

**HOUSE JOURNAL
64TH LEGISLATURE
FORTY-SECOND LEGISLATIVE DAY**

Helena, Montana
February 24, 2015

House Chambers
State Capitol

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

Roll Call. All members present. Quorum present.

BILLS (Welborn, Chair):

2/24/2015

Correctly printed: **HB 381, HB 454, HB 463, HB 468, HB 564, HB 588.**

Correctly engrossed: **HB 330, HB 349, HB 507, HB 517, HB 529, HB 562, HB 575, HB 577, HB 578, HB 580.**

Transmitted to the Senate: **HB 164, HB 191, HB 196, HB 227, HB 244, HB 252, HB 306, HB 318, HB 322, HB 337, HB 402, HB 439, HB 538, HB 542, HB 546, HB 550.**

Signed by the President at 3:30 p.m., February 24, 2015: **HB 27.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ballance, Chair):

2/23/2015

HB 330, introduced bill, be amended as follows:

1. Title, page 1, line 6 through line 11.

Following: "PROVIDE" on line 6

Strike: "CERTAIN INFORMATION" through "COMMITTEE" on line 11

Insert: "PUBLIC NOTIFICATION"

2. Page 1, line 15 through page 3, line 16.

Strike: sections 1 and 2 in their entirety

Insert: "NEW SECTION. Section 1. Limitations on excess property provided to local law enforcement -- definitions. (1) A law enforcement agency may not receive the following property from a military equipment surplus program operated by the federal government:

(a) drones that are armored, weaponized, or both;

(b) aircraft that are combat configured or combat coded;

(c) grenades or similar explosives, including but not limited to flash-bang grenades, stun grenades, and grenade launchers;

(d) silencers;

(e) long-range acoustic devices; or

(f) armored vehicles.

(2) For purposes of this section, "law enforcement agency" means a law enforcement service provided by a local government as authorized in Title 7, chapter 32."

Insert: "NEW SECTION. Section 2. Public notification. If a law enforcement agency

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requests property from a military equipment surplus program, the law enforcement agency shall publish a notice of the request on a publicly accessible website within 60 days after the request."

3. Page 3, line 18.

Following: "instruction." on line 18

Strike: "(1)" on line 18 through "[Section 2] is" on line 20

Insert: "[Sections 1 and 2] are"

4. Page 3, line 21.

Strike: "[section 2]"

Insert: "[sections 1 and 2]"

And, as amended, do pass. Report adopted.

HB 381, do pass. Report adopted.

HB 463, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

2/20/2015

HB 577, do pass. Report adopted.

HUMAN SERVICES (Wittich, Chair):

2/23/2015

HB 349, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: "DISCRIMINATION;"

Insert: "PROVIDING EXCEPTIONS;"

2. Page 1.

Following: line 26

Insert: "(3) This section does not apply to excepted benefits as defined in 33-22-140."

And, as amended, do pass. Report adopted.

HB 468, do pass. Report adopted.

HB 507, do pass. Report adopted.

HB 517, do pass. Report adopted.

STATE ADMINISTRATION (Essmann, Chair):

2/23/2015

HB 454, do pass. Report adopted.

HB 529, introduced bill, be amended as follows:

1. Page 1, line 17.

Following: "watcher"

Insert: "at a polling place where electors are voting on ballots with the candidate's name on them"

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And, as amended, do pass. Report adopted.

HB 562, do pass. Report adopted.

HB 564, do pass. Report adopted.

HB 578, do pass. Report adopted.

HB 588, do pass. Report adopted.

STATE ADMINISTRATION (Essmann, Chair):

2/24/2015

HB 575, introduced bill, be amended as follows:

1. Page 1, line 13.

Strike: "granted to nonstate entities"

Insert: "distributed as grants"

2. Page 2, line 18.

Strike: "a"

Insert: "any state or"

And, as amended, do pass. Report adopted.

HB 580, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "CERTAIN ITEMS"

Insert: "ANYTHING OF VALUE"

Following: "PLACE"

Insert: "ON ELECTION DAY"

2. Page 1, line 15.

Strike: "A"

Insert: "On election day, a"

And, as amended, do pass. Report adopted.

ADVERSE COMMITTEE REPORT

STATE ADMINISTRATION (Essmann, Chair):

2/24/2015

HB 335, do not pass.

HB 514, do not pass.

Minority Leader Hunter rose in Objection to the Adverse Committee Reports on HB 335 and 514. He stated that since Montana became a state the constitutional provisions that govern over the Legislature are the fundamental principles of majority rule. Article 5 Section 11 is specific to this point, as it regards legislation. The Montana Supreme Court recognized and applied this principle that a legislative body cannot constitutionally delegate its power to even a committee of its own

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members and a seminal case construing that section in *State ex rel Judge v Legislative Finance Committee*. The Mason Manual of Legislative Procedures which is formally adopted as the underpinning of our own rules also speaks to the fundamental primacy of constitutional principles of majority rules in many sections including Sections 10, 12, 51 and 510. Minority Hunter renewed objections to the use of Rule H40-100, Adverse Committee Reports, requiring a super majority to reject such a report.

