

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

Helena, Montana
February 21, 2015

House Chambers
State Capitol

House convened at 8 a.m. Mr. Speaker presiding. Invocation by Representative Hagstrom. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS (Welborn, Chair):

2/21/2015

Correctly printed: **HB 322, HB 337, HB 394, HB 425, HB 513, HB 535, HB 536, HB 544, HB 573.**
Correctly engrossed: **HB 237, HB 284, HB 422, HB 455, HB 457, HB 472, HB 478, HB 519,**
HB 525, HB 553, HB 555.

Transmitted to the Senate: **HB 200, HB 334, HB 366, HB 382, HB 412, HB 436, HB 447, HB 448,**
HB 449, HB 461, HB 503, HB 522, HB 537.

Signed by the Speaker at 9:30 a.m., February 23, 2015: **HB 74.**

Signed by the Chief Clerk of the House at 9:45 a.m., February 23, 2015: **HB 74.**

Signed by the President at 7:30 a.m., February 21, 2015: **HB 38, HB 103, HB 128, HB 195,**
HB 248.

Delivered to the Governor for approval at 8:25 a.m., February 21, 2015: **HB 38, HB 103, HB 128,**
HB 195, HB 248.

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Redfield, Chair):

2/19/2015

HB 478, introduced bill, be amended as follows:

1. Title, page 1, line 11.

Following: "SECTIONS"

Insert: "30-12-301,"

2. Page 2, line 11.

Strike: "registered area of a"

3. Page 3, line 10.

Following: line 9

Insert: "(7) A tribal government may pursue an agreement with the department pursuant to the authority provided in 50-1-106 to coordinate the registration of cottage food operations subject to tribal regulations. The agreement must include an appeals process if the registration is not approved.

(8) If there is not a cooperative agreement pursuant to subsection (7), a person in charge of a cottage food operation may register with the department."

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

4. Page 4, line 14.

Following: line 13

Insert: "**Section 5.** Section 30-12-301, MCA, is amended to read:

"30-12-301. Method of sale of commodities -- general. (1) Commodities in liquid form ~~shall~~ may be sold only by liquid measure or by weight, and, except as otherwise provided in parts 1 through 5, commodities not in liquid form ~~shall~~ may be sold only by weight, by measure of length or area, or by count. Liquid commodities may be sold by weight and commodities not in liquid form may be sold by count only if those methods give accurate information as to the quantity of commodity sold. This section does not apply to:

(a) commodities when sold for immediate consumption on the premises where sold;

(b) vegetables when sold by the head or bunch;

(c) commodities in containers standardized by a law of this state or by federal law;

(d) commodities in package form when there exists a general consumer usage to express the quantity in some other manner;

(e) concrete aggregates, concrete mixtures, and loose solid materials such as earth, soil, gravel, crushed stone, and the like, when sold by cubic measure; ~~or~~

(f) unprocessed vegetable and animal fertilizer when sold by cubic measure; or

(g) cottage food products as defined in 50-50-102.

(2) The department may adopt reasonable rules necessary to ~~assure~~ ensure that amounts of commodity sold are determined in accordance with good commercial practice and are ~~so~~ determined and represented as to be accurate and informative to all parties at interest.""

Renumber: subsequent sections

5. Page 11, line 2.

Following: "kitchen"

Strike: "of that person's primary"

Insert: "in a registered area of a"

6. Page 11, line 5 through line 6.

Strike: "that do not" on line 5 through "safety" on line 6

7. Page 13, line 1.

Strike: "or acidity"

8. Page 15, line 9.

Strike: "(20)(c)(xiii)"

Insert: "(21)(c)(xiii)"

9. Page 17, line 18.

Strike: "in a cottage food operation"

Insert: "served to the public"

10. Page 18, line 26.

Following: line 25

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

Insert: "(5) A tribal government may pursue an agreement with the department pursuant to the authority provided in 50-1-106 to coordinate the licensing of a mobile retail food establishment subject to tribal regulations. The agreement must include an appeals process if the license is not validated.

(6) If there is not a cooperative agreement pursuant to subsection (5), the department may issue a license to a person operating a mobile retail food establishment."

