

**HOUSE JOURNAL
64TH LEGISLATURE
TWENTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
February 6, 2015

House Chambers
State Capitol

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

Roll Call. All members present. Quorum present.

BILLS (Welborn, Chair): 2/6/2015

Correctly printed: **HB 28, HB 87, HB 111, HB 287, HB 331, HB 372, SB 1, SB 6, SB 16, SB 19, SB 27, SB 46, SB 50, SB 59, SB 62, SB 65, SB 78, SB 95.**

Correctly engrossed: **HB 89, HB 119, HB 213, HB 235, HB 259, HB 262, HB 274, HB 342, HJR 8, SB 51.**

Correctly enrolled: **HB 65, HB 109, HB 121.**

Examined by the sponsor and found to be correct: **HB 32, HB 82, HB 108.**

Transmitted to the Senate: **HB 166, HB 169, HB 250, HB 285, HB 299, SB 10, SB 11, SB 15, SB 70, SB 71, SB 75, SB 98.**

Signed by the Speaker at 3:45 p.m., February 6, 2015: **HB 32, HB 82, HB 108.**

Signed by the Chief Clerk of the House at 3:55 p.m., February 6, 2015: **HB 32, HB 82, HB 108.**

Delivered to the Governor for approval at 11:00 a.m., February 6, 2015: **HB 63.**

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Redfield, Chair): 2/5/2015

SB 19, be concurred in. Report adopted.

SB 62, be concurred in. Report adopted.

SB 78, be concurred in. Report adopted.

APPROPRIATIONS (Ballance, Chair): 2/5/2015

HB 28, do pass. Report adopted.

HB 87, do pass. Report adopted.

HB 111, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair): 2/5/2015

HB 259, introduced bill, be amended as follows:

1. Page 2, line 1.

Following: "(2)"

Insert: "(a)"

Strike: "A"

Insert: "Except as provided in subsection (2)(b), a"

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2. Page 2.

Following: line 6

Insert: "(b) A dealer may offer for sale or may sell or exchange a vehicle without having the assigned certificate of ownership, certificate of title, or manufacturer's certificate of origin if:

(i) the dealer has applied for the title as provided in Title 61, chapter 3, part 2; or

(ii) the vehicle is financed by the dealer as inventory through a financial institution, the financial institution holds the certificate of ownership, certificate of title, or manufacturer's certificate of origin as collateral, and the dealer has a readily accessible photocopy, electronic copy, or digital copy of the certificate of ownership, certificate of title, or manufacturer's certificate of origin."

And, as amended, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Flynn, Chair):
SB 46, be concurred in. Report adopted.

2/5/2015

JUDICIARY (Bennett, Chair):
HB 89, introduced bill, be amended as follows:

2/6/2015

1. Page 2, line 11.

Strike: "or"

Following: "4"

Insert: ", or section 5"

2. Page 3, line 24.

Following: "(b)"

Insert: "recruits, transports, transfers, harbors, receives, provides, obtains by any means, isolates, entices,"

Following: "maintains"

Insert: ", "

Following: "of"

Strike: "engaging the child in"

3. Page 4, line 5.

Following: "with"

Insert: ": (a)"

4. Page 4, line 6.

Following: "servitude"

Insert: "; or

(b) a child"

5. Page 4, line 15.

Strike: "or"

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Following: "4"

Insert: ", or section 5"

6. Page 4, line 19.

Strike: "or"

Following: "4"

Insert: ", or section 5"

7. Page 4, line 29.

Strike: "or"

Following: "4"

Insert: ", or section 5"

8. Page 7, line 5.

Strike: "or"

Following: "4"

Insert: ", or section 5"

9. Page 7, line 19.

Following: "state,"

Insert: "including compensation under Title 53, chapter 9, part 1,"

Following: "status"

Insert: "or factors described in 53-9-125"

And, as amended, do pass. Report adopted.

