

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

Helena, Montana
January 11, 2017

House Chambers
State Capitol

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

Roll Call. All members present except Representative Dunwell, Representative Gunderson, Representative Ricci, Representative Windy Boy, excused. Quorum present.

BILLS (Ricci, Chair): 1/11/2017

Correctly printed: **HB 16, HB 20, HB 25, HB 26, HB 113, HB 132, HB 187, HB 188, HB 190, HB 191, HB 196, HB 204, HB 205, HB 206, HB 207, HB 208, HB 209, HB 210, HB 211, HB 212, HB 213, HB 214, HB 215.**

Correctly engrossed: **HB 3, HB 37, HB 128, HB 138, HB 141.**
Transmitted to the Senate: **HB 20, HB 26, HB 132.**

REPORTS OF STANDING COMMITTEES

JUDICIARY (Doane, Chair): 1/11/2017

HB 59, do pass. Report adopted.
HB 65, do pass. Report adopted.
HB 87, do pass. Report adopted.
HB 135, do pass. Report adopted.
HB 93, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

2. Page 1, line 25.

Following: line 25

Insert: "NEW SECTION. **Section 3. Termination.** [This act] terminates June 30, 2023."

And, as amended, do pass. Report adopted.

HB 184, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Strike: "AND"

Following: "SECTION 37-2-302, MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 1, line 16.

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Following: line 16

Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval."

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 216, introduced by J. Keane, T. Richmond, referred to Energy, Technology, and Federal Relations.

HB 217, introduced by R. Brodehl, S. Berglee, M. Cuffe, A. Doane, W. Galt, C. Glimm, E. Greef, J. Hinkle, M. Hopkins, R. Lynch, F. Mandeville, D. Mortensen, A. Olsen, R. Osmundson, J. Patelis, A. Redfield, K. Regier, M. Regier, S. Staffanson, K. Wagoner, D. Zolnikov, referred to Judiciary.

HB 218, introduced by J. Hamilton, E. Buttrey, L. Jones, J. Small, K. Wagoner, referred to Business and Labor.

HB 219, introduced by Z. Brown, D. Zolnikov, referred to Energy, Technology, and Federal Relations.

HB 220, introduced by K. McCarthy, J. Gross, referred to Human Services.

HB 221, introduced by D. Jones, referred to Local Government.

HB 222, introduced by D. Lenz, D. Kary, referred to Business and Labor.

HB 223, introduced by G. Custer, L. Jones referred to Business and Labor.

HJ 5, introduced by K. McCarthy, D. Ankney, J. Bachmeier, A. Curtis, J. Eck, J. Fleming, J. Gross, T. Jacobson, J. Karjala, K. Kelker, G. Kipp III, R. Lynch, M. MacDonald, M. McNally, S. Morigeau, R. Peppers, D. Sands, C. Schreiner, J. Small, B. Smith, F. Smith, S. Webber, J. Welborn, L. Whitford J. Windy Boy, referred to State Administration.

**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 Wagoner in the chair.

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

HB 3 - Representative Ballance moved **HB 3**, second reading copy, be amended as follows:
Report No. 001, January 11, 2017

Mr. Chairman:

I move to amend **House Bill 3** (second reading copy -- yellow).

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And, that such amendments to **House Bill 3** (second reading copy -- yellow) read as follows:

1. Page 6, line 28.

Strike: "\$10,983,741 to \$10,683,741"

Insert: "\$10,893,741 to \$10,593,741"

Amendment adopted as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 3 - Representative Ballance moved **HB 3** do pass as amended. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Schreiner.

Total 1

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 16 - Representative Ehli moved consideration of **HB 16** be passed for the day. Motion carried.

HB 25 - Representative Lynch moved **HB 25** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 113 - Representative Greef moved **HB 113** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Beard, Bennett, Berglee, Bishop, Brodehl, Z. Brown, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Greef, Grubbs, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, McCarthy, McConnell, McKamey, Morigeau, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Rosendale, Ryan, Sales, Schreiner, Shaw, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 88

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Nays: Bartel, B. Brown, Burnett, Glimm, Gunderson, Manzella, Mortensen, Noland, Redfield, Regier, Ricci, Skees.
Total 12

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 138 - Representative Fern moved **HB 138** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: Beard, Hopkins.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 141 - Representative Lynch moved **HB 141** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bennett, Bishop, Z. Brown, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ellis, Fern, Fitzgerald, Fleming, Flynn, Funk, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, Hill-Smith, Holmlund, Jacobson, Karjala, Keane, Kelker, Kipp III, Lavin, Lynch, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, Olsen, Patelis, Peppers, Perry, Pierson, Price, Ricci, Ryan, Sales, Schreiner, Smith, Stewart-Per, Swanson, Trebas, Vinton, Webber, Windy Boy, Woods, Zolnikov, Mr. Speaker.
Total 59

Nays: Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Galloway, Galt, Garner, Glimm, Greef, Harris, A Hertz, G Hertz, Hopkins, Jones,

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Knokey, C Knudsen, Lenz, Loge, Mandeville, Manzella, O'Hara, Redfield, Regier, Rosendale, Shaw, Skees, Staffanson, Tschida, Usher, Wagoner, Webb, Welch, White.
Total 41

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

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Court, Cuffe, Curdy, Curtis, Doane, Dudik, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Woods, Zolnikov, Mr. Speaker.
Total 94

Nays: Cook.
Total 1

Excused: None.
Total 0

Absent or not voting: Custer, Dunwell, Gunderson, Ricci, Windy Boy.
Total 5

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 20 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins,

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Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: B. Brown, Dunwell, Gunderson, Ricci, Windy Boy.
Total 5

HB 26 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Bishop, Z. Brown, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Eck, Ehli, Ellis, Fern, Fitzgerald, Fleming, Funk, Galt, Garner, Glimm, Greef, Grubbs, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Jacobson, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Ryan, Sales, Schreiner, Shaw, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Vinton, Webb, Webber, Welch, White, Woods, Mr. Speaker.
Total 80

Nays: Berglee, Brodehl, B. Brown, Burnett, Essmann, Flynn, Galloway, Hopkins, Jones, Mortensen, Regier, Rosendale, Skees, Usher, Wagoner, Zolnikov.
Total 16

Excused: None.
Total 0

Absent or not voting: Dunwell, Gunderson, Ricci, Windy Boy.
Total 4

HB 132 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Greef, Grubbs, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch,

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Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Vinton, Wagoner, Webb, Webber, Welch, White, Woods, Zolnikov, Mr. Speaker.
Total 92

Nays: Brodehl, B. Brown, Glimm, Usher.
Total 4

Excused: None.
Total 0

Absent or not voting: Dunwell, Gunderson, Ricci, Windy Boy.
Total 4

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Ehli moved that the House adjourn until 1:00 p.m., Thursday, January 12, 2017.
Motion carried.

House adjourned at 1:46 p.m.

LINDSEY VROEGINDEWEY
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House