

**HOUSE JOURNAL
64TH LEGISLATURE
FOURTH LEGISLATIVE DAY**

Helena, Montana
January 8, 2015

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Smith. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS (Welborn, Chair):

1/8/2015

Correctly engrossed: **HB 1, HR 1.**

Correctly printed: **HB 122, HB 174, HB 175, HB 176, HB 177, HB 178, HB 179, HB 180, HB 181, HB 182, HB 183, HB 184.**

Correctly enrolled: **HR 1.**

SPECIAL ORDERS OF THE DAY

Chief Clerk Grovom announced the staff:

| | |
|-------------------|------------------------------------|
| Lindsey Grovom | Chief Clerk |
| Dee Barfknecht | Deputy Chief Clerk |
| Cindy Loacker | Secretary to Chief Clerk |
| Dennis Lenz | Sergeant-At-Arms |
| Brad Murfitt | Asst. Sgt-At-Arms |
| Susan Dostal | Supply Clerk |
| Claudia Morley | Page Supervisor |
| Larry Cole | Safety & Facilities Aide |
| Jim Thies | Safety & Facilities Aide |
| David Ullrey | Safety & Facilities Aide |
| Josiah Van Kirk | Safety & Facilities Aide |
| Kathy Baird | Bills Clerk/Decorum Supervisor |
| Sandy Bradford | Bills Coordinator |
| JoAnne Miller | Journal Clerk |
| Tyler Phillips | Reading Clerk |
| Andy Metropoulos | Vote Clerk |
| Terry Myhre | Status Clerk |
| Bridger Bukantis | Amendments Coordinator |
| Linda Minich | Bills Distribution Coordinator |
| Becky Berger | Committee Support Staff Supervisor |
| Jessica Riffel | Agriculture & F.R.E.T. |
| Katya Grover | Appropriations |
| Karen Armstrong | Business & Labor |
| Nadia Zylawy | Education |
| Jennifer Petersen | FWP & State Administration |

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| | |
|-------------------|------------------------------|
| Phoebe Williams | Human Services & ASC Gen Gov |
| McKenzie Chambers | Judiciary |
| Noah Horan | Local Government & ASC HHS |
| Sherri Row | Natural Resources |
| Erica Siate | Taxation |
| Kendra Balian | Transportation |
| Kathleen Ely | ASC Education |
| Sally Speer | ASC Judicial |
| Mary Ann Mackay | ASC Long Range Planning |
| Rita Tenneson | ASC Natural Resources |
| CJ Johnson | On Call Committee Secretary |
| Joyce Brodehl | Committee Aide |
| Colleen Dever | Committee Aide |
| Jake Flaherty | Committee Aide |
| Sharon Greef | Committee Aide |
| CJ Johnson | Committee Aide |
| Connie Myhre | Committee Aide |
| Susie Hamilton | Documents Specialist |
| Alex Gray | Word Processor |
| Shelley Vance | Secretary to Speaker |
| Max Hunsaker | Majority Chief of Staff |
| Karli Hill | Aide to Majority |
| Lindsey Singer | Aide to Majority |
| Schuyler Watt | Aide to Majority |
| Amanda Frickle | Minority Chief of Staff |
| Madeline Forbis | Aide to Minority |
| Carissa Kemp | Aide to Minority |
| Kevin Massey | Aide to Minority |
| Deborah Schaaf | Aide to Minority |

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ballance, Chair):

1/7/2015

HB 1, introduced bill, be amended as follows:

1. Page 1, line 14.

Strike: "\$3,533,843"

Insert: "\$3,402,855"

2. Page 1, line 15.

Strike: "5,586,465"

Insert: "5,455,477"

3. Page 1, line 16.

Strike: "688,722"

Insert: "643,722"

And, as amended, do pass. Report adopted.

TAXATION (Miller, Chair):

1/8/2015

HB 122, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

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

HB 174, introduced by D. Mortensen, S. Fitzpatrick, F. Mandeville, M. Monforton, R. Pinocci, referred to Judiciary.

