

**HOUSE JOURNAL
64TH LEGISLATURE
SIXTY-FIRST LEGISLATIVE DAY**

Helena, Montana
March 24, 2015

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Manzella. Pledge of Allegiance to the Flag. Roll Call. All members present. Quorum present.

BILLS (Welborn, Chair):

3/24/2015

Correctly printed: **HB 156, HB 245, HB 379, HB 389, SB 200, SB 235, SB 298, SJR 6.**

Correctly engrossed: **HB 464, HB 574, SB 168, SB 195, SB 220, SB 238, SB 295, SB 364.**

Correctly enrolled: **HB 69, HB 145, HB 193, HB 198, HB 240, HB 306, HB 353, HB 367, HB 372, HB 392, HB 461, HB 481, HJR 11.**

Transmitted to the Senate: **HJR 16, SB 141, SB 174, SB 184, SB 196, SB 332.**

Signed by the Speaker at 4:45 p.m., March 24, 2015: **HB 95, HB 396.**

Signed by the Chief Clerk of the House at 8:00 a.m., March 25, 2015: **HB 95, HB 396.**

Signed by the Speaker at 9:10 a.m., March 27, 2015: **HB 44, HB 85, HB 100, HB 164, HB 207, HB 270, HB 289, HB 319, HB 348, HB 422, HB 429, HB 507.**

Signed by the Chief Clerk of the House at 2:30 p.m., March 27, 2015: **HB 44, HB 85, HB 100, HB 164, HB 207, HB 270, HB 289, HB 319, HB 348, HB 422, HB 429, HB 507.**

Signed by the President at 10:00 a.m., March 24, 2015: **HB 54, HB 87, HB 124, HB 183, HB 227, HB 366, HB 382, HB 387, HB 397, HB 412, HB 414, HB 436, HB 449, HB 482, HB 518, HB 588, HJR 8.**

Delivered to the Governor for approval at 8:15 a.m., March 24, 2015: **HB 12, HB 90, HB 132, HB 135, HB 162, HB 194, HB 197, HB 203, HB 222, HB 225, HB 232, HB 233, HB 246, HB 279, HB 298, HB 354, HB 355, HB 390, HB 410.**

Delivered to the Governor for approval at 10:57 a.m., March 24, 2015: **HB 54, HB 87, HB 124, HB 183, HB 227, HB 366, HB 382, HB 387, HB 397, HB 412, HB 414, HB 436, HB 449, HB 482, HB 518, HB 588.**

Delivered to the Secretary of State at 8:20 a.m., March 24, 2015: **HJR 15.**

Delivered to the Secretary of State at 10:36 a.m., March 24, 2015: **HJR 8.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ballance, Chair):

3/23/2015

HB 156, do pass. Report adopted.

HB 202, introduced bill, be amended as follows:

1. Title, line 6.

Following: "VEHICLE;"

Insert: "RESTRICTING THE DEPARTMENT OF JUSTICE;"

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2. Page 4, line 8.

Following: "(12)"

Insert: "(a)"

Strike: "Revenue"

Insert: "Subject to subsection (12)(b), revenue"

3. Page 4.

Following: line 11

Insert: "(b) The department shall use revenue collected under this subsection (12) to offset any costs incurred by the department in reconfiguring or reprogramming the statewide online computer system maintained under 61-3-345 to allow for the donation provided for in subsection (5)(d)."

Insert: "NEW SECTION. Section 3. Restriction on department of justice. The department of justice may not change to a motor vehicle registration renewal card that is a larger format or different type from the card format and type in use prior to [the effective date of this act] solely because of the addition of the language allowing for the voluntary donation provided for in 61-3-303(5)(d)."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 245, do pass. Report adopted.

HB 379, do pass. Report adopted.

HB 389, do pass. Report adopted.

SB 200, be concurred in. Report adopted.

JUDICIARY (Bennett, Chair):

3/24/2015

HB 427, introduced bill, be amended as follows:

1. Title, page 1, line 8 through line 9.

Following: "DUTIES OF THE" on line 8

Strike: "OFFICE OF PUBLIC" on line 8 through "DEFENDER" on line 9

Insert: "DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION"

2. Title, page 1, line 9.

Following: "PROVIDING"

Insert: "LEGAL"

Following: "COUNSEL"

Insert: "OR CONTRACTING TO PROVIDE LEGAL COUNSEL"

3. Title, page 1, line 10.

Following: "RESERVATION;"

Insert: "CREATING A WATER RIGHTS CLAIMS DEFENSE UNIT WITHIN THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION; PROVIDING RULEMAKING"

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AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES AND
CONSERVATION;"

4. Title, page 1, line 11 through 12.

Following: "CONSERVATION"

Strike: ", "

Insert: "AND"

Following: "WATER COURT"

Strike: ", AND THE OFFICE" on line 11 through "OF PUBLIC DEFENDER" on line 12.

5. Title, page 1, line 12.

Strike: "SECTIONS"

Insert: "SECTION"

Strike: "47-1-103, 47-1-104, AND 47-1-201,"

6. Page 3, line 23.

Strike: "office of public defender"

Insert: "department of natural resources and conservation"

7. Page 4, line 13.

Strike: "office of public defender"

Insert: "department of natural resources and conservation"

8. Page 4, line 14.

Strike: "effective assistance of"

Insert: "legal"

9. Page 4, line 15.

Following: "tribes"

Insert: "as provided in [section 5]"

10. Page 4, line 22.

Following: line 21

Insert: "NEW SECTION. Section 5. Water rights claims defense unit. (1) There is a water rights claims defense unit within the department of natural resources and conservation. The unit is under the supervision and control of the director of the department and consists of the employees of the department who the director considers necessary and appropriate by education, training, and experience to defend any person subject to a water court proceeding related to a water rights claim filed by the Confederated Salish and Kootenai tribes.

