

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

Helena, Montana  
February 9, 2015

House Chambers  
State Capitol

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

Roll Call. All members present. Quorum present.

**MOTIONS**

Majority Leader Regier moved the House recess for the purpose of receiving the State of the Tribal Nations address. Upon adjournment of the Joint Session, the House will reconvene. Motion carried.

House in Recess.

Sergeant-at-Arms Lenz notified Speaker Knudsen that the Honorable Senate of the State of Montana awaited entrance to the Chamber.

Speaker Knudsen requested Sergeant-at-Arms Lenz admit the Honorable Senate into the House Chamber.

Speaker Knudsen introduced Senate President Barrett.

Senate Majority Leader Rosendale moved that the body resolve itself into a Joint Session for the purpose of receiving the State of the Tribal Nations address. Motion carried.

Senate Majority Leader Rosendale moved that President Barrett be authorized to appoint a Committee of four to notify Chairman Gerald Gray of the Little Shell Chippewa Tribe that the body was in Joint Session and ready to receive the State of the Tribal Nations Address. Motion carried.

President Barrett appointed Senator Thomas, Senator Whitford, Representative Hess, and Representative Schreiner to escort Chairman Gray into the House Chamber.

Sergeant-at-Arms Spencer announced that the Committee to escort Chairman Gray, awaited entrance to the House.

The Committee escorted Chairman Gray into the Chamber.

President Barrett introduced Chairman Gerald Gray of the Little Shell Chippewa Tribe to the Joint Session.

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Chairman Gray introduced Everett Armstrong and the Blackfeet Dancers who did the Chicken Dance which commemorates and imitates the Prairie Chicken's dance. The dancer translates the movement of the sage grouse. This bird is held in high spiritual esteem. It is represented in many ceremonial bundles, and Tribal societies are named after it.

Chairman Gray gave the following remarks:

**Welcome**

President Barrett, Speaker Knudsen, Governor/Lt. Governor, Senators, Representatives, Elders, Tribal Leaders, Distinguished Guests, State Officials and my Fellow Citizens,

Aanii, Boozhoo (Hello, Greetings) my name is Gerald Gray, I am the Chairman of the Little Shell Tribe of Montana. As Chairman of the Little Shell Chippewa Indians of Montana, one of the eight Tribal Nations that call Montana home, it is an honor and a privilege to be here today to deliver the State of the Tribal Nations address.

The continued growth of the Indian Nations in Montana has been steady, but we all in this room know it can be much, much stronger. With more collaboration and open dialogue, we can come up with solutions to strengthen our Indian reservations and urban Indian communities, which in turn will only strengthen all of Montana.

As our sovereign Indian Nations continue to preserve and protect our traditional ways, our languages, and our cultures that have enabled our peoples to thrive for thousands of years, we also look toward the future. We are seeking more jobs, more economic opportunities, a thriving economy where no one is left in need and our children and adults have access to the best opportunities that are available to all.

**Little Shell Tribe**

As some of you may know the Little Shell Tribe is a State recognized tribe, which has been fighting for Federal recognition for 130 years, as past Chairman John Gilbert has articulated many times.... "We have been waiting for the day that never comes".. well let me now say.... That day is coming, this will be our year!! We will persevere.

While our tribe's headquarters are located in Great Falls, we have members in many of your communities throughout the entire State of Montana. The Little Shell have the federal support for recognition from Senators Jon Tester and Steve Daines, as well as Congressman Ryan Zinke, in which we have bills in both the Senate and House. Also we are eagerly waiting for the Part 83 rules, which are the amended rules required to be federally recognized, we will then resubmit our petition for federal recognition. We are asking this body to support and pass a House joint resolution 15 supporting our recognition, thank you to Representative Mitch Tropila and Senator Ed Buttrey, for taking up that torch for the Little Shell. So we ask "why do we continue this fight, why is this so important to the Little Shell".... Federal recognition is not a receiving line for federal

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handouts, for the Little Shell it's the opportunity for the right to self-govern, the right to Tribal sovereignty, and the right for us to work with all of you... government to government.

There are many things that impact Montana's Indian Country, however I would like to address some of the more pressing ones; Economics, Education, and Health.

