

**HOUSE JOURNAL
64TH LEGISLATURE
SEVENTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
April 14, 2015

House Chambers
State Capitol

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

BILLS (Welborn, Chair):

4/14/2015

Correctly printed: **SB 20, SB 83, SB 326, SB 409.**

Correctly engrossed: **SB 193, SB 194, SB 260, SB 264, SB 387, SB 398, SB 402, SB 411, SJR 18.**

Correctly enrolled: **HB 337, HB 358, HB 373, HB 379, HB 434, HB 448, HB 450, HB 491, HB 503, HB 516, HB 523, HB 525, HB 533, HB 538, HB 542, HB 550, HB 553, HB 554.**

Transmitted to the Senate: **SB 288, SB 345.**

Signed by the Speaker at 4:30 p.m., April 14, 2015: **HR 2.**

Signed by the Chief Clerk of the House at 4:49 p.m., April 14, 2015: **HR 2.**

Signed by the Speaker at 9:30 a.m., April 16, 2015: **HB 29, HB 78, HB 180, HB 250, HB 258, HB 284, HB 470, HB 587, HJR 7.**

Signed by the Chief Clerk of the House at 1:00 p.m., April 16, 2015: **HB 29, HB 78, HB 180, HB 250, HB 258, HB 284, HB 470, HB 587, HJR 7.**

Delivered to the Secretary of State at 8:14 a.m., April 14, 2015: **HJR 16.**

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the sixty-first, sixty-second, sixty-third, sixty-fourth, and sixty-fifth legislative days, find the same to be correct.

Representative Welborn, Chair

REPORTS OF STANDING COMMITTEES

Rep. Essmann reported on behalf of the House Rules Committee that the Speaker's ruling from the previous day's session was upheld.

Minority Leader Hunter appealed the decision of the House Rules Committee.

The appeal carried as follows:

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

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

Total 52

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

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

BUSINESS AND LABOR (Berry, Chair):
SB 83, be concurred in. Report adopted.
SB 193, be amended as follows:

4/14/2015

1. Page 3, line 18.

Strike: "RATES"

Insert: "rate"

2. Page 3, line 21.

Following: "COMBINED COMMISSION"

Strike: "RATES"

Insert: "rate"

3. Page 3, line 23.

Following: "COMBINED COMMISSION"

Strike: "RATES"

Insert: "rate"

4. Page 3, line 26 through line 27.

Strike: "commissions" on line 26 through "payable" on line 27

Insert: "an annual commission rate based on the total posted price of liquor purchased in the previous calendar year,"

5. Page 3, line 28.

Strike: "(A)"

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6. Page 3, line 29.

Strike: "a"

Strike: "purchases of"

Insert: "stores that purchased"

7. Page 3, line 30.

Strike: "(B) a"

Insert: "(ii)"

Re-number: subsequent subsections

Strike: "purchases of"

Insert: "stores that purchased"

8. Page 4, line 1.

Strike: "a"

Strike: "purchases of"

Insert: "stores that purchased"

9. Page 4, line 2.

Strike: "a"

Strike: "purchases of"

Insert: "stores that purchased"

10. Page 4, line 4.

Strike: "a"

Strike: "purchases of"

Insert: "stores that purchased"

11. Page 4, line 6.

Strike: "a"

Strike: "purchases of"

Insert: "stores that purchased"

12. Page 4, line 8.

Strike: "a"

Strike: "purchases of"

Insert: "stores that purchased"

13. Page 4, line 10.

Strike: "a"

Strike: "purchases of"

Insert: "stores that purchased"

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14. Page 4, line 12.

Strike: "a"

Strike: "purchases of"

Insert: "stores that purchased"

15. Page 4, line 13.

Strike: "a"

Strike: "purchases of"

Insert: "stores that purchased"

Strike: "; OR"

Insert: "."

16. Page 4, line 14 through line 15.

Strike: subsection (ii) in its entirety

17. Page 4, line 26.

Strike: "(b) The"

Insert: "(c) For commissions determined under subsection (4)(b), the"

18. Page 5.

Following: line 1

Insert: "(i) calculate purchases based on all liquor invoiced to the agency liquor store during the previous calendar year;"

Renumber: subsequent subsections

19. Page 5, line 3 through line 4.

Strike: "based on the agency's" on line 3 through "(4)(B)(I)"

20. Page 5, line 5.

Strike: "(4)(B)(I)"

Insert: "(4)(b)"

21. Page 5, line 6.

Following: line 6

Insert: "(d) New stores must receive a commission established by competitive bidding, which is guaranteed for 3 calendar years, after which time the agency liquor store's commission is subject to subsection (4)(b)."

22. Page 5, line 8.

Strike: "and must be" through "rate"

Insert: ", renewable"

23. Page 5, line 9.

Following: "periods"

Insert: ", "

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24. Page 7.

Following: line 18

Insert: "(12) For the purposes of this section, the term "combined commission rate" means the agency liquor store's weighted average discount rate plus the discount rate provided for sales volume plus the agency liquor store's commission rate that existed on December 31, 2015."

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

SB 398, be amended as follows:

1. Page 2, line 11.

Strike: "Each"

Insert: "The total"

2. Page 2, line 12.

Following: "dividend."

Insert: "For dividends paid to state agencies, the state fund shall pay a portion of the dividend equal to the total portion of the state fund's book of business attributed to each state agency or 10%."

3. Page 2.

Following: line 15

Insert: "(3) As used in this section, "book of business" means a list of clients and the amount of money generated by each."

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

EDUCATION (Laszloffy, Chair):

4/13/2015

SB 260, be amended as follows:

1. Title, page 1, line 6.

Following: "AUTHORITY;"

Insert: "PROVIDING STATUTORY APPROPRIATIONS;"

Following: "SECTIONS"

Insert: "17-7-502,"

2. Page 1, line 11.

Insert: "**Section 1.** Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

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(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-15-247; 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-517; 20-9-520; 20-9-534; 20-9-622; 20-26-1503; 22-1-327; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-51-501; 39-1-105; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-206; 44-13-102; 53-1-109; 53-1-215; 53-2-208; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; 87-1-603; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 14, Ch. 374, L. 2009, the inclusion of 53-9-113 terminates June 30, 2015; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017; pursuant to sec. 11(2), Ch. 17, L. 2013, the inclusion of 17-3-112 terminates on occurrence of contingency; pursuant to secs. 3 and 5, Ch. 244, L. 2013, the inclusion of 22-1-327 is effective July 1, 2015, and terminates July 1, 2017; and pursuant to sec. 10, Ch. 413, L. 2013, the inclusion of 2-15-247, 39-1-105, 53-1-215, and 53-2-208 terminates June 30, 2015.)"

Renumber: subsequent sections

3. Page 3, line 10.

Following: "counties"

Strike: "for deposit in the"

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Insert: "in proportion to a county's oil and natural gas production taxes for the preceding 3 years compared to the total of all counties' oil and natural gas production taxes for the preceding 3 years. Funds distributed must be deposited in a county's"

4. Page 4, line 28.

Strike: "up to 50% of"

5. Page 4, line 29 through page 6, line 6.

Strike: "in the following" on page 4, line 29 through "office of public instruction" on page 6, line 6

6. Page 6, line 8.

Strike: "collaborate" through "develop"

Insert: "adopt"

7. Page 6, line 9.

Strike: "(b)"

8. Page 6, following line 16.

Insert: "(b) In developing administrative rules, the office of public instruction shall establish two independent negotiated rulemaking committees to consider issues for the purpose of reaching a consensus to develop proposed rules for the distribution of the funds under this subsection (4).

