

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

Helena, Montana
January 9, 2015

House Chambers
State Capitol

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

Roll Call. All members present, except Representatives Wittich, Osmundson, excused. Quorum present.

BILLS (Welborn, Chair): 1/9/2015

Correctly printed: **HB 82, HB 92, HB 113.**

Correctly engrossed: **HB 1, HB 63, HB 109.**

Examined by the sponsor and found to be correct: **HR 1.**

Signed by the Chief Clerk of the House at 11:08 a.m., January 9, 2015: **HR 1.**

Signed by the Speaker at 11:15 a.m., January 9, 2015: **HR 1.**

Delivered to the Secretary of State at 11:16 a.m., January 9, 2015: **HR 1.**

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Redfield, Chair): 1/8/2015
HB 109, introduced bill, be amended as follows:

1. Page 1, line 10 through page 3, line 2.

Strike: everything after the enacting clause

Insert: "NEW SECTION. **Section 1. Plant sampling provided -- fees -- rulemaking authority.** (1) In a dispute in which a plant sample would serve a useful purpose to clarify, quantify, or settle the dispute, either party may file with the department a request that the department provide sampling services.

(2) The department shall charge a fee that covers the costs of providing the sampling service. Costs associated with sampling must be paid by the person who requested the sampling unless:

(a) both parties agree to a different assignment of costs through a contractual or settlement agreement; or

(b) a different allocation has been ordered through mediation or a court order.

(3) The department shall adopt rules to implement this section."

Insert: "NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 80, chapter 2, and the provisions of Title 80, chapter 2, apply to [section 1]."

And, as amended, do pass. Report adopted.

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BUSINESS AND LABOR (Berry, Chair):

1/9/2015

HB 63, introduced bill, be amended as follows:

1. Page 5, line 13.

Following: "[section"

Strike: "5(3)"

Insert: "5(1)(c)"

And, as amended, do pass. Report adopted.

HB 113, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Flynn, Chair):

1/8/2015

HB 82, do pass. Report adopted.

HB 92, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

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

HB 185, introduced by J. Price, J. Cohenour, R. Cook, S. Fitzpatrick, E. Greef, R. Hollandsworth, R. Lynch, W. McKamey, R. Mehlhoff, D. Moore, P. Noonan, G. Pierson, J. Pomnichowski, D. Salomon, T. Steenberg, S. Stewart-Peregoy, K. Swanson, L. Whitford, M. Dunwell, C. Schreiner, E. McClafferty, referred to Transportation.

HB 186, introduced by C. Pease-Lopez, J. Eck, S. Laszloffy, S. Lavin, A. Person, N. Schwaderer, K. Wagoner, referred to Judiciary.

HB 187, introduced by T. Steenberg, referred to Local Government.

HB 188, introduced by A. Wittich, referred to Federal Relations, Energy, and Telecommunications.

HB 189, introduced by T. Woods, referred to Federal Relations, Energy, and Telecommunications.

HB 190, introduced by T. Woods, referred to Federal Relations, Energy, and Telecommunications.

HB 191, introduced by J. Eck, A. Wittich, referred to Human Services.

HB 192, introduced by A. Wittich, referred to Federal Relations, Energy, and Telecommunications.

HB 193, introduced by D. Salomon, referred to Local Government.

**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 Wagoner 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 1 - Representative Ballance moved **HB 1** do pass.

HB 1 - Representative Ballance moved **HB 1**, second reading copy, be amended as follows:

1. Page 1, line 17.

Strike: "2016"

Insert: "2017"

Amendment 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, 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: None.

Total 0

Excused: Wittich.

Total 1

Absent or not voting: None.

Total 0

HB 1 - Representative Ballance moved **HB 1**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, 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, Kip 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, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

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Nays: Burnett, Glimm, Schwaderer.

Total 3

Excused: Wittich.

Total 1

Absent or not voting: None.

Total 0

HB 122 - Representative Randall moved **HB 122** 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, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kip III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, 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 98

Nays: None.

Total 0

Excused: Wittich.

Total 1

Absent or not voting: McKamey.

Total 1

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Wagoner 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, 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, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw,

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Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov.
Total 96

Nays: None.
Total 0

Excused: Osmundson, Wittich.
Total 2

Absent or not voting: Fiscus, Mr. Speaker.
Total 2

MOTIONS

Representative Greef moved to change his vote on **HR 1** from Not Voting to No. Minority Leader Hunter objected. Motion Denied.

Representative Custer moved to change her vote on **HR 1 Amendment #1014** from Not Voting to Yes. Without objection, so ordered.

SPECIAL ORDERS OF THE DAY

Representative Olszewski announced that January 9th was Law Enforcement Appreciation Day and asked for all members of the House to join him in a moment of silence in order to "show respect for those officers that sacrificed their lives in the line of duty. These brave women and men are the tip of the spear that makes Montana civil and save. May we never forget."

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Monday, January 12, 2015. Motion carried.

House adjourned at 1:41 p.m.

LINDSEY GROVOM
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House