

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

Helena, Montana
February 10, 2015

House Chambers
State Capitol

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

Roll Call. All members present. Quorum present.

BILLS (Welborn, Chair):

2/10/2015

Correctly printed: **HB 145, HB 346, HB 387, SB 81, SB 104, SB 117, SB 164.**

Correctly engrossed: **HB 343, HJR 9, HJR 10.**

Correctly enrolled: **HB 56, HB 67, HB 75, HB 81, HB 84, HB 110, HB 122, HB 139, HB 143.**

Transmitted to the Senate: **HB 119, HB 203, HB 229, HB 324, SB 4, SB 5, SB 35, SB 36.**

Signed by the Chief Clerk of the House at 10:41 a.m., February 10, 2015: **HB 65.**

Signed by the Speaker at 10:30 a.m., February 10, 2015: **HB 65.**

Signed by the President at 9:30 a.m., February 10, 2015: **HB 109, HB 121, HB 125.**

Signed by the President at 2:30 p.m., February 10, 2015: **HB 65.**

Delivered to the Governor for approval at 9:45 a.m., February 10, 2015: **HB 109, HB 121, HB 125.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ballance, Chair):

2/9/2015

HB 145, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

2/10/2015

HB 343, introduced bill, be amended as follows:

1. Page 1, line 21.

Strike: ", easily produced"

2. Page 1, line 24.

Following: "confidential information,"

Insert: "trade secrets,"

3. Page 2, line 21.

Strike: "2 years"

Insert: "1 year"

And, as amended, do pass. Report adopted.

SB 81, be concurred in. Report adopted.

SB 104, be concurred in. Report adopted.

SB 164, be concurred in. Report adopted.

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TRANSPORTATION (Lavin, Chair): 2/9/2015
HB 346, do pass. Report adopted.
HB 387, do pass. Report adopted.
HJR 9, be adopted. Report adopted.
HJR 10, be adopted. Report adopted.
SB 117, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 2/7/2015

HB 31, introduced by Kelker
HB 41, introduced by Hunter
HB 52, introduced by Dunwell
HB 57, introduced by Funk
HB 66, introduced by Hertz
HB 79, introduced by Lynch

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

2/7/2015

HB 136, introduced by Eck

Senate bill passed and transmitted to the House for concurrence:

2/7/2015

SB 151, introduced by Kary

FIRST READING AND COMMITMENT OF BILLS

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

HB 439, introduced by A. Redfield, referred to Agriculture.
HB 440, introduced by G. Kipp, referred to Taxation.
HB 441, introduced by J. Essmann, referred to Local Government.
HB 442, introduced by A. Wittich, referred to Human Services.
HB 443, introduced by D. Zolnikov, referred to Judiciary.
HB 444, introduced by D. Zolnikov, referred to Judiciary.
HB 445, introduced by D. Zolnikov, referred to Judiciary.
HB 446, introduced by K. Wagoner, referred to Judiciary.
HB 447, introduced by K. Wagoner, referred to Judiciary.
HB 448, introduced by K. Wagoner, referred to Judiciary.
HB 449, introduced by K. Wagoner, referred to Business and Labor.
HB 450, introduced by K. Wagoner, referred to Fish, Wildlife and Parks.

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

HR 2, introduced by W. Curdy, referred to Natural Resources.

The following Senate bill was introduced, read first time, and referred to committee:

SB 151, introduced by D. Kary, referred to State Administration.

Minority Leader Hunter announced the Democrats would caucus.

Majority Leader Regier announced the Republicans would stand at ease.

**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 33 - Representative Ehli moved **HB 33** do pass.

HB 33 - Representative Ehli moved **HB 33**, second reading copy, be amended as follows:

1. Page 2, line 12.

Strike: "Money"

Insert: "For the biennium beginning July 1, 2015, money"

2. Page 2.

Following: line 19

Insert: "(5) Money appropriated for the purposes of this section after June 30, 2017, may be used to support services developed through use of state matching funds in previous years. If an appropriation exceeds the base budget, the department shall give priority for use of the additional money to counties that are proposing to create crisis intervention or jail diversion services in areas of the state that lack services or to counties that are proposing to create new services or provide additional services in areas of the state that have received state matching funds for other purposes.

Renumber: subsequent subsection

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett,

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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, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 33 - Representative Ehli moved **HB 33**, second reading copy, be amended as follows:

1. Page 2, line 12.

Strike: "Money"

Insert: "For the biennium beginning July 1, 2015, money"

2. Page 2, line 14.

Following: "services;"

Strike: "or"

3. Page 2, line 16.

Following: "purposes"

Insert: "; or

(iii) recognize an increase in the demand for or use of services that have received funding in previous years"

4. Page 2, line 17.

Strike: "The"

Insert: "For the biennium beginning July 1, 2015, the"

5. Page 2, line 19.

Following: "matching funds."

