HOUSE JOURNAL
64TH LEGISLATURE
SIXTY-THIRD LEGISLATIVE DAY

Helena, Montana — House Chambers
March 26, 2015 — State Capitol

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

BILLS (Welborn, Chair): 3/26/2015

Correctly printed: **HB 615**, **HB 620**, **HB 630**, **SB 34**, **SJR 14**.
Correctly engrossed: **HB 6**, **HB 219**, **HB 305**, **HB 356**, **HB 496**, **HB 593**, **HB 596**, **HB 604**, **HB 607**, **HB 610**, **HB 614**, **HB 617**, **HB 618**, **SB 258**, **SJR 2**.
Correctly enrolled: **HB 39**, **HB 40**, **HB 49**, **HB 272**, **HB 513**, **HB 522**.
Transmitted to the Senate: **HB 156**, **HB 245**, **HB 368**, **HB 379**, **HB 479**, **SB 8**, **SB 48**, **SB 200**, **SB 321**, **SB 338**.
Signed by the Speaker at 9:30 a.m., March 27, 2015: **HB 102**.
Signed by the Chief Clerk of the House at 2:00 p.m., March 27, 2015: **HB 102**.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ballance, Chair): 3/26/2015
HB 6, introduced bill, be amended as follows:

1. Title, page 1, line 7.
Following: "GRANTS;"
Insert: "PROVIDING A TRANSFER FROM THE GENERAL FUND;"

2. Title, page 1, line 8.
Following: "AN"
Insert: "IMMEDIATE"

3. Page 1, line 20.
Strike: line 20 in its entirety

4. Page 1, line 21.
Following: "biennium"
Insert: "; and
(f) $2.7 million for a grant to the city of Laurel for the drinking water intake modification/replacement project"

5. Page 9, line 28.
Following: line 27
Insert: "NEW SECTION. **Section 6. Transfer of funds.** By June 1, 2015, the state treasurer shall transfer $2.7 million from the general fund to the natural resources projects state special revenue account established in 15-38-302."

Insert: "NEW SECTION. **Section 7. Notification to tribal governments.** The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell Chippewa tribe."
Renumber: subsequent sections

6. Page 10, line 3.
Strike: "July 1, 2015"
Insert: "on passage and approval"

And, as amended, do pass. Report adopted.

HB 219, introduced bill, be amended as follows:

1. Page 1, line 14.
Strike: "facility"
Insert: "center"

2. Page 2, line 1.
Strike: "facility"
Insert: "center"

3. Page 2, line 13.
Strike: "facility"
Insert: "center"

4. Page 2, line 14.
Following: "person"
Insert: "18 years of age or older"

5. Page 2, line 17 through line 18.
Strike: "," on line 17 through "corrections," on line 18

And, as amended, do pass. Report adopted.

HB 305, introduced bill, be amended as follows:

1. Page 1, line 11.
Strike: "**staffing --**"

2. Page 1, line 16 through line 18.
Strike: subsection (1) in its entirety
Renumber: subsequent subsections

3. Page 1, line 26.
Following: "families;"
Insert: "and"

4. Page 2, line 9.
Strike: "(2)"
Insert: "(1)"

And, as amended, do pass. Report adopted.

HB 356, introduced bill, be amended as follows:

1. Page 2, line 12.
Strike: "$10 million"
Insert: "$1 million"

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair): 3/26/2015
HB 618, introduced bill, be amended as follows:

1. Title, page 1, line 4.
Following: "STUDY OF"
Insert: "THE CREATION OF AN ALCOHOLIC BEVERAGE COUNCIL"

2. Title, page 1, line 4 through line 5.
Strike: "POSSIBLE REFORMS" on line 4 through "LAWS" on line 5

3. Page 1, line 9.
Strike: "significant"

4. Page 1, line 10.
Strike: "liquor"
Insert: "alcoholic beverage"

5. Page 1, line 11.
Strike: "interests,"
Insert: ", preserving equity, and promoting"
Following: "safety"
Strike: ","

6. Page 1, line 14.
Strike: "control jurisdiction"
Insert: "Montana Alcoholic Beverage Code"

7. Page 1, line 24.
Following: "**Study to**"
Strike: "**reform state liquor licensing**"
Insert: "**create state alcoholic beverage council**"

8. Page 1, line 25 through page 2, line 24.
Following: "shall" on line 25
Strike: "coordinate" on page 1, line 25 through page 2, line 24
Insert: "study and make recommendations on whether a state alcoholic beverage council is appropriate to help identify future issues and opportunities in the alcoholic beverage industry and to improve coordination among regulated sectors of the industry and state government. The recommendations must address but are not limited to the composition, goals, duties, responsibilities, and budget of an alcoholic beverage council."
Renumber: subsequent subsections

9. Page 2, line 25.
Strike: "shall"
Insert: "may, as determined by the committee,"
Strike: "subsections"
Insert: "subsection"
Strike: "and (2)"

10. Page 2, line 26.
Following: "legislature"
Strike: ","
Insert: "and"

11. Page 2, line 27 through line 29.
Following: "branch"
Strike: ","
Insert: "plus"
Strike: ", in addition" on line 27 through "to" on line 28
Insert: "and"
Strike: "and the owners" on line 28 through "representatives of" on line 29
Insert: ","

12. Page 2, line 30.
Following: "and"
Insert: "tribal and"

13. Page 3, line 1 through line 3.
Strike: subsections (4) and (5) in their entirety
Renumber: subsequent subsection

14. Page 3, line 12.
Strike: "$100,000"
Insert: "$2,000"

And, as amended, do pass. Report adopted.

