB 337, SB 357, SR 34, SR 41, SR 44, SR 45, SR 50, SR 54.**

Delivered to the Secretary of State at 3:10 p.m., April 17, 2013: **SR 34, SR 41, SR 44, SR 45, SR 50, SR 54.**

**REPORTS OF STANDING COMMITTEES**

**ENERGY AND TELECOMMUNICATIONS** (Olson, Chair):

4/16/2013

**SJR 29**, be adopted. Report adopted.

**SR 56**, be adopted. Report adopted.

**SR 57**, be adopted. Report adopted.

**SR 59**, be adopted. Report adopted.

**FINANCE AND CLAIMS** (Ripley, Chair):

4/17/2013

**SJR 33**, do pass. Report adopted.

**HB 599**, be concurred in. Report adopted.

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

4/10/2013

**SR 51**, be adopted. Report adopted.

**SR 52**, be adopted. Report adopted.

**SR 53**, be adopted. Report adopted.

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**REPORTS OF SELECT COMMITTEES**

**FREE CONFERENCE COMMITTEE**  
on **Senate Bill 101**  
Report No. 001, April 16, 2013

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 101** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 101** (reference copy -- salmon) be amended as follows:

1. Page 3, line 14.

**Following:** "nonambulatory"

**Strike:** "or"

**Insert:** ", "

**Following:** "mobility"

**Insert:** ", or to have a documented genetic condition that limits the person's ability to walk or carry significant weight for long distances"

2. Page 3.

**Following:** line 20

**Insert:** "(iii) "Documented genetic condition" means a diagnosis derived from genetic testing and confirmed by a licensed physician."

**Renumber:** subsequent subsections

3. Page 3, line 26 through line 27.

**Strike:** "A PERMANENT" on line 26 through "MEDICAL CONDITION OR" on line 27

For the Senate:  
Brenden, Chair  
Facey  
Fielder

For the House:  
Flynn, Vice Chair  
Jacobson  
Welborn

**CONFERENCE COMMITTEE**  
on Senate Amendments to **House Bill 206**  
Report No. 001, April 16, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 206** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

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And, recommend that **House Bill 206** (reference copy -- salmon) be amended as follows:

1. Page 1, line 21.

**Following:** "."

**Insert:** "In cases in which judgment is entered by default, no charge except the fee provided in subsection (1) for the filing of the complaint may be made for any services, including issuing and return of execution."

For the Senate:  
Sales, Chair  
Blewett  
Fielder

For the House:  
Flynn, Vice Chair  
Fitzpatrick  
Gursky

CONFERENCE COMMITTEE  
on Senate Amendments to **House Bill 301**  
Report No. 001, April 17, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 301** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 301** (reference copy -- salmon) be amended as follows:

1. Page 1, line 17.

**Strike:** "80%"

**Insert:** "100%"

2. Page 1, line 24.

**Strike:** "80%"

**Insert:** "100%"

3. Page 1, line 25.

**Strike:** "80%"

**Insert:** "100%"

4. Page 2, line 4.

**Strike:** "80% of"

5. Page 2, line 6.

**Strike:** "80% of"

6. Page 3, line 15.

**Strike:** "80%"

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**Insert:** "100%"

For the Senate:  
F. Moore, Chair  
Arntzen  
Facey

For the House:  
Halvorson, Vice Chair  
Pomnichowski  
Washburn

CONFERENCE COMMITTEE  
on Senate Amendments to **House Bill 395**  
Report No. 001, April 16, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 395** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 395** (reference copy -- salmon) be amended as follows:

1. Page 1, line 21.

**Following:** "public"

**Insert:** "of the general public"

**Following:** "WHO ARE"

**Insert:** "or have been"

For the Senate:  
T. Brown, Chair  
Phillips  
Taylor

For the House:  
Wagoner, Vice Chair  
Randall  
Williams

**MESSAGES FROM THE GOVERNOR**

April 16, 2013

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

Dear President Essmann:

On Tuesday, April 16, 2013, I signed and delivered the following Senate bill to the Secretary of State:

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**Senate Bill 149** - Thomas

Sincerely,

STEVE BULLOCK  
Governor

April 15, 2013

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

Dear 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 **return with amendments Senate Bill 19** (SB 19), "AN ACT DEFINING THE TERM "COMBINED APPROPRIATION" FOR WATER WELLS AND DEVELOPED SPRINGS THAT ARE EXEMPT FROM PERMITTING; CLARIFYING THE DEFINITION OF THE TERM "DEVELOPED SPRING"; AND AMENDING SECTIONS 85-2-102 AND 85-2-306, MCA."

