

**HOUSE JOURNAL
64TH LEGISLATURE
SIXTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana
April 1, 2015

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Hess. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representatives Fiscus and Schwaderer, excused. Quorum present.

BILLS (Welborn, Chair):

4/1/2015

Correctly printed: **SB 308**.

Correctly engrossed: **SB 91, SB 100, SB 169, SB 175, SB 283, SB 284**.

Correctly enrolled: **HB 400**.

Transmitted to the Senate: **SB 168, SB 191, SB 209, SB 224, SB 238, SB 249, SB 255, SB 295, SB 333, SB 385**.

Signed by the Speaker at 3:00 p.m., April 1, 2015: **HB 68, HB 209, HB 288, HB 290, HB 342, HB 529, HB 564, HB 580, HB 584**.

Signed by the Chief Clerk of the House at 5:00 p.m., April 1, 2015: **HB 68, HB 209, HB 288, HB 290, HB 342, HB 529, HB 564, HB 580, HB 584**.

Delivered to the Governor for approval at 8:55 a.m., April 1, 2015: **HB 99, HB 168, HB 315, HB 324, HB 363, HB 431, HB 536, HB 555, HB 573**.

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the fifty-sixth, fifty-seventh, fifty-eighth, and sixtieth legislative days, find the same to be correct.

Representative Welborn, Chair

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Redfield, Chair):

3/31/2015

SB 100, be amended as follows:

1. Page 1, line 17.

Following: "state"

Insert: "or appears to be contained for commercial hunting or trapping"

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

SB 284, be amended as follows:

1. Title, page 1, line 7.

Following: "SECTIONS"

Insert: "7-1-111,"

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2. Title, page 1, line 7.

Following: "DATE"

Insert: "AND AN APPLICABILITY DATE"

3. Page 1, line 22.

Following: line 21

Insert: "(3) The provisions of this section do not apply to proposals made by the department of livestock or the department of fish, wildlife, and parks under 81-2-120 or 87-1-216 to transplant or relocate wild buffalo or wild bison certified by the state veterinarian as brucellosis-free to a qualified tribal entity pursuant to 81-2-120(1)(a)(ii)."

4. Page 1, line 22.

Following: line 21

Insert: "**Section 2.** 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;

(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;

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(12) except as provided in 7-3-1105, 7-3-1222, [section 1], 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 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."

Renumber: subsequent sections

5. Page 5, line 10.

Following: "(b)"

Strike: "pursuant to [section 1]"

Insert: "except for a transfer to a qualified tribal entity pursuant to 81-2-120(1)(a)(ii)"

6. Page 5, line 12.

Following: "counties"

Insert: "pursuant to [section 1]"

7. Page 7, line 3.

Following: line 2

Insert: "NEW SECTION. Section 10. Applicability. [This act] applies to releases, transplantations, relocations, or transfers of wild buffalo or wild bison on or after [the effective date of this act]."

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

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STATE ADMINISTRATION (Essmann, Chair):
SB 169, be amended as follows:

4/1/2015

1. Page 3.

Following: line 11

Insert: "COORDINATION SECTION. Section 4. Coordination instruction. If both Senate Bill No. 279 and [this act] are passed and approved, then Senate Bill No. 279 is void."

Renumber: subsequent section

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

SB 283, be amended as follows:

1. Title, line 7 through line 13.

Following: "ALLOWING" on line 7

Strike: remainder of line 7 through "MCA" on line 13

Insert: "FOR REIMBURSEMENT OF CONSTITUENT SERVICES EXPENSES NOT PAID
FROM A CONSTITUENT SERVICES ACCOUNT"

Strike: "AN IMMEDIATE" on line 13

Insert: "A DELAYED"

2. Title, line 14.

Strike: "AND" through "DATE"

3. Page 1, line 17 through page 4, line 21.

Strike: everything after the enacting clause

Insert: "NEW SECTION. Section 1. Constituent services reimbursement. (1)
Subject to subsection (3), legislators are allowed reimbursement of up to \$3,000 in a biennium
for:

(a) otherwise unreimbursed expenses related to the legislator's expenses for mileage, meals, or lodging at rates provided for in 2-18-501 through 2-18-503 incurred for providing constituent services; and

(b) communication and information technology expenses, such as expenses for telecommunications or internet, computer hardware and software, postage, and education-related expenses to represent and serve constituents.