Insert: "If a county requests additional matching funds for continued funding of services

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provided through use of matching funds in previous years, the department shall consider whether the service is experiencing increased demand or use as provided in subsection (4)(a)(iii) and is eligible for increased funding."

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, 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, Mr. Speaker.
Total 100

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 33 - Representative Ehli moved **HB 33**, second reading copy, be amended as follows:

1. Page 2, line 22.

Following: "Appropriation."

Insert: "(1)"

2. Page 2, line 25.

Insert: "(2) Expenditures from this appropriation are intended to be ongoing and must be included in the budget prepared by the governor for the 2019 biennium."

Insert: "COORDINATION SECTION. Section 3. Coordination instruction. (1) If both House Bill No. 2 and [this act] are passed and approved and House Bill No. 2 contains an appropriation of \$1.85 million to the department of public health and human services in each year of the biennium beginning July 1, 2015, for state matching funds granted pursuant to 53-21-1203, then [section 2 of this act] is void.

(2) If both House Bill No. 2 and [this act] are passed and approved and House Bill No. 2 contains an appropriation of less than \$1.85 million but more than \$850,000 in each year of the biennium beginning July 1, 2015, to the department of public health and human services for

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state matching funds granted pursuant to 53-21-1203, then the appropriation in House Bill No. 2 must be reduced to \$850,000 in each year of the biennium.

(3) If both House Bill No. 2 and [this act] are passed and approved and House Bill No. 2 contains an appropriation of less than \$850,000 in each year of the biennium beginning July 1, 2015, to the department of public health and human services for state matching funds granted pursuant to 53-21-1203, then the appropriation in House Bill No. 2 is void and the appropriation in [this act] must be increased to \$3.7 million for the biennium."

Renumber: subsequent section

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, 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, Mr. Speaker.
Total 100

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 33 - Representative Ehli moved **HB 33**, as amended, 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, Zolnikov, Mr. Speaker.
Total 100

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Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 34 - Representative Ehli moved **HB 34** do pass.

HB 34 - Representative Ehli moved **HB 34**, second reading copy, be amended as follows:

1. Page 1, line 14.

Insert: "(3) Expenditures from this appropriation are intended to be ongoing and must be included in the budget prepared by the governor for the 2019 biennium."

Insert: "COORDINATION SECTION. Section 2. Coordination instruction. (1) If both House Bill No. 2 and [this act] are passed and approved and House Bill No. 2 contains an appropriation of \$815,000 in each year of the biennium beginning July 1, 2015, to the department of public health and human services to contract for psychiatric treatment beds as allowed under 53-21-1204, then [this act] is void.

(2) If both House Bill No. 2 and [this act] are passed and approved and House Bill No. 2 contains an appropriation of less than \$815,000 but more than \$215,000 in each year of the biennium beginning July 1, 2015, to the department of public health and human services to contract for psychiatric treatment beds as allowed under 53-21-1204, then the appropriation in House Bill No. 2 must be reduced to \$215,000 in each year of the biennium.

(3) If both House Bill No. 2 and [this act] are passed and approved and House Bill No. 2 contains an appropriation of less than \$215,000 in each year of the biennium beginning July 1, 2015, to the department of public health and human services to contract for psychiatric treatment beds as allowed under 53-21-1204, then the appropriation in House Bill No. 2 is void and the appropriation in [this act] must be increased to \$815,000 in each year of the biennium."

Renumber: subsequent section

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, 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

HB 34 - Representative Ehli moved **HB 34**, as amended, 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, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 35 - Representative Ehli moved **HB 35** do pass.

HB 35 - Representative Ehli moved **HB 35**, second reading copy, be amended as follows:

1. Page 3, line 25.

Insert: "(3) Expenditures from this appropriation are intended to be ongoing and must be included in the budget prepared by the governor for the 2019 biennium."

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Insert: "COORDINATION SECTION. Section 5. Coordination instruction. If both House Bill No. 2 and [this act] are passed and approved and House Bill No. 2 contains an appropriation of \$1 million to the department of public health and human services for the biennium beginning July 1, 2015, for short-term inpatient treatment provided pursuant to 53-21-1205, then [section 4] of [this act] is void."

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, 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, Mr. Speaker.
Total 100

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 35 - Representative Ehli moved **HB 35**, as amended, 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, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 287 - Representative Jacobson moved **HB 287** do pass. Motion carried as follows:

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

Total 79

Nays: Ballance, J. Bennett, B. Brown, Burnett, Clark, Essmann, Glimm, Hagstrom, Hollandsworth, Lamm, Manzella, McKamey, Noland, Osmundson, Pinocci, Redfield, Regier, Ricci, Schwaderer, Wittich, Zolnikov.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 331 - Representative Schwaderer moved **HB 331** 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, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 372 - Representative Garner moved **HB 372** 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, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 16 - Representative B. Bennett moved **SB 16** be concurred in. 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, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 19 - Representative Berglee moved **SB 19** be concurred in. Motion carried as follows:

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

Total 86

Nays: J. Bennett, Berry, B. Brown, Cook, Fitzpatrick, Hertz, Karjala, Lamm, McKamey, Wagoner, Webber, White, Wittich, Zolnikov.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 27 - Representative Garner moved **SB 27** be concurred in. 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, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 98

Nays: Schwaderer, Zolnikov.