(2) The department may hire, contract for, and supervise attorneys and other personnel necessary to implement the provisions of this section. Contracting for personnel must be done through a competitive process that must, at a minimum, involve consideration of an attorney's qualifications to provide effective representation in water rights-related proceedings.

(3) The department shall adopt rules necessary to establish procedures and policies for contracting, reporting, and oversight of the water rights claims defense unit, including rules

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establishing reasonable compensation for attorneys and other contracted personnel and for identifying and avoiding conflicts of interest within the department related to the representation of persons under this section.

(4) The department shall report quarterly to the environmental quality council and the water policy interim committee regarding the status of any proceedings involving the defense of water rights claims under this section."

Renumber: subsequent sections

11. Page 6, line 4 through page 10, line 8.

Strike: section 6 through section 8 in their entirety

Renumber: subsequent sections

12. Page 10, line 14.

Strike: "(1) [Sections 2 and 3]"

Insert: "[Sections 2 through 5]"

13. Page 10, line 16.

Strike: "[sections 2 and 3]"

Insert: "[sections 2 through 5]"

14. Page 10, line 17 through line 18.

Strike: line 17 through line 18

And, as amended, do pass. Report adopted.

SB 295, be amended as follows:

1. Page 7.

Following: line 10

Insert: "COORDINATION SECTION. Section 4. Coordination instruction. If both House Bill No. 250 and [this act] are passed and approved, then House Bill No. 250 is void."

Renumber: subsequent section

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

SB 298, be concurred in. Report adopted.

NATURAL RESOURCES (White, Chair):

3/23/2015

HB 510, introduced bill, be amended as follows:

1. Title, line 5 through line 7.

Strike: "IMMINENT" on line 5 through "RESOURCES" on line 7

Insert: "WILDFIRE RISK AND IMPROVING FOREST HEALTH ON FEDERAL LANDS"

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2. Title, line 7.

Strike: "DEPARTMENTS"

Insert: "DEPARTMENT"

3. Title, line 8.

Strike: "AND FISH, WILDLIFE, AND PARKS"

4. Title, line 9 through line 10.

Strike: "TO ADDRESS" on line 9 through "ACTIONS" on line 10

5. Title, line 10 through line 11.

Strike: "STATE FUEL" on line 10 through "FACILITATOR" on line 11

Insert: "LOCAL GOVERNMENT FOREST ADVISOR"

6. Page 1, line 16.

Strike: "consultants"

Insert: "consultant"

7. Page 1, line 17 through line 18.

Strike: "and the" on line 17 through "parks" on line 18

8. Page 1, line 19.

Strike: "shall"

Insert: "may"

Following: "serve as"

Insert: "a"

9. Page 1, line 19 through line 21.

Strike: "experts to aid in" on line 19 through "jurisdiction" on line 21

Insert: "expert on federal vegetation management projects"

10. Page 1, line 22 through line 24.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

11. Page 1, line 25.

Strike: "departments shall"

Insert: "department may"

Following: "assistance"

Insert: "to local governments"

12. Page 1, line 25 through line 29.

Strike: "(2) if a local" on line 25 through "resources" on line 29

Insert: "(1) on projects that address forest health or wildfire risk"

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13. Page 1, line 30.

Strike: "departments"

Insert: "department"

14. Page 2, line 2.

Strike: "departments"

Insert: "department"

15. Page 2, line 4.

Strike: "or"

Insert: "and"

16. Page 2, line 5.

Strike: "protect" through "lands"

Insert: "not exceed available staff time and resources"

17. Page 2, line 6.

Strike: "departments"

Insert: "department"

18. Page 2, line 8.

Strike: "Fuel reduction facilitator"

Insert: "Local government forest advisor"

19. Page 2, line 8.

Strike: "fuel reduction facilitator"

Insert: "local government forest advisor"

20. Page 2, line 9.

Strike: "fuel reduction facilitator"

Insert: "local government forest advisor"

Following: "shall"

Strike: "expedite fuel reduction"

Insert: "provide assistance on"

21. Page 2, line 10.

Strike: "(3) and (5)"

Insert: "(2) and (4)"

22. Page 2, line 12.

Strike: "\$120,000"

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Insert: "\$240,000"

Following: "fund"

Insert: "for the biennium beginning July 1, 2015,"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Essmann, Chair):
HB 464, introduced bill, be amended as follows:

3/24/2015

1. Title, page 1, line 4.

Strike: "THE DEVELOPMENT OF"

Insert: "A VOLUNTARY"

2. Title, page 1, line 5.

Strike: "STANDARDS AND CREATING THE HIGH-PERFORMANCE COMPLIANCE"

3. Title, page 1, line 7.

Strike: "GRANTING RULEMAKING AUTHORITY;"

4. Page 1, line 13.

Strike: "compliance"

5. Page 1, line 14.

Strike: "-- rulemaking authority"

6. Page 1, line 15.

Strike: "and adopt by rule"

Insert: "a voluntary"

7. Page 1, line 16.

Strike: "standards of"

Insert: "program for the"

Strike: "for"

Insert: "of"

Strike: "these"

8. Page 1, line 17.

Strike: "standards"

Insert: "this program"

9. Page 1, line 23.

Strike: "compliance"

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10. Page 1, line 27.

Following: "(1)"

Insert: "(a)"

Following: "year, each"

Insert: "state"

Following: "agency"

Insert: ", other than the university system,"

11. Page 1, line 28.

Strike: "compliance"

12. Page 1, line 29.

Strike: "(2)"

Insert: "(1)(b)"

13. Page 1, line 29 through line 30.

Strike: "utility" on line 29 through "agency" on line 30

Insert: "operating expenses for building maintenance"

14. Page 2, line 1.

Strike: "(2)"

Insert: "(b)"

15. Page 2, line 2.

Following: "(1)"

Insert: "(a)"

16. Page 2, line 5.

Strike: "(3)"

Insert: "(c)"

Strike: "(2)"

Insert: "(1)(b)"

17. Page 2, line 6.

Strike: "(4)"

Insert: "(3)"

18. Page 2, line 7.

Strike: "(4)"

Insert: "(2)"

Strike: "For each fiscal year, the"

Insert: "The"

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19. Page 2, line 8.

