

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

Helena, Montana
April 18, 2013

Senate Chambers
State Capitol

Senate convened at 1:03 p.m. President Essmann presiding. Invocation by Father Jerry Lowney. Pledge of Allegiance to the Flag.

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

BILLS AND JOURNALS (Buttrey, Chair):

4/19/2013

Correctly printed: **SJR 29, SJR 33, SJR 35, SJR 36, SJR 37, SJR 38, SR 51, SR 52, SR 53, SR 56, SR 57, SR 59, SR 75, SR 76, HB 19, HB 298, HB 377, HB 509, HB 521, HB 556, HB 599, HB 626, HB 631.**

Correctly engrossed: **SJR 31, SR 31, HB 39, HB 218, HB 411, HB 454, HB 603.**

Correctly enrolled: **SB 117, SB 162, SB 196, SB 217, SB 226, SB 231, SB 240, SB 386, SB 401.**

Examined by the sponsor and found to be correct: **SB 28, SB 108, SB 355.**

Transmitted to the House: **HB 19, HB 39, HB 76, HB 129, HB 218, HB 298, HB 377, HB 408, HB 414, HB 454, HB 509, HB 521, HB 535, HB 556, HB 559, HB 588, HB 591, HB 593, HB 603, HB 607, HB 614, HB 623, HB 626.**

Signed by the Secretary of the Senate at 10:27 a.m., April 18, 2013: **SB 31, SB 178, SB 203, SR 32, SR 63.**

Signed by the President at 3:20 p.m., April 18, 2013: **SB 31, SB 178, SB 203, SR 32, SR 63.**

Signed by the Speaker at 8:30 a.m., April 18, 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.**

Delivered to the Governor at 11:14 a.m., April 18, 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.**

Delivered to the Governor at 11:59 a.m., April 18, 2013: **SB 105, SB 139.** Senate and House failed to concur with Governor's amendments.

REPORTS OF STANDING COMMITTEES

BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Sonju, Chair):

4/18/2013

SR 76, preliminary report, be adopted. Report adopted.

HB 284, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Peterson, Chair):

4/10/013

SR 31, introduced resolution, be amended as follows:

1. Page 1, line 16.

Strike: line 16 in its entirety

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And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Peterson, Chair): 4/17/2013
SJR 38, do pass. Report adopted.
SR 72, be adopted. Report adopted.
SR 73, preliminary report, be adopted. Report adopted.

HIGHWAYS AND TRANSPORTATION (Arntzen, Chair): 4/11/2013
SR 61, be adopted. Report adopted.
SR 62, be adopted. Report adopted.

NATURAL RESOURCES (Vincent, Chair): 4/17/2013
SJR 31, introduced joint resolution, be amended as follows:

1. Page 2, line 3.

Following: "siting,"

Insert: "geologic hazards, ground water monitoring,"

2. Page 2, line 15.

Following: "Branch"

Strike: "; and"

Insert: "."

3. Page 2, line 16 through line 20.

Strike: line 16 through line 20 in their entirety

4. Page 2, line 27.

Strike: "those uses described above"

Insert: "any and all uses that may be beneficial to the State and its inhabitants"

5. Page 3, line 5.

Strike: "2015"

Insert: "2014"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Vincent, Chair): 4/15/2013
SR 40, be adopted. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Priest, Chair): 4/10/2013
SR 49, be adopted. Report adopted.

STATE ADMINISTRATION (Arthun, Chair): 4/17/2013
HB 411, be amended as follows:

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1. Title, page 1, line 5.