(c) The members of the first negotiated rulemaking committee appointed by the office of public instruction must include public school officials and public school employees from school districts that are located in or are immediately adjacent to a county in which oil and natural gas production taxes are generated and professional organizations representing these public school officials and employees. This committee shall transmit proposed rules regarding distribution of 50% of the funds available under this subsection (4) in accordance with 2-5-108.

(d) The members of the second negotiated rulemaking committee appointed by the office of public instruction must include public school officials and public school employees from school districts around the state and professional organizations representing these public school officials and employees. This committee shall transmit proposed rules regarding the distribution of the remaining 50% of the funds available under this subsection (4) in accordance with 2-5-108."

9. Page 7, line 26.

Following: "development."

Insert: "The funds in this account are statutorily appropriated as provided in 17-7-502."

10. Page 8, line 23.

Following: "impacts."

Insert: "The funds in this account are statutorily appropriated as provided in 17-7-502."

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11. Page 11, line 3.

Following: "20-9-310(4)."

Insert: "The funds deposited in this account for distribution to school districts and counties under 20-9-310(4) are statutorily appropriated as provided in 17-7-502."

12. Page 11, line 12.

Strike: "October 1, 2015"

Insert: "on passage and approval"

13. Page 11, line 13.

Strike: "3"

Insert: "4"

14. Page 11, line 15.

Strike: "1, 2, and 3"

Insert: "2, 3, and 4"

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

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Lang, Chair): 4/13/2015
SB 402, be amended as follows:

1. Title, page 1, line 6.

Following: "COMMISSION"

Insert: ", THE DEPARTMENT OF REVENUE, AND THE GOVERNOR WHEN INTENDING TO RETIRE A COAL-FIRED GENERATING UNIT OR UNITS;"

2. Title, page 1, line 6 through line 9.

Strike: "WHEN" on line 6 through "UNIT;" on line 9

3. Title, page 1, line 9 through line 11.

Strike: "ACQUIRING" on line 9 through "OR WHEN" on line 11

4. Title, page 1, line 11.

Following: "OR UNIT"

Insert: "BEFORE NOVEMBER 30, 2025"

5. Title, page 1, line 11 through line 12.

Strike: "REQUIRING" on line 11 through "VERIFIED AND" on line 12

Insert: "ESTABLISHING AN IMPACT FEE AND REQUIRING THE FEE BE "

6. Title, page 1, line 14.

Following: "GENERAL FUND"

Strike: "AND"

Insert: ", "

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Following: "A PORTION"

Strike: "OF THE FEE"

Following: "CERTAIN COUNTIES"

Insert: ", A PORTION TO SCHOOL DISTRICTS, AND A PORTION TO A SPECIAL REVENUE ACCOUNT WITHIN THE DEPARTMENT OF COMMERCE"

Following: "REQUIRING"

Strike: "COUNTIES"

Insert: "ENTITIES"

7. Title, page 1, line 15.

Following: "TO ESTABLISH"

Strike: "AN"

Strike: "TRUST ACCOUNT"

Insert: "ACCOUNTS"

8. Title, page 1, line 16.

Strike: "TRUST ACCOUNT"

Insert: "ACCOUNTS"

9. Title, page 1, line 18 through line 24.

Strike: "REQUIRING" on line 18 through "FACILITY;" on line 24

Insert: "ESTABLISHING A COAL-FIRED GENERATION COUNCIL ATTACHED TO THE GOVERNOR'S OFFICE; ESTABLISHING A WORKFORCE REDEVELOPMENT AND TRAINING GRANT PROGRAM; PROVIDING FOR ADMINISTRATION OF THE GRANT PROGRAM BY THE DEPARTMENT OF COMMERCE AND THE USE OF THE GRANT MONEY; ESTABLISHING REPORTING REQUIREMENTS; PROVIDING AN APPROPRIATION;"

10. Title, page 1, line 26.

Following: "RELATED TO"

Insert: "A"

Strike: "FACILITIES"

Insert: "UNIT"

11. Title, page 1, line 28.

Strike: "sections" through "90-6-710,"

Insert: "section 15-10-420,"

12. Title, page 1, line 29 through line 30.

Following: "AND"

Strike: ", AN" on line 29 through "DATE" on line 30

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13. Page 2, line 4 through page 19, line 23.

Strike: everything after the enacting clause

Insert: "NEW SECTION. Section 1. Short title. [Sections 1 through 11] may be cited as the "Montana Energy Accountability Act"."

Insert: "NEW SECTION. Section 2. Purpose and intent. (1) The purpose of [sections 1 through 11] is to provide an orderly process to mitigate the effects of the early retirement of a coal-fired generating unit or units on the employees of the unit or units, local governments, schools, and affected tribal governments if an electrical company retires a coal-fired generating unit or units prior to or on November 30, 2025.

(2) This process is founded on trust and is committed to protecting the financial interests of Montana's cities, towns, counties, schools, special districts, state government, and those who work directly in an affected coal-fired generating unit or units.

(3) The retirement of a coal-fired generating unit or units prior to November 30, 2025, would have a negative and unwarranted impact on state and local governments, as well as on the citizens of Montana. [Sections 1 through 11] are intended to provide policy to discourage the retirement of a coal-fired generating unit or units prior to or on November 30, 2025, and to provide mitigation of near-term impacts if a coal-fired generating unit or units are retired prior to or on November 30, 2025."

Insert: "NEW SECTION. Section 3. Definitions. As used in [sections 1 through 11], the following definitions apply:

(1) "Coal-fired generating unit" or "units" means an individual unit or units of a coal-fired generating facility located in Montana, where the unit or units have a generating capacity that is greater than or equal to 200 megawatts but not more than 400 megawatts and were placed in service prior to 1980.

(2) "Electrical company" means a company owned by investors that:

(a) wholly or partially owns or operates a coal-fired generating unit or units in Montana, directly or through a subsidiary or an affiliate;

(b) furnishes or has furnished electricity from the coal-fired generating unit or units to retail customers in another state prior to [the effective date of this act]; and

(c) would be a public utility as defined in subsection (5) if those retail electricity customers were in Montana.

(3) "Electricity supplier" means an entity that wholly or partially owns or operates a coal-fired generating unit or units in Montana that is not a public utility or an electrical company.

(4) "Local government" means an incorporated city or town, a county, a consolidated local government, a tribal government, or a county or multicounty water, sewer, or solid waste district.

(5) "Public utility" means an electric utility regulated by the public service commission pursuant to Title 69, including the public utility's successors or assignees.

(6) "Retire", "retired", or "retirement" means the time at which a coal-fired generating unit or units:

(a) ceases to generate electricity and is removed from service; or

(b) is mothballed or kept in working order but operation is suspended and the unit or units have not yet been removed from service.

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(7) "Tribal government" means a federally recognized Indian tribe within the state of Montana."

Insert: "NEW SECTION. Section 4. Early retirement of coal-fired generating unit or units -- notice. (1) If an electrical company, electricity supplier, or public utility intends to retire a coal-fired generating unit or units prior to or on November 30, 2025, the company, supplier, or utility shall file a notice with the public service commission, the governor, and the department of revenue no later than 24 months prior to the intended date of the retirement.