HB 274, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Following: "SEIZE"

Insert: "IF REQUIRED BY THE SHERIFF"

2. Title, page 1, line 9.

Following: "VIOLATIONS"

Insert: "IN CERTAIN CASES"

3. Page 2, line 15.

Following: ";

Strike: "or"

4. Page 2, line 18.

Following: "seizure"

Insert: "; or

(f) the sheriff has not invoked the authority of this section pursuant to subsection (6)"

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5. Page 3, line 12.

Insert: "(6)(a) At the sheriff's discretion, a sheriff may elect not to implement the provisions of this section or may elect to implement the provisions of this section for one or more specifically identified federal employees, all federal employees of a specified federal agency, or all federal employees. If a sheriff elects to implement the provisions of this section, the sheriff must provide notice to the affected federal employees as follows:

(i) in person by verbal notice to the affected federal employee; or

(ii) in writing by certified mail to the United States attorney for the district of Montana.

(b) If notice is provided in person to the affected federal employee, the sheriff shall file the notice with the appropriate dispatch service as soon as practicable. The notice is effective immediately and continues until the sheriff revokes the notice.

(c) If notice is provided to the United States attorney for the district of Montana, the notice is effective 1 week after the notice is postmarked and continues until the sheriff revokes the notice."

6. Page 3, line 14.

Strike: "must"

Insert: "may"

7. Page 3, line 17.

Strike: "must"

Insert: "may"

8. Page 3, line 20.

Strike: "shall"

Insert: "may"

9. Page 3, line 21 through line 22.

Following: "of the sheriff"

Strike: ", and failure to prosecute subjects the county attorney to recall by the voters and to prosecution by the attorney general for official misconduct"

And, as amended, do pass. Report adopted.

SB 50, be concurred in. Report adopted.

SB 59, be concurred in. Report adopted.

STATE ADMINISTRATION (Essmann, Chair):

2/6/2015

HB 331, do pass. Report adopted.

HB 342, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Strike: "SECTIONS 13-1-210 AND"

Insert: "SECTION"

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2. Page 1, line 12 through line 24.

Strike: section 1 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 372, do pass. Report adopted.

HJR 8, be adopted. Report adopted.

SB 1, be concurred in. Report adopted.

SB 16, be concurred in. Report adopted.

SB 27, be concurred in. Report adopted.

SB 65, be concurred in. Report adopted.

STATE ADMINISTRATION (Essmann, Chair):

2/6/2015

HB 58, do not pass.

Minority Leader Hunter rose on a **Point of Procedure** stating that an Adverse Committee Report has been read across the rostrum for the first time in his tenure as a legislator. He expressed disappointment that the Adverse Committee Report was being used and questioned the constitutionality of the rule. Minority Leader Hunter requested clarification on what will be the process for handling the Adverse Committee Report.

Speaker Knudsen explained that the Rules allow, specifically in H 40-100, for a committee to report a bill from committee with either a Do Pass recommendation or a Do Not Pass recommendation. The Rules applying to the Adverse Committee Report have been in the Rules since 1989. It has been used more than 50 times and the constitutionality of the rule has never been challenged. A motion to reject an Adverse Committee Report requires a 3/5ths vote of the members, present and voting, to pass. Once the report has been read over the rostrum, it is then put on Order of Business #2 the following day.

TAXATION (Miller, Chair):

2/6/2015

HB 213, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: "EXEMPTION;"

Insert: "PROVIDING A REIMBURSEMENT TO LOCAL GOVERNMENTS AND TAX INCREMENT FINANCING DISTRICTS UNDER THE ENTITLEMENT SHARE PAYMENT, TO SCHOOL DISTRICTS THROUGH THE BLOCK GRANT PROGRAM, TO THE COUNTY SCHOOL RETIREMENT FUND AND THE COUNTY TRANSPORTATION REIMBURSEMENT, AND TO THE MONTANA UNIVERSITY SYSTEM FOR THE LOSS OF CLASS EIGHT AND CLASS TWELVE PROPERTY TAX REVENUE;"

Strike: "SECTION"

Insert: "SECTIONS 15-1-123 AND"

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2. Page 1, line 8.