SB 19 would limit the ability of a senior water right holder to protect their property right. "First in time, first in right" is a bedrock principle of water law, but any right is only as good as one's ability to protect it. SB 19 in its current form would perpetuate a system where many water wells could be developed in close proximity to one another, collectively pump substantial amounts of water, and the holder of an adjacent senior water right would be powerless to protect that right.

Although senior water rights are held by many individuals and entities in this state, including cities and town, hydroelectric facilities, and many others, a great many of our agricultural producers hold senior water rights. I am very concerned about the impacts of SB 19 on agriculture, the largest sector of our economy.

For example, if an agricultural producer seeks to develop a well for a center pivot to irrigate 100 acres of alfalfa, he or she must rightfully go through the State's permitting process in order to show that the water is both legally available and its use will not have an adverse effect on more senior water rights. However, under SB 19, if a subdivision is built next door and includes a well for each lot that, cumulatively, uses the same amount of water, no permit is required. Moreover, there is no basis for the senior water right holder to object. This makes no sense, and equity alone dictates that the permitting process should apply.

I am cognizant of the impacts of SB 19 on other uses, in particular land development. It is appropriate and necessary to have some threshold for well development that encourages development by allowing for new wells without the rigors of permitting. But on balance, SB 19 tips

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too far away from senior water rights and prior appropriation.

Accordingly, I am returning SB 19 with proposed amendments that accomplish four things:

First, recognizing that one size does not fit all, my amendments operate only in closed basins where the challenges of appropriating water for new uses, and the threats to senior water rights holders, are greatest.

Second, my amendments utilize a square 40-acre parcel of land as a minimum point of reference for new exempt wells, which is consistent with the standard already in place under section 85-2-306 for exempt stock pits. The spacing requirement for stock pits was designed by the Legislature to protect other nearby water appropriators, and the same rationale is applicable here.

Third, my amendments provide maximum flexibility to landowners by limiting application of the spacing requirements for new exempt wells to single parcels. This will still allow for the use of multiple new exempt wells on a single parcel, including the development of a new subdivision, and a landowner's rights will not be limited by the actions of their neighbor.

Fourth, my amendments protect existing rights.

I believe my amendments strike a better balance for Montana's agricultural producers and other senior water rights holders while still promoting development through the reasonable use of exempt wells. I respectfully ask that you support these amendments.

Sincerely,

STEVE BULLOCK  
Governor

Governor's recommendations for amendments to **Senate Bill 19** (reference copy -- salmon) are as follows:

1. Page 2, line 23.

**Strike:** "physically connected into the same system"

**Insert:** ":

(a) physically connected into the same system; or

(b) hydrologically connected within a basin closed pursuant to 85-2-319, 85-2-321, 85-2-330, 85-2-336, 85-2-341, 85-2-343, or 85-2-344 and located within 1,320 feet of one another on the same parcel as that parcel existed on [the effective date of this act]"

2. Page 7, line 3.

**Insert:** "NEW SECTION. Section 3. Saving clause. [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act]."

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**MESSAGES FROM THE OTHER HOUSE**

**Senate bills** concurred in and returned to the Senate: 4/16/2013

**SB 108**, introduced by T. Brown  
**SB 355**, introduced by Hamlett

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

4/16/2013

**SB 69**, introduced by Walker  
**SB 264**, introduced by Arntzen  
**SB 265**, introduced by Jackson

**This amended bill is being returned after the deadline for General Bills.** Joint rule 40-200 requires a 2/3 vote for the bill to be considered by the Senate.

