

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

Helena, Montana
January 23, 2015

House Chambers
State Capitol

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

Roll Call. All members present, except Representative Knudsen, excused. Quorum present.

Representative McClafferty rose on a **Point of Personal Privilege** to clarify her testimony on HB 99.

BILLS (Welborn, Chair):

1/23/2015

Correctly printed: **HB 19, HB 94, HB 128, HB 161, HB 166.**

Correctly engrossed: **HB 12, HB 27, HB 43, HB 56, HB 117, HB 120, HB 129, HB 133, HB 167, HB 169.**

Transmitted to the Senate: **HB 41, HB 52, HB 60, HB 97, HB 104, HB 112, HB 121, HB 168.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ballance, Chair):

1/23/2015

HB 27, introduced bill, be amended as follows:

1. Page 4, line 19.

Following: "\$209"

Strike: "in fiscal year 2017"

Insert: "for each succeeding fiscal year"

2. Page 4, line 24.

Following: "\$21.25"

Strike: "in fiscal year 2017"

Insert: "for each succeeding fiscal year"

3. Page 5, line 18.

Following: "succeeding"

Insert: "fiscal"

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

1/23/2015

HB 94, do pass. Report adopted.

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HB 117, introduced bill, be amended as follows:

1. Page 1, line 27.

Strike: "as well as"

Insert: "but excluding"

2. Page 2, lines 2 through 6.

Strike: subsection (5) and (6) in their entirety

Renumber: subsequent subsection

3. Page 2, line 8.

Following: "37-1-317."

Insert: "The remedies provided by this section may not be applied either to licensees or to employees of licensees."

And, as amended, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Flynn, Chair):

1/22/2015

HB 167, introduced bill, be amended as follows:

1. Page 2, line 6.

Strike: "\$25"

Insert: "\$27"

Strike: "50 cents"

Insert: "\$1"

2. Page 2, line 14.

Strike: "\$11"

Insert: "\$15"

3. Page 2, line 17.

Following: "permit;"

Strike: "and"

4. Page 2, line 18.

Strike: "\$10"

Insert: "\$6"

Following: "education"

Insert: "; and"

Following: line 18

Insert: "(v) \$1.50 must be used by the department to mitigate and eradicate noxious weeds along off-highway vehicle trails"

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5. Page 2, line 19.

Strike: "50-cent"

Insert: "\$1"

And, as amended, do pass. Report adopted.

JUDICIARY (Bennett, Chair):

1/23/2015

HB 12, introduced bill, be amended as follows:

1. Page 1, line 24 through line 26.

Strike: subsection (4) in its entirety

Insert: "(4) (a) Either party to a dissolution or legal separation may request entry of a decree of dissolution or legal separation without a hearing by filing an affidavit with the court.

(b) The court may enter a decree of dissolution or legal separation without a hearing when:

(i) the affidavit sets forth a prima facie case that:

(A) the parties have reached a voluntary resolution of all matters related to the dissolution or legal separation;

(B) the parties stipulate to entry of the decree by affidavit in lieu of a hearing; or

(C) a party is found by the court to be in default; and

(ii) it appears to the court that:

(A) the jurisdictional requirements of 40-4-104 exist;

(B) the parties have complied with the financial disclosure provisions of 40-4-252 through 40-4-254 or 40-4-257;

(C) (I) a separation agreement, as provided for in 40-4-201(1), containing provisions for disposition of any property owned by either or both parties, distribution of any debts owed by either or both parties, maintenance of either party, and support, parenting, and parental contact with any minor children of the parties has been filed with the court prior to or concurrently with the affidavit; or

(II) in the case of default, the proposed decree contains identical relief sought in the petition for dissolution or legal separation;

(D) the party filing the affidavit waives the right to appear personally in court to present testimony as to any matters and requests the court to enter a decree without a hearing or the necessity of entry of findings of fact and conclusions of law;

(E) the affidavit includes a proposed decree form; and

(F) the affidavit includes the following statement: "Failure to object to the proposed decree of dissolution or legal separation within 14 days of service shall be presumed to be consent to the proposed form of the decree, and the court may proceed to enter the decree as proposed by affiant unless, within 14 days of service, you file an objection with the court and serve your objection on all parties entitled to service in this action."

(c) Regardless of compliance with the affidavit requirements of subsection (4)(b), the court may require the personal appearance of a party or interested person for any reason the court considers necessary.

(d) Unless all parties in the action have submitted affidavits for dissolution of marriage or legal separation without a hearing, to ensure all parties are apprised of the request for entry of the decree of dissolution or separation without a hearing and have an opportunity to raise an objection

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to the entry of the decree, the party who filed the affidavit shall serve the affidavit and the proposed decree on all parties to the action.