Following: "17-2-102(4)"

Insert: "(e)"

Strike: "pursuant to subsection (1)"

Insert: "for each educational unit participating in the program established under [section 1]"

Following: "."

Insert: "At the end of each fiscal year, a participating educational unit may transfer to the unit's subfund the unit's unspent utility funds. All interest and income earned on the money in the subfund must remain in the subfund. The educational unit may use the money in the unit's subfund for the purposes described in subsection (3)."

20. Page 2, line 9.

Strike: "(5)"

Insert: "(3)"

21. Page 2, line 10.

Strike: "(4)"

Insert: "(2)"

22. Page 2, line 11.

Strike: "compliance"

Insert: "of university buildings"

And, as amended, do pass. Report adopted.

HB 566, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "COMPOSITION"

Insert: "SELECTION"

2. Page 1, line 16.

Strike: "six"

Insert: "five"

3. Page 1, line 19 through line 23.

Strike: ", and the" on line 19 through "supreme court" on line 23

4. Page 1, line 25.

Following: "him."

Insert: "Within 40 days after their designation, the four commissioners shall select the fifth member, who shall serve as chairman of the commission."

And, as amended, do pass. Report adopted.

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HB 574, introduced bill, be amended as follows:

1. Page 2, line 10 through line 11.

Following: "overtime payments" on line 10

Strike: " "

Insert: "and"

Strike: ", shift" on line 10 through "annual leave" on line 11

2. Page 2, line 12 through line 13.

Following: "overtime payments" on line 12

Strike: " "

Insert: "and"

Strike: ", shift" on line 12 through "annual leave" on line 13

3. Page 2, line 16 through line 17.

Following: "overtime" on line 16

Strike: " "

Insert: "payments and"

Strike: ", shift" on line 16 through "annual leave" on line 17

4. Page 2, line 20.

Following: line 20

Insert: "(i) shift differential payments, compensatory time payments, and payments in lieu of sick leave and annual leave;"

Renumber: subsequent subsections

6. Page 3, line 24.

Strike: "the base"

7. Page 4, line 11 through line 12.

Following: "overtime payments" on line 11

Strike: " "

Insert: "and"

Strike: ", shift" on line 11 through "sick leave" on line 12

8. Page 4, line 13 through line 14.

Following: "overtime payments" on line 13

Strike: " "

Insert: "and"

Strike: ", shift" on line 13 through "sick leave" on line 14

9. Page 4, line 18 through line 19.

Following: "overtime payments" on line 18

Strike: " "

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Insert: "and"

Strike: ", shift" on line 18 through "sick leave" on line 19

Following: ";

Insert: "or"

10. Page 4, line 21.

Following: "overtime"

Insert: "payments"

11. Page 4, line 25.

Following: "overtime"

Insert: "payments"

12. Page 4, line 30.

Following: line 30

Insert: "(i) shift differential payments, compensatory time payments, and payments in lieu of sick leave;"

Renumber: subsequent subsections

14. Page 6, line 17.

Strike: "the base"

And, as amended, do pass. Report adopted.

SB 168, be amended as follows:

1. Title, page 1, line 6.

Strike: "AND"

2. Title, page 1, line 7.

Following: "DUTY"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 2, line 8.

Strike: "CONSIDER"

4. Page 2, line 16.

Strike: "ASSIGNING AS"

Insert: "assign"

Following: "FINAL"

Insert: "passing"

5. Page 2, line 16 through line 17.

Following: the first "COURSE" on line 16

Strike: "THE STUDENT'S" through "DUTY," on line 17

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6. Page 2, line 19.

Strike: "ASSIGNING"

Insert: "assign"

7. Page 2, line 21.

Strike: "ALLOWING"

Insert: "allow"

8. Page 3.

Following: line 21

Insert: "NEW SECTION. Section 8. Effective date. [This act] is effective August 1, 2015."

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

SB 191, be amended as follows:

1. Title, page 1, line 5.

Following: "CONCERNING"

Insert: "CAPITAL IMPROVEMENTS AT"

2. Page 1, line 30.

Strike: "14"

Insert: "20"

Following: "years"

Insert: "if a capital improvement is made, subject to subsection (5)"

3. Page 2.

Following: line 6

Insert: "(5) A contract under subsection (2)(e) must require the concessionaire to provide a business plan offering a reasonable estimation that the cost of any capital improvement by the concessionaire will be repaid within the life of the contract, or that where a proprietary interest is held, the concessionaire's interest in any capital improvement may be sold at appraised value to a subsequent concessionaire when the contract concludes."

4. Page 2, line 16 through line 18.

Strike: "for concessions" on line 16 through "years" on line 18

Insert: "pursuant to 18-4-313(2)(e)"

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

SB 195, be amended as follows:

1. Title, page 1, line 6.

Strike: "AND"

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2. Title, page 1, line 7.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 5.

Following: line 1

Insert: "COORDINATION SECTION. Section 6. Coordination instruction. If both House Bill No. 68 and [this act] are passed and approved and if both amend 10-1-1003, then the sections amending 10-1-1003 are void and 10-1-1003 must be amended as follows:

"10-1-1003. Definitions. Unless the context requires otherwise, as used in this part, the following definitions apply:

(1) "Department" means the department of labor and industry established in 2-15-1701.

(2) "Elected official" means an official duly elected or appointed to any state or local judicial, legislative, or executive elective office of the state, a district, or a political subdivision of the state, including a school district or any other local district.

(3) (a) "Employer" means any public or private person or entity providing employment in Montana.

(b) The term does not include the United States.

(4) "Federally funded military duty" means duty, including training, performed pursuant to orders issued under Title 10 or Title 32 of the United States Code and the time period, if any, required pursuant to a licensed physician's certification to recover from an illness or injury incurred while performing the duty.