Insert: "Section 1. Section 15-1-123, MCA, is amended to read:

"15-1-123. Reimbursement for class eight rate reduction and exemption -- distribution -- appropriations. (1) For the ~~tax rate reductions in 15-6-138(3), the increased exemption amount in 15-6-138(4), the effective tax rate reductions on property under 15-6-145 because of the rate reductions required by the amendments of 15-6-138 in section 2, Chapter 411, Laws of 2011, and section 2, Chapter 396, Laws of 2013, and the effective tax rate reductions on property under 15-6-145 because of the increased exemption amount required by the amendment of 15-6-138 in section 2, Chapter 396, Laws of 2013~~ [section 2 of House Bill No. 213], the department shall for the fiscal years ending June 30, ~~2014~~ 2016, and June 30, ~~2015~~ 2017, estimate for each local government, as defined in 15-1-121(5), each school district, the county retirement fund under 20-9-501, the countywide school transportation reimbursement under 20-10-146, each tax increment financing district, and the 6-mill university levy for the purposes of 15-10-108 the difference between property tax collections under 15-6-138 as amended by ~~section 2, Chapter 411, Laws of 2011, and section 2, Chapter 396, Laws of 2013,~~ [section 2 of House Bill No. 213] and under 15-6-145 and the property tax revenue that would have been collected under 15-6-138 and 15-6-145 if 15-6-138 had not been amended by ~~section 2, Chapter 411, Laws of 2011, and section 2, Chapter 396, Laws of 2013~~ [section 2 of House Bill No. 213]. The difference is the annual reimbursable amount for each local government, each school district, each tax increment financing district, and the 6-mill levy for the support of the Montana university system under 15-10-108.

(2) (a) The department shall distribute the reimbursements calculated in subsection (1) to local governments with the entitlement share payments under 15-1-121(7) for the fiscal year ending June 30, ~~2015~~ 2017. Local government reimbursements for subsequent years are made pursuant to the entitlement share recomputation as provided in 15-1-121(6).

(b) For the fiscal year ending June 30, ~~2014~~ 2016, the department shall determine from the amount calculated under subsection (1) the amount that is attributable to personal property taxes that are not a lien on real property for each local government. By June 15, ~~2014~~ 2016, the department shall distribute the amount determined under this subsection (2)(b) for local governments as provided in 15-1-121(6)(a).

(3) (a) The office of public instruction shall distribute the reimbursements calculated in subsection (1) to school districts with the block grants pursuant to 20-9-630 for the fiscal year ending June 30, ~~2015~~ 2017. School district reimbursements for subsequent fiscal years are made pursuant to 20-9-630.

(b) For the fiscal year ending June 30, ~~2014~~ 2016, the department shall determine from the amount calculated under subsection (1) the amount that is attributable to personal property taxes that are not a lien on real property for each school district. By November 30, ~~2014~~ 2016, the office of public instruction shall distribute the amount determined under this subsection (3)(b) in the same manner as the block grant is distributed by fund under 20-9-630.

(4) (a) For the fiscal year ending June 30, ~~2015~~ 2017, the amount determined under subsection (1) for each tax increment financing district must be added to the reimbursement amount for the tax increment financing district as provided in 15-1-121(8)(b) if the tax increment financing district is still in existence. If a tax increment financing district that is entitled to a reimbursement under this section is not listed under 15-1-121(8)(b), the reimbursement must be made to that tax increment financing district at the same time as other districts.

(b) For the fiscal year ending June 30, ~~2014~~ 2016, the department shall determine from the

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amount calculated under subsection (1) the amount that is attributable to personal property taxes that are not a lien on real property for each tax increment financing district. By June 15, ~~2014~~ 2016, the department shall distribute the amount determined under this subsection (4)(b) to each tax increment financing district as provided in 15-1-121(8) and to any other tax increment financing district that is entitled to a reimbursement under this section.