(e) The nonrequesting party has 14 days from the date of service of the affidavit to object to entry of the decree of dissolution or legal separation without a hearing. If no objection is filed within 14 days, the court may proceed to enter the decree as proposed by the requesting party.

(f) If all parties in the action have submitted affidavits for dissolution of marriage or legal separation without a hearing and the court determines that entry of a decree is appropriate, the court may enter the decree without a hearing or waiting for the 14-day objection period to pass."

And, as amended, do pass. Report adopted.

HB 19, do pass. Report adopted.

HB 43, introduced bill, be amended as follows:

1. Page 1, line 21 through line 22.

Following: "final" on line 21

Strike: "decisions" on line 21 through "and" on line 22

2. Page 2, line 5.

Following: "final"

Insert: "final"

Following: "parole and"

Insert: "recommendations concerning"

3. Page 2, line 10.

Following: "final"

Insert: "final"

4. Page 2, line 11.

Following: "decision"

Insert: "concerning parole or a recommendation concerning executive clemency"

5. Page 2, line 12.

Following: "final"

Strike: "decisions and"

6. Page 4, line 10.

Strike: "Decision"

Insert: "Recommendation"

7. Page 4, line 12.

Strike: "decision" in both places

Insert: "recommendation" in both places

And, as amended, do pass. Report adopted.

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HB 128, do pass. Report adopted.

HB 129, introduced bill, be amended as follows:

1. Page 1, line 15 through line 24.

Following: "(2)" on line 15

Strike: remainder of line 15 through line 24

Insert: "(a) If a parent's change in residence will significantly affect the child's contact with the other parent, the parent who intends to change residence shall, pursuant to 40-4-219, file a motion for amendment of the residential schedule and a proposed revised residential schedule with the court that adopted the residential schedule or the court to which jurisdiction or venue over the child has been transferred. The motion must be served personally or by certified mail on the other parent and served pursuant to the Montana Rules of Civil Procedure on the parent's attorney of record, if the parent has an attorney of record, not less than 30 days before the proposed changed in residence.

(b) The notice pursuant to this subsection (2) is not sufficient unless it contains the following statement: "The relocation of the child may be permitted and the proposed revised residential schedule may be ordered by the court without further proceedings unless within 21 days you file a response and alternate revised residential schedule with the court and serve your response on the person proposing the move and all other persons entitled by the court order to residential time or visitation with the child."

(3) The parent who receives service of a motion to amend the parenting plan pursuant to this section has 21 days after service of the motion to file a response. If the parent receiving notice objects to the proposed revised residential schedule, the responding parent shall include an alternate proposed revised residential schedule with the response. The response must be served as provided for by the Montana Rules of Civil Procedure on the parent proposing to change residence or on the parent's attorney of record if the parent has an attorney of record.

(4) If a parent is properly served with a motion to amend the parenting plan pursuant to this section, failure to file a response within the 21-day period constitutes acceptance of the proposed revised residential schedule.

(5) A person entitled to file an objection to the proposed relocation of the child may file the objection regardless of whether the person has received proper notice."

And, as amended, do pass. Report adopted.

HB 133, introduced bill, be amended as follows:

1. Page 1, lines 28 and 29.

Following: "before"

Strike: remainder of line 28 through line 29

Insert: "the following specialty courts:"

2. Page 1, line 30.

Following: "46-1-1103"

Insert: ", including an adult, a juvenile, and a family drug court"

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3. Page 2, line 1.

Strike: "or"

4. Page 2, line 2.

Strike: "and"

Following: line 2

Insert: "(D) a court that serves participants with co-occurring disorders, including a mental health treatment court that is combined with a drug treatment court; or
(E) a veterans treatment court; and"

And, as amended, do pass. Report adopted.

HB 161, do pass. Report adopted.

TAXATION (Miller, Chair):

1/23/2015

HB 56, introduced bill, be amended as follows:

1. Page 3, line 14 through line 16.

Strike: subsection (4) in its entirety

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HB 67, do pass. Report adopted.

HB 120, introduced bill, be amended as follows:

1. Title, page 1, line 17.

Strike: "AND"

Insert: ", "

Following: the second "DATE"

Insert: ", AND A TERMINATION DATE"

2. Page 8, line 28.

Following: line 28

Insert: "NEW SECTION. Section 16. Termination. [This act] terminates December 31, 2023."

And, as amended, do pass. Report adopted.

HB 166, do pass. Report adopted.