(2) Legislators must apply for reimbursement to the legislative services division and must submit:

(a) written documentation that satisfies applicable requirements of Title 2, chapter 18, part 5, for expenses provided in subsection (1)(a); and

(b) itemized receipts for the expenses provided in subsection (1)(b).

(3) Legislators may not be reimbursed for expenses paid from a constituent services account provided for in 13-37-402."

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Insert: "NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 5, chapter 2, part 2, and the provisions of Title 5, chapter 2, part 2, apply to [section 1]."

Insert: "NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 2017."

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

TAXATION (Miller, Chair):
SB 91, be amended as follows:

4/1/2015

1. Page 3, line 7.

Strike: "The"

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

2. Page 3, line 9.

Strike: "IF" through "5000A(G)"

3. Page 3, line 17.

Following: line 16

Insert: "(c) Taxes or debts that cannot be liened or levied upon pursuant to 26 U.S.C. 5000A(g) must be excluded from the offset."

Renumber: subsequent subsections

4. Page 3, line 20.

Strike: "(3)(c)(i)"

Insert: "(3)(d)(i)"

5. Page 3, line 24.

Strike: "(3)(c)(i)"

Insert: "(3)(d)(i)"

6. Page 3, line 28.

Strike: "(3)(c)(i)"

Insert: "(3)(d)(i)"

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

SB 175, be amended as follows:

1. Page 1, line 17.

Following: "individual"

Insert: "or family"

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2. Page 2, line 1.

Following: "individual"

Insert: "or family"

3. Page 2, line 24.

Following: "individual"

Insert: "or family"

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

SB 308, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

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

3/31/2015

HB 28, introduced by Eck

HB 101, introduced by Steenberg

HB 284, introduced by Dudik

HB 330, introduced by Schwaderer

HB 373, introduced by Staffanson

HB 503, introduced by Berry

HB 533, introduced by Wagoner

HB 554, introduced by Pierson

House bills concurred in and returned to the House:

3/31/2015

HB 68, introduced by Kelker

HB 209, introduced by Schreiner

HB 288, introduced by Richmond

HB 290, introduced by White

HB 331, introduced by Schwaderer

HB 342, introduced by B. Bennett

HB 529, introduced by Court

HB 564, introduced by Person

HB 580, introduced by B. Bennett

HB 584, introduced by Pinocci

House bill concurred in and returned to the House:

4/1/2015

HB 400, introduced by Custer

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SB 416, introduced by Brenden, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted to the House with the following vote:

3/31/2015

Yeas - 47
Nays - 3

Senate bills passed and transmitted to the House for concurrence:

3/31/2015

SB 20, introduced by Vincent
SB 193, introduced by Tutvedt
SB 194, introduced by Caferro
SB 212, introduced by Sales
SB 264, introduced by Keenan
SB 279, introduced by Hamlett
SB 326, introduced by Hinkle
SB 386, introduced by Cohenour
SB 394, introduced by Blasdel
SB 395, introduced by Blasdel
SB 396, introduced by Buttrey
SB 398, introduced by Keane
SB 399, introduced by Thomas
SB 401, introduced by Caferro
SB 403, introduced by Webb
SB 405, introduced by Buttrey
SB 409, introduced by Vincent
SB 410, introduced by L. Jones
SB 411, introduced by Caferro
SB 414, introduced by Buttrey
SB 418, introduced by L. Jones

MESSAGES FROM THE GOVERNOR

April 1, 2015

The Honorable Debby Barrett, President of the Senate
The Honorable Austin Knudsen, Speaker of the House
State Capitol
Helena, MT 59620

Dear President Barrett and Speaker Knudsen:

I received word that in an attempt to avoid embarrassment on the basketball court, the Legislature decided to extend the Easter break and run for cover this evening - before tipoff of the first Executive versus Legislature basketball game to support Big Brothers and Big Sisters.

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I'm glad you've reconsidered leaving before tipoff, and I look forward to a fun time for all participants and spectators, win or lose, and in support of a very worthy cause.