SB 258, be amended as follows:

1. Page 1, line 26.
Following: "~~production,~~"
Insert: ": (i)"
Following: "manufacturing~~,~~ or"
Strike: "a"
Strike: "project"
Insert: "activities"

2. Page 1, line 27.
Following: "property"
Strike: "of"
Insert: "owned or leased by"
Following: "trust"
Insert: "; or
(ii) agricultural labor and services performed off the property owned or leased by the religious corporation, religious organization, or religious trust"

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

EDUCATION (Laszloffy, Chair): 3/25/2015
HB 596, do pass. Report adopted.
HB 610, introduced bill, be amended as follows:

1. Page 1, line 25.
Following: "loans."
Insert: "The legislature intends that the board of investments establish the program in a manner and on a timeline that the board determines prudent."

2. Page 2, line 27.
Strike: "utilize"
Insert: "invest"

3. Page 3, line 2.
Following: "(7)"
Insert: "or any portion allocated by the board to a loan loss reserve account pursuant to subsection (8)"

4. Page 3.
Following: line 6
Insert: "(8) The board may establish a loan loss reserve account using a portion of the interest received from refinanced loans for the purpose of replacing the principal of a loan that is not repaid and cannot be collected if the board determines the establishment of a loan loss reserve account is necessary to maintain the integrity of the coal tax trust fund. The board may allocate a portion of the interest to the loan loss reserve account until the loan loss reserve account balance is sufficient in the board's prudent judgment. Any funds allocated to the loan loss reserve account must not be considered a reduction in the overall investment performance of the program."
Renumber: subsequent subsections

5. Page 3, line 8.
Following: "terms"
Insert: "or until the board determines the program can be prudently established"

6. Page 6, line 12.
Strike: "utilize"
Insert: "invest"

And, as amended, do pass. Report adopted.

HB 617, introduced bill, be amended as follows:

1. Page 2, following line 28.
Insert: "(3) The board shall adopt a policy regarding the award of scholarships when the funds in the account established in [section 4] are insufficient to fully fund the STEM scholarship program. The policy must prioritize scholarships in the following order:

(a) Renewals for qualified applicants of scholarships that were previously awarded have the highest priority.

(b) If funds remain after renewal scholarships are awarded pursuant to subsection (3)(a), then the number of new scholarships must be reduced but the individual award amounts must meet the requirements of subsections (1) and (2)."

And, as amended, do pass. Report adopted.

HUMAN SERVICES (Wittich, Chair): 3/25/2015
HB 614, introduced bill, be amended as follows:

1. Page 1, line 21.
Strike: "a representative of"
Insert: "an attorney recommended by"

Following: "27-6-104"
Insert: "who primarily represents plaintiffs in medical malpractice cases"

And, as amended, do pass. Report adopted.

HB 620, do pass. Report adopted.
SJR 14, be concurred in. Report adopted.

JUDICIARY (Bennett, Chair): 3/26/2015
HB 593, introduced bill, be amended as follows:

1. Title, page 1, line 4.
Following: "UNMANNED"
Insert: "MODEL"

2. Title, page 1, line 5 through line 12.
Strike: "REQUIRING" on line 5 through "DATES." on line 12
Insert: "ESTABLISHING REQUIREMENTS FOR THE OPERATION OF UNMANNED MODEL AERIAL VEHICLES; AUTHORIZING INCIDENT COMMANDERS TO TEMPORARILY PROHIBIT THE OPERATION OF UNMANNED MODEL AERIAL VEHICLES; PROHIBITING SURREPTITIOUS VISUAL OBSERVATION WITH AN UNMANNED MODEL AERIAL VEHICLE; PROHIBITING THE UNLAWFUL OPERATION OF AN UNMANNED MODEL AERIAL VEHICLE; PROVIDING PENALTIES; AUTHORIZING LOCAL GOVERNMENTS TO REGULATE UNMANNED MODEL AERIAL VEHICLES IN CERTAIN CASES; PROHIBITING THE INTERFERENCE WITH THE TAKING OF FISH AND GAME; AND AMENDING SECTION 87-6-215, MCA."

3. Page 1, line 14 through page 2, line 1.
Strike: "WHEREAS Article II," on page 1, line 14 through "protected." on page 2, line 1
Insert: "WHEREAS, pursuant to section 336 of the FAA Modernization and Reform Act of 2012, the administrator of the Federal Aviation Administration may not promulgate any rule or regulation regarding a model aircraft or an aircraft being developed as a model aircraft under certain circumstances; and

WHEREAS, the inability of the Federal Aviation Administration to regulate the use of certain model aircraft necessitates the regulation of these aircraft by the state of Montana to protect public safety and privacy."

4. Page 2, line 5 through page 8, line 15.
Strike: everything after the enacting clause
Insert: "NEW SECTION. **Section 1. Short title -- definition.** (1) [Sections 1 through 6] may be cited as the "Montana Unmanned Model Aerial Vehicle Act".

(2) As used in [sections 1 through 6], "unmanned model aerial vehicle" means an unmanned aircraft that is:

(a) capable of sustained flight in the atmosphere;

(b) flown within visual line of sight of the person operating the aircraft; and

(c) flown for hobby or recreational purposes."

Insert: "NEW SECTION. **Section 2. Operation of unmanned model aerial vehicles -- duties.** A person operating an unmanned model aerial vehicle shall:

(1) attach an easily identifiable label on the model aerial vehicle including the person's full legal name and current contact information;

(2) avoid interference with manned aircraft operations;

(3) remain at least 25 feet away from nonconsenting individuals and the nonconsenting individual's property;

(4) secure the express written permission of an airport before flying within 5 miles of the airport;

(5) avoid flying in adverse weather conditions, such as in high-wind conditions or when visibility is reduced;

(6) ensure the operating environment is conducive to safe operation of the unmanned model aerial vehicle;

(7) avoid operating an unmanned model aerial vehicle during the period from one-half hour after sunset to one-half hour before sunrise;

(8) comply with all applicable local laws and ordinances; and

(9) comply with any emergency proclamation temporarily prohibiting the operation of unmanned model aerial vehicles as provided in [section 3]."