HB 169, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Following: "BY"

Insert: "A TOTAL OF"

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Strike: "YEAR"

Insert: "YEARS 2015 AND"

2. Title, page 1, line 6.

Following: "2016;"

Insert: "PROVIDING THAT THE DECREASE DOES NOT APPLY IN A TAX YEAR WITH A PROJECTED GENERAL FUND BUDGET DEFICIT;"

3. Title, page 1, line 7.

Following: "PROVIDING"

Insert: "AN IMMEDIATE EFFECTIVE DATE,"

Strike: "AN"

Insert: "A RETROACTIVE"

Following: "APPLICABILITY DATE"

Insert: ", "

4. Page 2, line 8 through line 10.

Strike: subsection (3) in its entirety

Insert: "(3) (a) Except as provided in subsection (3)(b), for tax years 2015 and 2016, the amount of tax levied, collected, and paid for each taxpayer is equal to the amount of tax calculated on the brackets of taxable income in subsection (1) multiplied by a tax relief discount factor of 0.975. The tax relief discount factor must be available to a taxpayer regardless of whether the tax year is a calendar year or a fiscal year.

(b) Subsection (3)(a) does not apply in a tax year with a projected general fund budget deficit as provided in 17-7-140."

5. Page 2, line 16 through line 17.

Strike: section 4 in its entirety

Insert: "NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval."

Insert: "NEW SECTION. **Section 5. Retroactive applicability.** [This act] applies retroactively, within the meaning of 1-2-109, to income tax years beginning after December 31, 2014."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/21/2015

SB 10, introduced by Keane

SB 19, introduced by Ripley

SB 21, introduced by Cohenour

SB 32, introduced by Sesso

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SB 45, introduced by Brenden
SB 75, introduced by Vuckovich
SB 108, introduced by F. Moore
SB 111, introduced by Ankney
SB 114, introduced by Debby Barrett

FIRST READING AND COMMITMENT OF BILLS

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

HB 304, introduced by M. Tropila, referred to Judiciary.
HB 305, introduced by K. Dudik, referred to Human Services.
HB 306, introduced by J. Eck, referred to Judiciary.
HB 307, introduced by M. Cuffe, referred to Transportation.
HB 308, introduced by J. Essmann, referred to Appropriations.
HB 309, introduced by K. Kelker, referred to Judiciary.
HB 310, introduced by T. Jacobson, D. Ankney, B. Bennett, T. Brown, Z. Brown, E. Buttrey, P. Connell, W. Curdy, G. Custer, M. Dunwell, M. Funk, R. Hollandsworth, J. Karjala, S. Lavin, E. Lieser, M. MacDonald, W. McKamey, A. Olszewski, Z. Perry, A. Person, C. Pope, C. Schreiner, B. Smith, referred to Taxation.

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

HJR 7, introduced by T. Steenberg, T. Berry, J. Eck, referred to Federal Relations, Energy, and Telecommunications.

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

SB 10, introduced by J. Keane (by request of the Public Service Commission), referred to Federal Relations, Energy, and Telecommunications.
SB 19, introduced by R. Ripley, referred to Agriculture.
SB 21, introduced by J. Cohenour (by request of the Department of Fish, Wildlife, and Parks), referred to Fish, Wildlife and Parks.
SB 32, introduced by J. Sesso (by request of the Department of Natural Resources and Conservation and the Office of Budget and Program Planning), referred to Appropriations.
SB 45, introduced by J. Brenden, referred to State Administration.
SB 75, introduced by G. Vuckovich (by request of the Department of Administration), referred to Business and Labor.
SB 108, introduced by F. Moore, referred to Agriculture.
SB 111, introduced by D. Ankney, referred to Federal Relations, Energy, and Telecommunications.
SB 114, introduced by Debby Barrett, referred to Federal Relations, Energy, and Telecommunications.

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**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 McCarthy in the chair.

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

HB 26 - Representative MacDonald moved **HB 26** do pass. Motion carried as follows:

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

Total 72

Nays: Ballance, J. Bennett, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Lamm, Mandeville, Manzella, Meyers, Monforton, Mortensen, Noland, Randall, Schwaderer, Staffanson, Tschida, White, Zolnikov.

Total 28

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 44 - Representative Berry moved consideration of **HB 44** be passed for the day. Motion Carried.

HB 53 - Representative Person moved **HB 53** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, 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, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price,

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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: Burnett, Cuffe, Moore.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 111 - Representative Regier moved **HB 111** 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, 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, Mr. Speaker.

Total 99

Nays: Zolnikov.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 115 - Representative Funk moved **HB 115** do pass.