**Indian Country Economics**

Many Montanans, including some of our Tribal people,, as most of you know, live in poverty and we must continue to work hard everyday to improve those conditions. While Montana's unemployment rate is around 4.5%, the unemployment rates average between 60-80% on our reservations, Montana has the 3rd highest rate of poverty among American Indian/Alaska Natives, behind only North and South Dakota.... we can and must do better. As a legislative body, you play a significant role in helping us get to a better place.

However, today in Montana there are great things happening throughout Indian Country, this spring the Blackfeet nation will begin construction on a new and expanded dialysis treatment facility that will contain state of art technology. They also hope to build a new nursing care facility to replace their aging 45-year-old facility. Fort Belknap is developing its tourism on the Hi-line, with tours of Snake Butte, Mission Canyon and the Yellowstone Buffalo. Fort Peck Tribes are finalizing funding for a new multi-million dollar wellness center for its members. The Crow Nation has broke ground on a veteran's housing complex for their warriors, and is in the process of organizing the Apsaalooke Cattle Company, the Blacklodge District C-Store. West of the divide, the Confederated Salish and Kootenai Tribes have been strategically planning for the last three decades, the purchasing of Kerr Dam, where its tribal enterprise, Energy Keepers, Inc will be providing electricity to the grid for the Pacific Northwest. They are the only tribe to purchase a hydroelectric dam. The Northern Cheyenne Development Corporation has been working since 2013 to re-establish the Cheyenne Depot I (Lame Deer) and Cheyenne Depot II (Ashland), which will provide essential goods and services in those two locations. Chippewa Cree Tribe is in the final stages of cell tower siting for the Rocky Boys Reservation, this is a public-private partnership with Triangle Telephone Cooperative.

Allow me to share with you what the Little Shell Tribe has accomplished as of today. In the past 3 years, our tribe has progressed by leaps and bounds, we now have a cultural center where we can educate people about the Little Shell history and culture, we have an event center for meetings, weddings and funerals and our celebrations; and in 2014 we purchased a 35,000 sq. foot office complex in Great Falls from which we derive income to support other business ventures. This past week we purchased a 72-acre Travertine quarry by Gardiner, which is only one of 3 active quarries in the entire United States. This will employ anywhere from 40 to 60 Little Shell members, and has the potential to produce an income for the Little Shell Tribe of approximately 16 million dollars per year. We are currently looking at other business ventures, such as a tire-recycling center, and a meat-processing plant, all of which will benefit our Little Shell Tribal members and the state of Montana, as income made will be spent right here in Montana.

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**Indian Country Education**

Education has and still is the stepping-stone for progress and success throughout Indian Country. The historical tide has turned, in that success in education was dependent upon how well cultures matched the dominate society, Well Indian Country has figured that out and now have made great strides in education.

I would like to give credit to school district #2 in Billings, Montana's largest city, where they recently chose to name the newest middle school, Medicine Crow Middle School, after the distinguished American Indian war veteran, the last War Chief of the Crow nation, also an author and historian, Joseph Medicine Crow. This is a great example of being open minded and accepting of this state's changing diversity. It's actions like this that will help teach the younger generations that showing respect for people of other races and cultures fosters a deep respect and understanding of others, which in turn has an effect on how all people can work together in a productive and civic manner thus giving everyone a chance to participate in our society. This is what makes Montana great and will make Montana better!

Our Tribal Nations continue to collaborate with the Office of Public Instruction regarding the important work of both implementing Indian Education for All and improving American Indian student achievement across the state. One mechanism that supports this government to government relationship is the Montana Advisory Council on Indian Education (MACIE), which serves to advise the Office of Public Instruction and the Montana Board of Education. Efforts to improve American Indian student achievement, lower drop-out rates and increase college and career readiness are necessary goals as we look to ensure a strong future for Montana. American Indian students from Great Falls to Culbertson to Heart Butte must receive the same high quality of educational opportunity as all other kids. Tribal nations must be partners with public schools in order to for this happen. The real promise of Indian Education for All - is that our nations' histories, cultures and contemporary issues be shared with all students.