11. Page 19, line 4 through line 5.

Strike: subsection (2) in its entirety

Insert: "(2) A person who exchanges foods in a nonmonetary transaction is exempt from permitting, licensure, and registration."

12. Page 22, line 19.

Following: "received."

Insert: "This subsection does not prohibit the cancellation of a permit in the event of an immediate threat to the public health. The permitholder retains the right of appeal."

13. Page 24, line 18.

Following: "licensed"

Insert: "or permitted"

And, as amended, do pass. Report adopted.

APPROPRIATIONS (Ballance, Chair): 2/20/2015
HB 322, do pass. Report adopted.
HB 337, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair): 2/18/2015
HB 536, do pass. Report adopted.

EDUCATION (Laszloffy, Chair): 2/20/2015
HB 284, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "OR NONPUBLIC ACCREDITED SCHOOL"

2. Title, page 1, line 7.

Strike: "AND"

Following: "POLICY"

Insert: "; AND PROVIDING FOR ENFORCEMENT AGAINST A VIOLATION IN DISTRICT COURT"

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

3. Page 1, line 11.

Strike: "4"

Insert: "5"

4. Page 1, line 16.

Following: "student"

Insert: "or employee"

5. Page 1, line 16 through line 17.

Following: "that is"

Strike: "repeated" on page 16 through "time" on line 17

Insert: "persistent, severe, or repeated"

6. Page 1, line 18.

Following: "causes a"

Strike: "student"

Insert: "person"

Following: "damages a"

Strike: "student's"

Insert: "person's"

Following: "places a"

Strike: "student"

Insert: "person"

7. Page 1, line 19.

Strike: "student"

Insert: "person"

Strike: "student's"

Insert: "person's"

8. Page 1, line 21.

Following: "benefit;"

Strike: "or"

9. Page 1, line 22.

Following: "school"

Insert: "; or

(d) with respect to an employee in relation to a student or another employee, causes a student or employee to believe that the exercise of the student's or employee's first amendment rights under the United States constitution is being unreasonably suppressed"

10. Page 1, line 27.

Following: "public K-12"

Strike: "or PK-12" through "accredited"

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

11. Page 2, line 9.

Following: "school policy" on line 9

Strike: "and"

Insert: ", "

12. Page 2, line 10.

Following: "agreements"

Insert: ", and any other sanction authorized by law"

13. Page 2, line 12 through line 13.

Strike: "or nonpublic" on line 12 through "shall" on line 13

Insert: "must"

14. Page 2, line 14.

Strike: "or nonpublic accredited school"

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

Strike: ", but each" on page 2, line 15 through "20-7-102" on page 3, line 3

16. Page 3, line 4.

Insert: "NEW SECTION. **Section 5. Enforcement -- exhaustion of administrative remedies not required.** A person alleging a violation of [sections 1 through 5] may bring an action in district court to enjoin another person from continuing to engage in the violation or for doing any act that contributes to the violation. The person alleging a violation is not required to exhaust any administrative remedies prior to bringing the action."

Renumber: subsequent sections

17. Page 3, line 5.

Following: "through"

Strike: "4"

Insert: "5"

18. Page 5, line 6.

Following: "through"

Strike: "4"

Insert: "5"

And, as amended, do pass. Report adopted.

HUMAN SERVICES (Wittich, Chair):
HB 237, introduced bill, be amended as follows:

2/20/2015

1. Title, page 1, line 6.

Following: "SAMPLING"

Insert: "EXCEPT FOR HIGH-RISK PROVIDERS"

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

2. Page 2, line 18.

Strike: "including"

Insert: "such as"

3. Page 2, line 27.

Strike: "lesser"

Insert: "greater"

4. Page 3, line 20.

Following: "prohibited"

Insert: "-- exceptions"

5. Page 3, line 20 through line 23.

Strike: "The" on line 20 through "claim." on line 23

Insert: "(1) Except as provided in subsection (2):

(a) in an overpayment audit the department or an auditor may not use statistical sampling extrapolation for automated reviews and may not rely on extrapolation to determine or support the amount of an overpayment determination; and

(b) an overpayment determination must be based on and supported by evidence of an overpayment for each claim.

(2) In an overpayment audit of a high-risk provider, the department or an auditor may use statistical sampling extrapolation for an automated review or may rely on extrapolation to determine or support the amount of an overpayment determination.

