

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

Helena, Montana  
January 19, 2017

House Chambers  
State Capitol

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

Roll Call. All members present, except Representatives Essmann, Lavin, Mr. Speaker, Sheldon-Galloway, Swanson, excused. Quorum present.

**BILLS** (Ricci, Chair): 1/19/2017

Correctly printed: **HB 41, HB 43, HB 45, HB 55, HB 64, HB 91, HB 105, HB 130, HB 131, HB 146, HB 221, HB 261, HB 266, HB 269, HB 270, HB 271, HB 272, HB 273, HB 274, HB 275, HB 276, HB 277, HB 278, HB 279.**

Correctly engrossed: **HB 46, HB 80, HB 82, HB 89, HB 100, HB 165, HB 166.**

Transmitted to the Senate: **HB 41, HB 43, HB 45, HB 55, HB 105, HB 130, HB 131, HB 146.**

**REPORTS OF STANDING COMMITTEES**

**APPROPRIATIONS** (Ballance, Chair): 1/18/2017  
**HB 191**, do pass. Report adopted.

**BUSINESS AND LABOR** (Noland, Chair): 1/19/2017  
**HB 172**, introduced bill, be amended as follows:

1. Title, page 1, line 5 through line 6.

**Strike:** "PROVIDING" on line 5 through "PROPERTY;" on line 6

2. Page 1, line 18.

**Strike:** "except as provided in subsection (1)(b),"

3. Page 1, line 21 through line 24.

**Strike:** subsection (1)(b) in its entirety

4. Page 1, line 25.

**Strike:** "(c)"

**Insert:** "(b)"

**Following:** "applies to a"

**Insert:** "telephone"

5. Page 1, line 26.

**Strike:** "25%" through "action"

**Insert:** "20% or more of the net book value of the telephone cooperative as disclosed in its audited financial statements as of the close of its most recent fiscal year"

HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 19, 2017

And, as amended, do pass. Report adopted.

**HB 223**, introduced bill, be amended as follows:

1. Page 6, line 18.

**Following:** "plant"

**Insert:** "in concert with the county records"

And, as amended, do pass. Report adopted.

**EDUCATION** (Berglee, Chair):

1/18/2017

**HB 119**, do pass. Report adopted.

**HB 167**, do pass. Report adopted.

**NATURAL RESOURCES** (White, Chair):

1/18/2017

**HB 48**, do pass. Report adopted.

**HB 49**, introduced bill, be amended as follows:

1. Title, page 1, line 6, through page 1, line 7.

**Strike:** "AUTHORIZING" on line 6 through "CASES;" on line 7

2. Page 2, line 22 through line 25.

**Strike:** subsection (7) in its entirety

**Renumber:** subsequent section

3. Page 3, line 1.

**Strike:** "and termination of the water right"

4. Page 3, line 3.

**Following:** "transferee"

**Strike:** " "

**Insert:** "and"

**Following:** "recording"

**Strike:** ", and"

5. Page 3, line 4.

**Strike:** "termination of the water right"

And, as amended, do pass. Report adopted.

**HB 53**, do pass. Report adopted.

**HB 104**, introduced bill, be amended as follows:

1. Title, page 1, line 7.

**Following:** "DATE"

HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 19, 2017

**Insert:** "AND A TERMINATION DATE"

2. Page 3, line 13.

**Following:** line 12

**Insert:** "NEW SECTION. **Section 6. Termination.** [This act] terminates June 30, 2025."

And, as amended, do pass. Report adopted.

**HB 107**, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence: 1/18/2017

**SB 4**, introduced by Sands

**SB 54**, introduced by Gross

**SB 62**, introduced by Wolken

**SB 84**, introduced by Hinebauch

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 280**, introduced by R. Brodehl, D. Bartel, B. Brown, M. Cuffe, R. Ehli, W. Galt, C. Glimm, E. Greef, B. Harris, G. Hertz, M. Hopkins, D. Howard, D. Jones, J. Knokey, A. Knudsen, C. Knudsen, D. Lenz, F. Mandeville, T. Manzella, W. McKamey, D. Mortensen, J. O'Hara, R. Osmundson, A. Redfield, V. Ricci, A. Rosendale, L. Sheldon-Galloway, D. Skees, C. Smith, B. Tschida, G. Vance, S. Vinton, K. Wagoner, P. Webb, K. White, referred to Judiciary.