(5) "Member" means a member of the state's organized militia provided for in 10-1-103 or a member of the national guard of another state.

(6) "Military service" includes both federally funded military duty and state ~~active~~ military duty.

(7) (a) "State ~~active~~ military duty" means duty performed by a member ~~when a disaster or an emergency has been declared by the proper authority of the state~~ pursuant to Article VI, section 13, of the Montana constitution, the authority of the governor of any other state, or 10-1-505 to include and the time period, if any, required pursuant to a licensed physician's certification to recover from an illness or injury incurred while performing the ~~active~~ state military duty.

(b) The term does not include federally funded military duty."

Insert: "NEW SECTION. Section 7. Effective date. [This act] is effective on passage and approval."

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

SB 220, be amended as follows:

1. Title, page 1, line 5.

Following: "BOARD;"

Insert: "REQUIRING A REPORT TO THE STATE ADMINISTRATION AND VETERANS' AFFAIRS INTERIM COMMITTEE;"

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2. Page 2, line 21.

Following: "agencies;"

Strike: "and"

3. Page 2, line 23.

Following: "legislature"

Insert: "; and

(9) prepare and submit to the state administration and veterans' affairs interim committee by September 15 in the year preceding the regular legislative session and in the manner provided in 5-11-210 a report including but not necessarily limited to a summary of the board's activities, a review of the electronic government program established under part 11 of this chapter, and any key findings and recommendations that the board presented to the department"

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

SB 235, be concurred in. Report adopted.

SB 238, be amended as follows:

1. Page 1, line 19 through line 20.

Strike: ", including any" on line 19 through "postretirement adjustments" on line 20

2. Page 3, line 22.

Following: "adjustment"

Insert: "on that benefit"

Following: "chapter"

Insert: ", subject to subsection (3)"

3. Page 3, line 24.

Following: "adjustment"

Insert: "on that benefit"

4. Page 3, line 25.

Following: "chapter"

Insert: ", subject to subsection (3)"

5. Page 3, line 27 through line 28.

Strike: subsection (3) in its entirety

Insert: "(3) The postretirement benefit adjustment applied pursuant to (2)(b)(i) and pursuant to (2)(b)(ii) must commence on January 1 immediately following the member's retirement and does not apply to the member's DROP benefit."

6. Page 4, line 20.

Strike: "subsection (2)(b)"

Insert: "subsections (2)(b) and (4)"

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7. Page 4.

Following: line 30

Insert: "(4) If a member participated in the DROP and did not continue employment in a covered position after the member's participation, the guaranteed annual benefit adjustment provided for in this section must commence on January 1 immediately following the member's retirement and does not apply to the member's DROP benefit."

Renumber: subsequent subsection

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

SB 364, be amended as follows:

1. Title, page 1, line 5.

Strike: "ALLOWING"

Insert: "REQUIRING"

2. Page 2, line 21.

Strike: "may"

Insert: "must"

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

SJR 6, be concurred in. Report adopted.

TAXATION (Miller, Chair):

3/24/2015

HB 114, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Strike: "ALLOWING" through "ACCOUNTS;"

2. Title, page 1, line 9.

Strike: "20-9-208,"

Insert: "20-9-141,"

Page 1, line 16

Strike: "(4)"

Insert: "(5)"

3. Page 1, line 21 through line 22.

Strike: "by" on line 21 through "receipt" on line 22

Insert: "or designated as operating reserve pursuant to 20-9-104 for the fiscal year following the fiscal year in which the remittance was received"

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4. Page 1, line 23.

Following: "one"

Insert: "or more"

Following: "funds"

Insert: "that has a mill levy for the current school year"

5. Page 1, line 29.

Strike: ", with" through "(2)(b)"

6. Page 2, line 1.

Strike: "3-year"

7. Page 2, line 1.

Following: line 1

Insert: "(4) Any portion of the increment remitted to a school district and deposited into the general fund must be designated as operating reserve, pursuant to 20-9-104 or used to reduce the BASE budget levy or the over-BASE budget levy in the following fiscal year."

Renumber: subsequent subsections

8. Page 2, line 2.

Strike: "all or a portion of"

Following: "taxes"

Insert: "or designate the remittance as operating reserve"

9. Page 2, line 3.

Strike: "3-year"

10. Page 4, line 14.

Following: line 14

Insert: "**Section 3.** Section 20-9-141, MCA, is amended to read:

"20-9-141. Computation of general fund net levy requirement by county superintendent. (1) The county superintendent shall compute the levy requirement for each district's general fund on the basis of the following procedure:

(a) Determine the funding required for the district's final general fund budget less the sum of direct state aid, the natural resource development K-12 funding payment, and the special education allowable cost payment for the district by totaling:

(i) the district's nonisolated school BASE budget requirement to be met by a district levy as provided in 20-9-303; and

(ii) any general fund budget amount adopted by the trustees of the district under the provisions of 20-9-308 and 20-9-353.

(b) Determine the money available for the reduction of the property tax on the district for the general fund by totaling:

(i) the general fund balance reappropriated, as established under the provisions of 20-9-104;

(ii) amounts received in the last fiscal year for which revenue reporting was required for

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each of the following:

(A) interest earned by the investment of general fund cash in accordance with the provisions of 20-9-213(4); and

(B) any other revenue received during the school fiscal year that may be used to finance the general fund, excluding any guaranteed tax base aid;

(iii) anticipated oil and natural gas production taxes;

(iv) pursuant to subsection (4), anticipated revenue from coal gross proceeds under 15-23-703; and

(v) school district block grants distributed under 20-9-630; and

(vi) any portion of the increment remitted to a school district under 7-15-4291 used to reduce the BASE levy budget.

(c) Notwithstanding the provisions of subsection (2), subtract the money available to reduce the property tax required to finance the general fund that has been determined in subsection (1)(b) from any general fund budget amount adopted by the trustees of the district, up to the BASE budget amount, to determine the general fund BASE budget levy requirement.