(3) The department or an auditor may use data analysis techniques to identify claims that are most likely to contain overpayments for purposes of selecting providers or claims for overpayment audits.

(4) For the purposes of this section, the following definitions apply:

(a) "Automated review" means a claim review made at the system level without a human being reviewing the medical record.

(b) "Extrapolation" means the determination of an unknown value by projecting the results of a review of a sample to the universe from which the sample was drawn.

(c) "High-risk provider" means a provider who within the previous 3 years:

(i) has either admitted to medicaid fraud or abuse in a written agreement with a governmental agency or has been determined by a final order of judgment of a governmental agency or court to have committed medicaid fraud or abuse; or

(ii) has a documented history of a high medicaid claim error rate that has been sustained over a substantial period of time and that documented educational interventions have failed to correct.

(5) The department shall specify by rule the percentage medicaid error rate, the period of time over which the error rate must be sustained, and the nature and frequency of unsuccessful educational interventions provided that will result in the designation of a provider as a high-risk provider within the meaning of subsection (4)."

6. Page 4, line 2.

Strike: "only"

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

7. Page 6, line 9.

Following: "provided"

Insert: ", and the amount may not be considered an overpayment"

8. Page 7, line 5.

Strike: "unreasonable, frivolous, or without merit"

Insert: "frivolous or lacking a reasonable basis"

9. Page 9, line 11.

Following: "auditor"

Insert: ": (a)"

10. Page 9, line 12.

Strike: "in Montana"

11. Page 9, line 13.

Following: "audit"

Insert: "; or (b) who is an expert in the medical, dental, or other health care provider decisionmaking that is at issue in the overpayment audit"

And, as amended, do pass. Report adopted.

HB 422, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "CREATING A TASK FORCE ON"

Insert: "REQUIRING AN INTERIM STUDY OF"

2. Title, page 1, line 6.

Strike: "ESTABLISHING THE DUTIES OF THE TASK FORCE;"

3. Title, page 1, line 9.

Following: "REIMBURSEMENT;"

Insert: "PROVIDING AN APPROPRIATION;"

4. Page 1, line 21.

Strike: "the task force"

Insert: "an interim study"

5. Page 1, line 24.

Strike: "5"

Insert: "3"

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

6. Page 2, line 19.

Strike: "5"

Insert: "3"

7. Page 3, line 4 through page 4, line 9.

Strike: section 3 in its entirety

Renumber: subsequent sections

8. Page 4, line 11.

Strike: "Duties of task force"

Insert: "Interim study on improved youth outcomes -- study activities"

Following: "(1) The"

Strike: "task force for improved youth outcomes"

Insert: "children, families, health, and human services interim committee"

9. Page 4, line 14 through line 17.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

10. Page 4, line 18 through line 19.

Strike: "task" on line 18 through "force" on line 19

Insert: "committee"

11. Page 4.

Following: line 29

Insert: "(3) The committee shall solicit information, research, and recommendations from interested parties, including but not limited to the department of public health and human services, providers of children's mental health services, the mental health program of the western interstate commission on higher education, organizations representing the interests of children with mental health disorders, and family members of children with mental health disorders."

12. Page 4, line 30.

Strike: "task force"

Insert: "committee"

Strike: "conduct at least one meeting with"

Insert: "hold at least one meeting outside of Helena during the interim to meet with"

13. Page 5, line 4.

Strike: "task force"

Insert: "committee"

14. Page 5, line 6.

Strike: "5"

Insert: "3"

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

15. Page 5, line 11.

Following: "(d)"

Insert: "research, recommendations, and other"

Strike: "task force"

Insert: "committee"

16. Page 5, line 12.

Strike: "task force"

Insert: "committee"

17. Page 5, line 13.

Following: "[section 2(3)]"

Insert: "including proposed legislation that contains an evidence-based outcomes model and identifies other elements of a pilot project, including performance-based reimbursement options, to be implemented on July 1, 2017"

18. Page 5, line 15 through line 29.

Strike: section 5 in its entirety

Renumber: subsequent sections

19. Page 6, line 1.

Strike: "5"

Insert: "3"

20. Page 6, line 2.

Strike: "5"

Insert: "3"

21. Page 6.

Following: line 2

Insert: "NEW SECTION. **Section 5. Appropriation.** There is appropriated \$5,000 from the general fund to the legislative services division for the biennium beginning July 1, 2015, to carry out the interim study provided for in [section 3]."