Insert: "NEW SECTION. **Section 3. Emergency proclamation to ground unmanned model aerial vehicles.** When there is a threat to life or property, including private property or publicly owned lands, an incident commander as defined in 10-3-1203 or the incident commander's designee may temporarily prohibit the operation of unmanned model aerial vehicles within 5 miles of the incident location or area."

Insert: "NEW SECTION. **Section 4. Local government regulations -- unmanned model aerial vehicles.** (1) For the purpose of protecting public safety and welfare, a governing body of a county, consolidated local government, or municipality may adopt an ordinance or resolution regulating the operation of unmanned model aerial vehicles over property under the control of the county, consolidated local government, or municipality.

(2) Before a governing body adopts an ordinance or resolution regulating the operation of unmanned model aerial vehicles pursuant to subsection (1), the governing body shall hold at least one public hearing. The notice of the public hearing must be published as provided in 7-1-2121 if the governing body is a county commission and as provided in 7-1-4127 if the governing body is a city commission or a town council."

Insert: "NEW SECTION. **Section 5. Surreptitious visual observation with unmanned model aerial vehicle prohibited.** (1) A person commits the offense of surreptitious visual observation or recordation in a place of residence with an unmanned model aerial vehicle if the person operates an unmanned model aerial vehicle and purposely or knowingly views or records a person in a place of residence in a surreptitious manner.

(2) A person convicted of an offense under subsection (1) shall be punished as provided in 45-5-223."

Insert: "NEW SECTION. **Section 6. Unlawful operation of unmanned model aerial vehicles -- forfeiture.** (1) A person commits the offense of unlawful operation of an unmanned model aerial vehicle if the person purposely or knowingly operates an unmanned model aerial vehicle in violation of [section 2].

(2) A person convicted of an offense under subsection (1) shall be fined not less than $25 or more than $300. Upon a second or subsequent conviction, a person shall be fined an amount not less than $100 or more than $5,000.

(3) In addition to the fine imposed for a violation of this section, the unmanned model aerial vehicle used in violation of [section 2] may be subject to criminal forfeiture upon the person's conviction subject to the procedures set forth in Title 44, chapter 12. Whenever property is forfeited and sold pursuant to this section, the net proceeds of the sale must be distributed to the holders of security interests who have presented proper proof of their claims, if any, up to the amount of their interests in the property."

Insert: "Section 7. Section 87-6-215, MCA, is amended to read:

"87-6-215. Harassment. (1) (a) A person may not:

(i) intentionally interfere with the lawful taking of a wild animal or fishing by another;

(ii) with intent to prevent or hinder its lawful taking or its capture, disturb a wild animal or engage in an activity or place in its way any object or substance that will tend to disturb or otherwise affect the behavior of a wild animal; ~~or~~

(iii) disturb an individual engaged in the lawful taking of a wild animal or fishing with intent to prevent the taking of the animal or the capture of the fish; or

(iv) operate an unmanned model aerial vehicle to intentionally interfere with the lawful taking of a wild animal or fishing by another person or for any other purpose prohibited under this section.

(b) This subsection (1) does not:

(i) prohibit a landowner or lessee from taking reasonable measures to prevent imminent danger to domestic livestock and equipment; or

(ii) prohibit or curtail normal landowner operations or lawful uses of water.

(2) A person convicted of a violation of this section shall be fined not more than $500 or be imprisoned for not more than 30 days, or both. A person convicted of a second or subsequent violation shall be fined not more than $1,000 or be imprisoned for not more than 1 year, or both.

(3) A court of general jurisdiction may enjoin conduct in violation of this section upon petition by a person affected or who reasonably may be affected by that conduct and upon a showing that the conduct is threatened or that it has occurred on a particular premises in the past and that it is not unreasonable to expect that under similar circumstances it will be repeated.

(4) As used in this section:

(a) "fishing" means the lawful means of fishing as described in 87-6-501;

(b) "taking" means the pursuit, hunting, trapping, shooting, or killing of a wild animal on land upon which the affected person has the right or privilege to pursue, hunt, trap, shoot, or kill the wild animal; ~~and~~

(c) "unmanned model aerial vehicle" has the meaning provided in [section 1]; and

(d) "wild animal" means a game animal, migratory game bird, upland game bird, fur-bearing animal, predatory animal, or fish.""

Insert: "NEW SECTION. **Section 8. Statutory construction -- legislative intent.** Nothing in [sections 1 though 6] may be construed to supersede any existing or future rule or regulation promulgated by the Federal Aviation Administration."

Insert: "NEW SECTION. **Section 9. Codification instruction.** [Sections 1 through 6] are intended to be codified as an integral part of Title 67, and the provisions of Title 67 apply to [sections 1 through 6]."

Insert: "NEW SECTION. **Section 10. Saving clause.** [This act] does not affect rights and

duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act]."
Insert: "NEW SECTION. **Section 11. Severability.** If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

And, as amended, do pass. Report adopted.

HB 615, do pass. Report adopted.