(d) Determine the sum of:

(i) any amount remaining after the determination in subsection (1)(c);

(ii) any portion of the increment remitted to a school district under 7-15-4291 used to reduce the over-BASE budget levy; and

(iii) any tuition payments for out-of-district pupils to be received under the provisions of 20-5-320 through 20-5-324, except the amount of tuition received for a pupil who is a child with a disability in excess of the amount received for a pupil without disabilities, as calculated under 20-5-323(2).

(e) Subtract the amount determined in subsection (1)(d) from any additional funding requirement to be met by an over-BASE budget amount, a district levy as provided in 20-9-303, and any additional financing as provided in 20-9-353 to determine any additional general fund levy requirements.

(2) The county superintendent shall calculate the number of mills to be levied on the taxable property in the district to finance the general fund levy requirement for any amount that does not exceed the BASE budget amount for the district by dividing the amount determined in subsection (1)(c) by the sum of:

(a) the amount of guaranteed tax base aid that the district will receive for each mill levied, as certified by the superintendent of public instruction; and

(b) the current total taxable valuation of the district, as certified by the department of revenue under 15-10-202, divided by 1,000.

(3) The net general fund levy requirement determined in subsections (1)(c) and (1)(d) must be reported to the county commissioners by the later of the first Tuesday in September or within 30 calendar days after receiving certified taxable values by the county superintendent as the general fund net levy requirement for the district, and a levy must be set by the county commissioners in accordance with 20-9-142.

(4) For each school district, the department of revenue shall calculate and report to the county superintendent the amount of revenue anticipated for the ensuing fiscal year from revenue from coal gross proceeds under 15-23-703.""

Renumber: subsequent sections

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11. Page 4, line 16 through page 5, line 24.

Strike: section 3 in its entirety

And, as amended, do pass. Report adopted.

HB 154, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Strike: "15-30-2301,"

2. Title, page 1, line 8 through line 9.

Strike: "15-30-2337," through "15-30-2341,"

3. Page 1, line 22.

Strike: subsection (c) in its entirety

Renumber: subsequent subsections

4. Page 2, line 1.

Strike: subsection (c) in its entirety

Renumber: subsequent subsections

5. Page 3, line 28 through page 4, line 5.

Strike: section 3 in its entirety

Renumber: subsequent sections

6. Page 7, line 23 through page 12, line 11.

Strike: section 8 through section 12 in their entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 407, introduced bill, be amended as follows:

1. Title, line 4 through line 5.

Strike: "INCREASING" on line 4 through "VEHICLES" on line 5

Insert: "PROVIDING FOR AN OPTIONAL DONATION TO THE MONTANA HERITAGE
PRESERVATION AND DEVELOPMENT COMMISSION WHEN REGISTERING A MOTOR
VEHICLE"

Strike: "AMOUNT OF THE INCREASE"

Insert: "REVENUE THAT ACCRUES"

2. Title, line 7.

Strike: "61-3-321,"

Insert: "61-3-303,"

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3. Page 1, line 12 through page 5, line 7.

Strike: section 1 in its entirety

Insert: "**Section 1.** Section 61-3-303, MCA, is amended to read:

"61-3-303. Original registration -- process -- fees. (1) Except as provided in 61-3-324, a Montana resident who owns a motor vehicle, trailer, semitrailer, or pole trailer operated or driven upon the public highways of this state shall register the motor vehicle, trailer, semitrailer, or pole trailer in the county where the owner is domiciled. A nonresident who has an interest in real property in Montana may register in the county where the real property is located a motor vehicle, trailer, semitrailer, or pole trailer operated or driven upon the public highways of this state.

(2) Except as provided in subsection (3), the county treasurer or an authorized agent shall register any vehicle for which:

(a) as of the date that the motor vehicle, trailer, semitrailer, or pole trailer is to be registered, the owner delivers an application for a certificate of title to the department, an authorized agent, or a county treasurer; or

(b) the county treasurer or an authorized agent confirms that the department has an electronic record of title for the motor vehicle, trailer, semitrailer, or pole trailer as provided under 61-3-101.

(3) (a) A county treasurer or an authorized agent may register a motor vehicle, trailer, semitrailer, or pole trailer for which a certificate of title and registration were issued in another jurisdiction and for which registration is required under 61-3-701 after the county treasurer or the authorized agent examines the current out-of-jurisdiction registration certificate or receipt and receives payment of the fees required in 61-3-701. The county treasurer or an authorized agent may ask the motor vehicle, trailer, semitrailer, or pole trailer owner to provide additional information, prescribed by the department, to ensure that the electronic record of registration maintained by the department is complete.

(b) A county treasurer or an authorized agent may register a motor vehicle, trailer, semitrailer, or pole trailer for which the new owner cannot, due to circumstances beyond the new owner's control, surrender a previously assigned certificate of title. The new owner may submit an application for certificate of title, subject to the registration renewal limitations of 61-3-312.

(4) Upon registering a motor vehicle, trailer, semitrailer, or pole trailer for the first time in this state, the county treasurer or an authorized agent shall:

(a) update the electronic record of title, if any, maintained for the vehicle by the department under 61-3-101;

(b) assign a registration period for the vehicle under 61-3-311;

(c) determine the vehicle's age, if required, under 61-3-501;

(d) determine the amount of fees, including local option taxes or fees, to be paid under subsection (5); and

(e) assign and issue license plates for the vehicle under 61-3-331.