(2) Within 30 days of receiving the notice required pursuant to subsection (1), the department of revenue shall notify the local governing body of the county where the coal-fired generating unit or units are located of the filing of the notice.

(3) Nothing in [sections 1 through 11] may be construed to:

(a) alter or modify the authority of the public service commission to regulate the rates and services of a public utility that is subject to the provisions of this chapter; or

(b) expand the authority of the public service commission to regulate an electrical company or an electricity supplier that is not subject to the provisions of [sections 1 through 11]."

Insert: "NEW SECTION. Section 5. Early retirement -- coal county impact fee.

(1)(a) If an electrical company, electricity supplier, or public utility files a notice pursuant to [section 4] indicating its intent to retire a coal-fired generating unit or units on or before November 30, 2025, the electrical company, electricity supplier, or public utility shall pay a coal county impact fee in accordance with this section when the coal-fired generating unit or units are retired.

(b) If an electrical company, electricity supplier, or public utility retires a coal-fired generating unit or units after November 30, 2025, the electrical company, electricity supplier, or public utility is not subject to a coal county impact fee.

(2)(a) If the retirement occurs on or before November 30, 2025, in the first 5 tax years annually following the retirement of the coal-fired generating unit or units, an electrical company, electricity supplier, or public utility shall, except as provided in subsection (2)(b), pay an amount that includes the following:

(i) \$3 million;

(ii) 100% of the centrally assessed property taxes paid in accordance with 15-6-156 on the retired coal-fired generating unit or units during the 2014 tax year; and

(iii) 100% of the electrical energy producers license tax paid in accordance with 15-51-101.

(b) The amount required in accordance with subsection (2)(a) and subsections (3) through (7) does not include:

(i) transmission or distribution facilities taxes paid in accordance with 15-6-141;

(ii) pollution control equipment taxes paid in accordance with 15-6-135; or

(iii) wholesale energy transaction taxes paid in accordance with 15-72-104.

(3) If the retirement occurs on or before November 30, 2025, in the sixth tax year following the retirement of the coal-fired generating unit or units, an electrical company, electricity supplier, or public utility shall, except as provided in subsection (2)(b), pay an amount that includes the following:

(a) 100% of the centrally assessed property taxes paid in accordance with 15-6-156 on the retired coal-fired generating unit or units during the 2014 tax year; and

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(b) 100% of the electrical energy producers license tax paid in accordance with 15-51-101.

(4) If the retirement occurs on or before November 30, 2025, in the seventh tax year following the retirement of the coal-fired generating unit or units, an electrical company, electricity supplier, or public utility shall, except as provided in subsection (2)(b), pay an amount that includes the following:

(a) 80% of the centrally assessed property taxes paid in accordance with 15-6-156 on the retired coal-fired generating unit or units during the 2014 tax year; and

(b) 80% of the electrical energy producers license tax paid in accordance with 15-51-101.

(5) If the retirement occurs on or before November 30, 2025, in the eighth tax year following the retirement of the coal-fired generating unit or units, an electrical company, electricity supplier, or public utility shall, except as provided in subsection (2)(b), pay an amount that includes the following:

(a) 60% of the centrally assessed property taxes paid in accordance with 15-6-156 on the retired coal-fired generating unit or units during the 2014 tax year; and

(b) 60% of the electrical energy producers license tax paid in accordance with 15-51-101.

(6) If the retirement occurs on or before November 30, 2025, in the ninth tax year following the retirement of the coal-fired generating unit or units, an electrical company, electricity supplier, or public utility shall, except as provided in subsection (2)(b), pay an amount that includes the following:

(a) 40% of the centrally assessed property taxes paid in accordance with 15-6-156 on the retired coal-fired generating unit or units during the 2014 tax year; and

(b) 40% of the electrical energy producers license tax paid in accordance with 15-51-101.

(7) If the retirement occurs on or before November 30, 2025, in the 10th tax year following the retirement of the coal-fired generating unit or units, an electrical company, electricity supplier, or public utility shall, except as provided in subsection (2)(b), pay an amount that includes the following:

(a) 20% of the centrally assessed property taxes paid in accordance with 15-6-156 on the retired coal-fired generating unit or units during the 2014 tax year; and

(b) 20% of the electrical energy producers license tax paid in accordance with 15-51-101.

(8)(a) The impact fee required in accordance with subsection (2)(a) is due the first tax year following the last tax year that the electrical company, electricity supplier, or public utility paid its centrally assessed property taxes.

(b) If an electrical company, electricity supplier, or public utility retires a coal-fired generating unit or units prior to or on November 30, 2025, and demonstrates to the department of revenue that the electrical company, electricity supplier, or public utility is paying an impact fee in accordance with this section, then the electrical company, electricity supplier, or public utility is not required to pay centrally assessed property taxes due in connection with the coal-fired generating unit or units that are retired.

(9) Nothing in this section changes how centrally assessed property taxes related to a coal-fired generating unit or units are levied if the unit or units are retired after November 30,

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2025, or after the 10-year payment of the impact fee required in accordance with subsections (2) through (7)."

Insert: "NEW SECTION. Section 6. Early retirement coal county impact fee -- distribution of fees.(1) On or before March 1 of each year, an electrical company, electricity supplier, or public utility shall submit the impact fee required in accordance with [section 5] to the department of revenue. The penalty and interest provisions contained in 15-1-216 apply to late payments of the fee.

(2) The money paid in accordance with [section 5] must be distributed as follows:

(a) 25% of all money received pursuant to subsection (1) must be deposited in the coal county impact account established in [section 7] in the county where the coal-fired generating unit or units that were retired are located;

(b) 25% of all money received pursuant to subsection (1) must be deposited in the coal county school district account established in [section 8] in the county where the coal-fired generating unit or units are located;

(c) 25% of all money received pursuant to subsection (1) must be deposited in the workforce redevelopment and training special revenue account established in [section 9]; and

(d) 25% of all money received pursuant to subsection (1) must be deposited in the general fund.

(3) On August 15 following the close of the fiscal year, the state treasurer shall distribute the revenue dedicated in subsection (2) for deposit into the appropriate accounts."

Insert: "NEW SECTION. Section 7. Early retirement coal county impact account -- expenditures and restrictions. (1) The governing body of a county eligible to receive a coal county impact fee shall establish a coal county impact account.

(2) The governing body of a county may in accordance with subsection (5) use the funds in the coal county account to:

(a) mitigate property losses and provide housing security for those who are unemployed due to the retirement of a coal-fired generating unit or units;

(b) pay for outstanding capital project bonds or other expenses incurred prior to retirement of the coal-fired generating unit or units;

(c) decrease property tax mill levies that are caused by the cessation, reduction, or elimination of activity at the coal-fired generating unit or units;

(d) promote diversification and development of the economic base within the jurisdiction of a local government through assistance to existing business, retention and expansion of existing business, unemployment assistance in addition to a formerly employed individual's unemployment compensation and unemployment benefits, or assistance to new business;

(e) attract new industry to the impact area;

(f) provide cash incentives for expanding the employment base of the area impacted by the changes at the coal-fired generating unit or units; and

(g) provide grants or loans to other local governments to assist with impacts.

(3) Except as provided in subsection (2)(b) and subject to 15-10-420(7)(b), money held in the coal county account may not be considered as cash balance for the purpose of reducing mill levies.