Let's continue the success we're seeing throughout Montana and fund the Governors pre-school plan as we all know that the earlier children start school the better the chances they are ensured to develop socially and emotionally. Early childhood education also can significantly impact a child's cognitive development and language development. It's an investment in the State of Montana's future that we must have. As the Great Chief Sitting Bull once said "Let us put our minds together and see what life we can make for our children".

**Bills Important to Indian Country**

While there are many active pieces of legislation, there are a few that I want to mention in particular, so I stand here in front of you today and ask for your support....In working together through collaboration these bills will not only benefit Indian country but all of Montana;

- HB 196, sponsored by Representative Susan Webber, The Tribal College Non-Beneficiary Assistance program provides funding to tribal colleges to support a portion of the costs

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of educating non-tribal members attending the seven tribal colleges on the reservations in Montana.

- Access to capital is the obstacle that impedes the launch or growth of individual tribal businesses as well as paralyzes the larger reservation economies. HB 301, sponsored by Representative Rae Peppers, The Native American Gap Financing Program, will provide support for tribal member-owned businesses that do not have sufficient collateral to access a commercial business loan. This innovative pilot program will partner with traditional and tribal lending institutions and help provide those needed loans.
- HB 331, sponsored by Representative Nicholas Schwaderer, Removes the term "Half breed" from signage and geological features in Montana. Lets do the right thing as we DO NOT need derogatory signage as it only sends the wrong message to the next generation.
- SB 262, sponsored by Senator C. Vincent, CSKT Water compact; This is the final tribe seeking quantification of their water rights through the Montana state system. Lets get this passed and avoid unnecessary court battles that only hurt and drag down businesses.

Preserving native languages in the form of spoken, written, or sign for each tribe in the State of Montana is of utmost importance to our tribal nations. This bill, which is sponsored by Senator Jonathan WindyBoy, will continue to develop, improve, and distribute language curriculum, language classes, publication of literature, language-teaching products, also to assist in preserving and carrying on our native languages.

For the Little Shell and other tribes, as well, passage of this language bill has and will:

- Bring focus and clarity to the mission of the tribe to reinforce, identify, document, protect, and encourage the Little Shell language and culture.
- Coalesce pride around a reaffirmed language and cultural identity for the tribe. Projects a positive, accountable, transparent, and confident public image of the tribe.
- Involved the tribe in nation-to-nation relationships throughout the traditional historic homeland.
- This helped the Tribe to recognize our significant role within Montana society.

Please support this Language effort again and not let it become a "one and done."

The Indian Country Economic Development Program, otherwise known as the ICED program, has proven year and year again to be nothing but a success to the Tribes and to the towns in which the program awards were utilized. This program assists in creating jobs and providing income for families, which is the right thing to do. ICED focuses on 1) workforce development/business development projects through tribal governments, 2) training for budding Native entrepreneurs, 3) access to capital through grant support for small business development of company collateral (also known as the Indian Equity Fund) and 4) technical assistance on credit, commercial lending and financial management.

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This particular funding has helped the Little Shell build our business infrastructure, which in turn also benefits the city of Great Falls, as the income derived from these ventures are spent throughout Cascade county. Please continue to fund this important job-creating program.

Before I end, I want to talk about one more really important topic. One that impacts every single Montanan - our friends, our neighbors, our family, our communities . . . and that is our health.

**Health**

It is clear from the State of Montana's 2013 "State of the State Health Report" that health disparities exist between the Indian and non-Indian population in Montana. The most troubling statistic is the one that states that "white men in Montana lived 19 years longer than American Indian men, and white women lived 20 years longer than American Indian women." These statistics can simply no longer be ignored. This is an entire generation of people who are leaving our families and our communities too soon - children are growing up without grandparents, families are losing children, and children are losing parents. Now that we know this information, we must act, collectively, and in partnership. A great opportunity exists for the Tribes and State to work together to address health disparities in Indian Country. We need your support of any and all efforts made toward seizing this opportunity if we are to begin to make a difference.