(5) (a) For the fiscal year ending June 30, ~~2015~~ 2017, the amount determined under subsection (1) for the 6-mill university levy must be added to current collections and reimbursements for the support of the Montana university system as provided in 15-10-108.

(b) For the fiscal year ending June 30, ~~2014~~ 2016, the department shall determine from the amount calculated under subsection (1) the amount that is attributable to personal property taxes that are not a lien on real property for the 6-mill university levy. By June 15, ~~2014~~ 2016, the department of administration shall transfer the amount determined under this subsection (5)(b) from the general fund to the state special revenue fund for the support of the Montana university system as provided in 15-10-108.

(c) Beginning in fiscal year ~~2013~~ 2015, the department of administration shall transfer the amounts determined under this subsection (5) from the general fund to the state special revenue fund for the support of the Montana university system as provided in 15-10-108.

(6) (a) The office of public instruction shall distribute the reimbursements calculated in subsection (1) to the countywide retirement fund under 20-9-501 for the fiscal year ending June 30, ~~2015~~ 2017. One-half of the amount must be distributed in November and the remainder in May.

(b) For the fiscal year ending June 30, ~~2014~~ 2016, the department shall determine from the amount calculated under subsection (1) the amount that is attributable to personal property taxes that are not a lien on real property in the county. By November 30, ~~2014~~ 2016, the office of public instruction shall distribute the amount determined under this subsection (6)(b) to the countywide retirement fund.

(7) (a) The office of public instruction shall distribute the reimbursements calculated in subsection (1) to the county transportation reimbursement under 20-10-146 for the fiscal year ending June 30, ~~2015~~ 2017. The reimbursement must be made at the same time as countywide school transportation block grants are distributed under 20-9-632.

(b) For the fiscal year ending June 30, ~~2014~~ 2016, the department shall determine from the amount calculated under subsection (1) the amount that is attributable to personal property taxes that are not a lien on real property in the county. By November 30, ~~2014~~ 2016, the office of public instruction shall distribute the amount determined under this subsection (7)(b) to the county transportation reimbursement.""

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 235, do pass. Report adopted.

HB 262, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "THE RATE OF"

Insert: "A RATE OF UP TO"

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2. Title, page 1, line 6.

Following: "PRESERVATION"

Insert: "OR WORKFORCE HOUSING"

Following: "SECTIONS"

Insert: "7-6-1501,"

Following: "7-6-1503"

Insert: ", "

3. Page 1, line 9.

Insert: "**Section 1.** Section 7-6-1501, MCA, is amended to read:

"7-6-1501. Resort tax -- definitions. As used in 7-6-1501 through 7-6-1509, the following definitions apply:

(1) "Luxuries" means any gift item, luxury item, or other item normally sold to the public or to transient visitors or tourists. The term does not include food purchased unprepared or unreserved, medicine, medical supplies and services, appliances, hardware supplies and tools, or any necessities of life.

(2) "Medical supplies" means items that are sold to be used for curative, prosthetic, or medical maintenance purposes, whether or not prescribed by a physician.

(3) "Medicine" means substances sold for curative or remedial properties, including both physician prescribed and over-the-counter medications.

(4) "Resort area" means an area that:

(a) is an unincorporated area and is a defined contiguous geographic area;

(b) has a population of less than 2,500 according to the most recent federal census;

(c) derives the major portion of its economic well-being from businesses catering to the recreational and personal needs of persons traveling to or through the area for purposes not related to their income production; and

(d) has been designated by the department of commerce as a resort area prior to its establishment by the county commissioners as provided in 7-6-1508.