(4) Money in the coal county impact account must be invested as provided by law. Interest and income from the investment of funds in the account must be credited to the account.

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(5)(a) The governing body of the county shall establish a coal county impact committee. The committee shall include two members of the county's governing body and one representative of:

- (i) a tribal government impacted by the retirement of a coal-fired generating unit or units;
- (ii) each incorporated city or town where the coal-fired generating unit or units is located;
- (iii) each water, sewer, or solid waste district where the coal-fired generating unit or units are located; and
- (iv) a regional economic development organization that represents a local government where the coal-fired generating unit or units are located.

(b) The coal county impact committee shall determine the distribution and use of the impact fee in accordance with subsection (2).

(c) The committee shall elect a presiding officer from among its members."

Insert: "NEW SECTION. Section 8. Early retirement coal county school district account -- expenditures and restrictions. (1) The county treasurer shall:

(a) keep the impact fee received in accordance with [section 6(2)(b)] in a separate coal county school district account and keep a separate account of its disbursement to the several school districts that are entitled to receive it; and

(b) notify the county superintendent of the amount of the impact fee in the county treasury for disbursement to the districts.

(2) The impact fee must be shared equally among the school districts in the county where the coal-fired generating unit or units are located that is eligible to receive an impact fee in accordance with [section 6(2)(b)].

(3) Money held in the coal county school district account may not be considered as cash balance for the purpose of reducing mill levies.

(4) The districts may use the funds in the accounts proportionally for educational purposes in accordance with the provisions of law. Interest and income from the investment of funds in the account must be credited to the account.

(5) The funds must be financially administered as nonbudgeted funds under the provisions of Title 20."

Insert: "NEW SECTION. Section 9. Coal county workforce redevelopment and training -- special revenue account. (1) There is an account in the state special revenue fund established by 17-2-102 to be known as the coal county workforce redevelopment and training fund.

(2) There must be deposited in the account:

(a) money received from legislative allocations;

(b) money transferred in accordance with [section 6(2)(c)];

(c) a gift, donation, grant, legacy, bequest, or devise made for the purposes of [section 12]; and

(d) interest or other income earned on the money in the account.

(3) The fund may be used by the department of commerce:

(a) to provide grants to mitigate the impacts of the retirement of a coal-fired generating unit or units in accordance with [section 12]; and

(b) for the department's costs of administering [section 12]."

Insert: "NEW SECTION. Section 10. Appropriate retirement -- coal county impact fee waiver. (1) (a) An electrical company, electricity supplier, public utility, or combination of

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those entities is not subject to the impact fee provided for in [section 5] if the electrical company, electricity supplier, public utility, or combination of entities retires a coal-fired generating unit or units on or before November 30, 2025, because:

(i) the electrical company, electricity supplier, public utility, or combination of entities demonstrates in accordance with rules adopted by the commission pursuant to subsection (2) that the electrical company, electricity supplier, public utility, or combination of entities is not able to meet mandated federal or state standards, standards mandated by a government agency or a court of law, or other coal-fired generating unit or units regulations without unreasonable investment or capital improvement. An investment or capital improvement is considered unreasonable if it is:

(A) economically or technologically unfeasible; or

(B) outside the scope of an improvement or investment that would be made in a similar circumstance by a prudent owner of a coal-fired generating unit or units.

(ii) the electrical company, electricity supplier, public utility, or combination of entities demonstrates in accordance with rules adopted by the commission pursuant to subsection (2) that the coal-fired generating unit or units have reached the end of their useful life.

(b) The commission shall provide an impact fee waiver to an electrical company, electricity supplier, public utility, or combination of entities in accordance with subsection (1)(a) and in accordance with rules adopted by the commission pursuant to subsection (2).

(c) Within 30 days of issuing the waiver, the commission shall provide a copy of the waiver to the department of revenue and to the local governing body where the coal-fired generating unit or units are located.

(2) By January 1, 2017, the commission, using existing resources, shall adopt rules that guide the processes used by an electrical company, electricity supplier, public utility, or combination of entities to facilitate a determination in accordance with subsection (1). The rules must establish:

(a) standards for the evaluation by the commission of the reasonableness of the retirement proposed;

(b) minimum filing requirements for an application for approval of a fee waiver in accordance with subsection (1)(b); and

(c) a fee, no greater than \$500, to accompany an application filed with the commission."

Insert: "NEW SECTION. Section 11. Transmission study.

(1) Before July 1, 2018, the commission, using existing resources, shall conduct a study or participate in a study being facilitated by a regional transmission planning authority to determine transmission impacts associated with retiring a coal-fired generating unit or units and replacing the respective amounts of capacity with proportional amounts of renewable energy in Montana.

(2)(a) On or before September 1, 2016, the commission shall update the energy and telecommunications interim committee provided for in 5-5-230 on its work in progress in accordance with this section.

(b) On or before September 1, 2018, results of the study must be submitted to the energy and telecommunications interim committee provided for in 5-5-230."

Insert: "NEW SECTION. Section 12. Coal county workforce redevelopment and training grants. (1)(a) The department may award workforce redevelopment and training grants using money in the coal county workforce redevelopment and training special revenue account established in [section 9].

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(b) The department may award workforce redevelopment and training grants to primary sector businesses that provide education or skills-based training, through eligible training providers, for employees seeking a new job.

(2) To be eligible for a grant, an applicant shall demonstrate that the applicant is a primary sector business.

(3) A grant may be provided only to an employer offering a new job that has an average weekly wage that meets or exceeds the current average weekly wage of the county in which the employees were principally employed prior to the retirement of a coal-fired generating unit or units.

(4) The grant application, at a minimum, must contain:

(a) a plan containing information that is sufficient for the department to obtain an adequate understanding of how an employee will be assisted through training; and

(b) a training plan, which must include:

(i) a timetable for providing training;

(ii) procedures for outreach, recruitment, screening, training, and placement of employees;

(iii) a description of the training curriculum and resources; and

(iv) a description of the type and method of training to be provided to employees.

(5) If the department determines that an applicant meets the criteria established in this section and has complied with the applicable procedures and review processes established by the department, the department may award a workforce redevelopment and training grant to the employer and authorize the disbursement of funds under contract to the primary sector business.

(6)(a) A contract with a grant recipient must contain provisions providing the department with annual reports on training and placement of employees and a final closeout report that documents the wages to be paid to an employee placed in a new job upon completion of the training.

(b) The contract must be signed by the person in the primary sector business who is assigned the duties and responsibilities for training and the overall success of the program and by the primary sector business's chief executive.

(7) The department may adopt rules to implement this section.

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

(a) "Department" means the department of commerce established in 2-15-1801.

(b) "Eligible training provider" means:

(i) a unit of the university system, as defined in 20-25-201;

(ii) a community college district, as defined in 20-15-101;

(iii) an accredited, tribally controlled community college located in the state of Montana;

(iv) an apprenticeship program that is in compliance with Title 39, chapter 6; or

(v) an entity approved to provide workforce training that is approved by representatives of the BEAR program as defined in 53-2-1216, the small business development centers, or the Montana manufacturing extension center at Montana state university-Bozeman.

(c) "Employee" means an individual seeking a new job because of the retirement of a coal-fired generating unit or units as defined in [section 3]. The term may include an individual who did not work directly in a coal-fired generating unit or units but is unemployed due to the retirement of a coal-fired generating unit or units.