**SB 201**, introduced by Hamlett

**House joint resolutions** passed and transmitted to the Senate for concurrence: 4/16/2013

**HJR 22**, introduced by Coffin  
**HJR 26**, introduced by Connell

**HB 277** - The House failed to concur in Senate amendments to **HB 277**, authorized the Speaker to appoint the following Conference Committee, and requested that the Senate appoint a like committee to confer on Senate amendments to **HB 277**:

4/16/2013

Representative McChesney, Vice Chair  
Representative Greef  
Representative Hansen

**MOTIONS**

Senator Jergeson moved the Conference Committee on **SB 26** be dissolved. Motion carried as follows:

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

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Nays: Boulanger, Brenden, T. Brown, Moore, Priest, Sonju, Taylor, Vincent, Walker, Wittich.  
Total 10

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**FIRST READING AND COMMITMENT OF BILLS**

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

**SJR 35**, introduced by Hamlett, Debby Barrett, Connell, McChesney, Stewart-Peregoy, Vincent, referred to Natural Resources.

**SJR 36**, introduced by Hamlett, Debby Barrett, Connell, McChesney, Stewart-Peregoy, Vincent, referred to Natural Resources.

**SJR 37**, introduced by Hamlett, Debby Barrett, Connell, McChesney, Stewart-Peregoy, Vincent, referred to Natural Resources.

**SJR 38**, introduced by Windy Boy, Augare, Brockie, Calf Boss Ribs, Hamlett, Pease-Lopez, B. Smith, Stewart-Peregoy, Whitford, referred to Education and Cultural Resources.

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

**SR 75**, introduced by Arntzen (by request of the Senate Highways and Transportation Standing Committee), referred to Highways and Transportation.

**SR 76**, introduced by Sonju (by request of the Senate Business, Labor, and Economic Affairs Standing Committee), referred to Business, Labor, and Economic Affairs.

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

**HJR 22**, introduced by Coffin, referred to Education and Cultural Resources.

**HJR 26**, introduced by Connell, referred to Agriculture, Livestock and Irrigation.

**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 Fielder in the chair.

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

**HB 509** - Senator Walker moved **HB 509** be concurred in. Motion carried as follows:



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Yeas: Arntzen, Arthun, Augare, Barrett Debby, Boulanger, Brenden, T. Brown, Buttrey, Driscoll, Fielder, Hamlett, Jackson, Jent, Jones, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Priest, Sesso, Sonju, Stewart-Peregoy, Thomas, Tutvedt, Vuckovich, Windy Boy.  
Total 30

Nays: Barrett Dick, Blewett, D. Brown, Caferro, Facey, Jergeson, Kaufmann, Phillips, Ripley, Rosendale, Sales, Taylor, Tropila, Van Dyk, Vincent, Walker, Wanzenried, Webb, Wittich, Mr. President.  
Total 20

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 19** - Senator Tutvedt moved **HB 19** be concurred in. Motion carried as follows:

Yeas: Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Brenden, T. Brown, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sales, Sesso, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy, Wittich, Mr. President.  
Total 41

Nays: Arntzen, Boulanger, D. Brown, Buttrey, Priest, Sonju, Vincent, Walker, Webb.  
Total 9

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 39** - Senator Wanzenried moved **HB 39** be concurred in.

**HB 39** - Senator L. Jones moved **HB 39**, second reading copy, be amended as follows:

1. Page 16, line 4.

**Insert:** "COORDINATION SECTION. Section 8. Coordination instruction. If both Senate Bill No. 175 and [this act] are passed and approved and if both contain a section that amends 20-9-518, then the sections amending 20-9-518 are void and 20-9-518 must be amended as follows:

**"20-9-518. (Effective July 1, 2013) County school oil and natural gas impact fund.**  
(1) The governing body of a county receiving an allocation under ~~20-9-104(6)~~ and ~~20-9-310(7)~~

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20-9-310(4)(b) shall establish a county school oil and natural gas impact fund.