Following: "DESIGNATING"

Insert: "THE CENTRAL MONTANA MUSEUM IN"

Strike: "HOME"

Insert: "REPOSITORY"

Strike: "MUSEUM"

Insert: "COLLECTION"

2. Page 2, line 25.

Strike: "home"

Insert: "repository"

Strike: "museum"

Insert: "collection"

Following: "The"

Insert: "central Montana museum in the"

3. Page 2, line 26.

Strike: "home"

Insert: "repository"

Strike: "museum"

Insert: "collection"

4. Page 2, line 27.

Following: "identify the"

Insert: "central Montana museum in the"

5. Page 2, line 28.

Strike: "home"

Insert: "repository"

Strike: "museum"

Insert: "collection"

6. Page 2, line 29.

Following: "designating the"

Insert: "central Montana museum in the"

7. Page 2, line 30.

Strike: "home"

Insert: "repository"

Strike: "museum"

Insert: "collection"

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

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HB 457, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 198**
Report No. 001, April 18, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 198** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 198** (reference copy -- salmon) be amended as follows:

1. Page 1, line 18.

Following: "minor"

Strike: "UNDER 45-5-201(1)(A)"

2. Page 1, line 21.

Strike: "5"

Insert: "10"

3. Page 1, line 25.

Following: "minor"

Strike: "UNDER 45-5-201(1)(A)"

For the Senate:
Thomas, Chair
Boulanger
Tropila

For the House:
Lavin, Vice Chair
Laszloffy
Lynch

CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 223**
Report No. 001, April 18, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 223** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 223** (reference copy -- salmon) be amended as follows:

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1. Page 4, line 11.

Strike: ", INCLUDING TERMINATION OF FUNDING SOURCES"

2. Page 6, line 13 through line 14.

Strike: "LEGISLATION" on line 13

Insert: "language"

Strike: ", AND CHANGES" on line 13 through "ASSOCIATION" on line 14

3. Page 6, line 15.

Strike: "AND THE PROPOSED LEGISLATION"

For the Senate:
Murphy, Chair
Caferro
Webb

For the House:
Reichner, Vice Chair
Jones
Squires

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 184**
Report No. 001, April 18, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 184** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 184** (reference copy -- salmon) be amended as follows:

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

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

2. Page 2, lines 1 through 2.

Strike: "UNLESS THE PERSONAL" on line 1 through "FIRM" on line 2

For the Senate:
Arntzen, Chair
Debby Barrett
Facey

For the House:
Fiscus, Vice Chair
Curtis
Kary

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CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 473**
Report No. 001, April 18, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 473** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 473** (reference copy -- salmon) be amended as follows:

1. Page 3, line 3.

Following: "PAYMENT"

Insert: "to the provider"

For the Senate:
Murphy, Chair
Caferro
Thomas

For the House:
Reichner, Vice Chair
Boland
Galt

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 497**
Report No. 001, April 18, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 497** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 497** (reference copy -- salmon) be amended as follows:

1. Page 1, line 20.

Following: "gatherings"

Insert: "at which a person under 21 years of age is in possession of or is consuming an alcoholic beverage"

For the Senate:
Sales, Chair
Boulanger
Jent

For the House:
White, Vice Chair
Lavin
Schreiner

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MESSAGES FROM THE GOVERNOR

April 17, 2013

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

Dear President Essmann:

On Wednesday, April 17, 2013, I signed and delivered the following Senate bill to the Secretary of State:

Senate Bill 258 -Wittich

Sincerely,

STEVE BULLOCK
Governor

MESSAGES FROM THE OTHER HOUSE

Senate bills concurred in and returned to the Senate: 4/17/2013

SB 117, introduced by Sonju
SB 226, introduced by F. Moore
SB 231, introduced by Augare
SB 240, introduced by Tutvedt
SB 386, introduced by Facey
SB 401, introduced by Sesso

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

4/17/2013

SB 96, introduced by Tutvedt
SB 175, introduced by L. Jones
SB 280, introduced by Thomas
SB 282, introduced by Tutvedt
SB 369, introduced by Facey
SB 392, introduced by Kaufmann
SB 405, introduced by Olson
SB 408, introduced by Olson

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Governor's amendments to Senate bills concurred in and returned to the Senate: 4/17/2013

SB 23, introduced by Rosendale

SB 44, introduced by Keane

Governor's amendments to House bill concurred in and transmitted to the Senate for concurrence in the Governor's amendments:

4/18/2013

HB 562, introduced by Swanson

MOTIONS

Senator Wittich moved the Senate accede to the request of the House and appoint a **free** conference committee on **HB 97**. Without objection, so ordered. President Essmann appointed:

Senator Sales, Chair
Senator Jent
Senator Vincent

Senator Wittich moved the Senate accede to the request of the House and appoint a conference committee on **HB 120**. Without objection, so ordered. President Essmann appointed:

Senator Wittich, Chair
Senator Boulanger
Senator Driscoll

Senator Wittich moved the Senate accede to the request of the House and appoint a conference committee on **HB 133**. Without objection, so ordered. President Essmann appointed:

Senator Dee Brown, Chair
Senator Facey
Senator Moore

Senator Wittich moved the Senate accede to the request of the House and appoint a conference committee on **HB 277**. Without objection, so ordered. President Essmann appointed:

Senator Sales, Chair
Senator Hamlett
Senator Webb

Senator Wittich moved the Senate accede to the request of the House and appoint a conference committee on **HB 240**. Without objection, so ordered. President Essmann appointed:

Senator Moore, Chair
Senator Fielder

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Senator Larsen

Senator Wittich moved the Senate accede to the request of the House and appoint a **free** conference committee on **HB 345**. Without objection, so ordered. President Essmann appointed:

Senator Wittich, Chair
Senator Fielder
Senator Jent

Senator Boulanger moved to reconsider third-reading action on **HB 574** and that **HB 574** be placed on third reading this date. Motion carried as follows:

Yeas: Arthun, Augare, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Fielder, Jackson, Jones, Lewis, Murphy, Olson, Phillips, Priest, Ripley, Rosendale, Stewart-Peregoy, Taylor, Thomas, Vincent, Webb, Mr. President.

Total 26

Nays: Arntzen, Barrett Dick, Blewett, Facey, Hamlett, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Moore, Peterson, Sales, Sesso, Sonju, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy, Wittich.

Total 23

Absent or not voting: None.

Total 0

Excused: Walker.

Total 1

SPECIAL ORDERS OF THE DAY

Senator Boulanger introduced the Darby Drum Line under the direction of Alex Petrusaitis. The Drum Line, comprised of students from Darby High School, entertained the Senate.

FIRST READING AND COMMITMENT OF BILLS

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

SR 77, introduced by Priest (by request of the Senate Public Health, Welfare, and Safety Standing Committee), referred to Public Health, Welfare and Safety.

SECOND READING OF BILLS

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(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 Webb in the chair.

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

SJR 32 - Senator Arntzen moved **SJR 32** do pass. Motion **failed** as follows:

Yeas: Arntzen, Augare, Barrett Debby, Boulanger, Brenden, Buttrey, Fielder, Jergeson, Jones, Larsen, Lewis, Murphy, Olson, Peterson, Priest, Sonju, Stewart-Peregoy, Thomas, Vincent, Vuckovich, Webb, Windy Boy.

Total 22

Nays: Arthun, Barrett Dick, Blewett, D. Brown, T. Brown, Caferro, Driscoll, Facey, Hamlett, Jackson, Jent, Kaufmann, Keane, Malek, Moore, Phillips, Ripley, Rosendale, Sales, Sesso, Taylor, Tropila, Tutvedt, Van Dyk, Wanzenried, Wittich, Mr. President.

Total 27

Absent or not voting: None.

Total 0

Excused: Walker.

Total 1

SJR 32 - Senator F. Moore moved **SJR 32** be **indefinitely postponed**. Motion carried as follows:

Yeas: Arthun, Augare, Barrett Dick, Blewett, Brenden, D. Brown, T. Brown, Caferro, Driscoll, Facey, Hamlett, Jackson, Jent, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Taylor, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried, Windy Boy, Wittich, Mr. President.

Total 39

Nays: Arntzen, Barrett Debby, Boulanger, Buttrey, Fielder, Jergeson, Sonju, Stewart-Peregoy, Thomas, Webb.

Total 10

Absent or not voting: None.

Total 0

Excused: Walker.