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(d) "Employer" means the individual, corporation, partnership, or association providing new jobs and entering into a grant contract.

(e) "New job" means a job in a primary sector business.

(f) "Primary sector business" means an employer engaged in operations within Montana.

(g) "Workforce redevelopment and training grants" means grants provided to employers for the purpose of working with eligible training providers to provide employees with education and training required for new jobs in primary sector businesses in the state."

Insert: NEW SECTION. Section 13. Regional collaboration -- coal-fired generation council. (1) There is a Montana coal-fired generation council.

(2) The council includes:

(a) the governor or the governor's designee;

(b) the attorney general or the attorney general's designee; and

(c) up to 12 members appointed as follows:

(i) one public service commissioner appointed by the public service commission;

(ii) one member from a Montana tribal government who represents a tribal government affected by coal-fired generation, appointed by the affected tribal government;

(iii) two members of the house of representatives, including one from each party, appointed by the speaker of the house;

(iv) two senators, including one from each party, appointed by the committee on committees; and

(v) representatives of each of the owners of a coal-fired generating unit or units, appointed by the governor.

(3) In making legislative appointments, preference shall be given to legislative members with experience in labor policy, coal-fired generation units, or both.

(4) Members of the council, other than legislative members, are not entitled to compensation for their services except for reimbursement of expenses as provided in 2-18-501 through 2-18-503. Legislative members of the council are entitled to compensation pursuant to 5-2-302, which must be paid by the legislative services division.

(5) The council shall:

(a) examine current and future trends and conditions, including:

(i) proposed federal and state regulations and how those regulations may affect coal-fired generation in Montana; and

(ii) the potential impacts to employees of a coal-fired generating unit or units, local governments, schools, and affected tribal governments if a coal-fired generating unit or units are retired; and

(b) encourage states that receive electricity from a coal-fired generating unit or units to cooperate and share information with the coal-fired generation council and establish similar bodies.

(6) The council shall:

(a) meet and organize before September 1, 2015;

(b) meet at least quarterly and may meet more frequently as needed;

(c) keep a record of its proceedings and accept public testimony at each meeting; and

(d) select a presiding officer and a vice presiding officer from its appointed members.

(7) The council may adopt rules for the conduct of its business.

(8) The legislative services division shall provide staff assistance to the council.

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(9) Prior to July 1 of each even-numbered year, the council shall issue findings to the energy and telecommunications interim committee provided for in 5-5-230 and the environmental quality council established by 5-16-101."

Insert: "Section 14. Section 15-10-420, MCA, is amended to read:

"15-10-420. Procedure for calculating levy. (1) (a) Subject to the provisions of this section, a governmental entity that is authorized to impose mills may impose a mill levy sufficient to generate the amount of property taxes actually assessed in the prior year plus one-half of the average rate of inflation for the prior 3 years. The maximum number of mills that a governmental entity may impose is established by calculating the number of mills required to generate the amount of property tax actually assessed in the governmental unit in the prior year based on the current year taxable value, less the current year's value of newly taxable property, plus one-half of the average rate of inflation for the prior 3 years.

(b) A governmental entity that does not impose the maximum number of mills authorized under subsection (1)(a) may carry forward the authority to impose the number of mills equal to the difference between the actual number of mills imposed and the maximum number of mills authorized to be imposed. The mill authority carried forward may be imposed in a subsequent tax year.

(c) For the purposes of subsection (1)(a), the department shall calculate one-half of the average rate of inflation for the prior 3 years by using the consumer price index, U.S. city average, all urban consumers, using the 1982-84 base of 100, as published by the bureau of labor statistics of the United States department of labor.

(2) A governmental entity may apply the levy calculated pursuant to subsection (1)(a) plus any additional levies authorized by the voters, as provided in 15-10-425, to all property in the governmental unit, including newly taxable property.

(3) (a) For purposes of this section, newly taxable property includes:

- (i) annexation of real property and improvements into a taxing unit;
- (ii) construction, expansion, or remodeling of improvements;
- (iii) transfer of property into a taxing unit;
- (iv) subdivision of real property; and
- (v) transfer of property from tax-exempt to taxable status.

(b) Newly taxable property does not include an increase in value that arises because of an increase in the incremental value within a tax increment financing district.

(4) (a) For the purposes of subsection (1), the taxable value of newly taxable property includes the release of taxable value from the incremental taxable value of a tax increment financing district because of:

- (i) a change in the boundary of a tax increment financing district;
- (ii) an increase in the base value of the tax increment financing district pursuant to 7-15-4287; or
- (iii) the termination of a tax increment financing district.

(b) If a tax increment financing district terminates prior to the certification of taxable values as required in 15-10-202, the increment value is reported as newly taxable property in the year in which the tax increment financing district terminates. If a tax increment financing district terminates after the certification of taxable values as required in 15-10-202, the increment value is reported as newly taxable property in the following tax year.

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(c) For the purpose of subsection (3)(a)(ii), the value of newly taxable class four property that was constructed, expanded, or remodeled property since the completion of the last reappraisal cycle is the current year market value of that property less the previous year market value of that property.

(d) For the purpose of subsection (3)(a)(iv), the subdivision of real property includes the first sale of real property that results in the property being taxable as class four property under 15-6-134 or as nonqualified agricultural land as described in 15-6-133(1)(c).

(5) Subject to subsection (8), subsection (1)(a) does not apply to:

(a) school district levies established in Title 20; or

(b) a mill levy imposed for a newly created regional resource authority.

(6) For purposes of subsection (1)(a), taxes imposed do not include net or gross proceeds taxes received under 15-6-131 and 15-6-132.

(7) In determining the maximum number of mills in subsection (1)(a), the governmental entity:

(a) may increase the number of mills to account for a decrease in reimbursements; and

(b) may not increase the number of mills to account for a loss of tax base;

(i) because of legislative action that is reimbursed under the provisions of 15-1-121(7);

(ii) due to the retirement of a coal-fired generating unit or units, if the governmental entity is collecting an impact fee or receiving distributions from the county impact fund in accordance with [section 5] that account for the loss of tax base; or

(iii) because of the cessation of the payment of a coal county impact fee in accordance with [section 5] that has accounted for the loss of tax base.

(8) The department shall calculate, on a statewide basis, the number of mills to be imposed for purposes of 15-10-108, 20-9-331, 20-9-333, 20-9-360, and 20-25-439. However, the number of mills calculated by the department may not exceed the mill levy limits established in those sections. The mill calculation must be established in tenths of mills. If the mill levy calculation does not result in an even tenth of a mill, then the calculation must be rounded up to the nearest tenth of a mill.

(9) (a) The provisions of subsection (1) do not prevent or restrict:

(i) a judgment levy under 2-9-316, 7-6-4015, or 7-7-2202;

(ii) a levy to repay taxes paid under protest as provided in 15-1-402;

(iii) an emergency levy authorized under 10-3-405, 20-9-168, or 20-15-326;

(iv) a levy for the support of a study commission under 7-3-184;

(v) a levy for the support of a newly established regional resource authority;

(vi) the portion that is the amount in excess of the base contribution of a governmental entity's property tax levy for contributions for group benefits excluded under 2-9-212 or 2-18-703; or

(vii) a levy for reimbursing a county for costs incurred in transferring property records to an adjoining county under 7-2-2807 upon relocation of a county boundary.