NATURAL RESOURCES (White, Chair): 3/25/2015
HB 496, introduced bill, be amended as follows:

1. Title, page 1, line 4.
Strike: "TRANSFER OF"
Strike: "FEASABILITY"

2. Title, page 1, line 5.
Strike: "FEASABILITY" through "OR"

3. Page 1, line 13.
Strike: "**Transfer of public**"
Insert: "**Public**"
Strike: "**feasibility**"

4. Page 1, line 14.
Strike: "transfer of"
Strike: "feasibility"

5. Page 1, line 23.
Strike: "committee"
Insert: "task force"

6. Page 1, line 26.
Strike: "assumption" through "or"
Strike: "responsibility"

7. Page 1, line 30.
Strike: "but under state control"

8. Page 2, line 1 through line 2.
Strike: "if federal" on line 1 through "control" on line 2

9. Page 2, line 7.
Strike: "and projected" through "control"

10. Page 2, line 9.
Strike: ", replicated, or replaced"

11. Page 2, line 13 through line 14.
Strike: "if it is" on line 13 through "control" on line 14

12. Page 2, line 15 through line 16.
Following: "options for"
Strike: remainder of line 15 through "priorities" on line 16
Insert: "pilot projects"

13. Page 2, line 18.
Strike: "committee"
Insert: "task force"

14. Page 2, line 26.
Strike: "transfer of"

15. Page 2, line 27.
Strike: "feasibility"

And, as amended, do pass. Report adopted.

HB 630, do pass. Report adopted.
SB 34, be concurred in. Report adopted.
SJR 2, be amended as follows:

1. Title, page 1, line 7.
Strike: "DREDGE AND FILL"
Insert: "FEDERAL SECTION 404 "

2. Page 1, line 12.
Strike: "dredge and fill"
Insert: "Federal Section 404 "

3. Page 1, line 24 through line 25.
Strike: "dredge" on line 24 through "fill" on line 25
Insert: "Federal Section 404 "

4. Page 1, line 29.
Strike: "dredge and fill"
Insert: "Federal Section 404 "

5. Page 1, line 30.
Strike: "dredge and fill"
Insert: "Federal Section 404 "

6. Page 2, line 2.
Strike: "dredge and fill"
Insert: "Federal Section 404 "

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

STATE ADMINISTRATION (Essmann, Chair): 3/26/2015
HB 607, introduced bill, be amended as follows:

1. Title, page 1, line 6 through line 10.
Strike: "PROVIDING" on line 6 through "RULES;" on line 10
Insert: "AND"

2. Title, page 1, line 11 through line 22.
Strike: "; REQUIRING" on line 11 through "MCA" on line 22

3. Page 1, line 26 through page 11, line 22.
Strike: everything after the enacting clause
Insert: "NEW SECTION. **Section 1. Retaliation unlawful.** (1) It is unlawful for a state agency, state officer, public officer, or public employee to retaliate against an individual who files a complaint pursuant to 2-2-136 or to condone or threaten retaliation.

(2) For purposes of this section, "retaliate" means to take any of the following actions against an individual because the individual filed a complaint pursuant to 2-2-136:

(a) terminate employment;
(b) demote;
(c) deny overtime, benefits, or promotion;
(d) discipline;
(e) decline to hire or rehire;
(f) threaten or intimidate;
(g) reassign to a position that hurts future career prospects; or
(h) reduce pay, work hours, or benefits."

Insert: "NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 2, chapter 2, part 1, and the provisions of Title 2, chapter 2, part 1, apply to [section 1]."

And, as amended, do pass. Report adopted.

TRANSPORTATION (Lavin, Chair): 3/25/2015
HB 604, introduced bill, be amended as follows:

1. Title, line 10 through 11.
Strike: "RESTRICTING" on line 10 through "CARDS;" on line 11

2. Page 1, line 17.
Following: "establish"
Insert: ", to the extent funds are available pursuant to [section 2],"

3. Page 1, line 19.
Following: "shall"
Insert: ", to the extent funds are available pursuant to [section 2]"

4. Page 1, line 20.
Following: "each"
Insert: "state-maintained"

5. Page 2, line 6.
Strike: "users" through "state"
Insert: "pedestrians, bicyclists, and other potential users of shared-use trails"

6. Page 2, line 14.
Following: "(a)"
Insert: "in fiscal year 2016 only,"
Strike: "$90,000" through "2016"
Insert: "$50,000"

7. Page 2, line 15.
Strike: "department's"
Following: "software"
Insert: "and equipment of the department and the department's vendor"
Following: ";"
Insert: "(b) in each fiscal year, an amount not to exceed $90,000 must be allocated to the department of justice for the additional contract costs for the vehicle renewal card vendor to cover forms and mailing that result from the provisions of 61-3-321(21);"
Renumber: subsequent subsection
8. Page 2, line 19.
Strike: "transportation commission"
Insert: "department of transportation"

9. Page 2, line 24.
Strike: "(1)(b)(ii)"
Insert: "(1)(c)(ii)"

10. Page 2, line 25.
Strike: "At least"
Insert: "The department may use but is not required to use up to"

11. Page 2, line 26.
Strike: "(1)(b)(ii) must be used"
Insert: "(1)(c)(ii)"

12. Page 4, line 25.
Strike: "physically"
Following: "space"
Strike: "or"
Insert: ", pavement markings, or a"
Following: "barrier"
Strike: ", either"

13. Page 4, line 26.
Strike: "or" through "right-of-way,"
Following: "and"
Insert: "that is"

14. Page 4, line 27.
Following: "users."
Insert: "A sidewalk, as defined in 61-8-102, is not a shared-use trail."

15. Page 5, line 1.
Following: "commission"
Insert: "or the department"

16. Page 5, line 2.
Following: "commission"
Insert: "or the department"

17. Page 5, line 11.
Strike: "commission"
Insert: "department"

18. Page 6, line 14.
Following: "The"
Insert: "allocation of available funds for the"

19. Page 6, line 21.
Following: "each"
Insert: "state-maintained"

20. Page 7, line 9.
Strike: "maintenance" through "and"

21. Page 7, line 11.
Strike: "maintenance" through "for the"

22. Page 7, line 16.
Following: "each"
Insert: "state-maintained"

23. Page 12, line 23 through line 26.
Strike: section 12 in its entirety
Renumber: subsequent sections

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

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

3/24/2015

HB 24, introduced by Schreiner
HB 180, introduced by B. Smith
HB 204, introduced by Hertz
HB 244, introduced by Essmann

House bills concurred in and returned to the House: 3/24/2015

HB 33, introduced by Ehli
HB 34, introduced by Ehli
HB 35, introduced by Ehli
HB 47, introduced by Pease-Lopez
HB 252, introduced by McCarthy

House amendments to Senate bills concurred in: 3/24/2015

SB 42, introduced by Malek
SB 109, introduced by Swandal

FIRST READING AND COMMITMENT OF BILLS

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

HB 641, introduced by R. Hollandsworth, B. Hamlett, referred to Appropriations.
HB 642, introduced by E. McClafferty, referred to Education.