(5) "Resort community" means a community that:

(a) is an incorporated municipality;

(b) has a population of less than 5,500 according to the most recent federal census;

(c) derives the primary portion of its economic well-being related to current employment from businesses catering to the recreational and personal needs of persons traveling to or through the municipality for purposes not related to their income production; and

(d) has been designated by the department of commerce as a resort community.

(6) "Workforce housing" means affordable housing for households with earned income that is insufficient to secure quality housing in reasonable proximity to the workplace."

Renumber: subsequent sections

4. Page 1, line 15.

Strike: "at the rate of"

Insert: "at a rate of up to"

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5. Page 2, line 15.

Following: "buildings"

Insert: "or workforce housing"

And, as amended, do pass. Report adopted.

HB 287, do pass. Report adopted.

SB 6, be concurred in. Report adopted.

SB 51, be amended as follows:

1. Page 5, line 27.

Following: "part 1."

Insert: "The written request must include an authorized release form signed by the taxpayer."

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

SB 95, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

2/4/2015

HB 32, introduced by Wagoner

HB 82, introduced by Hertz

HB 108, introduced by Salomon

Senate bills passed and transmitted to the House for concurrence:

2/4/2015

SB 89, introduced by Brenden

SB 128, introduced by Hansen

SB 140, introduced by L. Jones

SB 150, introduced by Windy Boy

FIRST READING AND COMMITMENT OF BILLS

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

HB 413, introduced by C. Hunter, B. Tutvedt, referred to Business and Labor.

HB 414, introduced by M. Lang, referred to Transportation.

HB 415, introduced by F. Garner, referred to Transportation.

HB 416, introduced by R. Mehlhoff, D. Ankney, E. Buttrey, M. Caferro, W. Curdy, M. Dunwell, J. Ellis, S. Fitzpatrick, M. Funk, B. Hamlett, R. Hollandsworth, C. Hunter, T. Jacobson, J. Keane, C. Larsen, E. Lieser, K. McCarthy, E. McClafferty, W. McKamey, M. Moe, P. Noonan, R. Peppers, G. Pierson, J. Price, C. Schreiner, M. Tropila, G. Vuckovich, J. Windy Boy, referred to Taxation.

HB 417, introduced by T. Jacobson, E. McClafferty, R. Mehlhoff, referred to Taxation.

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HB 418, introduced by M. Dunwell, E. Hill, N. McConnell, C. Pope, J. Price, referred to State Administration.

HB 419, introduced by S. Fitzpatrick, referred to State Administration.

HB 420, introduced by M. Dunwell, Dick Barrett, S. Malek, E. McClafferty, Z. Perry, C. Pope, J. Price, C. Kaufmann, referred to Taxation.

HB 421, introduced by T. Berry, referred to Taxation.

HB 422, introduced by R. Ehli, referred to Human Services.

HB 423, introduced by S. Staffanson, referred to Education.

HB 424, introduced by M. Monforton, referred to Judiciary.

HB 425, introduced by M. Monforton, referred to Judiciary.

HB 426, introduced by M. Monforton, referred to Judiciary.

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

HJR 13, introduced by K. White, G. Bennett, R. Brodehl, B. Brown, J. Essmann, F. Garner, B. Harris, S. Hess, T. Jacobson, D. Jones, D. Lamm, F. Mandeville, T. Manzella, D. Mortensen, M. Noland, G. Pierson, A. Redfield, B. Smith, J. Welborn, D. Zolnikov, referred to Natural Resources.

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

SB 89, introduced by J. Brenden, referred to State Administration.

SB 128, introduced by K. Hansen, M. MacDonald, referred to Education.

SB 140, introduced by L. Jones, referred to Appropriations.

SB 150, introduced by J. Windy Boy, D. Kary, J. Keane, M. Lang, R. Lynch, E. McClafferty, R. Peppers, B. Smith, S. Stewart-Peregoy, G. Vuckovich, J. Welborn, referred to Federal Relations, Energy, and Telecommunications.