(2) Money received by a county pursuant to ~~20-9-104(6) and 20-9-310(7)~~ 20-9-310(4)(b) must remain in the fund and may not be appropriated by the governing body until:

(a) the amount of oil and natural gas production taxes received by a school district for the fiscal year is ~~30%~~ 50% or less of the amount of the average received by the district in the previous 4 fiscal years; or

(b) the average price for a barrel of oil is ~~\$50 a barrel or less for the fiscal year; or as reported in the Wall Street Journal for west Texas intermediate crude oil during a calendar quarter is less than \$65 a barrel.~~ The average price for each barrel must be computed by dividing the sum of the daily price for west Texas intermediate crude oil as reported in the Wall Street Journal for the calendar quarter by the number of days on which the price was reported in the quarter.

~~(c) the production of oil in the county drops 50% or more below the average oil production in the county during the immediately preceding 5-year period.~~

(3)(a) Within 120 days following the end of the fiscal year, the superintendent of public instruction shall determine if the criteria in subsection (2)(a) have been met and the department of revenue shall determine if the criteria in subsection (2)(b) have been met.

(b) If it is determined under subsection (3)(a) that the criteria in subsection (2)(a) or (2)(b) have been met, the superintendent of public instruction or the department of revenue shall notify the county treasurer.

~~(3)(4) Within 30 days of any of the circumstances described in subsections (2)(a) through (2)(c) occurring, the governing body of the county~~ Upon notification under subsection (3)(b), the county treasurer shall allocate 80% of the money proportionally to affected high school districts and elementary school districts in the county, which must be calculated by dividing the total funds available for distribution by the total number of quality educators, as defined in 20-4-502, employed by the qualifying school districts in the county in the immediately preceding school fiscal year. The number of quality educators used for the calculation under this subsection in a district with territory in more than one county must be prorated based on the average number belonging of the district residing in school district territory located in each respective county. A school district receiving this money may deposit the funds in any budgeted fund of the district at the discretion of the trustees.

~~(4)(5) The governing body of the county may use 20% of the money in the fund to:~~

(a) pay for outstanding capital project bonds or other expenses incurred prior to the reduction in the price of oil ~~described in subsection (2)(b)~~ or the reduction in the receipt of oil and natural gas production taxes described in subsection (2);

(b) offset property tax levy increases that are directly caused by the cessation or reduction of oil and natural gas activity;

(c) promote diversification and development of the economic base within the jurisdiction;

(d) attract new industry to the area impacted by ~~the~~ changes in oil and natural gas activity leading to the reduction in the price of oil or the reduction in the receipt of oil and natural gas production taxes described in subsection (2); or

(e) provide cash incentives for expanding the employment base of the area impacted by the changes in oil and natural gas activity leading to the reduction in the price of oil or the reduction in the receipt of oil and natural gas production taxes described in subsection (2).

~~(5)(6) Except as provided in subsection (4)(b)~~ (5)(b), money held in the fund may not be

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considered as fund balance for the purpose of reducing mill levies.

(6)(7) Money in the fund must be invested as provided by law. Interest and income from the investment of money in the fund must be credited to the fund."

**Renumber:** subsequent sections

Amendment adopted as follows:

Yeas: Arthun, Augare, Barrett Dick, Blewett, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Olson, Peterson, Phillips, Ripley, Rosendale, Sesso, Stewart-Peregoy, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy, Mr. President.

Total 35

Nays: Arntzen, Barrett Debby, Boulanger, Fielder, Jackson, Moore, Murphy, Priest, Sales, Sonju, Taylor, Vincent, Walker, Webb, Wittich.

Total 15

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 39** - Senator Wanzenried moved **HB 39**, as amended, be concurred in. Motion carried as follows:

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

Total 33

Nays: Arntzen, Barrett Debby, Boulanger, D. Brown, Fielder, Jackson, Moore, Priest, Rosendale, Sales, Sonju, Taylor, Vincent, Walker, Webb, Wittich, Mr. President.

Total 17

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 218** - Senator Rosendale moved **HB 218** be concurred in.

**HB 218** - Senator Rosendale moved **HB 218**, second reading copy, be amended as follows:

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1. Title, page 1, line 12.