Total 1

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SR 55 - Senator Blewett moved **SR 55** be adopted. Motion carried as follows:

Yeas: Arthun, Augare, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Sesso, Stewart-Peregoy, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried, Webb, Windy Boy, Mr. President.
Total 38

Nays: Arntzen, Barrett Debby, Buttrey, Fielder, Jackson, Ripley, Rosendale, Sales, Sonju, Taylor, Wittich.
Total 11

Absent or not voting: None.
Total 0

Excused: Walker.
Total 1

Senators Sonju and Wittich excused at this time.

HB 417 - Senator Vincent moved **HB 417** 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, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Wanzenried, Webb, Windy Boy, Mr. President.
Total 43

Nays: Keane, Murphy, Sesso, Vuckovich.
Total 4

Absent or not voting: None.
Total 0

Excused: Sonju, Walker, Wittich.
Total 3

Senators Sonju and Wittich present at this time.

Senator Priest excused at this time.

SB 410 - Senator Ripley moved **SB 410** do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Brenden, T. Brown,

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Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sesso, Stewart-Peregoy, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried, Webb, Windy Boy.
Total 38

Nays: Boulanger, D. Brown, Fielder, Jackson, Moore, Sales, Sonju, Taylor, Wittich, Mr. President.
Total 10

Absent or not voting: None.
Total 0

Excused: Priest, Walker.
Total 2

Senator Priest present at this time.

HB 74 - Senator Blewett moved **HB 74** 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, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried, Webb, Windy Boy, Mr. President.
Total 46

Nays: Murphy, Sales, Wittich.
Total 3

Absent or not voting: None.
Total 0

Excused: Walker.
Total 1

HB 48 - Senator Wanzenried moved **HB 48** 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, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 48

Nays: D. Brown.

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Total 1

Absent or not voting: None.

Total 0

Excused: Walker.

Total 1

Senator Wittich moved the committee **rise, report progress, and beg leave to sit again**. Motion carried. Committee arose. Senate resumed. President Essmann presiding. Chair Webb moved the Committee of the Whole report be adopted. Report adopted 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, 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, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 48

Nays: Arntzen.

Total 1

Absent or not voting: None.

Total 0

Excused: Walker.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 509 concurred in as follows:

Yeas: Arthun, Barrett Debby, Blewett, Boulanger, Brenden, T. Brown, Buttrey, Driscoll, Facey, Fielder, Hamlett, Jackson, Jones, Keane, Lewis, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sesso, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Van Dyk, Vuckovich, Webb, Windy Boy.

Total 30

Nays: Arntzen, Augare, Barrett Dick, D. Brown, Caferro, Jent, Jergeson, Kaufmann, Larsen, Malek, Moore, Phillips, Sales, Sonju, Tropila, Vincent, Wanzenried, Wittich, Mr. President.

Total 19

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Absent or not voting: None.

Total 0

Excused: Walker.

Total 1

HB 19 concurred in as follows:

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

Total 40

Nays: Boulanger, Brenden, D. Brown, Buttrey, Priest, Sales, Sonju, Vincent, Webb.

Total 9

Absent or not voting: None.

Total 0

Excused: Walker.

Total 1

HB 39 concurred in as follows:

Yeas: Arntzen, 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 31

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

Total 18

Absent or not voting: None.

Total 0

Excused: Walker.

Total 1

HB 218 concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Blewett, Boulanger, Brenden, D. Brown, T.

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Brown, Buttrey, Caferro, Driscoll, Facey, 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, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 47

Nays: Barrett Dick, Kaufmann.
Total 2

Absent or not voting: None.
Total 0

Excused: Walker.
Total 1

HB 377 concurred in 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, Webb, Wittich, Mr. President.
Total 19

Absent or not voting: None.
Total 0

Excused: Walker.
Total 1

HB 454 concurred in 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, Webb, Wittich, Mr. President.
Total 19

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Absent or not voting: None.

Total 0

Excused: Walker.

Total 1

HB 521 concurred in 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, Webb, Windy Boy, Wittich, Mr. President.

Total 28

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

Total 21

Absent or not voting: None.

Total 0

Excused: Walker.

Total 1

HB 556 concurred in as follows:

Yeas: Arthun, Augare, Barrett Dick, Blewett, Brenden, D. Brown, 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, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried, Windy Boy.