HB 175, introduced by D. Mortensen, C. Fiscus, K. McCarthy, D. Zolnikov, referred to Judiciary.

HB 176, introduced by F. Mandeville, D. Mortensen, N. Schwaderer, referred to Fish, Wildlife and Parks.

HB 177, introduced by D. Moore, referred to Business and Labor.

HB 178, introduced by M. Monforton, N. Swandal, referred to Judiciary.

HB 179, introduced by T. Manzella, D. Mortensen, referred to Agriculture.

HB 180, introduced by B. Smith, D. Ankney, T. Berry, B. Hamlett, K. Hansen, B. Harris, A. Knudsen, K. Regier, S. Stewart-Peregoy, J. Windy Boy, referred to Appropriations.

HB 181, introduced by F. Mandeville, referred to Business and Labor.

HB 182, introduced by F. Mandeville, T. Berry, referred to Local Government.

HB 183, introduced by F. Mandeville, referred to Local Government.
HB 184, introduced by G. Hertz, referred to Business and Labor.

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

House Recessed.

House Reconvened.

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 Osmundson in the chair.

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

HR 1 - Representative Essmann moved **HR 1** be adopted.

HR 1 - Representative Hunter moved **HR 1**, second reading copy, be amended as follows:

1. Page 15, line 10.

Strike: "Legislation"

Insert: "(1) Except as provided in subsection (2), legislation"

2. Page 15.

Following: line 11

Insert: "(2) For the 2015 Session, the majority party leadership and the minority party leadership may each make up to six separate requests to withdraw a bill from a House committee, and these requests require only a simple majority of those present and voting to withdraw a bill from a House committee."

3. Page 26, line 9.

Following: "(4)"

Insert: "except as provided in H40-90(2),"

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, 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, Regier, Ricci, Richmond, Salomon, Schreiner, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 86

Nays: J. Bennett, Fitzpatrick, Flynn, Harris, Hess, Redfield, Schwaderer, Shaw, Wagoner, White, Wittich, Zolnikov.

Total 12

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Excused: None.
Total 0

Absent or not voting: Custer, Manzella.
Total 2

HR 1 - Representative Hunter moved **HR 1**, second reading copy, be amended as follows:

1. Page 15, line 16.

Strike: "may"

Insert: "must"

2. Page 15, line 17.

Strike: "not less than three-fifths"

Insert: "a majority"

3. Page 25, line 10.

Strike: "(14) or (16)"

Insert: "(13) or (15)"

4. Page 26, line 19.

Strike: subsection (11) in its entirety

Renumber: subsequent subsections

Amendment **not** adopted as follows:

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

Total 46

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Glimm, 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, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 51

Excused: None.

Total 0

Absent or not voting: Greef, Shaw, Welborn.

Total 3

HR 1 - Representative Essmann moved **HR 1**, as amended, be adopted.
Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter,

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Jacobson, Jones, Karjala, Kelker, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, 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, Williams, Wilson, Woods, Mr. Speaker.

Total 87

Nays: J. Bennett, Doane, Fitzpatrick, Flynn, Harris, Hess, Miller, Mortensen, Schwaderer, Wagoner, White, Wittich, Zolnikov.

Total 13

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 Osmundson moved the Committee of the Whole report be adopted. Report adopted 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, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch,

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MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 93

Nays: Miller, Mortensen, Redfield, Schwaderer, Wittich, Zolnikov.

Total 6

Excused: None.

Total 0

Absent or not voting: Staffanson.

Total 1

MOTIONS

Majority Leader Regier moved **HB 27** be moved from the Education committee to the Appropriations committee.

Majority Leader Regier moved **HB 38** be moved from the Judiciary committee to the Business and Labor committee.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

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Majority Leader Regier moved that the House adjourn until 1:00 p.m., Friday, January 9, 2015. Motion carried.

House adjourned at 2:15 p.m.

LINDSEY GROVOM
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House