And, as amended, do pass. Report adopted.

HB 455, introduced bill, be amended as follows:

1. Page 1, line 20.

Strike: "."

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

2. Page 1, line 21 through line 22.

Strike: "(i)" on line 21

Strike: "; or" on line 21 through "service" on line 22

And, as amended, do pass. Report adopted.

HB 472, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Strike: "IMMUNITY"

Insert: "PRIVILEGE"

Following: the second ";"

Insert: "TRANSFERRING APPROPRIATION AUTHORITY;"

2. Page 1, line 21.

Following: "department"

Insert: "and with appropriate county attorneys in cases under review"

3. Page 2, line 22.

Following: "attorney general"

Insert: "and the children, families, health, and human services interim committee"

4. Page 2, line 25 through line 26.

Strike: "may" on line 25 through "not to" on line 26

Insert: "shall"

Strike: "because"

Insert: "unless"

5. Page 2, line 30.

Following: "request;"

Insert: "or"

6. Page 3, line 1.

Following: "investigated"

Strike: ";

Insert: "by the ombudsman."

7. Page 3, line 2 through line 3.

Strike: subsection (f) through subsection (g) in their entirety

8. Page 3, line 10 through line 13.

Strike: "Immunity -- privileges"

Insert: "Privilege"

Strike: remainder of line 10 through line 13

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

9. Page 3, line 14.

Strike: "(3)"

Following: "may"

Strike: "be"

Following: "not"

Insert: "be"

10. Page 3, line 26

Strike: subsection (a) in its entirety

Insert: "(a) any criminal act concerning the abuse or neglect of a child;"

11. Page 8, line 13 through line 15.

Strike: section 11 in its entirety

Insert: "COORDINATION SECTION. Section 11. Coordination instruction. (1) If both House Bill No. 2 and [this act] are passed and approved and House Bill No. 2 contains a general fund appropriation that would allow the department of justice to increase the staff of the office of the child and family ombudsman, then the appropriation in House Bill No. 2 must be reduced by \$85,741 in each year of the biennium and \$85,741 in general fund must be transferred in each year of the biennium from the department of public health and human services to the department of justice to increase the staff of the ombudsman office.

(2) If both House Bill No. 2 and [this act] are passed and approved and House Bill No. 2 does not contain an appropriation to increase the staff of the office of the child and family ombudsman, then \$85,741 in general fund must be transferred from the department of public health and human services to the department of justice in each year of the biennium to increase the staff for the office."

And, as amended, do pass. Report adopted.

HB 513, do pass. Report adopted.

HB 544, do pass. Report adopted.

JUDICIARY (Bennett, Chair):

2/17/2015

HB 425, do pass. Report adopted.

JUDICIARY (Bennett, Chair):

2/19/2015

HB 457, do pass. Report adopted.

HB 535, do pass. Report adopted.

LOCAL GOVERNMENT (Greef, Chair):

2/19/2015

HB 555, do pass. Report adopted.

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

NATURAL RESOURCES (White, Chair):
HB 519, introduced bill, be amended as follows:

2/20/2015

1. Title, page 1, line 7.

Following: "WATER;"

Insert: "PROVIDING ENFORCEMENT MEASURES FOR VIOLATIONS OF LAWS RELATED TO EXEMPT APPROPRIATIONS OF WATER;"

2. Page 8, line 8.

Following: "zone"

Insert: ", is 35 gallons a minute or less,"

Strike: ";

3. Page 8, line 9.

Strike: "(A)"

Strike: "10"

Insert: "7.5"

4. Page 8, line 11.

Strike: "0.5"

Insert: "0.375"

Strike: "as defined in 76-4-102;"

5. Page 8.

Strike: line 12 in its entirety

6. Page 8, line 13.

Following: "as"

Insert: "the term is"

Following: "76-4-102"

Strike: ";

Insert: "; or"

7. Page 8, line 17 through line 18.

Following: "under"

Strike: remainder of line 17 through line 18 in its entirety

Insert: "subsection (3)(a)(iii):

(i) one or more wells or developed springs that exceed the limits provided in subsection (3)(a)(iii) require a permit;

(ii) any subsequent subdivision as defined in 76-4-102 of a subdivision lot may not receive an additional appropriation pursuant to this section;

(iii) an appropriation on a tract of record that is not part of a subdivision as defined in 76-4-102 may not exceed 7.5 acre-feet a year on any 20 acres; and

(iv) more than one appropriation may not be physically connected if the total volume will exceed 7.5 acre-feet a year.