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

HJR 25, introduced by D. Zolnikov, Z. Brown, V. Court, J. Essmann, C. Fiscus, S. Hess, E. Hill, D. Kary, K. Kelker, K. McCarthy, G. Meyers, C. Pease-Lopez, V. Ricci, T. Richmond, K. Wagoner, R. Webb, referred to Human Services.

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 Randall in the chair.

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

HB 599 - Majority Leader Regier moved consideration of **HB 599** be passed for the day. Motion carried.

HB 9 - Representative Cuffe moved **HB 9** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Brodehl, Z. Brown, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Wittich, Woods.
Total 73

Nays: J. Bennett, B. Brown, Burnett, Clark, Doane, Fitzpatrick, Flynn, Glimm, Harris, Hess, Manzella, Monforton, Mortensen, Noland, Pinocci, Randall, Redfield, Regier, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.
Total 26

Excused: None.
Total 0

Absent or not voting: Berglee.
Total 1

HB 114 - Representative Miller moved **HB 114** do pass. 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, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.
Total 91

Nays: Hayman, Lieser, Lynch, Noonan, Olsen, Peppers, Pierson, Swanson, Woods.
Total 9

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 202 - Representative B. Bennett moved **HB 202** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Z. Brown, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.
Total 70

Nays: J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Doane, Ehli, Glimm, Harris, Holmlund, Lang, Miller, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.
Total 30

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 407 - Representative Court moved **HB 407** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods.
Total 65

Nays: Ballance, J. Bennett, Berglee, Burnett, Doane, Ehli, Fiscus, Flynn, Glimm, Harris, Hess, Holmlund, Jones, Lang, Lavin, Manzella, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, Wittich, Zolnikov, Mr. Speaker.
Total 34

Excused: None.
Total 0

Absent or not voting: Greef.
Total 1

HB 464 - Representative Z. Brown moved **HB 464** do pass. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, 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, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 79

Nays: Ballance, Brodehl, B. Brown, Burnett, Glimm, Hess, Manzella, Monforton, Noland, Olszewski, Osmundson, Randall, Redfield, Regier, Ricci, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich.
Total 21

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 487 - Representative D. Jones moved **HB 487** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, 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, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Williams, Wilson, Woods, Mr. Speaker.
Total 91

Nays: B. Brown, Mandeville, Monforton, Noland, Ricci, Welborn, White, Wittich, Zolnikov.
Total 9

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 574 - Representative Essmann moved **HB 574** do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.
Total 76

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Doane, Glimm, Hertz, Hess, Jones, Lamm, Laszloffy, Manzella, Monforton, Noland, Olszewski, Redfield, Regier, Wagoner, White, Wittich, Zolnikov.
Total 24

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 592 - Representative Jacobson moved **HB 592** do pass. Motion carried as follows:

Yeas: 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, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods.
Total 50

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Staffanson, Tschida, Wagoner, Wittich, Zolnikov, Mr. Speaker.
Total 48

Excused: None.
Total 0

Absent or not voting: Fiscus, Miller.
Total 2

Majority Leader Regier announced the Republicans would caucus.
Minority Leader Hunter announced the Democrats would caucus.

SB 289 - Representative Garner moved **SB 289** do pass.

Representative Wittich rose on a **Point of Personal Privilege**. Representative Wittich wanted to reserve his objection to the second reading of **SB 289** based on JR 40-70, (bills with the same purpose). He stated that many bills were tabled, dismissed or missed transmittal which concerned the same subject matter that was in **SB 289**. He wanted to assure that the objection if not made, it is not waived and he made the objection before the proceedings began.

SB 289 - Representative Cook moved **SB 289**, second reading copy, be amended as follows:

1. Title, page 1, line 11 through line 12.
Strike: "PROVIDING AN EXEMPTION" on line 11 through "CANDIDATE;" on line 12

2. Page 5, line 30.
Following: "~~committee~~"
Insert: "other than a candidate or political committee"

3. Page 7, line 8.
Following: "means a"

Insert: "paid"
Following: the second "communication"
Insert: "that is publicly distributed by radio, television, cable, satellite, internet website, newspaper, periodical, billboard, mail, or any other distribution of printed materials, that is"

4. Page 7, line 9.
Following: "election"
Insert: ","

5. Page 7, line 17.
Following: "general circulation"
Insert: "unless the facilities are owned or controlled by a candidate or political committee"

6. Page 7, line 19.
Strike: "or"
Insert: "(iii) a commercial communication that depicts a candidate's name, image, likeness, or voice only in the candidate's capacity as owner, operator, or employee of a business that existed prior to the candidacy;
(iv) a communication that constitutes a candidate debate or forum or that solely promotes a candidate debate or forum and is made by or on behalf of the person sponsoring the debate or forum; or"
Renumber: subsequent subsections

7. Page 10, line 4.
Strike: "$100"
Insert: "$250"

8. Page 16, line 3.
Strike: "(4)"
Insert: "(3)"

9. Page 16, line 23.
Strike: "except as provided in subsection (3),"
Strike: "(4),"
Insert: "(3)"

10. Page 17, line 1 through line 3.
Strike: subsection (3) in its entirety
Renumber: subsequent subsections

11. Page 17, line 11.
Strike: "Except as provided in subsection (3), a"
Insert: "A"

12. Page 25, line 15.
Insert: "(4) An incidental committee that does not receive contributions for a specified candidate, ballot issue, or petition for nomination and that does not solicit contributions for incidental committee election activity, including in-kind expenditures, independent expenditures, election communications, or electioneering communications, is required to report only its expenditures."