Total 37

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

Total 12

Absent or not voting: None.

Total 0

Excused: Walker.

Total 1

HB 603 concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D.

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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, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Walker.
Total 1

HB 626 concurred in 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, Van Dyk, Vincent, Vuckovich, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 47

Nays: D. Brown, Tutvedt.
Total 2

Absent or not voting: None.
Total 0

Excused: Walker.
Total 1

HB 631 failed (due to 2/3 of entire Legislature vote requirement) 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, Webb, Wittich, Mr. President.
Total 29

Nays: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.
Total 20

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Absent or not voting: None.

Total 0

Excused: Walker.

Total 1

HB 298 concurred in as follows:

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

Total 31

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

Total 18

Absent or not voting: None.

Total 0

Excused: Walker.

Total 1

HB 129 concurred in 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, 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, Wanzenried, Webb, Windy Boy, Wittich.

Total 47

Nays: Brenden, Mr. President.

Total 2

Absent or not voting: None.

Total 0

Excused: Walker.

Total 1

HB 623 concurred in as follows:

Yeas: Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent,

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Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Olson, Peterson, Phillips, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.
Total 27

Nays: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, Fielder, Jackson, Lewis, Moore, Murphy, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Vincent, Webb, Wittich, Mr. President.
Total 22

Absent or not voting: None.
Total 0

Excused: Walker.
Total 1

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

Yeas: Arntzen, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Fielder, Hamlett, Jackson, Jones, Lewis, Murphy, Olson, Phillips, Priest, Ripley, Rosendale, Sales, Sonju, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Webb, Windy Boy, Wittich, Mr. President.
Total 32

Nays: Arthun, Augare, Barrett Dick, Blewett, Facey, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Moore, Peterson, Sesso, Tropila, Van Dyk, Wanzenried.
Total 17

Absent or not voting: None.
Total 0

Excused: Walker.
Total 1

SPECIAL ORDERS OF THE DAY

SR 43 - Senator T. Brown moved that the nominations transmitted by the Governor be confirmed by the Senate in accordance with **SR 43**. 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, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 49

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Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Walker.

Total 1

SR 46 - Senator Peterson moved that the nominations transmitted by the Governor be confirmed by the Senate in accordance with **SR 46**. Motion carried as follows:

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

Total 44

Nays: Brenden, Fielder, Priest, Taylor, Vincent.

Total 5

Absent or not voting: None.

Total 0

Excused: Walker.

Total 1

SR 48 - Senator Peterson moved that the nominations transmitted by the Governor be confirmed by the Senate in accordance with **SR 48**. 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, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Webb, Windy Boy, Mr. President.

Total 46

Nays: Priest, Vincent, Wittich.

Total 3

Absent or not voting: None.

Total 0

Excused: Walker.

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Total 1

SR 51 - Senator Arthun moved that the nominations transmitted by the Governor be confirmed by the Senate in accordance with **SR 51**. Motion carried as follows:

Yeas: Arthun, Augare, Barrett Debby, 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, Priest, Ripley, Rosendale, Sales, Sesso, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 46

Nays: Arntzen, Boulanger, Sonju.
Total 3

Absent or not voting: None.
Total 0

Excused: Walker.
Total 1

SR 52 - Senator Arthun moved that the nominations transmitted by the Governor be confirmed by the Senate in accordance with **SR 52**. 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, Ripley, Sales, Sesso, Sonju, Stewart-Peregoy, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 45

Nays: Priest, Rosendale, Taylor, Vincent.
Total 4

Absent or not voting: None.
Total 0

Excused: Walker.
Total 1

SR 53 - Senator Arthun moved that the nominations transmitted by the Governor be confirmed by the Senate in accordance with **SR 53**. Motion carried 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,

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

Total 44

Nays: Brenden, Priest, Rosendale, Sonju, Mr. President.

Total 5

Absent or not voting: None.

Total 0

Excused: Walker.

Total 1

SR 56 - Senator Olson moved that the nominations transmitted by the Governor be confirmed by the Senate in accordance with **SR 56**. 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, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Walker.

