

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

Helena, Montana
March 10, 2015

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Bob Brown. Pledge of Allegiance to the Flag. Roll Call. All members present. Quorum present.

BILLS (Welborn, Chair):

3/10/2015

Correctly printed: **SB 96, SB 174, SB 196, SB 200.**

Correctly engrossed: **HB 389, SB 241.**

Correctly enrolled: **HB 19, HB 50, HB 126, HB 144, HB 161, HB 212, HB 265.**

Transmitted to the Senate: **HB 422, HB 429, HB 431, HB 478.**

REPORTS OF STANDING COMMITTEES

ADVERSE COMMITTEE REPORT

HUMAN SERVICES (Wittich, Chair):

3/10/2015

Representative Hunter made the substitute motion that the Adverse Committee Report for **HB 249** be rejected. 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

HOUSE JOURNAL
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

Representative Miller made the motion to **Call the Previous Question**. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.
Total 59

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

Excused: None.
Total 0

Absent or not voting: None.
Total 0

BUSINESS AND LABOR (Berry, Chair):

3/10/2015

SB 174, be concurred in. Report adopted.

SB 196, be concurred in. Report adopted.

SB 241, be amended as follows:

1. Title, page 1, line 6.

Following: "LAW;"

Insert: "AMENDING SECTION 7-1-111, MCA;"

2. Page 1, line 29.

Following: "section 1"

Insert: "or 6"

3. Page 2.

Following: line 5

Insert: "**Section 4.** Section 7-1-111, MCA, is amended to read:

"**7-1-111. Powers denied.** A local government unit with self-government powers is prohibited from exercising the following:

(1) any power that applies to or affects any private or civil relationship, except as an incident to the exercise of an independent self-government power;

HOUSE JOURNAL
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

(2) any power that applies to or affects the provisions of 7-33-4128 or Title 39 (labor, collective bargaining for public employees, unemployment compensation, or workers' compensation), except that subject to those provisions, it may exercise any power of a public employer with regard to its employees;

(3) any power that applies to or affects the public school system, except that a local unit may impose an assessment reasonably related to the cost of any service or special benefit provided by the unit and shall exercise any power that it is required by law to exercise regarding the public school system;

(4) any power that prohibits the grant or denial of a certificate of public convenience and necessity;

(5) any power that establishes a rate or price otherwise determined by a state agency;

(6) any power that applies to or affects any determination of the department of environmental quality with regard to any mining plan, permit, or contract;

(7) any power that applies to or affects any determination by the department of environmental quality with regard to a certificate of compliance;

(8) any power that defines as an offense conduct made criminal by state statute, that defines an offense as a felony, or that fixes the penalty or sentence for a misdemeanor in excess of a fine of \$500, 6 months' imprisonment, or both, except as specifically authorized by statute;

(9) any power that applies to or affects the right to keep or bear arms, except that a local government has the power to regulate the carrying of concealed weapons;

(10) any power that applies to or affects a public employee's pension or retirement rights as established by state law, except that a local government may establish additional pension or retirement systems;

(11) any power that applies to or affects the standards of professional or occupational competence established pursuant to Title 37 (professions and occupations) as prerequisites to the carrying on of a profession or occupation;

(12) except as provided in 7-3-1105, 7-3-1222, or 7-31-4110, any power that applies to or affects Title 75, chapter 7, part 1 (streambeds), or Title 87 (fish and wildlife);

(13) any power that applies to or affects landlords, as defined in 70-24-103, when that power is intended to license landlords or to regulate their activities with regard to tenants beyond what is provided in Title 70, chapters 24 and 25. This subsection is not intended to restrict a local government's ability to require landlords to comply with ordinances or provisions that are applicable to all other businesses or residences within the local government's jurisdiction.

(14) subject to 7-32-4304, any power to enact ordinances prohibiting or penalizing vagrancy;

(15) subject to 80-10-110, any power to regulate the registration, packaging, labeling, sale, storage, distribution, use, or application of commercial fertilizers or soil amendments, except that a local government may enter into a cooperative agreement with the department of agriculture concerning the use and application of commercial fertilizers or soil amendments. This subsection is not intended to prevent or restrict a local government from adopting or implementing zoning regulations or fire codes governing the physical location or siting of fertilizer manufacturing, storage, and sales facilities;

(16) any power that prohibits the operation of a mobile amateur radio station from a motor vehicle, including while the vehicle is in motion, that is operated by a person who holds

HOUSE JOURNAL
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

an unrevoked and unexpired official amateur radio station license and operator's license, "technician" or higher class, issued by the federal communications commission of the United States;

(17) subject to 76-2-240 and 76-2-340, any power that prevents the erection of an amateur radio antenna at heights and dimensions sufficient to accommodate amateur radio service communications by a person who holds an unrevoked and unexpired official amateur radio station license and operator's license, "technician" or higher class, issued by the federal communications commission of the United States;

(18) any power to require an employer, other than for the political subdivision itself, to provide an employee or class of employees with a wage or employment benefit that is not required by state or federal law."