The objection was noted by Mr. Speaker

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/21/2015

SB 224, introduced by Wolken
SB 232, introduced by F. Moore
SB 245, introduced by Kary
SB 284, introduced by Brenden
SB 288, introduced by Tutvedt
SB 327, introduced by Blasdel

FIRST READING AND COMMITMENT OF BILLS

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

SB 224, introduced by C. Wolken, K. Hansen, A. Knudsen, N. Swandal, referred to Judiciary.
SB 232, introduced by F. Moore, referred to Agriculture.
SB 245, introduced by D. Kary, D. Ankney, M. Blasdel, J. Brenden, B. Brown, K. Flynn, F. Garner, B. Hamlett, B. Harris, S. Hess, D. Howard, J. Keane, B. Keenan, S. Laszloffy, S. Lavin, F. Mandeville, K. McCarthy, G. Meyers, M. Noland, A. Olszewski, Z. Perry, K. Regier, R. Ripley, N. Schwaderer, C. Smith, J. Taylor, F. Thomas, G. Vance, R. Webb, J. Welborn, J. Windy Boy, D. Zolnikov, referred to Fish, Wildlife and Parks.
SB 284, introduced by J. Brenden, M. Blasdel, R. Brodehl, M. Cuffe, D. Howard, M. Lang, M. Miller, F. Moore, A. Redfield, T. Richmond, R. Ripley, M. Rosendale, R. Osmundson, S. Sales, C. Smith, G. Vance, K. White, referred to Agriculture.
SB 288, introduced by B. Tutvedt, referred to Business and Labor.
SB 327, introduced by M. Blasdel, 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 Eck in the chair.

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

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HB 410 - Majority Leader Regier moved consideration of **HB 410** be passed for the day.
Motion carried.

HB 451 - Representative Pope moved **HB 451** do pass.

HB 451 - Majority Leader Regier moved **HB 451**, second reading copy, be further amended as follows:

1. Page 3, line 4.

Strike: "an individual"

Insert: "a child"

2. Page 3, line 6.

Strike: "admitted pursuant to 20-5-101 and"

Insert: "6 years of age or older on or before September 10 of the year in which the child is to enroll or has been enrolled by special permission of the board of trustees under 20-5-101(3) but who has not yet reached 19 years of age and who is"

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, 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 99

Nays: Noonan.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 451 - Representative Pope moved **HB 451**, as amended, do pass. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Garner, Hayman, 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, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 53

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

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 472 - Representative Jacobson moved **HB 472** do pass.

HB 472 - Representative Jacobson moved **HB 472**, second reading copy, be amended as follows:

1. Page 8, line 24.

Following: "BIENNIUM"

Insert: "from the department of public health and human services"

2. Page 8, line 25.

Following: "\$85,741"

Strike: "IN"

Insert: "of"

Following: "FUND"

Strike: "MUST BE TRANSFERRED"

Insert: "is appropriated"

3. Page 8, line 25 through line 26.

Strike: "FROM" on line 25 through "SERVICES" on line 25

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4. Page 8, line 29.

Strike: "IN"

Insert: "of"

Following: "SERVICES"

Insert: "and is appropriated"

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, 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, 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, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 93

Nays: B. Brown, Burnett, Lamm, Monforton, Staffanson, White, Zolnikov.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 472 - Representative Jacobson moved **HB 472**, as amended, do pass. Motion carried as follows:

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

Total 91

Nays: J. Bennett, Brodehl, B. Brown, Burnett, Glimm, Lamm, Monforton, Wittich, Zolnikov.

Total 9

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 535 - Representative Wagoner moved **HB 535** do pass. Motion **failed** as follows:

Yeas: J. Bennett, Berglee, Berry, Brodehl, Clark, Doane, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Tschida, Wagoner, White, Zolnikov, Mr. Speaker.

Total 46

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

Total 53

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

HB 583 - Representative Pinocci moved **HB 583** do pass. Motion **failed** as follows:

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

Total 41

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Funk, Garner, Hayman, Hertz, Hess, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Laszloffy, 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, Webber, Welborn, Williams, Wilson, Woods.

Total 59

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 453 - Representative McKamey moved **HB 453** do pass. Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lang, Lieser, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Monforton, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Price, Redfield, Salomon, Schreiner, Smith, Steenberg, Tropila, Webber, Williams, Wilson, Wittich, Woods.