Finally, in the unlikely event that the Legislature prevails this evening, I ask that this communication be stricken from the record.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

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

SB 20, introduced by C. Vincent (by request of the Water Policy Committee), referred to Natural Resources.

SB 193, introduced by B. Tutvedt, referred to Business and Labor.

SB 194, introduced by M. Caferro, referred to Taxation.

SB 212, introduced by S. Sales, referred to Taxation.

SB 264, introduced by B. Keenan, referred to Taxation.

SB 279, introduced by B. Hamlett, D. Brown, referred to State Administration.

SB 326, introduced by J. Hinkle, referred to Natural Resources.

SB 386, introduced by J. Cohenour, referred to Taxation.

SB 394, introduced by M. Blasdel, referred to Taxation.

SB 395, introduced by M. Blasdel, G. Bennett, J. Brenden, E. Buttrey, S. Fitzpatrick, C. Glimm, R. Ripley, C. Smith, referred to Judiciary.

SB 396, introduced by E. Buttrey, E. Hill, A. Knudsen, S. Lavin, N. Schwaderer, F. Thomas, A. Wittich and D. Zolnikov, referred to Transportation.

SB 398, introduced by J. Keane, referred to Business and Labor.

SB 399, introduced by F. Thomas, M. Caferro, C. Wolken, referred to Taxation.

SB 401, introduced by M. Caferro, referred to Business and Labor.

SB 403, introduced by R. Webb, referred to Human Services.

SB 405, introduced by E. Buttrey, D. Ankney, T. Berry, T. Brown, M. Caferro, C. Clark, P. Connell, R. Cook, G. Custer, S. Fitzpatrick, F. Garner, R. Hollandsworth, B. Hoven, C. Hunter, L. Jones, W. McKamey, G. Meyers, P. Noonan, R. Ripley, D. Salomon, J. Sesso, R. Shaw, N. Swandal, B. Tutvedt, J. Welborn, referred to Human Services.

SB 409, introduced by C. Vincent, B. Hamlett, L. Jones, R. Lynch, P. Noonan, A. Redfield, R. Shaw, G. Vuckovich, J. Welborn, referred to Natural Resources.

SB 410, introduced by L. Jones, referred to Education.

SB 411, introduced by M. Caferro, S. Sales, referred to Human Services.

SB 414, introduced by E. Buttrey, referred to Business and Labor.

SB 416, introduced by J. Brenden, referred to Appropriations.

SB 418, introduced by L. Jones, referred to Appropriations.

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**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 Ricci in the chair.

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

SB 37 - Representative Manzella moved **SB 37** 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 183 - Representative Hertz moved **SB 183** 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, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope,

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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 98

Nays: Olszewski, Wittich.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 195 - Representative Shaw moved **SB 195** 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 219 - Representative Monforton moved **SB 219** 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,

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Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, 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: Peppers.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 220 - Representative Essmann moved **SB 220** 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 221 - Representative Wittich moved **SB 221** 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,

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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, Mr. Speaker.

Total 99

Nays: Zolnikov.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 307 - Representative D. Moore moved **SB 307** do pass. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods, Zolnikov.

Total 66

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Clark, Fiscus, Fitzpatrick, Flynn, Glimm, Harris, Hess, Lamm, Lang, Laszloffy, Mandeville, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Tschida, Wagoner, Welborn, Wittich, Mr. Speaker.

Total 34

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 356 - Representative Berglee moved **SB 356** do pass. Motion carried as follows:

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

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Meyers, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Woods, Mr. Speaker.

Total 69

Nays: Z. Brown, Court, Curdy, Dudik, Dunwell, Ellis, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lynch, MacDonald, Mehlhoff, Miller, Noonan, Pease-Lopez, Peppers, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Zolnikov.

Total 31

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 364 - Representative Mandeville moved **SB 364** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Clark, Cook, Cuffe, Curdy, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Steenberg, Swanson, Tschida, Wagoner, Welborn, Wittich, Mr. Speaker.