Insert: "NEW SECTION. Section 5. Codification instruction. [Sections 1 through 3] are intended to be codified as an integral part of Title 7, chapter 1, and the provisions of Title 7, chapter 1, apply to [sections 1 through 3]."

Renumber: subsequent section

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

NATURAL RESOURCES (White, Chair):
SB 96, be concurred in. Report adopted.

3/9/2015

TAXATION (Miller, Chair):
HB 389, introduced bill, be amended as follows:

3/10/2015

1. Title, page 1, line 5.

Following: "TAX-EXEMPT"

Insert: "REAL"

2. Title, page 1, line 8.

Following: "COSTS;"

Insert: "WAIVING THE FEE FOR CERTAIN NONPROFIT ORGANIZATIONS;"

3. Page 1, line 14.

Strike: "Property owners or entities"

Insert: "Owners of real property"

4. Page 1, line 15.

Strike: "(1)(c),"

Following: "through"

Insert: "(1)(g),"

Strike: "15-6-217,"

HOUSE JOURNAL
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

5. Page 1, line 17.

Following: "requiring"

Insert: "real"

6. Page 1, line 19.

Following: "each"

Insert: "real"

7. Page 1, line 26.

Following: "A"

Insert: "real"

8. Page 1, line 30.

Following: "determines that the"

Insert: "real"

Following: "portion of the"

Insert: "real"

9. Page 2, line 1.

Following: "notice of the"

Insert: "real"

10. Page 2, line 2.

Following: "of the"

Insert: "real"

11. Page 2, line 4.

Following: "notice to"

Insert: "real"

12. Page 2, line 6.

Following: "notice to"

Insert: "real"

13. Page 2, line 13.

Following: "for a"

Insert: "real"

14. Page 2, line 19.

Following: "listing of"

Insert: "real"

Strike: "(1)(c),"

HOUSE JOURNAL
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

15. Page 2, line 20.

Following: "through"

Insert: "(1)(g),"

Strike: "15-6-217,"

16. Page 3, line 9.

Strike: "The"

Insert: "Except as provided in subsection (3), the"

17. Page 3, line 16 through line 17.

Strike: "if" on line 16 through "(i)" on line 17

Insert: "the"

18. Page 3, line 18.

Strike: "(ii)"

Insert: "(d) the"

Strike: "and"

19. Page 3, line 19.

Strike: "(iii)"

Insert: "(e) a"

Strike: "(2)(c)(i) and (2)(c)(ii)"

Insert: "(2)(c) and (2)(d)"

Renumber: subsequent subsections

20. Page 3, line 22.

Following: line 21

Insert: "(3) The department may not impose a fee for a nonprofit organization with annual gross receipts of \$5,000 or less."

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

SB 200, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bill not concurred in and returned to the House:

3/6/2015

HB 16, introduced by Regier

Senate bills passed and transmitted to the House for concurrence:

3/6/2015

SB 66, introduced by Sands

SB 171, introduced by Tutvedt

HOUSE JOURNAL
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

SB 234, introduced by Thomas
SB 252, introduced by L. Jones
SB 260, introduced by F. Moore
SB 306, introduced by Arntzen
SB 365, introduced by Buttrey

Senate joint resolution passed and transmitted to the House for concurrence: 3/6/2015

SJR 12, introduced by Connell

FIRST READING AND COMMITMENT OF BILLS

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

HJR 22, introduced by B. Smith, referred to Judiciary.

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

SB 66, introduced by D. Sands (by request of the Department of Justice), referred to Human Services.
SB 171, introduced by B. Tutvedt, B. Hoven, referred to Taxation.
SB 234, introduced by F. Thomas, T. Jacobson, A. Olszewski, referred to Business and Labor.
SB 252, introduced by L. Jones, F. Moore, referred to Education.
SB 260, introduced by F. Moore, referred to Education.
SB 289, introduced by D. Ankney, referred to Business and Labor.
SB 306, introduced by E. Arntzen, D. Salomon, referred to Judiciary.
SB 365, introduced by E. Buttrey, referred to Business and Labor.

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

SJR 12, introduced by P. Connell, J. Keane, M. Lang, C. Schreiner, 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 Curdy in the chair.