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.
Total 61

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Fiscus, Flynn, Glimm, Hagstrom, Harris, Hess, Holmlund, Jones, Lamm, Lang, Lavin, Mandeville, Manzella, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.
Total 39

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 289 - Representative Hertz moved **SB 289**, second reading copy, be amended as follows:

1. Page 7, line 10.
Following: "issue,"
Insert: "the purpose of which a reasonable person would conclude is intended to affect the outcome of an election,"

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.
Total 47

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Monforton, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.
Total 53

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 289 - Representative Hertz moved **SB 289**, second reading copy, be amended as follows:

1. Title, page 1, line 14.
Following: "EXPENDITURES;"
Insert: "REQUIRING DISCLOSURE OF CERTAIN INFORMATION ABOUT ALL CONTRIBUTORS TO CANDIDATE OR POLITICAL COMMITTEES;"

2. Page 22, line 12.
Strike: "aggregate contributions"
Insert: "a contribution"
Strike: "loans"
Insert: "a loan"
Strike: "of $35 or more"

3. Page 22, line 26 through line 27.
Strike: subsection (h) in its entirety
Renumber: subsequent subsections

4. Page 22, line 29.
Strike: "(1)(h)"
Insert: "(1)(g)"

5. Page 24, line 8.
Strike: "aggregate contributions"
Insert: "a contribution"

6. Page 24, line 9.
Strike: "of $35 or more"

7. Page 24, line 17.
Strike: "that total" through "person"

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.
Total 47

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Monforton, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.
Total 53

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 289 - Representative Fitzpatrick moved **SB 289**, second reading copy, be amended as follows:

1. Page 6, line 2.
Following: "mean~~:~~"
Insert: ":"

2. Page 6, line 3.
Following: "~~(i)~~"
Insert: "(i)"

3. Page 6, line 10.
Following: "~~candidate~~"
Insert: "; or
(ii) funds received in the normal course of business, including but not limited to funds received for the purchase or ownership of company stock, funds received for the purchase of an ownership interest in a business organization, or funds received from the purchase of goods and services"

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.
Total 47

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, Garner, Hayman, Hess, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.
Total 53

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 289 - Representative Hertz moved **SB 289**, second reading copy, be amended as follows:

1. Page 7, line 25.
Following: "issue;"
Strike: "or"

2. Page 7, line 27.
Following: "communications"
Insert: "; or
(iii) made by a person to register voters if the voter registration activity is performed in conjunction with a candidate or a political committee or if registration information is provided to a candidate or committee"

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, 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 48

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, 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 52

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 289 - Representative Hertz moved **SB 289**, second reading copy, be amended as follows:

1. Title, page 1, line 12.
Following: "CANDIDATE;"
Insert: "ELIMINATING AGGREGATE LIMITATIONS ON CONTRIBUTIONS TO LEGISLATIVE CANDIDATES FROM POLITICAL COMMITTEES;"

2. Title, page 1, line 21.
Strike: "SECTION"
Insert: "SECTIONS 13-37-218 AND"

3. Page 26, following line 21.
Insert: "13-37-218. Limitations on receipts from political committees."

Amendment **not** adopted 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, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.
Total 50

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, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.
Total 50

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 289 - Representative Essmann moved **SB 289**, second reading copy, be amended as follows:

1. Title, page 2, line 10.
Following: "EXPENDITURE;"
Insert: "CLARIFYING THE PROPER VENUE FOR PROSECUTION OF CAMPAIGN PRACTICES OR ELECTION VIOLATIONS; REQUIRING THE COMMISSIONER TO PROVIDE CERTAIN INFORMATION TO A COUNTY ATTORNEY;"

2. Title, page 1, line 20.
Following: "13-35-402,"
Insert: "13-37-113,"
Following: "13-37-114,"
Insert: "13-37-122, 13-37-124,"

3. Page 15, line 8.
Insert: "Section 6. Section 13-37-113, MCA, is amended to read:

"13-37-113. Hiring of attorneys -- prosecutions. The commissioner may hire or retain attorneys who are properly licensed to practice before the supreme court of the state of Montana to prosecute violations of chapter 35 of this title or this chapter. Any attorney retained or hired shall exercise the powers of a special attorney general, and the attorney may prosecute, subject to the control and supervision of the commissioner and the provisions of 13-35-240, 13-37-124, and 13-37-125, any criminal or civil action arising out of a violation of any provision of chapter 35 of this title or this chapter. All prosecutions must be brought in the state district court ~~for the county in which a violation has occurred or in the district court for Lewis and Clark County~~ as provided in 13-37-124. The authority to prosecute as prescribed by this section includes the authority to:

(1) institute proceedings for the arrest of persons charged with or reasonably suspected of criminal violations of chapter 35 of this title or this chapter;

(2) attend and give advice to a grand jury when cases involving criminal violations of chapter 35 of this title or this chapter are presented;

(3) draw and file indictments, informations, and criminal complaints;

(4) prosecute all actions for the recovery of debts, fines, penalties, or forfeitures accruing to the state or county from persons convicted of violating chapter 35 of this title or this chapter; and

(5) do any other act necessary to successfully prosecute a violation of any provision of chapter 35 of this title or this chapter.""
Renumber: subsequent sections

4. Page 15, line 16.

Insert: "Section 8. Section 13-37-122, MCA, is amended to read:

"13-37-122. Judicial review of orders of noncompliance. A candidate or political treasurer who is the subject of an order of noncompliance may seek judicial review in the district court of the county in which the candidate resides or the county in which the political committee has its headquarters. All petitions for judicial review filed pursuant to this section must be expeditiously reviewed by the appropriate district court as provided in 13-37-124.""