Total 78

Nays: Z. Brown, Burnett, Court, Dudik, Dunwell, Eck, Ellis, Hagstrom, Kipp III, Lieser, MacDonald, Peppers, Price, Smith, Staffanson, Tropila, Webber, White, Williams, Wilson, Woods, Zolnikov.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 371 - Representative Berglee moved **SB 371** do pass. Motion carried as follows:

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

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Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Smith, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 61

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

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 250 - Governor's Amendments - Representative Wagoner moved Governor's amendments to **HB 250** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Peppers, Perry, Person, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tschida, Wagoner, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 79

Nays: B. Bennett, Z. Brown, Court, Dunwell, Ellis, Funk, Hayman, Karjala, Lieser, Lynch, MacDonald, McClafferty, McConnell, Pease-Lopez, Pierson, Pope, Schreiner, Tropila, Webber, Williams, Wilson.

Total 21

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

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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, 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, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: Redfield.
Total 1

Excused: Fiscus, Schwaderer.
Total 2

Absent or not voting: Miller.
Total 1

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:

SB 168 concurred in 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, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: None.
Total 0

Excused: Fiscus, Schwaderer.
Total 2

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Absent or not voting: None.

Total 0

SB 191 concurred in as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, 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, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: Brodehl, Burnett, Fitzpatrick, Flynn, Glimm, Lamm, Noland, Peppers, Pinocci, Tschida, Wagoner.

Total 11

Excused: Fiscus, Schwaderer.

Total 2

Absent or not voting: None.

Total 0

SB 209 concurred in as follows:

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

Total 96

Nays: Z. Brown, Dudik.

Total 2

Excused: Fiscus, Schwaderer.

Total 2

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Absent or not voting: None.

Total 0

SB 224 concurred in 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, 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, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Mandeville.

Total 1

Excused: Fiscus, Schwaderer.

Total 2

Absent or not voting: None.

Total 0

SB 238 concurred in as follows:

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

Total 92

Nays: Brodehl, B. Brown, Burnett, Glimm, Jones, Pinocci.

Total 6

Excused: Fiscus, Schwaderer.

Total 2

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Absent or not voting: None.

Total 0

SB 249 concurred in as follows:

Yeas: Ballance, B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, Williams, Wilson, Woods.

Total 68

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Doane, Fitzpatrick, Glimm, Harris, Hertz, Hess, Jones, Lamm, Laszloffy, Mandeville, Manzella, Meyers, Miller, Monforton, Mortensen, Noland, Pinocci, Redfield, Regier, Ricci, Staffanson, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 30

Excused: Fiscus, Schwaderer.

Total 2

Absent or not voting: None.

Total 0

SB 255 concurred in as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, 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, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 88

Nays: J. Bennett, Brodehl, B. Brown, Burnett, Miller, Peppers, Pinocci, Smith, Wittich, Zolnikov.

Total 10

Excused: Fiscus, Schwaderer.

Total 2

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Absent or not voting: None.

Total 0

SB 295 concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dudik, Eck, Ehli, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Jones, Kelker, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Perry, Person, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Steenberg, Tschida, Wagoner, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 70

Nays: B. Bennett, Z. Brown, Court, Curdy, Dunwell, Ellis, Funk, Hayman, Hunter, Karjala, Kipp III, Lieser, MacDonald, McClafferty, McConnell, Olsen, Pease-Lopez, Peppers, Pierson, Pope, Price, Schreiner, Smith, Swanson, Tropila, Webber, Williams, Wilson.

Total 28

Excused: Fiscus, Schwaderer.

Total 2

Absent or not voting: None.

Total 0

SB 333 concurred in 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, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Funk, Holmlund, Kipp III, Olsen, Williams.

Total 5

Excused: Fiscus, Schwaderer.

Total 2

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Absent or not voting: None.

Total 0

SB 385 concurred in as follows:

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

Total 56

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

Total 42

Excused: Fiscus, Schwaderer.

Total 2

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Regier moved **SB 37** be moved from the Committee of the Whole to the Appropriations Committee.

Representative Cuffe moved to reconsider action on **HB 8** and that **HB 8** be placed on third reading, April 7, 2015.

Motion **passed** as follows:

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

Total 57

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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, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.
Total 41

Excused: Fiscus, Schwaderer.
Total 2

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

Representative Lynch thanked the pages for their service

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 5:00 p.m., Tuesday, April 7, 2015.
Motion carried.

House adjourned at 2:24 p.m.

LINDSEY GROVOM
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House