**Following:** "~~ACCOUNT;~~"

**Insert:** "TRANSFERRING MONEY FROM THE GENERAL FUND TO THE OIL AND GAS  
IMPACT ACCOUNT;"

2. Page 8, following line 5.

**Insert:** "NEW SECTION. **Section 10. Transfer of funds.** By June 30, 2013, the state treasurer shall transfer \$15 million from the general fund to the oil and gas impact account established in [section 6]."

**Renumber:** subsequent sections

Amendment adopted as follows:

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

Total 34

Nays: Augare, Blewett, Brenden, Caferro, Jent, Jergeson, Kaufmann, Keane, Malek, Stewart-Peregoy, Taylor, Tropila, Van Dyk, Vuckovich, Wanzenried, Wittich.

Total 16

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 218** - Senator Rosendale moved **HB 218**, as amended, be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, 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 47

Nays: Barrett Dick, Kaufmann, Phillips.

Total 3

Absent or not voting: None.

Total 0

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Excused: None.  
Total 0

**HB 377** - Senator Facey moved **HB 377** be concurred in.

**HB 377** - Senator Lewis moved **HB 377**, second reading copy, be amended as follows:

1. Page 29, line 22 through line 24.

**Strike:** section 25 in its entirety

**Insert:** "NEW SECTION. **Section 25. Nonseverability.** It is the intent of the legislature that each part of [this act] is essentially dependent upon every other part, and if one part is held unconstitutional or invalid, all other parts are invalid."

Amendment **not** adopted as follows:

Yeas: Arntzen, Barrett Debby, Boulanger, Brenden, D. Brown, Fielder, Jackson, Lewis, Moore, Murphy, Priest, Ripley, Sales, Sonju, Taylor, Thomas, Vincent, Walker, Webb, Wittich, Mr. President.  
Total 21

Nays: Arthun, Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Olson, Peterson, Phillips, Rosendale, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.  
Total 29

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 377** - Thereupon, the Senate reverted to the original motion of Senator Facey which passed as follows:

Yeas: Arthun, Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Murphy, Olson, Peterson, Phillips, Ripley, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.  
Total 30

Nays: Arntzen, Barrett Debby, Boulanger, Brenden, D. Brown, Fielder, Jackson, Lewis, Moore, Priest, Rosendale, Sales, Sonju, Taylor, Thomas, Vincent, Walker, Webb, Wittich, Mr. President.  
Total 20

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

Prior to voting, Senator Facey disclosed he is a member of the Teachers' Retirement System.

**HB 454** - Senator Jent moved **HB 454** be concurred in.

**HB 454** - Senator Sesso moved **HB 454**, second reading copy, be amended as follows:

1. Page 13, line 30.

**Strike:** "from \$140 million"

Amendment adopted as follows:

Yeas: Arthun, Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Murphy, Olson, Peterson, Phillips, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 29

Nays: Arntzen, Barrett Debby, Boulanger, Brenden, D. Brown, Fielder, Jackson, Lewis, Moore, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Vincent, Walker, Webb, Wittich, Mr. President.

Total 21

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 454** - Senator Lewis moved **HB 454**, second reading copy, be amended as follows:

1. Page 29, line 17 through line 19.

**Strike:** section 13 in its entirety

**Insert:** "NEW SECTION. Section 13. Nonseverability. It is the intent of the legislature that each part of [this act] is essentially dependent upon every other part, and if one part is held unconstitutional or invalid, all other parts are invalid."

Amendment **not** adopted as follows:

Yeas: Arntzen, Barrett Debby, Boulanger, Brenden, D. Brown, Buttrey, Fielder, Jackson, Lewis,

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Moore, Murphy, Olson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Vincent, Walker, Webb, Wittich, Mr. President.  
Total 24

Nays: Arthun, Augare, Barrett Dick, Blewett, T. Brown, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Peterson, Phillips, Sesso, Stewart-Perego, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.  
Total 26

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 454** - Senator Jent moved **HB 454**, as amended, be concurred in. Motion carried as follows:

Yeas: Arthun, Augare, Barrett Dick, Blewett, Brenden, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Murphy, Olson, Peterson, Phillips, Ripley, Sesso, Stewart-Perego, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.  
Total 31

Nays: Arntzen, Barrett Debby, Boulanger, D. Brown, Fielder, Jackson, Lewis, Moore, Priest, Rosendale, Sales, Sonju, Taylor, Thomas, Vincent, Walker, Webb, Wittich, Mr. President.  
Total 19

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

Prior to voting, Senators Driscoll, Jergeson, Lewis, Sales, Sesso, Tropila, Vuckovich, Wanzenried and others disclosed they are members of the Public Employees' Retirement System.