Insert: "Section 9. Section 13-37-124, MCA, is amended to read:

"13-37-124. Consultation and cooperation with county attorney. (1) Except as provided in 13-35-240, whenever the commissioner determines that there appears to be sufficient evidence to justify a civil or criminal prosecution under chapter 35 of this title or this chapter, the commissioner shall notify the county attorney of ~~the county in which the alleged violation occurred and~~:

(a) the county in which the candidate resides or the headquarters of the political committee is located. If the alleged violation involves both a candidate and a political committee, the commissioner shall notify the county attorney of the county in which the candidate resides.

(b) if the alleged violation does not involve a candidate or a political committee, the county in which the person alleged to have committed the violation resides.

(2) The address provided to the commissioner on forms submitted pursuant to 13-37-201 must be used to determine the residence of the candidate or the location of the headquarters of the political committee.

(3) The commissioner shall ~~arrange to~~ transmit to the county attorney all information relevant to the alleged violation, including the initiating complaint, the investigative file, the decision, and all exhibits related to the sufficiency finding. If the county attorney fails to initiate the appropriate civil or criminal action within 30 days after receiving notification of the alleged violation, the commissioner may then initiate the appropriate legal action.

~~(2)~~(4) A county attorney may, at any time prior to the expiration of the 30-day time period specified in subsection ~~(1)~~ (3), waive the right to prosecute, and the waiver authorizes the commissioner to initiate the appropriate civil or criminal action.

~~(3)~~(5) The provisions of ~~subsection~~ subsections (1) through (3) do not apply to a situation in which the alleged violation has been committed by ~~the~~ a county attorney ~~of a county~~. In this instance, the commissioner is authorized to directly prosecute any alleged violation of chapter 35 of this title or this chapter.

~~(4)~~(6) (a) If a prosecution is undertaken by the commissioner, it must be brought in the district court of:

(i) the county in which the candidate resides or the headquarters of the political committee is located. If the prosecution involves both a candidate and a political committee, the prosecution must be brought in the district court for the county in which the candidate resides.

(ii) if the alleged violation does not involve a candidate or a political committee, the county in which the person alleged to have committed the violation resides.

(b) ~~all~~ All court costs associated with the prosecution must be paid by the state of Montana, and all fines and forfeitures imposed pursuant to a prosecution by the commissioner, except those paid to or imposed by a justice's court, must be deposited in the state general fund.""

Renumber: subsequent sections

5. Page 20, line 21.
Strike: "14(1)"
Insert: "17(1)"

6. Page 26, line 24.
Strike: "14 and 16"
Insert: "17 and 19"

7. Page 26, line 26.
Strike: "14 and 16"
Insert: "17 and 19"

Amendment **not** adopted 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, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.
Total 50

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, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.
Total 50

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 289 - Representative Hertz moved **SB 289**, second reading copy, be amended as follows:

1. Page 27, line 1 through line 3.
Strike: section 21 in its entirety

Amendment **not** adopted 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, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.
Total 48

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, Pinocci, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.
Total 52

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 289 - Representative Wagoner moved **SB 289**, second reading copy, be amended as follows:

1. Title, page 1, line 18.
Following: "STATUS;"
Insert: "ALLOWING ATTORNEY FEES AND COSTS TO A PARTY PREVAILING AGAINST THE STATE, COMMISSIONER OF POLITICAL PRACTICES, OR A COUNTY ATTORNEY IN ACTIONS BROUGHT IN DISTRICT COURT UNDER AN ACTION IN TITLE 13, CHAPTER 35 OR 37;"

2. Page 26, line 19.
Insert: "NEW SECTION. **Section 18. Costs and attorney fees.** (1) In an action brought in district court under chapter 37 or this chapter by or against the state, the commissioner of political practices, or a county attorney, the opposing party, whether plaintiff or defendant, is entitled to reasonable attorney fees and costs if the opposing party prevails against the state, commissioner, or county attorney.

(2) For the purposes of this section, a party prevails if:

(a) in an action in which the party initiates an enforcement of rights or remedies, it recovers on any of its claims; or

(b) in an action in which the party defends against an enforcement action, it successfully defends against a majority of the claims made against it."
Renumber: subsequent sections

3. Page 26, line 24.
Following: "instruction."
Insert: "(1)"

4. Page 26, following line 26.
Insert: "(2) [Section 18] is intended to be codified as an integral part of Title 13, chapter 35, part 1, and the provisions of Title 13, chapter 35, part 1, apply to [section 18]."

Amendment **not** adopted 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, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.
Total 50

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, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.
Total 50

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 289 - Representative G. Bennett moved **SB 289**, second reading copy, be amended as follows:

1. Page 18, line 11.
Following: "is subject to"
Insert: "the same"
Following: "as"
Strike: "provided"
Insert: "incidental committees are subject to"

2. Page 24, line 4.
Strike: the first "or"

3. Page 24, line 4 through line 6.
Following: "nomination" on line 4
Strike: "or that" through "electioneering communications" on line 6
Insert: ", in-kind expenditure, independent expenditure, election communication, or electioneering communication"

Amendment **not** adopted 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

SB 289 - Representative Hertz moved **SB 289**, second reading copy, be amended as follows:

1. Title, page 1, line 21.
Following: "MCA;"
Strike: "AND"

2. Title, page 1, line 22.
Following: "MCA"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 27.
Following: line 4
Insert: "NEW SECTION. **Section 22. Effective date.** [This act] is effective on passage and approval."