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

(c) For an appropriation under subsection (3)(a)(iii), 0.21 acre-foot a year for each dwelling unit is exempted from the appropriation limits in this section unless the dwelling unit is served by a public sewage system, as defined in 75-6-102, that is located outside the exterior property line of the subdivision."

Renumber: subsequent subsections

8. Page 8, line 29.

Strike: "(d)"

Insert: "(e)(i)"

9. Page 9.

Following: line 6

Insert: "(ii) At the request of an appropriator, the department shall reissue a certificate of water right issued pursuant to subsection (3)(e)(i) to a volume less than the volume allowed on the original certificate of water right to accommodate a future appropriation subject to subsection (3)(a)(iii).

(iii)The department shall adopt rules to address violations of conditions provided in subsection (3)(e)(i) or any appropriation exceeding the exception provided in subsection (3)(a)(iii). The rules must include but are not limited to:

(A) provisions for notice of violation;

(B) provisions and timelines for achieving compliance after a violation; and

(C) provisions for the termination of an appropriator's certificate of water right and a subsequent application process for an appropriation permit pursuant to 85-2-311 for continued use of a ground water well or developed spring. "

10. Page 9, line 7.

Strike: "To satisfy"

Insert: "For the purposes of satisfying"

11. Page 9, line 8.

Strike: "when" through "chapter 4"

12. Page 13, line 11.

Strike: ", assuming"

Insert: "if"

13. Page 13, line 12.

Following: "available"

Insert: "and other appropriators will not be adversely affected"

And, as amended, do pass. Report adopted.

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

HB 525, introduced bill, be amended as follows:

1. Page 1, line 23.

Following: "bequests,"

Insert: "or"

Following: "donations"

Strike: ", or appropriations"

And, as amended, do pass. Report adopted.

HB 553, do pass. Report adopted.

TRANSPORTATION (Lavin, Chair):

2/20/2015

HB 394, do pass. Report adopted.

HB 573, do pass. Report adopted.

MESSAGES FROM THE SENATE

House amendments to Senate bill concurred in:

2/19/2015

SB 51, introduced by Dick Barrett

Senate bills passed and transmitted to the House for concurrence:

2/19/2015

SB 48, introduced by Vincent

SB 136, introduced by Hamlett

SB 168, introduced by Buttrey

SB 256, introduced by Hamlett

FIRST READING AND COMMITMENT OF BILLS

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

HB 588, introduced by R. Cook, referred to State Administration.

HB 589, introduced by J. Karjala, referred to Human Services.

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

SB 48, introduced by C. Vincent (by request of the Department of Justice), referred to Human Services.

SB 136, introduced by B. Hamlett, E. Buttrey, R. Cook, S. Fitzpatrick, B. Hoven, T. Jacobson, J. Keane, W. McKamey, R. Mehlhoff, M. Moe, J. Price, T. Richmond, R. Ripley, C. Schreiner, B. Tutvedt, C. Vincent, referred to Natural Resources.

SB 168, introduced by E. Buttrey, referred to State Administration.

SB 256, introduced by B. Hamlett, P. Connell, referred to Natural Resources.

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

**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 Wagoner in the chair.

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

HB 164 - Representative Schwaderer moved **HB 164** 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 191 - Representative Eck moved **HB 191** 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,

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

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 196 - Representative Webber moved **HB 196** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Greef, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, 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, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 87

Nays: J. Bennett, B. Brown, Burnett, Fiscus, Glimm, Hagstrom, Hess, Manzella, Monforton, Noland, Tschida, White, Wittich.
Total 13

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 227 - Representative Dudik moved **HB 227** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier,

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.
Total 78

Nays: J. Bennett, Berglee, B. Brown, Burnett, Doane, Flynn, Hess, Lamm, Lang, Laszloffy, Manzella, Monforton, Mortensen, Noland, Pinocci, Randall, Schwaderer, Staffanson, Tschida, White, Wittich, Zolnikov.
Total 22

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 244 - Representative Essmann moved **HB 244** 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, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.
Total 57

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, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Woods.
Total 43

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 252 - Representative McCarthy moved **HB 252** do pass. Motion carried 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, 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,

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

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, Zolnikov, Mr. Speaker.