(5) Unless otherwise provided by law, a person registering a motor vehicle shall pay to the county treasurer or an authorized agent:

(a) the fees in lieu of tax or registration fees as required for:

(i) a light vehicle under 61-3-321 or 61-3-562, in addition to, if applicable, any local option tax or fee under 61-3-537 or 61-3-570;

(ii) a motor home under 61-3-321;

(iii) a travel trailer under 61-3-321;

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- (iv) a motorcycle or quadricycle under 61-3-321;
 - (v) a bus, a truck having a manufacturer's rated capacity of more than 1 ton, or a truck tractor under 61-3-321 and 61-3-529; or
 - (vi) a trailer under 61-3-321;
 - (b) a donation of \$1 or more if the person indicates that the person wishes to donate to promote awareness and education efforts for procurement of organ and tissue donations in Montana to favorably impact anatomical gifts; ~~and~~
 - (c) a donation of \$1 or more if the person indicates that the person wishes to donate to promote education on, support for, and awareness of traumatic brain injury; and
 - (d) a donation of \$6 or more if the person indicates that the person wishes to donate to the Montana heritage preservation and development commission for restoration, maintenance, and operation of historic properties in Virginia City and Nevada City.
- (6) The county treasurer or an authorized agent may not issue a registration receipt or license plates for the motor vehicle, trailer, semitrailer, or pole trailer to the owner unless the owner makes the payments required by subsection (5).
- (7) The department may make full and complete investigation of the registration status of the motor vehicle, trailer, semitrailer, or pole trailer. A person seeking to register a motor vehicle, trailer, semitrailer, or pole trailer under this section shall provide additional information to support the registration to the department if requested.
- (8) Revenue that accrues from the voluntary donation provided in subsection (5)(b) must be forwarded by the respective county treasurer or an authorized agent to the department for deposit in the state special revenue fund to the credit of an account established by the department of public health and human services to support activities related to awareness and education efforts for procurement of organ and tissue donations for anatomical gifts.
- (9) (a) Except as provided in subsection (9)(b), the fees in lieu of tax, taxes, and fees imposed on or collected from the registration of a travel trailer, motorcycle, or quadricycle or a trailer, semitrailer, or pole trailer that has a declared weight of less than 26,000 pounds are required to be paid only once during the time that the travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer is owned by the same person who registered the travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer. Once registered, a travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer is registered permanently unless ownership is transferred.
- (b) Whenever ownership of a travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer is transferred, the new owner is required to register the travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer as if it were being registered for the first time, including paying all of the required fees in lieu of tax, taxes, and fees.
- (10) Revenue that accrues from the voluntary donation provided in subsection (5)(c) must be forwarded by the respective county treasurer or an authorized agent to the department for deposit in the state special revenue fund to the credit of the account established in 2-15-2218 to support activities related to education regarding prevention of traumatic brain injury.
- (11) The department, an authorized agent of the department, or a county treasurer shall use the online motor vehicle liability insurance verification system provided in 61-6-157 to verify that the vehicle owner has complied with the requirements of 61-6-301.
- (12) Revenue that accrues from the voluntary donation provided in subsection (5)(d) must be forwarded by the respective county treasurer or an authorized agent to the department for deposit in the Montana heritage preservation and development account established in 22-3-1004

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to be used by the Montana heritage preservation and development commission for restoration, maintenance, and operation of historic properties in Virginia City and Nevada City."

And, as amended, do pass. Report adopted.

HB 416, introduced bill, be amended as follows:

1. Page 1, line 21.

Strike: "\$5,000"

Insert: "\$2,000"

Following: "received"

Insert: "per tax year"

And, as amended, do pass. Report adopted.

HB 592, introduced bill, be amended as follows:

1. Page 1, line 13.

Strike: "10%"

Insert: "5%"

And, as amended, do pass. Report adopted.

TRANSPORTATION (Lavin, Chair):

3/23/2015

HB 599, introduced bill, be amended as follows:

1. Title, line 6.

Following: "61-3-506,"

Insert: "61-3-537,"

2. Page 8, line 27.

Following: "vehicles"

Strike: " "

Insert: "or"

Strike: ", or truck tractors"

Insert: "but less than 55,000 pounds"

3. Page 9, line 18.

Following: "vehicle"

Strike: " "

Insert: "or a"

Strike: ", or truck tractor"

Insert: "but less than 55,000 pounds"

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4. Page 12.

Following: line 20

Insert: "**Section 6.** Section 61-3-537, MCA, is amended to read:

"61-3-537. Local option motor vehicle tax. (1) A county may impose a local option motor vehicle tax on motor vehicles subject to the registration fee imposed under 61-3-321(2) or 61-3-562(1)(a) at a rate of up to 0.7% of the value determined under 61-3-503 or a local flat fee, in addition to the fee imposed under 61-3-321(2) or 61-3-562(1)(a).

(2) A local option motor vehicle tax or flat fee is payable at the same time and in the same manner as the fee imposed under 61-3-321(2) or 61-3-562(1)(a). The tax or fee is distributed as follows:

(a) 50% to the county; and

(b) the remaining 50% to the county and the incorporated cities and towns within the county, apportioned on the basis of population. The distribution to a city or town is determined by multiplying the amount of money available by the ratio of the population of the city or town to the total county population. The distribution to the county is determined by multiplying the amount of money available by the ratio of the population of unincorporated areas within the county to the total county population.

(3) The governing body of a county may impose, revise, or revoke a local option motor vehicle tax or flat fee if the imposition, revision, or revocation of the tax or fee is approved by the electorate of the county. The imposition, revision, or revocation of the tax or fee is effective on January 1 following its approval by the electorate. The county governing body by resolution may provide for the distribution of the local option motor vehicle tax or flat fee."

Renumber: subsequent sections

5. Page 12, line 27.

Following: "ton"

Strike: "or a truck tractor"

Insert: "but less than 55,000 pounds"

6. Page 13, line 16.

Strike: "or truck tractor"

Insert: "with a manufacturer's rated capacity of less than 55,000 pounds"

Following: "pay"

Insert: "an amount equal to the permanent registration fee for light vehicles under subsection (1)(a) plus, as applicable,"

Following: "times"

Insert: ": (a)"

7. Page 13, line 17.

Following: "61-10-201"

Insert: ";

(b) the fee in lieu of tax pursuant to 61-3-529; and

(c) the additional fee provided for in 61-3-321(2), to be forwarded to the state for deposit in the account established in 44-1-504"

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8. Page 13, line 22.

