

**HOUSE JOURNAL
65TH LEGISLATURE
FIFTH LEGISLATIVE DAY**

Helena, Montana
January 6, 2017

House Chambers
State Capitol

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

Roll Call. All members present, except Representative Lavin, excused. Quorum present.

BILLS (Ricci, Chair): 1/6/2017

Correctly printed: **HB 161, HB 162, HB 163, HB 164, HB 165, HB 166, HB 167, HB 168, HB 169, HB 170, HB 171, HB 172, HB 173, HB 174.**

Correctly engrossed: **HR 1.**

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Noland, Chair): 1/6/2017

HB 88, do pass. Report adopted.

HB 125, do pass. Report adopted.

APPROPRIATIONS (Ballance, Chair): 1/5/2017

HB 1, introduced bill, be amended as follows:

1. Page 1, line 15.

Strike: "\$3,813,937"

Insert: "\$3,799,565"

2. Page 1, line 16.

Strike: "\$6,149,151"

Insert: "\$6,121,251"

3. Page 1, line 17.

Strike: "\$1,145,776"

Insert: "\$1,127,776"

4. Page 1, line 21.

Strike: "\$236,896"

Insert: "\$197,033"

5. Page 1, line 22.

Strike: "\$409,592"

HOUSE JOURNAL
FIFTH LEGISLATIVE DAY - JANUARY 6, 2017

Insert: "\$329,866"

6. Page 2, line 9.

Strike: "Any funds"

Insert: "Funds"

Following: "subsection (1)"

Insert: "that were allocated for a legislator technology allowance and"

7. Page 2, line 10.

Strike: "each"

Insert: "the"

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

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

HB 175, introduced by J. Hamilton, E. McClafferty, referred to Taxation.

HB 176, introduced by M. Dunwell, referred to State Administration.

HB 177, introduced by J. Ellis, referred to Human Services.

HB 178, introduced by J. Price, J. Cohenour, M. Funk, J. Keane, S. Malek, E. McClafferty, N. McConnell, F. Moore, G. Pierson, C. Schreiner, J. Trebas J. Windy Boy, referred to Education.

HB 179, introduced by J. Price, referred to Business and Labor.

HB 180, introduced by D. Loge, D. Ankney, referred to Transportation.

HB 181, introduced by F. Mandeville, E. Hill Smith, S. Lavin, D. Mortensen, J. Patelis, B. Usher, referred to Judiciary.

HB 182, introduced by F. Garner, referred to State Administration.

HB 183, introduced by K. Flynn, Z. Brown, G. Custer, T. Manzella, W. McKamey, B. Smith referred to Fish, Wildlife and Parks.

HB 184, introduced by F. Garner, D. Kary, S. Malek, A. Olszewski, V. Ricci, M. Ryan, K. Wagoner, C. Wolken, referred to Judiciary.

HB 185, introduced by S. Morigeau, K. Abbott, B. Bennett, Z. Brown, A. Curtis, K. Dudik, M. Dunwell, J. Eck, J. Fleming, M. Hopkins, G. Kipp III, R. Lynch, K. McCarthy, N. McConnell, A. Olsen, Z. Perry, G. Pierson, M. Ryan, D. Salomon, D. Sands, C. Schreiner, R. Shaw, J. Small, S. Stewart-Peregoy, S. Webber, J. Welborn, T. Woods, referred to Education.

HB 186, introduced by F. Mandeville, referred to State Administration.

HB 187, introduced by J. Hamilton, referred to Taxation.

HB 188, introduced by J. Hamilton, referred to Taxation.

HB 189, introduced by D. Zolnikov, referred to Federal Relations, Energy, and Telecommunications.

HB 190, introduced by D. Fern, referred to Education.

HB 191, introduced by S. Berglee, B. Tschida, referred to Education.

HB 192, introduced by D. Fern, A. Curtis, N. McConnell, M. Moe, Z. Perry, M. Ryan, referred to Education.

HOUSE JOURNAL
FIFTH LEGISLATIVE DAY - JANUARY 6, 2017

HB 193, introduced by T. Woods, D. Zolnikov, referred to Federal Relations, Energy, and Telecommunications.