Total 47

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Laszloffy, Lavin, Lynch, Mandeville, Meyers, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Pope, Randall, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Swanson, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 52

Excused: None.

Total 0

Absent or not voting: Harris.

Total 1

HB 460 - Representative Mehlhoff moved **HB 460** 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, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Welborn, Wilson.

Total 2

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 482 - Representative Hunter moved **HB 482** 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 499 - Representative Fitzpatrick moved **HB 499** do pass.

HB 499 - Representative Fitzpatrick moved **HB 499**, second reading copy, be amended as follows:

1. Page 1, line 14.

Following: "a residence or"

Insert: "any"

Following: "structure"

Strike: "of the property owner"

Insert: "on residential property or any area on nonresidential property that is not generally open to the public"

Amendment adopted as follows:

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Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, 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, Moore, Mortensen, Noland, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 87

Nays: Brodehl, B. Brown, Dunwell, Harris, Hayman, Lamm, Manzella, Monforton, Olsen, Pinocci, Staffanson, Zolnikov.

Total 12

Excused: None.

Total 0

Absent or not voting: Noonan.

Total 1

HB 499 - Representative Fitzpatrick moved **HB 499**, as amended, do pass. Motion **failed** as follows:

Yeas: Berry, Clark, Curdy, Custer, Fitzpatrick, Funk, Hunter, Jacobson, Kipp III, Lang, Lieser, McConnell, Mehlhoff, Moore, Noonan, Peppers, Perry, Ricci, Richmond, Salomon, Schreiner, Steenberg, Swanson, Tropila, Webber, Welborn, Wilson.

Total 27

Nays: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jones, Karjala, Kelker, Lamm, Laszloffy, Lavin, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pease-Lopez, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 73

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Eck 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, 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, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Lynch, Welborn.

Total 2

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 320 failed as follows:

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

Total 50

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Noonan, Olsen,

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Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.
Total 50

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 394 passed as follows:

Yeas: B. Bennett, J. Bennett, Z. Brown, Court, Cuffe, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Greef, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.
Total 52

Nays: Ballance, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Custer, Doane, Ehli, Flynn, Garner, Glimm, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.
Total 48

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 434 passed as follows:

Yeas: 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, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, 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, White, Williams, Wilson, Woods, Mr. Speaker.
Total 90

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Nays: Ballance, Glimm, Hagstrom, Lamm, Lavin, Monforton, Pinocci, Welborn, Wittich, Zolnikov.
Total 10

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 441 passed as follows:

Yeas: B. Bennett, Berglee, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Holmlund, Jones, Karjala, Kelker, Lamm, Lang, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Olszewski, Osmundson, Pease-Lopez, Peppers, Person, Pierson, Pinocci, Pope, Price, Richmond, Salomon, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Williams, Wilson, Wittich, Zolnikov.
Total 59

Nays: Ballance, J. Bennett, Berry, Brodehl, B. Brown, Doane, Ehli, Fitzpatrick, Flynn, Glimm, Harris, Hertz, Hess, Hollandsworth, Hunter, Jacobson, Kipp III, Laszloffy, Lavin, Lieser, Mandeville, Manzella, Miller, Monforton, Noland, Noonan, Olsen, Perry, Randall, Redfield, Regier, Ricci, Schreiner, Schwaderer, Tschida, Wagoner, Webber, Welborn, White, Woods, Mr. Speaker.
Total 41

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Majority Leader Regier moved **HB 451** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 472** be moved from the Committee of the Whole to the Appropriations Committee.

Representative Williams moved to change their vote on **HB 281** from Yes to No. Without objection, so ordered.

Representative B. Smith moved to change their vote on **HB 453** from No to Yes. Without objection, so ordered.

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Representative B. Bennett moved that **HB 409** be taken from State Administration and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: 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, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 41

Nays: 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, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 59

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Miller moved that **HB 480** be taken from Transportation and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Custer, Essmann, Fiscus, Flynn, Glimm, Harris, Hess, Hill, Hollandsworth, Jones, Laszloffy, Mandeville, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Person, Pinocci, Redfield, Regier, Richmond, Salomon, Schwaderer, Smith, Staffanson, Steenberg, Wagoner, White, Wittich, Zolnikov.

Total 44

Nays: Ballance, B. Bennett, B. Brown, Court, Cuffe, Curdy, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fitzpatrick, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Lavin, Lieser, Lynch, MacDonald, Manzella, McClafferty, McConnell, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Pierson, Pope, Price, Randall, Ricci, Schreiner, Shaw, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 56

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Tropila moved that **HB 304** be taken from Transportation and brought before the Committee of the Whole.

Motion **failed** as follows:

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

Total 44

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, 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 56

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 9:00 a.m., Wednesday, February 25, 2015. Motion carried.

House adjourned at 3:15 p.m.

LINDSEY GROVOM
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House