Total 95

Nays: B. Brown, Burnett, Essmann, Monforton, Wittich.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 306 - Representative Eck moved **HB 306** do pass. Motion carried as follows:

Yeas: B. Bennett, 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, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Ricci, Richmond, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 76

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Glimm, Holmlund, Jones, Lamm, Laszloffy, Manzella, Monforton, Mortensen, Noland, Osmundson, Pinocci, Regier, Staffanson, Tschida, White, Wittich, Zolnikov.

Total 23

Excused: None.

Total 0

Absent or not voting: Salomon.

Total 1

HB 318 - Representative Hill moved **HB 318** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff,

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

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, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.
Total 81

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Fitzpatrick, Glimm, Jones, Lamm, Manzella, McKamey, Miller, Schwaderer, Welborn, White.
Total 18

Excused: None.
Total 0

Absent or not voting: Berry.
Total 1

HB 377 - Representative Lamm moved **HB 377** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, 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, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.
Total 55

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Flynn, Funk, 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, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.
Total 45

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 402 - Representative Knudsen moved **HB 402** 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, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland,

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

Olszewski, Osmundson, Peppers, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, 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, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Schreiner, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 439 - Representative Redfield moved **HB 439** 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, 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: Kipp III.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 463 - Representative McCarthy moved **HB 463** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Flynn, Funk, Greef, Hagstrom, Harris, Hayman, Hess, Hill, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker,

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

Kipp III, Lamm, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 85

Nays: Berry, Brodehl, Custer, Ehli, Fiscus, Fitzpatrick, Garner, Glimm, Hertz, Hollandsworth, Lavin, Noland, Regier, Richmond, Tschida.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 474 - Representative Eck moved **HB 474** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, 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, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, White, Williams, Wilson, Woods, Mr. Speaker.

Total 79

Nays: Ballance, J. Bennett, Berry, Brodehl, B. Brown, Burnett, Doane, Lamm, Lang, Lavin, Manzella, Noland, Osmundson, Pinocci, Regier, Ricci, Richmond, Staffanson, Welborn, Wittich, Zolnikov.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 483 - Representative Lieser moved **HB 483** do pass. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm,

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

Greef, Hagstrom, Harris, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 85

Nays: Ballance, J. Bennett, Burnett, Doane, Fitzpatrick, Hertz, Hess, Jones, Manzella, Monforton, Regier, Tschida, White, Wittich, Zolnikov.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 501 - Representative Lamm moved **HB 501** do pass. Motion carried 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, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Fiscus, Funk, 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, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 515 - Majority Leader Regier moved consideration of **HB 515** be passed for the day. Motion carried.

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

HB 538 - Representative Miller moved **HB 538** 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 542 - Representative Hertz moved **HB 542** do pass.

HB 542 - Representative Hertz moved **HB 542**, second reading copy, be amended as follows:

1. Page 1, line 30.
Strike: "require"
Insert: "encourage"

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, 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, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, 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

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

Nays: Cook, Monforton, Randall, Schwaderer.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 542 - Representative Hertz moved **HB 542**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, 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, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, White, Williams, Wilson, Woods, Mr. Speaker.

Total 88

Nays: J. Bennett, Brodehl, Burnett, Cook, Doane, Jones, Lavin, Monforton, Wagoner, Welborn, Wittich, Zolnikov.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 546 - Representative Schwaderer moved **HB 546** do pass. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, 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,

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 95

Nays: J. Bennett, Burnett, Hess, Laszloffy.

Total 4

Excused: None.

Total 0

Absent or not voting: Woods.