Total 1

SR 57 - Senator Olson moved that the nominations transmitted by the Governor be confirmed by the Senate in accordance with **SR 57**. Motion carried 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, Keane, Larsen, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 47

Nays: Brenden, Lewis.

Total 2

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Absent or not voting: None.

Total 0

Excused: Walker.

Total 1

SR 59 - Senator Olson moved that the nominations transmitted by the Governor be confirmed by the Senate in accordance with **SR 59**. 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, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Walker.

Total 1

SR 60 - Senator T. Brown moved that the nominations transmitted by the Governor be confirmed by the Senate in accordance with **SR 60**. 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, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Walker.

Total 1

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Senators Jackson and Jent made their farewell remarks to the Senate.

MOTIONS

Senator Malek moved to change her vote on **SB 623** from No to Yes. Without objection, so ordered.

Senator Wittich moved the Senate recess and reconvene at 4:30 p.m. this date. Motion carried. Senate recessed at 2:45 p.m.

Senate reconvened at 4:33 p.m. Roll Call. All members present. Quorum present.

MOTIONS

Senator Larsen moved to change his vote on **SB 623** from No to Yes. Without objection, so ordered.

Senator Wittich moved to appoint a Conference Committee on **SB 305** and request the House to appoint a like committee. Without objection, so ordered. Speaker Essmann appointed:

4/18/2013

Senator Peterson, Chair
Senator F. Moore
Senator Van Dyk

**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 Rosendale in the chair.

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

SB 405 - House Amendments - Senator Olson moved House amendments to **SB 405** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Hamlett, Jackson, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Mr. President.
Total 30

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

Total 20

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 408 - House Amendments - Senator Olson moved House amendments to **SB 408** be concurred in. Motion carried 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, Keane, Larsen, Malek, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 20

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 96 - House Amendments - Senator Tutvedt moved House amendments to **SB 96** be **not** concurred in. Motion carried as follows:

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

Total 33

Nays: Arntzen, Augare, Barrett Debby, Brenden, D. Brown, Fielder, Jackson, Malek, Moore, Priest, Sales, Sonju, Taylor, Vincent, Vuckovich, Walker, Wittich.

Total 17

Absent or not voting: None.

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Total 0

Excused: None.

Total 0

SB 282 - House Amendments - Senator Tutvedt moved House amendments to **SB 282** be **not** concurred in. Motion carried 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, Ripley, Sesso, Stewart-Peregoy, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried, Windy Boy.

Total 31

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

Total 19

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 19 - Governor's Amendments - Senator Hamlett moved Governor's amendments to **SB 19** be concurred in. Motion carried as follows:

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

Total 33

Nays: Arntzen, Barrett Debby, Boulanger, D. Brown, Buttrey, Jones, Olson, Priest, Rosendale, Sales, Sonju, Thomas, Tutvedt, Walker, Webb, Wittich, Mr. President.

Total 17

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 342 - House Amendments - Senator Windy Boy moved House amendments to **SB 342** be **not** concurred in. Motion carried 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, Mr. President.
Total 49

Nays: Wittich.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 280 - House Amendments - Senator Thomas moved House amendments to **SB 280** 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

SB 264 - House Amendments - Senator Arntzen moved House amendments to **SB 264** 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, Mr. President.
Total 49

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Nays: Wittich.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 175 - House Amendments - Senator L. Jones moved House amendments to **SB 175** be concurred in. Motion carried as follows:

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

Total 43

Nays: Barrett Debby, D. Brown, Jackson, Moore, Rosendale, Sales, Taylor.