Total 2

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 29 - Representative Essmann moved **SB 29** be concurred in.

SB 29 - Representative Salomon moved **SB 29**, second reading copy, be amended as follows:

1. Title, page 1, line 4.

Strike: "REQUIREMENTS RELATED TO"

Insert: "LIMIT ON"

2. Page 1, line 12.

Following: "~~(1)~~"

Insert: "(1)"

3. Page 2.

Following: line 15

Insert: "(2) The regents may utilize waivers in tuition and

fees to aid in the recruitment of students to units of the university system and to promote the policy of assisting the categories of students specified in this subsection. The regents may:

(a) waive or discount nonresident tuition for selected and approved nonresident students, including nonresident students who enroll under provisions of any WICHE-sponsored state reciprocal agreements that provide for the payment, when required, of the student support fee by the reciprocal state;

(b) waive resident tuition for students at least 62 years of age;

(c) waive tuition and fees for:

(i) persons who have one-fourth Indian blood or more or are enrolled members of a state-recognized or federally recognized Indian tribe located within the boundaries of the state of Montana and who have been bona fide residents of Montana for at least 1 year prior to enrollment in the Montana university system;

(ii) persons designated by the department of corrections pursuant to 52-5-112 or 53-1-214;

(iii) residents of Montana who served with the armed forces of the United States in any of its wars and who were honorably discharged from military service;

(iv) children of residents of Montana who served with the armed forces of the United States in any of its wars and who were killed in action or died as a result of injury, disease, or other disability incurred while in the service of the armed forces of the United States;

(v) the spouses or children of residents of Montana who have been declared to be prisoners of war or missing in action; or

(vi) the spouse or children of a Montana national guard member who was killed or died as a result of injury, disease, or other disability incurred in the line of duty while serving on state active duty;

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(d) waive tuition charges for qualified survivors of Montana firefighters or peace officers killed in the course and scope of employment. For purposes of this subsection, a qualified survivor is a person who meets the entrance requirements at the state university or college of the person's choice and is the surviving spouse or child of any of the following who were killed in the course and scope of employment:

- (i) a paid or volunteer member of a municipal or rural fire department;
- (ii) a law enforcement officer as defined in 7-32-201; or
- (iii) a full-time highway patrol officer."

Amendment adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, 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, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.
Total 90

Nays: B. Bennett, Cook, Essmann, Glimm, Hertz, Mandeville, Meyers, Schwaderer, White, Zolnikov.
Total 10

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 29 - Representative Essmann moved **SB 29**, as amended, be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Flynn, Funk, Harris, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Monforton, Moore, Olsen, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Richmond, Salomon, Schreiner, Shaw, Staffanson, Steenberg, Swanson, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.
Total 64

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Nays: J. Bennett, Brodehl, B. Brown, Doane, Essmann, Fitzpatrick, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Jones, Lamm, Lang, Mandeville, Manzella, McKamey, Meyers, Mortensen, Noland, Noonan, Olszewski, Peppers, Redfield, Regier, Ricci, Schwaderer, Smith, Tropila, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 36

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 46 - Representative Wagoner moved **SB 46** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, 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, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: J. Bennett, Brodehl, Cuffe, Glimm, Harris, Lang, Redfield, Ricci, Schwaderer, White, Wittich.

Total 11

Excused: None.

Total 0

Absent or not voting: Berglee.

Total 1

SB 78 - Representative Salomon moved **SB 78** be concurred in. 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, 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

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, Mr. Speaker.
Total 100

Nays: None.
Total 0

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 259 passed as follows:

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Yeas: Ballance, Berry, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kipp III, Lamm, Lang, Lavin, Lynch, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Webber, Welborn, White, Wittich, Mr. Speaker.

Total 67

Nays: B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Cuffe, Dudik, Dunwell, Eck, Funk, Hagstrom, Hayman, Hess, Holmlund, Kelker, Laszloffy, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McConnell, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Tropila, Wagoner, Williams, Wilson, Woods, Zolnikov.

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Regier moved **HB 287** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 351** be moved from the Committee of the Whole to the Appropriations Committee.

Representative Dudik moved to change her vote on **HB 259** from Yes to No. Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Wednesday, February 11, 2015. Motion carried.

House adjourned at 2:43 p.m.

LINDSEY GROVOM
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House