(b) A levy authorized under subsection (9)(a) may not be included in the amount of property taxes actually assessed in a subsequent year.

(10) A governmental entity may levy mills for the support of airports as authorized in 67-10-402, 67-11-301, or 67-11-302 even though the governmental entity has not imposed a levy for the airport or the airport authority in either of the previous 2 years and the airport or airport authority has not been appropriated operating funds by a county or municipality during that time.

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(11) The department may adopt rules to implement this section. The rules may include a method for calculating the percentage of change in valuation for purposes of determining the elimination of property, new improvements, or newly taxable property in a governmental unit."

Insert: "NEW SECTION. Section 15. Appropriation. There is appropriated \$6,000 from the general fund to the legislative services division for the biennium beginning July 1, 2015, to support the activities of the coal-fired generation council established in [section 13]."

Insert: "NEW SECTION. Section 16. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell Chippewa tribe."

Insert: "NEW SECTION. Section 17. Codification instruction. (1) [Sections 1 through 11] are intended to be codified as an integral part of Title 69, and the provisions of Title 69 apply to [sections 1 through 11].

(2) [Section 12] is intended to be codified as an integral part of Title 39, and the provisions of Title 39 apply to [section 12].

(3) [Section 13] is intended to be codified an integral part of Title 5, chapter 5, and the provisions of Title 5, chapter 5, apply to [section 13]."

Insert: "NEW SECTION. Section 18. Coordination section. If the legislative branch biennium budget included in House Bill No. 2 includes funding for a joint subcommittee of the energy and telecommunications interim committee and the environmental quality council to meet during the 2015-2016 interim to oversee environmental protection agency rulemaking related to air quality and impacting coal-fired generating units, and [this act] is passed and approved and includes the establishment of a coal-fired generation council, the appropriation in House Bill No. 2 must be used to support the activities of the coal-fired generation council established in [section 13] and fulfills the purpose of overseeing environmental protection agency rulemaking."

Insert: "NEW SECTION. Section 19. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Insert: "NEW SECTION. Section 20. Saving clause. [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act]."

Insert: "NEW SECTION. Section 21. Effective date. [This act] is effective on passage and approval."

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

HUMAN SERVICES (Wittich, Chair):
SB 411, be amended as follows:

4/14/2015

1. Title, page 1, line 9.

Following: "CENTER;"

Insert: "ESTABLISHING LIMITS ON EXPENDITURES;"

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2. Page 3.

Following: line 19

Insert: "NEW SECTION. Section 5. Limitation on expenditures. For the biennium beginning July 1, 2015, expenditures for placing seriously developmentally disabled individuals in private, community-based residential facilities pursuant to Title 53, chapter 20, part 1, or in accordance with 46-14-221 or 46-14-312 may not exceed the amount appropriated in House Bill No. 2 for the Montana developmental center."

Renumber: subsequent sections

3. Page 6, line 5 through line 6.

Strike: "a seriously" on line 5 through "facility" on line 6

Insert: "individuals committed to a residential facility pursuant to this chapter or placed in a residential facility pursuant to Title 46, chapter 14"

4. Page 20, line 26.

Strike: "5"

Insert: "6"

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

NATURAL RESOURCES (White, Chair):

4/13/2015

SB 20, be concurred in. Report adopted.

SB 326, be concurred in. Report adopted.

SB 387, be amended as follows:

1. Title, line 5.

Following: "HEALTH"

Strike: "OR"

Insert: ", "

2. Title, line 6.

Following: "ENVIRONMENT"

Insert: ", OR THE DEPARTMENT OF ENVIRONMENTAL QUALITY'S ABILITY TO PROTECT HUMAN HEALTH OR THE ENVIRONMENT"

3. Page 3, line 6.

Following: "health"

Strike: "or"

Insert: ", "

Following: "environment"

Insert: ", or the department's ability to protect human health or the environment"

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

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SB 409, be concurred in. Report adopted.

SJR 18, be amended as follows:

1. Page 2, line 20.

Following: "resources"

Insert: ", "

2. Page 2, line 21.

Following: "LIBRARIAN"

Strike: ", " through "institute"

3. Page 2, line 29.

Following: line 28

Insert: "BE IT FURTHER RESOLVED, that the study include the impact of the use of LIDAR data on individual privacy."

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

TAXATION (Miller, Chair):

4/14/2015

SB 194, be amended as follows:

1. Page 3, line 8 through line 10.

Strike: section 3 in its entirety

Renumber: subsequent sections

2. Page 3, line 15.

Strike: "2013"

Insert: "2014"

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

SB 264, be amended as follows:

1. Title, page 1, line 7.

Following: "PROGRAM;"

Insert: "PROVIDING A STATUTORY APPROPRIATION;"

Strike: "SECTION"

Insert: "SECTIONS"

Following: "15-68-820"

Insert: "AND 17-7-502"

2. Page 1, line 24.

Strike: "(2)(B)(II), 1%"

Insert: "(1)(b)(ii), 7.5%"

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3. Page 1, line 29.

Strike: "(2)(B)(I)"

Insert: "(1)(b)(i)"

4. Page 2, line 1.

Strike: "1%"

Insert: "7%"

5. Page 2, line 5.

Strike: "1%"

Insert: "7%"

6. Page 2, line 7.

Strike: "1%"

Insert: "3.5%"

7. Page 2, line 9.

Strike: "1%"

Insert: "2%"

8. Page 2, line 11.

Strike: "93% of"

9. Page 2, line 12.

Following: line 11

Insert: "(3) The allocations in subsections (1)(a) through (1)(g) are statutorily appropriated, as provided in 17-7-502, for the indicated purposes."

Renumber: subsequent subsections

10. Page 2, line 21.

Following: line 20

Insert: "**Section 3.** Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

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(3) The following laws are the only laws containing statutory appropriations: 2-15-247; 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-68-820; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-1-327; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-51-501; 39-1-105; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-206; 44-13-102; 53-1-109; 53-1-215; 53-2-208; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; 87-1-603; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 14, Ch. 374, L. 2009, the inclusion of 53-9-113 terminates June 30, 2015; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017; pursuant to sec. 11(2), Ch. 17, L. 2013, the inclusion of 17-3-112 terminates on occurrence of contingency; pursuant to secs. 3 and 5, Ch. 244, L. 2013, the inclusion of 22-1-327 is effective July 1, 2015, and terminates July 1, 2017; and pursuant to sec. 10, Ch. 413, L. 2013, the inclusion of 2-15-247, 39-1-105, 53-1-215, and 53-2-208 terminates June 30, 2015.)"