HB 115 - Representative Regier moved **HB 115**, second reading copy, be amended as follows:

1. Page 1, lines 16 through 17.

Strike: subsection (2) in its entirety

Renumber: subsequent subsection

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Amendment adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Karjala, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Smith, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.
Total 57

Nays: B. Bennett, Clark, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hayman, Hill, Hunter, Jacobson, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.
Total 43

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 115 - Representative Pierson moved **HB 115**, second reading copy, be amended as follows:

1. Title, page 1, line 8.
Strike: "AUTHORIZING COLLECTION OF WORKFORCE DATA;"

2. Page 2, line 18 through line 21.
Strike: subsection (1)(k) in its entirety

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, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.
Total 98

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Nays: Schreiner.

Total 1

Excused: None.

Total 0

Absent or not voting: Olszewski.

Total 1

HB 115 - Representative Funk moved **HB 115**, as amended, do pass. Motion carried as follows:

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

Total 61

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

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 130 - Representative Hill moved **HB 130** do pass. Motion carried as follows:

Yeas: J. Bennett, Berglee, Berry, Z. Brown, Cook, Cuffe, Custer, Doane, Dudik, Dunwell, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Mortensen, Noland, Olsen, Olszewski, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Shaw, Staffanson, Steenberg, Wagoner, Webber, White, Williams, Wilson, Wittich, Mr. Speaker.

Total 67

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Nays: Ballance, B. Bennett, Brodehl, B. Brown, Burnett, Clark, Court, Curdy, Eck, Ehli, Funk, Hagstrom, Holmlund, Hunter, Jacobson, Karjala, Lynch, McClafferty, Miller, Moore, Noonan, Osmundson, Peppers, Regier, Schreiner, Schwaderer, Smith, Swanson, Tropila, Tschida, Welborn, Woods, Zolnikov.

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 135 - Representative Eck moved **HB 135** do pass. Motion carried as follows:

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

Total 97

Nays: Clark, Miller, Tschida.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 139 - Representative McConnell moved **HB 139** 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, 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,

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Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Staffanson.

Total 1

Majority Leader Regier moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair McCarthy 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, 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.

Total 99

Nays: None.

Total 0

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

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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 16 passed as follows:

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

Total 55

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

Total 44

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

HB 36 passed 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, 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, Woods.

Total 95

Nays: Burnett, Monforton, Wittich, Zolnikov.

Total 4

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Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

HB 80 passed as follows:

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

Total 99

Nays: None.

Total 0

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

HB 83 passed as follows:

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

Total 99

Nays: None.

Total 0

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Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

HB 98 passed 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, Fitzpatrick, Flynn, Funk, Garner, Glimm, 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, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 92

Nays: J. Bennett, Doane, Hess, Manzella, Mortensen, Ricci, Staffanson.

Total 7

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

HB 99 passed as follows:

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

Total 54

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

Total 45

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Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

HB 102 passed as follows:

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

Total 80

Nays: J. Bennett, Berry, B. Brown, Burnett, Cook, Cuffe, Essmann, Fitzpatrick, Flynn, Hess, Lamm, Laszloffy, Miller, Noland, Staffanson, Wagoner, Welborn, Wittich, Zolnikov.

Total 19

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

HB 103 passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Funk, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Laszloffy, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods.

Total 71

Nays: J. Bennett, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Hess, Lamm, Lang, Lavin, Mandeville, Monforton, Mortensen, Noland, Randall, Redfield, Regier, Ricci, Wagoner, Wittich, Zolnikov.

Total 27

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Excused: Mr. Speaker.

Total 1

Absent or not voting: Pinocci.

Total 1

HB 124 passed as follows:

Yeas: B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, 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, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods.

Total 91

Nays: Ballance, J. Bennett, Brodehl, Doane, Flynn, Redfield, Wittich, Zolnikov.

Total 8

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

HB 144 passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, 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.

Total 98

Nays: Lynch.

Total 1

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Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

HB 184 passed as follows:

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

Total 98

Nays: None.

Total 0

Excused: Mr. Speaker.

Total 1

Absent or not voting: Schwaderer.

Total 1

HB 199 passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Funk, Garner, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 63

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Doane, Essmann, Fitzpatrick, Flynn, Glimm, Greef, Harris, Hertz, Hess, Jones, Lamm, Lang, Laszloffy, Lavin, Manzella, Miller, Monforton, Mortensen, Pinocci, Randall, Redfield, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 36

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Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Regier moved **HB 24** be moved from the Human Services committee to the Appropriations committee.

Majority Leader Regier moved **HB 111** be moved from the Committee of the Whole to the Appropriations committee.

UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 233**
Motion Carried.

HB 233 (M. Tropila, Chief Sponsor)
Brodehl.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 8:00 a.m., Saturday, January 24, 2015. Motion carried.

House adjourned at 2:26 p.m.

LINDSEY GROVOM
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House