Following: "61-3-321(2)"

Insert: ", (6), and (20)"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

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

3/21/2015

HB 318, introduced by Hill

House bills concurred in and returned to the House:

3/21/2015

HB 44, introduced by Berry

HB 117, introduced by Lynch

HB 207, introduced by Zolnikov

HB 348, introduced by Ballance

House amendments to Senate bills concurred in:

3/21/2015

SB 31, introduced by Whitford

SB 74, introduced by Moe

Senate bills passed and transmitted to the House for concurrence:

3/21/2015

SB 99, introduced by Cohenour

SB 259, introduced by Tutvedt

MESSAGES FROM THE GOVERNOR

March 24, 2015

The Honorable Austin Knudsen
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 88** sponsored by Representative Laszloffy, **House Bill 129** sponsored by Representative Hill, **House Bill 165** sponsored by Representative

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Regier, **House Bill 186** sponsored by Representative Pease-Lopez, **House Bill 206** sponsored by Representative Lang, and **House Bill 221** sponsored by Representative MacDonald on March 24, 2015.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

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

HB 626, introduced by N. McConnell, Dick Barrett, B. Bennett, Z. Brown, M. Dunwell, J. Eck, J. Ellis, M. Funk, E. Lieser, S. Malek, M. Moe, A. Olsen, C. Pease-Lopez, Z. Perry, M. Phillips, D. Sands, T. Steenberg, N. Wilson, T. Woods, referred to Natural Resources.

HB 627, introduced by R. Brodehl, G. Bennett, A. Doane, K. Dudik, R. Ehli, J. Ellis, F. Garner, C. Glimm, E. Greef, K. Hansen, S. Hess, K. Holmlund, C. Hunter, D. Jones, B. Keenan, D. Lamm, R. Lynch, A. Olsen, A. Person, A. Redfield, N. Schwaderer, T. Steenberg, B. Tschida, K. Wagoner, J. Eck, referred to Judiciary.

HB 628, introduced by R. Brodehl, A. Doane, K. Dudik, C. Glimm, E. Greef, K. Hansen, S. Hess, K. Holmlund, D. Jones, D. Lamm, A. Person, A. Redfield, N. Schwaderer, T. Steenberg, K. Wagoner, referred to Transportation.

HB 629, introduced by A. Redfield, referred to Agriculture.

HB 630, introduced by T. Manzella, referred to Natural Resources.

HB 631, introduced by N. Schwaderer, referred to Judiciary.

HB 632, introduced by N. Schwaderer, referred to Federal Relations, Energy, and Telecommunications.

HB 633, introduced by D. Mortensen, D. Zolnikov, referred to Judiciary.

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

SB 99, introduced by J. Cohenour (by request of the State Auditor), referred to Business and Labor.

SB 259, introduced by B. Tutvedt, referred to Business and Labor.

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

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Dunwell in the chair.

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

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HB 36 - Senate Amendments - Representative Lynch moved Senate amendments to **HB 36** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 90

Nays: Berglee, B. Brown, Burnett, Glimm, Monforton, Mortensen, Noland, Pinocci, Wittich, Zolnikov.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 107 - Senate Amendments - Representative Cook moved Senate amendments to **HB 107** be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: Ballance, B. Brown, Doane, Glimm, Hertz, Lamm, Manzella, Noland, Pinocci, White.

Total 10

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 208 - Senate Amendments - Representative D. Moore moved Senate amendments to **HB 208** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Cuffe, Glimm, Harris, Miller, Noland, Pinocci, Schwaderer, White.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 241 - Senate Amendments - Representative Berry moved Senate amendments to **HB 241** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: White.

Total 1

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 285 - Senate Amendments - Representative Flynn moved Senate amendments to **HB 285** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Glimm, White.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 375 - Senate Amendments - Representative Lavin moved Senate amendments to **HB 375** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Webber, Welborn, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 87

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Nays: Curdy, Glimm, Hess, Lamm, Manzella, Miller, Monforton, Pinocci, Tropila, Wagoner, White, Wilson.
Total 12

Excused: None.
Total 0

Absent or not voting: Custer.
Total 1

HB 368 - Representative Hertz moved **HB 368** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.
Total 54

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.
Total 46

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 479 - Representative Olszewski moved **HB 479** do pass.

HB 479 - Representative Olszewski moved **HB 479**, second reading copy, be amended as follows:

1. Page 1, line 16.

Strike: "4"

Insert: "5"

2. Page 1, line 30.

Strike: "4"

Insert: "5"

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3. Page 2.

Following: line 7

Insert: "(5) "Informed consent" means voluntary consent by a woman upon whom an invasive procedure is to be performed after a physician:

(a) provides the woman orally and in person with information on the proposed invasive procedure and on fetal pain; and

(b) personally provides the woman with written material developed in accordance with [section 5]."

Renumber: subsequent subsections

4. Page 2, line 9.

Following: "pharmacologic"

Strike: ", electromagnetic, or particle radiation"

Insert: "methods"

5. Page 2, line 27.

Following: "emergency"

Insert: "or the refusal of a woman to provide informed consent"

6. Page 3, line 13.

Insert: "NEW SECTION. **Section 5. Informed consent -- written material.** The department shall develop the written material to be used by physicians for the purposes of informed consent. Before initial publication of the material and for any subsequent revisions, the department shall make the draft material available for public comment."

Renumber: subsequent sections

7. Page 4, line 16.

Strike: "4"

Insert: "5"

8. Page 4, line 18.

Strike: "4"

Insert: "5"

Amendment adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 54

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Nays: B. Bennett, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Harris rose on a **Point of Personal Privilege**, he responded to comments Representative Eck made about his testimony on **HB 479**. Representative Eck was given an opportunity to respond to Representative Harris.