HB 194, introduced by J. Trebas, S. Berglee, B. Brown, B. Grubbs, D. Howard, M. Hopkins, C. Knudsen, A. Rosendale, D. Skees, B. Usher, K. Wagoner, D. Zolnikov, referred to Judiciary.

HB 195, introduced by K. Holmlund, D. Bartel, B. Brown, E. McClafferty, referred to Human Services.

HB 196, introduced by B. Beard, referred to Transportation.

HB 197, introduced by T. Jacobson, referred to Business and Labor.

HB 198, introduced by K. Wagoner, referred to Business and Labor.

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

HJR 3, introduced by Z. Brown, referred to Natural Resources.

HJR 4, introduced by D. Fern, referred to Taxation.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Ehli moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Tschida in the chair.

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

HR 1 - Representative Woods moved **HR 1**, second reading copy, be amended as follows:

1. Page 7, line 23 through line 25.

Strike: "The Speaker" on line 23 through "committees." on line 25

Insert: "After good faith consultation with the minority leader, the speaker shall determine the total number each party must have on each standing committee based on the parties' proportional representation in the Committee of the Whole. The speaker shall make appointments for the majority party to each standing committee. The minority leader shall appoint minority party members for each standing committee."

Amendment **not** adopted as follows:

Yeas: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Court, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Hamilton, Hamlett, Hayman, Hill-Smith, Jacobson, Karjala, Kelker, Kipp III, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Schreiner, Smith, Stewart-Per, Swanson, Webber, Woods.

Total 39

Nays: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef,

HOUSE JOURNAL
FIFTH LEGISLATIVE DAY - JANUARY 6, 2017

Grubbs, Gunderson, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jones, Keane, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Patelis, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Windy Boy, Zolnikov, Mr. Speaker.
Total 61

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HR 1 - Representative Schreiner moved **HR 1**, second reading copy, be amended as follows:

1. Page 32.

Following: line 1

Insert: "H70-70. Statute supersedes House rules. The Legislature and members of the Legislature are subject to Montana statutory law."

Amendment **not** adopted as follows:

Yeas: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Court, Cuffe, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Hamilton, Hamlett, Hayman, Hill-Smith, Jacobson, Karjala, Kelker, Kipp III, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Schreiner, Smith, Stewart-Per, Swanson, Webber, Woods.
Total 40

Nays: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Custer, Doane, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jones, Keane, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Patelis, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Windy Boy, Zolnikov, Mr. Speaker.
Total 59

Excused: None.
Total 0

Absent or not voting: Staffanson.
Total 1

HR 1 - Representative Essmann moved **HR 1** be adopted. Motion carried as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef,

HOUSE JOURNAL
FIFTH LEGISLATIVE DAY - JANUARY 6, 2017

Grubbs, Gunderson, Hamlett, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jones, Keane, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Patelis, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Windy Boy, Zolnikov, Mr. Speaker.
Total 63

Nays: Abbott, Bachmeier, Bennett, Bishop, Court, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Hamilton, Hayman, Hill-Smith, Jacobson, Karjala, Kelker, Kipp III, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Schreiner, Smith, Stewart-Per, Swanson, Webber, Woods.
Total 37

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Ehli moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Tschida moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Cuffe, Curtis, Custer, Doane, Eck, Ehli, Essmann, Fitzgerald, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harris, Hayman, A Hertz, G Hertz, Holmlund, Hopkins, Jacobson, Jones, Keane, Knokey, C Knudsen, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mortensen, Noland, O'Hara, Patelis, Perry, Pierson, Redfield, Regier, Ricci, Rosendale, Sales, Schreiner, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Zolnikov, Mr. Speaker.
Total 77

Nays: Bennett, Court, Curdy, Dudik, Dunwell, Ellis, Fern, Fleming, Hamilton, Karjala, Kelker, Kipp III, Morigeau, Olsen, Peppers, Price, Ryan, Smith, Stewart-Per, Swanson, Woods.
Total 21

Excused: None.
Total 0

Absent or not voting: Hill-Smith, Lavin.
Total 2

HOUSE JOURNAL
FIFTH LEGISLATIVE DAY - JANUARY 6, 2017

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Ehli moved that the House adjourn until 1:00 p.m., Monday, January 9, 2017.
Motion carried.

House adjourned at 1:38 p.m.

LINDSEY VROEGINDEWEY
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House