Total 1

HB 550 - Representative Swanson moved **HB 550** do pass. Motion carried as follows:

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

Total 78

Nays: Berglee, B. Brown, Doane, Flynn, Hess, Lamm, Lang, Laszloffy, Manzella, Miller, Monforton, Mortensen, Olszewski, Randall, Redfield, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, Wittich, Zolnikov.

Total 22

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

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Court, Cuffe, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller,

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Peppers, Perry, Person, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: B. Brown, Cook, Curdy, Dudik, Funk, Karjala, Lavin, Olsen, Pease-Lopez, Pierson, Price, Williams, Wilson.

Total 13

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 290 passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, 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, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Court, Curdy, Custer, 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, Wagoner, Webber, Williams, Wilson, Woods.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

HB 374 passed as follows:

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

Total 75

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Greef, Harris, Hess, Lamm, Laszloffy, Manzella, Mortensen, Pinocci, Randall, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 25

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 386 failed as follows:

Yeas: B. Bennett, J. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Curdy, Eck, Fitzpatrick, Flynn, Funk, Garner, Greef, Hertz, Hess, Hollandsworth, Hunter, Karjala, Lang, Lavin, Lieser, Lynch, Mandeville, McCarthy, McConnell, Mortensen, Osmundson, Person, Pinocci, Pope, Richmond, Salomon, Schreiner, Shaw, Staffanson, Welborn, White, Williams, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 43

Nays: Ballance, Berglee, Brodehl, B. Brown, Court, Cuffe, Custer, Doane, Dudik, Dunwell, Ehli, Ellis, Essmann, Fiscus, Glimm, Hagstrom, Harris, Hayman, Hill, Holmlund, Jacobson, Jones, Kelker, Kipp III, Lamm, Laszloffy, MacDonald, Manzella, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Pierson, Price, Randall, Redfield, Regier, Ricci, Schwaderer, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Wilson.

Total 57

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

MOTIONS

Majority Leader Regier moved **HB 377** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 463** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 474** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 483** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **HB 501** be moved from the Committee of the Whole to the Appropriations Committee.

Representative Karjala moved to change their vote on **HB 501** from Yes to No. Without objection, so ordered.

Representative Woods moved that **HB 189** be taken from Federal Relations, Energy, and Telecommunications and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: B. Bennett, Z. Brown, Burnett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Flynn, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, MacDonald, McCarthy, McConnell, Monforton, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pinocci, Pope, Smith, Steenberg, Tropila, Tschida, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov.
Total 41

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Clark, Cook, Cuffe, Custer, Doane, Ehli, Fiscus, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McClafferty, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Olszewski, Osmundson, Pierson, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Swanson, Wagoner, Welborn, Mr. Speaker.
Total 59

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

Representative Pope moved to reconsider action on **HB 151** and that **HB 151** be placed on second reading on Monday, February 23, 2015.

Motion **passed** as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, 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, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 51

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

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Wittich rose on a **Point of Parliamentary Inquiry**. He stated that rules are important "they provide order and certainty. They avoid chaos, tyranny and paralysis."

He stated that he introduced HB 462, 10 days ago and it was referred to a committee. The session is in its 40th day and on Day 45 the Transmittal Deadline will have occurred. He has asked repeatedly for a hearing and there has been no hearing on the bill.

The bill concerns the right of state employees to have free association and it also takes the State out of the business of a dues collector. The rules state that normal process of a bill in Rule H40-80 Subsection III, that a bill is entitled to a hearing and action by the committee and then it moves to the Floor. Also under H30-50 Subsection III there is no choice not to hear a bill. Under Rule H70-50 the Speaker has the right to interpret rules.

One of the central tenets of the law is that one can have no right without a remedy. Representative Wittich requested that HB 462 be put on Second Reading Wednesday, February 25, the 43rd Legislative Day and bypass the Committee and be brought to the Floor for discussion.

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 21, 2015

The House stood at ease while the members of Leadership and the House Rules Committee discussed the request.

The House reconvened. After learning that HB 462 would be scheduled for a hearing, Monday, February 23, the 41st Legislative Day, Representative Wittich withdrew his **Point of Parliamentary Inquiry**.

SPECIAL ORDERS OF THE DAY

Representative Hill thanked the pages for their service.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Monday, February 23, 2015. Motion carried.

House adjourned at 11:22 a.m.

LINDSEY GROVOM
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House