**HB 521** - Senator Murphy moved **HB 521** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Jackson, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.  
Total 29

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

Total 21

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 556** - Senator Brenden moved **HB 556** be concurred in. Motion carried as follows:

Yeas: Arthun, Augare, Barrett Dick, Blewett, Brenden, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Murphy, Peterson, Phillips, Priest, Rosendale, Sesso, Stewart-Peregoy, Taylor, Thomas, Tropila, Van Dyk, Vincent, Vuckovich, Wanzenried, Windy Boy.

Total 35

Nays: Arntzen, Barrett Debby, Boulanger, D. Brown, Jackson, Moore, Olson, Ripley, Sales, Sonju, Tutvedt, Walker, Webb, Wittich, Mr. President.

Total 15

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 603** - Senator Wittich moved **HB 603** be concurred in.

**HB 603** - Senator Blewett moved **HB 603**, second reading copy, be amended as follows:

1. Page 1, line 30.

**Strike:** "ANY PUBLIC"

**Insert:** "a state or local"

2. Page 2, line 2.

**Strike:** "PUBLIC"

**Insert:** "state or local"

Amendment adopted as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jergeson, Jones, Kaufmann, Keane, Larsen,



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Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Rosendale, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Webb, Windy Boy, Mr. President.

Total 40

Nays: D. Brown, Fielder, Jackson, Jent, Priest, Ripley, Sales, Vincent, Walker, Wittich.

Total 10

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 603** - Senator Wittich moved **HB 603**, 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, Keane, 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 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 626** - Senator Olson moved **HB 626** be concurred in. Motion carried as follows:

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

Total 1

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 423** - Senator Murphy moved **HB 423** be concurred in. Motion **failed** as follows:

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

Total 25

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

Total 25

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 423** - Senator Wittich moved **HB 423** be **indefinitely postponed**. Motion carried as follows:

Yeas: Arthun, Augare, Barrett Dick, Blewett, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Olson, Peterson, Phillips, Ripley, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 28

Nays: Arntzen, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Fielder, Jackson, Lewis, Moore, Murphy, Priest, Rosendale, Sales, Sonju, Taylor, Thomas, Vincent, Walker, Webb, Wittich, Mr. President.

Total 22

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 631** - Senator Boulanger moved **HB 631** be concurred in. Motion carried as follows:

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

Total 28

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

Total 22

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 298** - Senator Brenden moved **HB 298** be concurred in.

**HB 298** - Senator Ripley moved **HB 298**, second reading copy, be amended as follows:

1. Page 2, line 18.

**Strike:** "HUNTERS,"

Amendment **not** adopted as follows:

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

Total 23

Nays: Arntzen, Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Moore, Phillips, Priest, Sesso, Sonju, Stewart-Peregoy, Tropila, Van Dyk, Vincent, Vuckovich, Wanzenried, Windy Boy, Wittich.

Total 27

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 298** - Thereupon, the Senate reverted to the original motion of Senator Brenden which passed as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, T. Brown, Buttrey, Caferro, Fielder,

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Hamlett, Jackson, Jent, Jergeson, Jones, Larsen, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Walker, Webb, Windy Boy, Wittich, Mr. President.

Total 35

Nays: Augare, Barrett Dick, Blewett, D. Brown, Driscoll, Facey, Kaufmann, Keane, Malek, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Wanzenried.

Total 15

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Dee Brown rose on a point of personal privilege. Senator Van Dyk responded to Senator Brown.

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

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

Total 41

Nays: Barrett Debby, Blewett, Brenden, Kaufmann, Sales, Taylor, Tropila, Wanzenried, Webb.