**Access to Health Care**

The federal government, through the Indian Health Service, is responsible for delivering health care to Indians - a promise made by the federal government when they negotiated the treaties with Indian Tribes many, many years ago. Unfortunately, the health care services currently being provided are limited and inadequate, are subject to complex federal regulations, policies and requirements, and in the end leaves individuals without access to basic services, preventative care, and many times, without choices in their own health care decisions. The revenue received from third parties, such as Medicaid, is absolutely critical to building tribal health programs and delivering quality health care to Indians. These 100% federal pass through dollars, which have no impact on the state general fund, are important to facilities as they continue to build their local health infrastructure. Ensuring that Indians have access to the health insurance marketplace to purchase health insurance at an affordable price is important to helping individuals have choice and ultimately better access to health care coverage.

**Medicaid Expansion**

Montana has the highest percentage of uninsured adult American Indians in the nation, with over half of our state's American Indian population uninsured. Indian Health Service is not a health insurance plan nor is it portable outside its own system. In fact, the services IHS does provide do not even meet the 10 essential benefits required under the Affordable Care Act.

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One way to begin to make a difference in outcomes and in access to quality health care for Indians would be to expand Medicaid eligibility to those most in need. House Bill 249, sponsored by Representative Pat Noonan, will do just that. In our culture, we hold in high regard the expectation that we have a responsibility to care for others. Medicaid Expansion would go a long way towards putting a serious dent in Montana's health disparity statistics and in giving individuals access to basic health care. I urge your support for Medicaid Expansion in Montana. People's lives literally depend on it. Accepting available federal funding will bring \$5.4 billion into Montana over the next six years. It will also create a bunch of high-paying jobs in the healthcare sector and among small businesses and it will keep those critical hospitals in our small towns and Indian reservation open and operating... Who doesn't want that?

These United States are truly the melting pot of the world, Montana demographics are also changing, therefore we need to work even harder together as a community to dispel the stereotypes that have plagued this state, that starts with all of us as leaders of this great state.

Since the direction of the party line clearly doesn't agree with all involved, perhaps politicians should start treating government as it was meant to be, addressing the problems at hand for the good of the people with sincere negotiation and compromise instead of party line attacks and misrepresentation. This whole concept of party wars and party agenda and being expected to go against what you know to be right (like not discriminating) just to satisfy some mystical presence at the heart of a party has not worked for centuries so why would they expect it to work now? This thinking only holds the State of Montana back, so lets all change things and make Great Things Happen!

We, as politicians - Republican, Democrat, Independents, Montana Legislators, State, County, Federal, and Tribal officials have the opportunities to work in an honest and true PARTNERSHIP to create a better life for all citizens of Montana, including all races and nationalities living in this great state.

We do not need to provoke and create hardships for one another; instead, with our abundant range of abilities that we all possess, no matter what position we hold as individuals, we must commit ourselves to ensuring that we are all working together to create a quality life for all Montanans! We have the opportunities now to change how we can and should work in PARTNERSHIP for the betterment of all people. Let us begin this journey today! Migwech.?

President Barrett thanked Chairman Gray and directed the Committee of four to escort the Chairman from the Joint Session.

Senate Majority Leader Rosendale moved that the Joint Session of the 64<sup>th</sup> Legislature be adjourned. Motion carried.

The House reconvened.

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**BILLS** (Welborn, Chair):

2/9/2015

Correctly engrossed: **HB 322**.

Correctly enrolled: **HB 31, HB 41, HB 52, HB 57, HB 66, HB 79**.

Transmitted to the Senate: **HB 28, HB 87, HB 111, HB 226, HB 280, HB 302**.

Signed by the Speaker at 7:30 a.m., February 10, 2015: **HB 109, HB 121, HB 125**.

Signed by the Chief Clerk of the House at 8:00 a.m., February 10, 2015: **HB 109, HB 121, HB 125**.

Delivered to the Governor for approval at 10:45 a.m., February 9, 2015: **HB 32, HB 82, HB 108**.

**LEGISLATIVE ADMINISTRATION** (Welborn, Chair):

2/9/2015

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 12:00 p.m., Saturday, February 7, 2015:

Bailey Durnell, Great Falls  
Timothy Haymond, Columbia Falls  
Tyler Reilly, Butte  
MacKenzie Dexter, Helena  
Dominique Nault, Havre  
Jonathon Four Colors, Box Elder  
Alex Winchell, Huntley Project

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, February 9, 2015:

Lauren Schmitt, Spokane, WA  
Joss Hoffman, Helena  
Matt Hoffman, Helena  
Emily Walborn, Helena  
Rob McCarvel, Helena  
Maia Parisot, Helena

Report Adopted.