**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 Wittich in the chair.

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

HB 191 - Representative Eck moved **HB 191** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, 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,

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Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Brodehl, Burnett, Cuffe, Ehli, Regier.

Total 5

Excused: None.

Total 0

Absent or not voting: Meyers.

Total 1

HB 200 - Representative Pinocci moved **HB 200** do pass.

HB 200 - Representative Brodehl moved for cloture. Motion Carried. Motion **failed** 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, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Court, Curdy, 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, Pinocci, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier rose on a **Point of Personal Privilege**. He said "much is said about super majority verses a simple majority". Majority Leader Regier just wanted to point out it was the minority party that used a super majority to prevent cloture today. The House rules do work for all of us.

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Minority Leader Hunter rose on a **Point of Personal Privilege**. He stated that there is a profound difference between procedural motions limiting debate and a super majority requirement that does not comport with our specific constitutional requirement that a simple majority be required to enact legislation.

HB 200 - Representative Pinocci moved **HB 200** do pass. Motion Carried. Motion carried as follows:

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

Total 56

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

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 280 - Representative Essmann moved **HB 280** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, 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 93

Nays: B. Bennett, Brodehl, Glimm, McConnell, Miller, Randall, Zolnikov.

Total 7

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 123 - Representative D. Jones moved **HB 123** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, 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, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 91

Nays: J. Bennett, Cook, Doane, Dudik, Fitzpatrick, Hertz, Monforton, Welborn, Zolnikov.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 302 - Representative Mandeville moved **HB 302** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, 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, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 290 - Representative White moved **HB 290** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, 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 57

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, 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 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 226 - Representative Richmond moved **HB 226** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, 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, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Cuffe, Peppers, Smith, Tropila.

Total 4

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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 Wittich moved the Committee of the Whole report be adopted. Report adopted 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, Kelker, 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, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, 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, Williams, Wilson, Woods.

Total 40

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 101 passed as follows:

Yeas: B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff,

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Meyers, Monforton, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon,

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

Total 77

Nays: Ballance, J. Bennett, Brodehl, Burnett, Cook, Cuffe, Doane, Fitzpatrick, Flynn, Glimm, Hagstrom, Hertz, Jones, Laszloffy, Manzella, Miller, Mortensen, Noland, Randall, Staffanson, Tschida, Welborn, Zolnikov.

Total 23

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 194 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, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, 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, 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 90

Nays: Ellis, Funk, Hayman, Olsen, Pease-Lopez, Peppers, Smith, Tropila, Wilson, Woods.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 251 passed as follows:

Yeas: Ballance, B. Bennett, J. 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, Hess, Hill,

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Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, 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, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Doane, McConnell, Schwaderer, White.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 258 passed as follows:

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

Total 54

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

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 260 passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Garner, Greef,

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Hagstrom, Harris, Hayman, Hertz, 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, 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, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 86

Nays: Berglee, Cuffe, Doane, Ehli, Fitzpatrick, Flynn, Glimm, Hess, Monforton, Noland, Schwaderer, Tschida, Wittich, Zolnikov.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 288 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, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Tschida, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

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

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 295 passed as follows:

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

Total 56

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

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 26 concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, 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, Lang, Laszloffy, Lavin, Lieser, MacDonald, Manzella, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 88

Nays: B. Brown, Cook, Harris, Lamm, Lynch, Mandeville, McCarthy, Olsen, Schwaderer, Tropila, White, Zolnikov.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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MOTIONS

Majority Leader Regier moved **HB 123** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 191** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 200** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 290** be moved from the Committee of the Whole to the Appropriations Committee.

SPECIAL ORDERS OF THE DAY

Representative Welborn introduced the Dillon Junior Fiddlers, they performed and were given Honorary Membership Certificates to the House of Representatives.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 8:00 a.m., Saturday, February 7, 2015. Motion carried.

House adjourned at 2:40 p.m.

LINDSEY GROVOM
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House