HB 479 - Representative Olszewski moved **HB 479**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 56

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 609 - Representative Lieser moved **HB 609** do pass. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Hayman, Hertz, Hill, Hollandsworth,

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Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 64

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Ehli, Glimm, Greef, Hagstrom, Harris, Hess, Holmlund, Jones, Lamm, Laszloffy, Lavin, Manzella, Monforton, Mortensen, Noland, Osmundson, Pinocci, Randall, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 36

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 8 - Representative Mandeville moved **SB 8** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 48 - Representative Olszewski moved **SB 48** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 97

Nays: Miller, Schwaderer, Zolnikov.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 321 - Representative Pinocci moved **SB 321** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Osmundson, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Webber, Welborn, White, Zolnikov, Mr. Speaker.

Total 64

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, MacDonald, McClafferty, McConnell, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pope, Price, Smith, Steenberg, Swanson, Tropila, Williams, Wilson, Wittich, Woods.

Total 36

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 338 - Representative B. Smith moved **SB 338** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Hayman, MacDonald, Williams.

Total 3

Excused: None.

Total 0

Absent or not voting: Essmann.

Total 1

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Dunwell moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Doane, Dunwell, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McClafferty, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Person, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Smith, Staffanson, Steenberg, Tropila, Tschida, Wagoner, Webber, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 77

Nays: B. Bennett, Curdy, Dudik, Eck, Ellis, Hill, Hunter, Karjala, MacDonald, McCarthy, McConnell, Miller, Olsen, Pease-Lopez, Perry, Pierson, Pope, Schreiner, Schwaderer, Swanson, Williams, Wilson, Woods.

Total 23

Excused: None.

Total 0

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Absent or not voting: 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:

HB 145 passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Schreiner, Tropila.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 193 passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 91

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Nays: J. Bennett, Brodehl, Glimm, Hess, Lamm, Pinocci, Staffanson, Wagoner, Wittich.
Total 9

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 353 passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Noland, Olszewski, Osmundson, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.
Total 62

Nays: B. Bennett, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Kipp III, Lieser, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.
Total 38

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 430 passed as follows:

Yeas: B. Bennett, Brodehl, Z. Brown, Clark, Cook, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hess, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lavin, Lieser, MacDonald, McCarthy, McConnell, McKamey, Mehlhoff, Moore, Mortensen, Olsen, Pease-Lopez, Peppers, Perry, Person, Pope, Price, Ricci, Richmond, Schreiner, Shaw, Steenberg, Tropila, White, Williams, Wilson, Woods.
Total 54

Nays: Ballance, J. Bennett, Berglee, Berry, B. Brown, Burnett, Court, Cuffe, Doane, Ehli, Flynn, Glimm, Harris, Hertz, Holmlund, Lamm, Lang, Laszloffy, Lynch, Mandeville, Manzella,

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McClafferty, Meyers, Miller, Monforton, Noland, Noonan, Olszewski, Osmundson, Pierson, Pinocci, Randall, Redfield, Regier, Salomon, Schwaderer, Smith, Staffanson, Swanson, Tschida, Wagoner, Webber, Welborn, Wittich, Zolnikov, Mr. Speaker.

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 461 passed as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 79

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Flynn, Glimm, Hess, Jones, Lamm, Laszloffy, Manzella, Meyers, Monforton, Noland, Pinocci, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 79 concurred in as follows:

Yeas: B. Bennett, J. Bennett, Berry, Brodehl, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 79

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Nays: Ballance, Berglee, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Flynn, Glimm, Harris, Lamm, Manzella, Miller, Monforton, Mortensen, Noland, Pinocci, Randall, Schwaderer, Zolnikov.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 101 concurred in as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 80

Nays: Ballance, B. Brown, Burnett, Fitzpatrick, Glimm, Hagstrom, Harris, Hertz, Jones, Lamm, Lavin, Manzella, Miller, Noland, Pinocci, Ricci, Schwaderer, Tschida, Welborn, White.

Total 20

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 150 concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Richmond, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 67

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Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Flynn, Glimm, Hagstrom, Harris, Hess, Jones, Lamm, Laszloffy, McClafferty, Miller, Monforton, Mortensen, Noland, Osmundson, Pinocci, Randall, Regier, Ricci, Salomon, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 188 concurred in as follows:

Yeas: J. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Ehli, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Hertz, Hollandsworth, Holmlund, Jones, Kelker, Lang, Laszloffy, Lavin, Lynch, Mandeville, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Osmundson, Peppers, Pierson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Smith, Tropila, Tschida, Wagoner, Welborn, White, Mr. Speaker.

Total 52

Nays: Ballance, B. Bennett, B. Brown, Z. Brown, Court, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Harris, Hayman, Hess, Hill, Hunter, Jacobson, Karjala, Kipp III, Lamm, Lieser, MacDonald, Manzella, McClafferty, McConnell, Monforton, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Perry, Person, Pinocci, Pope, Price, Schreiner, Schwaderer, Staffanson, Steenberg, Swanson, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Regier moved **HB 609** be moved from the Committee of the Whole to the Appropriations Committee.

Representative Wittich moved to reconsider action on **HB 576** and that **HB 576** be placed on second reading on March 25, 2015.

Motion **passed** as follows:

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Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 54

Nays: B. Bennett, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Minority Leader Hunter moved that **SB 289** be taken from Business and Labor and brought before the Committee of the Whole, March 26, 2015.

Motion **passed** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 52

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

Representative Essmann moved **SB 289** be moved to the State Administration Committee.

Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 49

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Miller moved **SB 289** be moved to the Business and Labor Committee.

Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 49

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 51

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Wagoner made a substitute motion to table **SB 289**.

Representative Wagoner withdrew his motion.

Representative J. Bennett made a motion to table **SB 289**.

The motion was substituted.

Representative Woods made a substitute motion to adjourn.

Motion **passed** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 52

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House adjourned at 3:45 p.m.

LINDSEY GROVOM
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House