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

HOUSE JOURNAL
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

HB 213 - Representative Miller moved **HB 213** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, 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 58

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, 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 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 297 - Representative Court moved **HB 297** do pass. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Flynn, Funk, Garner, Hayman, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Staffanson, Steenberg, Swanson, Webber, Williams, Wilson, Woods.

Total 52

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cook, Ehli, Essmann, Fiscus, Fitzpatrick, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Tropila, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

HB 310 - Representative Jacobson moved **HB 310** do pass. Motion **failed** as follows:

Yeas: B. Bennett, Berry, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hagstrom, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Zolnikov.
Total 47

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Mr. Speaker.
Total 53

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 379 - Representative Hertz moved **HB 379** 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, 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, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: Essmann, Lynch, Noonan, Olsen, Schreiner.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HOUSE JOURNAL
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

HB 411 - Representative Richmond moved **HB 411** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Webber, Welborn, White, Wittich, Zolnikov, Mr. Speaker.
Total 72

Nays: B. Bennett, Court, Dudik, Dunwell, Eck, Ellis, Essmann, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Lieser, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Pope, Price, Steenberg, Swanson, Tropila, Williams, Wilson, Woods.
Total 28

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 49 - Representative Shaw moved **SB 49** 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, 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 99

Nays: Essmann.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HOUSE JOURNAL
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

SB 60 - Representative MacDonald moved **SB 60** be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, 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, 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, Woods, Mr. Speaker.
Total 91

Nays: Ballance, Berry, Essmann, Glimm, Harris, Lamm, Miller, Wittich, Zolnikov.
Total 9

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 82 - Representative Lieser moved **SB 82** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.
Total 75

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Essmann, Fitzpatrick, Hess, Lamm, Lavin, Manzella, McKamey, Monforton, Moore, Mortensen, Pinocci, Randall, Schwaderer, Tschida, Wagoner, Wittich, Zolnikov.
Total 25

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HOUSE JOURNAL
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

SB 128 - Representative Laszloffy moved **SB 128** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, 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, Zolnikov, Mr. Speaker.

Total 88

Nays: J. Bennett, B. Brown, Cuffe, Essmann, Fiscus, Flynn, Mandeville, Miller, Monforton, Moore, Mortensen, Wittich.

Total 12

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 Curdy moved the Committee of the Whole report be adopted. Report adopted as follows:

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

Total 87

Nays: B. Bennett, Dudik, Dunwell, Essmann, Hill, Karjala, Kipp III, Noonan, Olsen, Pease-Lopez, Schreiner, Schwaderer, Woods.

Total 13

Excused: None.

Total 0

HOUSE JOURNAL
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

Absent or not voting: None.

Total 0

Mr. Speaker addressed the body to discuss decorum. He stated that there are times during discussion for seriousness and also, times for levity. Whenever discussion makes members of either caucus uncomfortable that's when the levity needs to stop. The Speaker said, "This is the Montana House of Representatives, we need to accord ourselves with the dignity this chamber deserves. Jokes and innuendo of a sexual nature have no business on the Montana House of Representatives Floor."

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 344 passed as follows:

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

Total 56

Nays: Berry, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Garner, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Noonan, Pease-Lopez, Peppers, Perry, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Steenberg, Swanson, Webber, Welborn, Williams, Wilson, Woods.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 536 passed as follows:

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

HOUSE JOURNAL
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

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 98

Nays: Burnett, Essmann.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 577 passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, 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, 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, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 89

Nays: J. Bennett, Brodehl, Burnett, Cook, Essmann, Hess, Lamm, Noonan, Wagoner, White, Wittich.
Total 11

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 53 concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Garner, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Mortensen, Noland, Noonan, Olsen,

HOUSE JOURNAL
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 69

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hertz, Hess, Lamm, Laszloffy, Manzella, McKamey, Meyers, Miller, Monforton, Randall, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.

Total 31

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 114 concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Custer, Doane, Ehli, 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, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 55

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

Total 45

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 142 concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, 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,

HOUSE JOURNAL
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.
Total 93

Nays: Z. Brown, Court, Essmann, Noonan, Peppers, Smith, Wilson.
Total 7

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Majority Leader Regier moved **SB 128** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 213** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 379** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved to override the Governor's Veto on **HB 166**. Motion **failed** as follows:

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

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.
Total 41

HOUSE JOURNAL
FORTY-NINTH LEGISLATIVE DAY - MARCH 10, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Schwaderer moved to reconsider action on **HB 289**. Motion **failed** as follows:

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

Total 48

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

Total 52

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., Wednesday, March 11, 2015. Motion carried.

House adjourned at 3:15 p.m.

LINDSEY GROVOM
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House