Renumber: subsequent sections

11. Page 2, line 24.

Following: line 23

Insert: "COORDINATION SECTION. Section 5. Coordination instruction. If both Senate Bill No. 180 and [this act] are passed and approved and if both contain a section that amends 15-68-820, then the sections amending 15-68-820 are void and 15-68-820 must be amended as follows:

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"15-68-820. Sales tax and use tax proceeds. (1) All Except as provided in subsections (2) and (3), all money collected under this chapter must, in accordance with the provisions of 17-2-124, be deposited by the department into the general fund an account in the state special revenue fund to the credit of the department. The department may spend from the account in accordance with an expenditure appropriation by the legislature based on an estimate of the costs of collecting and disbursing the proceeds of the tax. The balance of the tax proceeds received each reporting period and not deducted pursuant to the expenditure appropriation must be transferred to an account in the state special revenue fund, as follows:

(a) 1% to the department of fish, wildlife, and parks for the renovation, replacement, and enhancement of state parks;

(b) (i) except as provided in subsection (1)(b)(ii), 7.5% to the department of commerce to be distributed to regional nonprofit tourism corporations for cultural and heritage tourism in the ratio of the proceeds collected in each tourism region to the total proceeds collected statewide; or

(ii) if a regional nonprofit tourism corporation has a nonprofit convention and visitors bureau that has an approved annual marketing plan provided for in 15-65-122, 50% of the funds distributed in the tourism region as provided in subsection (1)(b)(i) must be distributed to the nonprofit convention and visitors bureau in the region;

(c) 7% to the Montana historical society to be used for the ongoing preservation and security of Montana's historic heritage;

(d) 1% to the historical society to be used for the rehabilitation of state-owned heritage property buildings and structures;

(e) 7% to the Montana arts council to be used for programs supporting economic development, education, and cultural tourism;

(f) 3.5% to the Montana heritage preservation and development commission to be used for the preservation, protection, and enhancement of heritage commission historic properties; and

(g) 2% to the department of fish, wildlife, and parks to administer a grant program supporting nonstate-owned heritage properties as provided in [section 2 of Senate Bill No. 264].

(2) Twenty-five percent of the revenue collected on the base rental charge for rental vehicles under 15-68-102(1)(b) and 15-68-102(3)(a)(ii) must be deposited in the state special revenue fund to the credit of the senior citizen and persons with disabilities transportation services account provided for in 7-14-112.

(3) The remaining tax proceeds must be deposited in the state general fund.

(4) The allocations in subsections (1)(a) through (1)(g) are statutorily appropriated, as provided in 17-7-502, for the indicated purposes.

(5) An entity receiving sales and use tax proceeds as provided in subsections (1)(a) through (1)(g) shall report biennially to the interim committee with monitoring duties for the entity. The report must include the amount spent, the projects funded, the progress made in achieving the goals of the funded projects, and administrative costs."

Renumber: subsequent sections

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

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MESSAGES FROM THE SENATE

HB 211 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 211**:

4/14/2015

Senator D. Brown, Chair
Senator Driscoll
Senator Kary

SB 261 - The Senate failed to concur in the House amendments to **SB 261** and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **SB 261**:

4/14/2015

Senator Hamlett, Chair
Senator L. Jones
Senator F. Moore

MESSAGES FROM THE GOVERNOR

April 13, 2015

The Honorable Austin Knudsen
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 68** sponsored by Representative Kelker, **House Bill 209** sponsored by Representative Schreiner, **House Bill 288** sponsored by Representative Richmond, **House Bill 331** sponsored by Representative Schwaderer, **House Bill 478** sponsored by Representative Williams, **House Bill 529** sponsored by Representative Court, and **House Bill 580** sponsored by Representative B. Bennett on April 13, 2015.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

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

HJR 30, introduced by R. Ehli, referred to Human Services.

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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 Lavin in the chair.

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

HB 60 - Senate Amendments - Representative Curdy moved Senate amendments to **HB 60** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, 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, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.
Total 70

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Fiscus, Fitzpatrick, Glimm, Harris, Hertz, Hess, Lamm, Lang, Laszloffy, Manzella, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Tschida, Wagoner, White, Wittich, Zolnikov.
Total 30

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 119 - Senate Amendments - Representative Berry moved Senate amendments to **HB 119** be concurred in. 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, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon,

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Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.
Total 87

Nays: Berglee, B. Brown, Doane, Harris, Lamm, Manzella, Miller, Monforton, Mortensen, Tschida, White, Wittich, Zolnikov.
Total 13

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 244 - Senate Amendments - Representative Essmann moved Senate amendments to **HB 244** be concurred in. Motion carried as follows:

Yeas: Ballance, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Jones, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Osmundson, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, Mr. Speaker.
Total 55

Nays: B. Bennett, J. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hess, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lieser, MacDonald, McCarthy, McClafferty, McConnell, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Wittich, Woods, Zolnikov.
Total 45

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 374 - Senate Amendments - Representative McClafferty moved Senate amendments to **HB 374** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Noonan, Olsen, Olszewski,

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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 66

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Doane, Ehli, Fiscus, Glimm, Greef, Hagstrom, Harris, Hess, Jones, Lamm, Lang, Laszloffy, Manzella, McKamey, Monforton, Mortensen, Noland, Pinocci, Randall, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 34

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 7 - Representative Wagoner moved **SB 7** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Burnett, 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, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Williams, Wilson, Woods, Mr. Speaker.

Total 79

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Fiscus, Glimm, Lamm, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Pinocci, Randall, Regier, Schwaderer, Welborn, White, Wittich, Zolnikov.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 47 - Representative Flynn moved **SB 47** be concurred in. Motion carried as follows:

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

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Ill, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, White, Williams, Wilson, Woods.
Total 77

Nays: J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Fitzpatrick, Glimm, Hess, Jones, Lamm, Manzella, Monforton, Noland, Osmundson, Pinocci, Randall, Regier, Staffanson, Tschida, Wagoner, Wittich, Zolnikov, Mr. Speaker.
Total 23

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 100 - Representative Pierson moved **SB 100** be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, 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, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 92

Nays: Ballance, B. Brown, Laszloffy, Manzella, Peppers, Staffanson, Tschida, Wittich.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 102 - Representative White moved **SB 102** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, 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,

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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, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 92

Nays: Brodehl, B. Brown, Manzella, Monforton, Mortensen, Pinocci, Staffanson, Wittich.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 107 - Representative Lamm moved **SB 107** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, Meyers, Monforton, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.
Total 50

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Funk, Hayman, Hill, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Moore, Mortensen, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Woods.
Total 49

Excused: None.
Total 0

Absent or not voting: Miller.
Total 1

SB 122 - Representative White moved **SB 122** be concurred in. Motion carried as follows:

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

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

Total 60

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

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 136 - Representative G. Bennett moved **SB 136** be concurred in. Motion carried as follows:

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

Total 98

Nays: Person, Wagoner.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 175 - Representative Wilson moved **SB 175** be concurred in. Motion carried as follows:

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

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Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Richmond, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Williams, Wilson, Woods, Mr. Speaker.
Total 72

Nays: Ballance, J. Bennett, Berglee, B. Brown, Burnett, Glimm, Harris, Hollandsworth, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, Monforton, Mortensen, Pinocci, Redfield, Regier, Ricci, Salomon, Schwaderer, Staffanson, Tschida, Welborn, White, Wittich, Zolnikov.
Total 28

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 245 - Representative Flynn moved **SB 245** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Steenberg, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.
Total 63

Nays: B. Bennett, Court, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Salomon, Schreiner, Smith, Swanson, Tropila, Webber, Williams, Wilson, Woods.
Total 37

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 284 - Representative Lang moved **SB 284** be concurred in. 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,

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Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 60

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, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 40

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

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

Total 91

Nays: Curdy, Essmann, Funk, Lynch, Olsen, Perry, Smith, Wittich, Zolnikov.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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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 293 failed as follows:

Yeas: J. Bennett, Berry, B. Brown, Clark, Cuffe, Doane, Ehli, Essmann, Fitzpatrick, Garner, Glimm, Greef, Hagstrom, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Kelker, Lamm, Lang, Lavin, Lynch, Mandeville, McKamey, Mehlhoff, Meyers, Monforton, Moore, Mortensen, Noland, Osmundson, Pierson, Randall, Redfield, Regier, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Tropila, Wagoner, Welborn, White, Mr. Speaker.
Total 46

Nays: Ballance, B. Bennett, Berglee, Brodehl, Z. Brown, Burnett, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fiscus, Flynn, Funk, Harris, Hayman, Hill, Hunter, Jones, Karjala, Kipp III, Laszloffy, Lieser, MacDonald, Manzella, McCarthy, McClafferty, McConnell, Miller, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pinocci, Pope, Price, Ricci, Richmond, Salomon, Steenberg, Swanson, Tschida, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.
Total 54

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 334 concurred in as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.
Total 53

Nays: B. Bennett, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.
Total 47

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 33 passed 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, 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, Williams, Wilson, Woods, Mr. Speaker.