Total 7

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 369 - House Amendments - Senator Facey moved House amendments to **SB 369** 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, 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: Phillips.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

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Total 0

SB 265 - House Amendments - Senator Jackson moved House amendments to **SB 265** be concurred in. Motion carried as follows:

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

Total 28

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

Total 22

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 392 - House Amendments - Senator Kaufmann moved House amendments to **SB 392** 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, 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: Phillips.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 347 - House Amendments - Senator Vincent moved House amendments to **SB 347** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Hamlett, Jackson, Jergeson, Jones, Keane, Lewis, Moore, Murphy, Olson,

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Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Webb, Windy Boy, Wittich, Mr. President.
Total 38

Nays: Barrett Dick, Blewett, Caferro, Driscoll, Facey, Jent, Kaufmann, Larsen, Malek, Sesso, Stewart-Peregoy, Wanzenried.
Total 12

Absent or not voting: None.
Total 0

Excused: None.
Total 0

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

Senator Sesso moved a **substitute motion** to segregate **SB 405** and **SB 408** from the Committee of the Whole report and adopt the remainder of the report. 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

Senator Rosendale moved the adoption of the balance of the Committee of the Whole report.

Senator Jergeson rose on a point of parliamentary procedure and explained that the effect of segregating **SB 405** and **SB 408** from the Committee of the Whole report and adopting the remainder of the report was to place **SB 405** and **SB 408** on second reading the next legislative day.

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The Chair disagreed with Senator Jergeson and ruled that Senator Rosendale's motion was in order. Senator Facey objected to the ruling of the chair and requested a Rules Committee determination.

Senator Wittich moved the Senate recess for a brief period to discuss the ruling of the chair. Senate recessed for a brief period and reconvened at 5:58 p.m.

Senator Rosendale withdrew his motion.

Senator Wittich moved the Senate reconsider its action to adopt the Committee of the Whole report with **SB 405** and **SB 408** segregated. 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

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

Senator Rosendale moved adoption of the Committee of the Whole report.

Senator Sesso moved a **substitute motion** to segregate **SB 405** and **SB 408** from the Committee of the Whole report and adopt the remainder of the report. Motion **failed** as follows:

Yeas: 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

Nays: 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

Absent or not voting: None.
Total 0

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Excused: None.

Total 0

Thereupon, the Senate reverted back to the original motion of Senator Rosendale which 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

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

MOTIONS

Senator Hamlett moved that the Senate suspend its rules to accept late transmittal of House amendments to **SB 201** and that **SB 201** be placed on second reading the next legislative day. The motion carried 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, Keane, Larsen, Lewis, 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, Malek, Ripley, Sales.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Wittich moved to appoint a **Free** Conference Committee on **SB 342** and request the

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House to appoint a like committee. Without objection, so ordered. President Essmann appointed:

4/18/2013

Senator Lewis, Chair
Senator Arntzen
Senator Windy Boy

Senator Wittich moved to appoint a **Free** Conference Committee on **SB 96** and request the House to appoint a like committee. Without objection, so ordered. President Essmann appointed:

4/18/2013

Senator Tutvedt, Chair
Senator Phillips
Senator Thomas

Senator Wittich moved to appoint a **Free** Conference Committee on **SB 282** and request the House to appoint a like committee. Without objection, so ordered. President Essmann appointed:

4/18/2013

Senator Thomas, Chair
Senator Phillips
Senator Tutvedt

Senator Arntzen moved to reconsider the indefinite postponement of **SJR 32**. Motion carried as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, Buttrey, Fielder, Hamlett, Jergeson, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Sales, Sonju, Thomas, Vincent, Vuckovich, Walker, Webb, Windy Boy, Wittich.

Total 26

Nays: Augare, Barrett Dick, Blewett, D. Brown, T. Brown, Caferro, Driscoll, Facey, Jackson, Jent, Kaufmann, Keane, Larsen, Malek, Phillips, Rosendale, Sesso, Stewart-Peregoy, Taylor, Tropila, Tutvedt, Van Dyk, Wanzenried, Mr. President.

Total 24

Absent or not voting: None.

Total 0

Excused: None.

Total 0

ANNOUNCEMENTS

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Committee meetings were announced by the committee chairs.

Majority Leader Wittich moved that the Senate adjourn until 1:00 p.m., Friday, April 19, 2013, the eighty-third legislative day. Motion carried.

Senate adjourned at 6:16 p.m.

MARILYN MILLER
Secretary of the Senate

JEFF ESSMANN
President of the Senate