Amendment **not** adopted 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

SB 289 - Representative Hertz moved **SB 289**, second reading copy, be amended as follows:

1. Title, page 1, line 14 through line 16.
Strike: "ALLOWING THE COMMISSIONER OF POLITICAL PRACTICES TO REQUIRE CERTAIN REPORTS TO BE FILED ELECTRONICALLY;"

2. Page 21, line 1.
Strike: subsection (7) in its entirety
Renumber: subsequent subsections

Amendment **not** adopted 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, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.
Total 50

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, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.
Total 50

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 289 - Representative Hertz moved **SB 289**, second reading copy, be amended as follows:

1. Page 6, line 2.
Following: "mean~~:~~"
Insert: ":"

2. Page 6, line 3.
Following: "~~(i)~~"
Insert: "(i)"

3. Page 6, line 10.
Following: "~~candidate~~"
Insert: "; or
(ii) costs related to hosting a fundraising event, including use of office space for the event if the space is normally provided to the community free of charge, invitations to the event, and food and beverage in connection with the event if the host provides the food and beverage free of charge"

Amendment **not** adopted as follows:

Yeas: 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, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.
Total 48

Nays: B. Bennett, Berry, Z. Brown, 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, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.
Total 49

Excused: None.
Total 0

Absent or not voting: Clark, Fitzpatrick, Miller.
Total 3

SB 289 - Representative Hertz moved **SB 289**, second reading copy, be amended as follows:

1. Title, page 1, line 18.
Following: "STATUS;"
Insert: "PROVIDING THAT A CANDIDATE OR A POLITICAL PARTY COMMITTEE MAY NOT

CALL AN INDIVIDUAL ON A DO-NOT-CALL LIST OR REGISTRY;"

2. Page 25, line 28.
Insert: "NEW SECTION. **Section 17. Do-not-call registries.** A candidate or a political party committee may not call an individual listed on or registered with an applicable state or federal do-not-call list or registry."
Renumber: subsequent sections

3. Page 26, line 24.
Following: "instruction."
Insert: "(1)"

4. Page 26, following line 26.
Insert: "(2) [Section 17] is intended to be codified as an integral part of Title 13, chapter 35, part 2, and the provisions of Title 13, chapter 35, part 2, apply to [section 17]."

Amendment **not** adopted 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

SB 289 - Representative Hertz moved **SB 289**, second reading copy, be amended as follows:

1. Title, page 1, line 14.
Following: "EXPENDITURES;"
Insert: "REVISING THE THRESHOLD TO DISCLOSE CERTAIN INFORMATION ABOUT CONTRIBUTORS;"

2. Page 22, line 12.
Strike: "$35"
Insert: "$1"

3. Page 22, line 26.
Strike: "$35"
Insert: "$1"

4. Page 24, line 9.
Strike: "$35"
Insert: "$1"

5. Page 24, line 17.
Strike: "$35"
Insert: "$1"

Amendment **not** adopted 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

SB 289 - Representative Schwaderer moved **SB 289**, second reading copy, be amended as follows:

1. Title, page 1, line 13.
Following: "MATERIALS;"
Insert: "REVISING THE FAIR NOTICE PERIOD BEFORE AN ELECTION;"

2. Page 14, line 19.
Strike: "10"
Insert: "20"

Amendment **not** adopted as follows:

Yeas: 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, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, 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, Fitzpatrick, 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, 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

SB 289 - Representative Garner moved **SB 289**, as amended, be concurred in. Motion carried 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, 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

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, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.
Total 49

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Funk, Garner, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.
Total 61

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Cuffe, Doane, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Olszewski, Pinocci, Redfield, Regier, Ricci, Schwaderer, Tschida, Wagoner, White, Wittich, Zolnikov.
Total 39

Excused: None.
Total 0

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 433 passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Doane, Ehli, Essmann, Fitzpatrick, Flynn, Garner, 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, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.
Total 53

Nays: B. Bennett, Z. Brown, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, 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, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.
Total 47

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 488 passed as follows:

Yeas: Ballance, 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, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.
Total 93

Nays: B. Bennett, Miller, Peppers, Schwaderer, Smith, Zolnikov.
Total 6

Excused: None.
Total 0

Absent or not voting: Tschida.
Total 1

HB 506 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, 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 99

Nays: Harris.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 513 passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Monforton, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.
Total 71

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Fiscus, Flynn, Glimm, Harris, Hess, Jones, Lamm, Laszloffy, Manzella, Meyers, Miller, Mortensen, Noland, Pinocci, Redfield, Ricci, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.
Total 29

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 590 passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, 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, 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 97

Nays: Berry, Burnett, Monforton.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 138 concurred in as follows:

Yeas: 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, 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, 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, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 93

Nays: Ballance, Fiscus, Manzella, Miller, Ricci, Wagoner, Wittich.
Total 7

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 140 concurred in 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, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Wittich.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 144 concurred in 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, 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, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: Fiscus, Miller, Schwaderer, Wagoner, Wittich.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 277 concurred in 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, Mandeville, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw,

Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.
Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.
Total 42

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 327 concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Custer, Doane, Dudik, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, 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, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.
Total 88

Nays: Curdy, Eck, Hayman, Hunter, MacDonald, Olsen, Pease-Lopez, Peppers, Smith, Tropila, Wilson, Woods.
Total 12

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Majority Leader Regier moved **HB 574** be moved from the Committee of the Whole to the Appropriations Committee.
Majority Leader Regier moved **HB 592** be moved from the Committee of the Whole to the Appropriations Committee.

Representative Essmann moved to reconsider action on **HB 389** and that **HB 389** be placed on third reading, March 27, 2015.

Motion **passed** 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, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.
Total 60

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hess, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, McConnell, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.
Total 40

Excused: None.
Total 0

Absent or not voting: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Friday, March 27, 2015. Motion carried.

House adjourned at 5:10 p.m.

LINDSEY GROVOM
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House