**REPORTS OF STANDING COMMITTEES**

**EDUCATION** (Laszloffy, Chair):

2/6/2015

**HB 322**, introduced bill, be amended as follows:

1. Title, page 1, line 6 through line 7.

**Strike:** ", " on line 6

**Insert:** "AND"

**Strike:** ", AND COUNTY TREASURERS" on line 7



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2. Page 2, line 25.

**Strike:** subsection (iii) in its entirety

**Renumber:** subsequent subsections

3. Page 3, line 2.

**Strike:** "(6)(b)(vi)"

**Insert:** "(6)(b)(v)"

4. Page 5, line 26.

**Strike:** "county treasurer and"

5. Page 6, line 18.

**Strike:** "After receiving notification from"

**Insert:** "Following receipt of a signed contract pursuant to [section 4],"

6. Page 6, line 18 through line 20.

**Strike:** "of a" on line 18 through "transfer" on line 20

**Insert:** "shall withhold"

7. Page 6, line 21.

**Strike:** "general" through "instruction"

**Insert:** "BASE aid payments, pursuant to 20-9-344, for the months of August through May"

8. Page 6, line 28.

**Strike:** "transferred"

**Insert:** "withheld"

9. Page 7, line 12.

**Strike:** "transferred to"

**Insert:** "withheld by"

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**House bill** concurred in and returned to the House:

2/6/2015

**HB 125**, introduced by Swanson

**Senate bills** passed and transmitted to the House for concurrence:

2/6/2015

**SB 54**, introduced by Dick Barrett

**SB 96**, introduced by Keane

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**SB 97**, introduced by Vincent  
**SB 110**, introduced by Buttrey  
**SB 188**, introduced by Vincent

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 430**, introduced by S. Fitzpatrick, A. Doane, J. Essmann, K. Hansen, G. Hertz, E. Hill, S. Lavin, N. McConnell, M. Monforton, A. Person, N. Swandal, referred to Judiciary.  
**HB 435**, introduced by D. Hayman, M. Dunwell, M. Funk, C. Pope, referred to Business and Labor.  
**HB 436**, introduced by K. Dudik, referred to Judiciary.  
**HB 437**, introduced by M. Monforton, referred to State Administration.  
**HB 438**, introduced by A. Olszewski, referred to Human Services.

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

**SB 54**, introduced by Dick Barrett (by request of the Department of Revenue), referred to Taxation.  
**SB 96**, introduced by J. Keane (by request of the Department of Environmental Quality), referred to Natural Resources.  
**SB 97**, introduced by C. Vincent (by request of the Department of Environmental Quality), referred to Natural Resources.  
**SB 110**, introduced by E. Buttrey, referred to Transportation.  
**SB 188**, introduced by C. Vincent, referred to Natural Resources.

**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 McConnell in the chair.

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

**HB 89** - Representative Dudik moved **HB 89** 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, 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,

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Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: Burnett, Schwaderer.  
Total 2

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 235** - Representative Lynch moved **HB 235** do pass. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, 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, 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 93

Nays: Ballance, Cook, Fitzpatrick, Jones, Monforton, Pinocci, Wittich.  
Total 7

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 259** - Representative D. Moore moved **HB 259** do pass.

**HB 259** - Representative Olsen moved **HB 259**, second reading copy, be amended as follows:

1. Page 1, line 19.

**Following:** "dealer"

**Strike:** "or"

**Insert:** ", "

**Following:** "wholesaler"

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**Insert:** ", or auto auction"

2. Page 2.

**Following:** line 14

**Insert:** "(c) If a dealer, wholesaler, or auto auction is unable to produce a clear certificate of ownership, certificate of title, or manufacturer's certificate of origin within 90 days, the buyer may rescind the purchase."

**HB 259** - Representative D. Moore moved **HB 259 Amendment # 259001** be tabled. The Chair deemed the motion out of order. The table motion was withdrawn.