Total 94

Nays: Monforton, Redfield, Schwaderer, White, Wittich, Zolnikov.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 34 passed as follows:

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

Total 93

Nays: Burnett, Lamm, Monforton, Schwaderer, White, Wittich, Zolnikov.

Total 7

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 358 passed as follows:

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

Total 63

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Laszloffy, Mandeville, Manzella, Miller, Monforton, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 37

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 373 passed 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, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McClafferty, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 90

Nays: B. Brown, Burnett, Essmann, Fitzpatrick, Lynch, McCarthy, Mehlhoff, Noonan, Wittich, Zolnikov.

Total 10

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 379 passed 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, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Lamm, Meyers, White, Wittich.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 448 passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jones, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Perry, Pinocci, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Tschida, Wagoner, Webber, Welborn, Wilson, Zolnikov, Mr. Speaker.

Total 75

Nays: Dudik, Eck, Fitzpatrick, Hayman, Hunter, Jacobson, Karjala, Kipp III, Lynch, MacDonald, McClafferty, Noonan, Pease-Lopez, Peppers, Person, Pierson, Pope, Price, Redfield, Swanson, Tropila, White, Williams, Wittich, Woods.

Total 25

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 450 passed as follows:

Yeas: Ballance, J. Bennett, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Kelker, Lamm, Lang, Laszloffy, Lavin, MacDonald, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Steenberg, Tschida, Wagoner, Welborn, White, Woods, Zolnikov, Mr. Speaker.
Total 69

Nays: B. Bennett, Berglee, Z. Brown, Court, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kipp III, Lieser, Lynch, McClafferty, McConnell, Olsen, Pease-Lopez, Peppers, Pope, Price, Schreiner, Smith, Swanson, Tropila, Webber, Williams, Wilson, Wittich.
Total 31

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 491 passed as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, 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, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, 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, Williams, Wilson, Woods, Mr. Speaker.
Total 93

Nays: B. Brown, Lamm, Miller, Mortensen, White, Wittich, Zolnikov.
Total 7

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 503 passed as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, 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, Lynch, Mandeville, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Monforton, Moore, Noland, Noonan, Olszewski, Osmundson, Perry, Person, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Smith, Wagoner, Welborn, White, Mr. Speaker.

Total 61

Nays: B. Bennett, Burnett, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Kipp III, Lieser, MacDonald, Manzella, McClafferty, Miller, Mortensen, Olsen, Pease-Lopez, Peppers, Pope, Price, Schreiner, Schwaderer, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Wittich, Woods, Zolnikov.

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 516 passed as follows:

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

Total 87

Nays: Ballance, J. Bennett, B. Brown, Glimm, Lamm, Manzella, Monforton, Noland, Pinocci, Schwaderer, Tschida, White, Wittich.

Total 13

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 523 passed as follows:

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

Total 95

Nays: J. Bennett, Essmann, Lamm, White, Wittich.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 533 passed 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, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 57

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

Total 43

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 538 passed as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, 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, 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, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 94

Nays: J. Bennett, Brodehl, Hess, White, Zolnikov.

Total 5

Excused: None.

Total 0

Absent or not voting: Fiscus.

Total 1

HB 542 passed as follows:

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

Total 77

Nays: J. Bennett, Brodehl, Burnett, Clark, Cook, Doane, Fitzpatrick, Glimm, Hayman, Jones, Lamm, Lavin, Lynch, Manzella, Monforton, Mortensen, Noonan, Redfield, Staffanson, Wagoner, White, Wittich, Zolnikov.

Total 23

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 550 passed as follows:

Yeas: B. Bennett, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, 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, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Woods, Mr. Speaker.

Total 76

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Fiscus, Flynn, Hess, Lamm, Lang, Laszloffy, Manzella, Miller, Monforton, Mortensen, Pinocci, Randall, Redfield, Schwaderer, Staffanson, Tschida, White, Wittich, Zolnikov.

Total 24

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 553 passed 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, Williams, Wilson, Woods, Mr. Speaker.

Total 97

Nays: White, Wittich, Zolnikov.

Total 3

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 554 passed as follows:

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

Total 68

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Doane, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Manzella, McKamey, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Schwaderer, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 32

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 54 concurred in as follows:

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

Total 56

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

Total 44

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 66 concurred in as follows:

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

Total 72

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Doane, Ehli, Glimm, Harris, Hess, Lamm, Laszloffy, Manzella, McCarthy, McKamey, Miller, Monforton, Mortensen, Noland, Pinocci, Randall, Regier, Schwaderer, Tschida, Wagoner, White, Wittich, Zolnikov.

Total 28

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 91 concurred in as follows:

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

Total 89

Nays: J. Bennett, Brodehl, B. Brown, Essmann, Glimm, Meyers, Noland, Olsen, Pinocci, Wagoner, Wittich.

Total 11

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 160 concurred in 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, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Olszewski, Osmundson, Pierson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Mr. Speaker.

Total 58

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

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 353 failed as follows:

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

Total 58

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

Total 42

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Representative Hagstrom moved to change their vote on **SB 54** from Yes to No. Without objection, so ordered.

Majority Leader Regier moved **SB 107** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved the House accede to the request of the Senate and appoint a Conference Committee on **SB 261**. Motion carried. Speaker Knudsen appointed:

4/14/2015

Representative Lang
Representative Lynch
Representative Shaw

Minority Leader Hunter moved that **SB 262** be taken from the Judiciary Committee and brought before the Committee of the Whole, Wednesday, April 15, 2015.

Motion **passed** as follows:

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

Total 52

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

Total 48

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

Representative Randall rose on appeal, requesting an interpretation of the Rules from the Speaker with regard to the vote requirement on second and third reading for passage of SB 262, pursuant to Article II Section 18 of the Montana State Constitution and H50-160.

The Speaker ruled that pursuant to H70-50 and the power vested in the Speaker of the House, **SB 262** did purport to give immunity from suit to the State of Montana and pursuant to the Montana State Constitution Article II Section 18, this could not be done without a 2/3rds vote of each house of the Legislature. Therefore, it was the Speaker's ruling that **SB 262** required a 2/3rds vote.

Minority Leader Hunter appealed the ruling of the Speaker.

The Speaker announced that the House Rules Committee would meet to review the appeal at a time and place to be determined.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Wednesday, April 15, 2015. Motion carried.

House adjourned at 3:29 p.m.

LINDSEY GROVOM
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House