Total 9

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**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 196, as amended by the House**, passed 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, Keane, 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 50

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**SB 217, as amended by the House, passed 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, Keane, 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 50

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 535 concurred in as follows:**

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

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Nays: Driscoll.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 559** concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Dick, Blewett, Boulanger, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Jent, Jergeson, Jones, Kaufmann, Lewis, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sonju, Stewart-Peregoy, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried, Windy Boy, Wittich.

Total 35

Nays: Barrett Debby, Brenden, D. Brown, Hamlett, Jackson, Keane, Larsen, Malek, Priest, Sales, Sesso, Taylor, Walker, Webb, Mr. President.

Total 15

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 588** 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, Keane, 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 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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**HB 591** concurred in as follows:

Yeas: Arthun, Barrett Dick, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Sesso, Stewart-Peregoy, Taylor, Van Dyk, Vuckovich, Webb, Windy Boy.

Total 30

Nays: Arntzen, Augare, Barrett Debby, Blewett, Boulanger, Brenden, D. Brown, Kaufmann, Priest, Rosendale, Sales, Sonju, Thomas, Tropila, Tutvedt, Vincent, Walker, Wanzenried, Wittich, Mr. President.

Total 20

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 593** concurred in as follows:

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

Total 44

Nays: Augare, Barrett Dick, Blewett, Facey, Kaufmann, Tropila.

Total 6

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 607** concurred in as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Blewett, Boulanger, Brenden, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, 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, Webb, Windy Boy, Wittich, Mr. President.

Total 46

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Nays: Augare, Barrett Dick, D. Brown, Wanzenried.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 619 failed** (due to 2/3 of the Legislature vote requirement) as follows:

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

Total 30

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

Total 20

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 614** concurred in as follows:

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

Total 43

Nays: Brenden, D. Brown, Fielder, Vincent, Walker, Wittich, Mr. President.

Total 7

Absent or not voting: None.

Total 0

Excused: None.

Total 0



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**HB 414** concurred in as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Barrett Dick, Boulanger, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jergeson, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sesso, Sonju, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Webb, Windy Boy.  
Total 38

Nays: Augare, Blewett, Brenden, D. Brown, Jent, Keane, Sales, Stewart-Peregoy, Taylor, Wanzenried, Wittich, Mr. President.  
Total 12

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 76** concurred in as follows:

Yeas: Arntzen, Augare, Barrett Dick, Blewett, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Rosendale, Sesso, Stewart-Peregoy, Taylor, Tropila, Van Dyk, Vuckovich, Wanzenried, Webb, Windy Boy, Mr. President.  
Total 38

Nays: Arthun, Barrett Debby, Boulanger, Priest, Ripley, Sales, Sonju, Thomas, Tutvedt, Vincent, Walker, Wittich.  
Total 12

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 408** concurred in as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Jackson, Jones, Keane, Lewis, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Walker, Webb, Wittich, Mr. President.  
Total 32

Nays: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson,

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Kaufmann, Larsen, Malek, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Wanzenried, Windy Boy.  
Total 18

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**SB 45, as amended by the Governor**, passed 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, Keane, 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 50

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**SB 162, as amended by the House**, passed 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, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.  
Total 49

Nays: Sonju.  
Total 1

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

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**HB 574 failed** (due to 2/3 of each house vote requirement) as follows:

Yeas: Arthun, Augare, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Driscoll, Fielder, Hamlett, Jackson, Jones, Lewis, Malek, Murphy, Olson, Phillips, Priest, Ripley, Rosendale, Sales, Stewart-Peregoy, Tutvedt, Vincent, Vuckovich, Walker, Windy Boy, Mr. President.  
Total 29

Nays: Arntzen, Barrett Dick, Blewett, Caferro, Facey, Jent, Jergeson, Kaufmann, Keane, Larsen, Moore, Peterson, Sesso, Sonju, Taylor, Thomas, Tropila, Van Dyk, Wanzenried, Webb, Wittich.  
Total 21

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Wittich moved that the Senate adjourn until 1:00 p.m., Thursday, April 18, 2013, the eighty-second legislative day. Motion carried.

Senate adjourned at 3:42 p.m.

MARILYN MILLER  
Secretary of the Senate

JEFF ESSMANN  
President of the Senate