Amendment **not** adopted as follows:

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

Total 46

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

Total 54

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 259** - Representative Olsen moved **HB 259**, second reading copy, be amended as follows:

1. Page 2, line 9 through line 11.

**Following:** "IF"

**Strike:** ":", on line 9 through "(II)"

Amendment adopted as follows:

Yeas: B. Bennett, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Flynn, Funk, Hagstrom, Harris, Hayman, Hess, Hill, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty,

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McConnell, McKamey, Mehlhoff, Meyers, Monforton, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 59

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Doane, Fiscus, Fitzpatrick, Garner, Glimm, Greef, Hertz, Hollandsworth, Holmlund, Lang, Laszloffy, Lavin, Mandeville, Miller, Moore, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Mr. Speaker.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 259** - Representative D. Moore moved **HB 259**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kipp III, Lang, Lavin, Lynch, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, White, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 73

Nays: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Dudik, Dunwell, Eck, Ellis, Harris, Hayman, Hess, Holmlund, Kelker, Lamm, Laszloffy, Lieser, MacDonald, Mandeville, Olsen, Osmundson, Pease-Lopez, Ricci, Wagoner, Welborn, Williams, Woods.

Total 27

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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**HB 274** - Representative Ballance moved **HB 274** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Fiscus, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Laszloffy, Manzella, McKamey, Meyers, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, White, Wittich, Zolnikov, Mr. Speaker.  
Total 39

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

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 McConnell 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, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 99

Nays: Schwaderer.  
Total 1

Excused: None.  
Total 0

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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 119** passed as follows:

Yeas: Ballance, B. Bennett, Berry, Brodehl, 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, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, 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, Mr. Speaker.

Total 90

Nays: J. Bennett, Berglee, B. Brown, Cuffe, Hess, Manzella, Monforton, Schwaderer, Wittich, Zolnikov.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 203** passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, 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, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy,

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McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 229** passed as follows:

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

Total 85

Nays: Dudik, Eck, Hayman, Jacobson, Kelker, Lieser, Meyers, Peppers, Pierson, Schreiner, Shaw, Smith, Tropila, Webber, Welborn.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 324** 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,



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Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 4** concurred in as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, 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, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 83

Nays: J. Bennett, Brodehl, B. Brown, Cook, Cuffe, Doane, Glimm, Jones, Lamm, Laszloffy, Manzella, Monforton, Mortensen, Schwaderer, Wagoner, Welborn, White.  
Total 17

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 5** concurred in as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Randall, Redfield,

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Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.  
Total 81

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Ehli, Glimm, Lamm, Manzella, Noland, Peppers, Pinocci, Schwaderer, Tschida, Welborn, Zolnikov.  
Total 19

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 35** concurred in as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Clark, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, 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, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.  
Total 84

Nays: J. Bennett, Brodehl, B. Brown, Burnett, Cook, Cuffe, Ehli, Glimm, Greef, Hess, Lamm, Meyers, Schwaderer, Tschida, Wagoner, Welborn.  
Total 16

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 36** concurred in as follows:

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

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Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods, Mr. Speaker.  
Total 81

Nays: J. Bennett, Brodehl, B. Brown, Cook, Cuffe, Glimm, Hagstrom, Harris, Hess, Lamm, Manzella, Monforton, Olszewski, Schwaderer, Tschida, Wagoner, Welborn, Wittich, Zolnikov.  
Total 19

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**MOTIONS**

Majority Leader Regier moved **HB 89** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Regier moved **HB 235** be moved from the Committee of the Whole to the Appropriations Committee.

Representative Z. Brown moved to change his vote on **HB 203** from Yes to No. Without objection, so ordered.

Representative Ballance moved to reconsider action on **SB 29** and that **SB 29** be placed on second reading on Tuesday, February 10, 2015.

Motion **passed** as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Funk, Garner, Greef, Hagstrom, Harris, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 79

Nays: Brodehl, B. Brown, Doane, Essmann, Fitzpatrick, Flynn, Glimm, Hayman, Hertz, Lamm, Mortensen, Olszewski, Osmundson, Peppers, Randall, Regier, Schwaderer, Staffanson, Tropila, Wagoner, Wittich.  
Total 21

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Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Tuesday, February 10, 2015. Motion carried.

House adjourned at 3:12 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House