**HB 281**, introduced by G. Kipp III, referred to Natural Resources.

**HB 282**, introduced by M. Cuffe, S. Gunderson, referred to State Administration.

**HB 283**, introduced by T. Burnett, referred to State Administration.

**HB 284**, introduced by D. Lenz, D. Salomon, referred to Appropriations.

**HB 285**, introduced by W. McKamey, referred to Human Services.

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

**SB 4**, introduced by D. Sands (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Human Services.

**SB 54**, introduced by J. Gross (by request of the Department of Administration), referred to State Administration.

**SB 62**, introduced by C. Wolken (by request of the Commission on Sentencing), referred to Human Services.

**SB 84**, introduced by S. Hinebauch, referred to Fish, Wildlife and Parks.

HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 19, 2017

**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 Woods in the chair.

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

**HB 64** - Representative Dudik moved **HB 64** 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, 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 99

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Patelis.

Total 1

**HB 91** - Representative Pierson moved **HB 91** do pass. Motion carried as follows:

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

Total 87

HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 19, 2017

Nays: Cook, Cuffe, Glimm, C Knudsen, Mandeville, Manzella, Noland, Rosendale, Skees, Usher, White, Zolnikov.  
Total 12

Excused: None.  
Total 0

Absent or not voting: Patelis.  
Total 1

**HB 221** - Representative D. Jones moved **HB 221** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, 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, 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 97

Nays: Cuffe.  
Total 1

Excused: None.  
Total 0

Absent or not voting: Greef, Patelis.  
Total 2

Majority Leader Ehli moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Woods 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, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fern, Fitzgerald, Fleming, Flynn, Funk, Galt, Garner, Glimm, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart-Per, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Zolnikov.

HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 19, 2017

Total 91

Nays: Woods.

Total 1

Excused: None.

Total 0

Absent or not voting: Essmann, Greef, Lavin, Patelis, Sheldon-Galloway, Staffanson, Swanson, Mr. Speaker.

Total 8

**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 41** passed 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, Fern, Fitzgerald, Fleming, Flynn, Funk, 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, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov.

Total 94

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Essmann, Galloway, Lavin, Patelis, Swanson, Mr. Speaker.

Total 6

**HB 43** passed 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, Fern, Fitzgerald, Fleming, Flynn, Funk, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith,

HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 19, 2017

Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov.  
Total 94

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: Essmann, Galloway, Lavin, Patelis, Swanson, Mr. Speaker.  
Total 6

**HB 45** passed 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, Fern, Fitzgerald, Fleming, Flynn, Funk, 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, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov.  
Total 94

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: Essmann, Galloway, Lavin, Patelis, Swanson, Mr. Speaker.  
Total 6

**HB 55** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fern, Fitzgerald, Fleming, Flynn, Funk, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Jacobson, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lenz, Loge, Lynch, Mandeville, McCarthy,

HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 19, 2017

McConnell, McKamey, Morigeau, Noland, O'Hara, Olsen, Peppers, Perry, Pierson, Price, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart-Per, Trebas, Tschida, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods.

Total 82

Nays: Cuffe, Doane, Harris, Hopkins, Jones, Manzella, Mortensen, Redfield, Rosendale, Staffanson, Usher, Zolnikov.

Total 12

Excused: None.

Total 0

Absent or not voting: Essmann, Galloway, Lavin, Patelis, Swanson, Mr. Speaker.

Total 6

**HB 105** passed as follows:

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

Total 86

Nays: Brodehl, B. Brown, Glimm, Hopkins, Noland, Redfield, Rosendale, Skees.

Total 8

Excused: None.

Total 0

Absent or not voting: Essmann, Galloway, Lavin, Patelis, Swanson, Mr. Speaker.

Total 6

**HB 130** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fern, Fitzgerald, Fleming, Flynn, Funk, 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, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau,



HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 19, 2017

Mortensen, Noland, O'Hara, Olsen, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov.  
Total 93

Nays: Cook.  
Total 1

Excused: None.  
Total 0

Absent or not voting: Essmann, Galloway, Lavin, Patelis, Swanson, Mr. Speaker.  
Total 6

**HB 131** passed as follows:

Yeas: Abbott, Bachmeier, Ballance, Bartel, Beard, Bennett, Bishop, B. Brown, Z. Brown, Burnett, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fern, Fitzgerald, Fleming, Flynn, Funk, 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, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov.  
Total 88

Nays: Anderson, Berglee, Brodehl, Cook, Galt, Hopkins.  
Total 6

Excused: None.  
Total 0

Absent or not voting: Essmann, Galloway, Lavin, Patelis, Swanson, Mr. Speaker.  
Total 6

**HB 146** passed as follows:

Yeas: Abbott, Bachmeier, Ballance, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fern, Fitzgerald, Fleming, Flynn, Funk, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, C Knudsen, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McKamey, Morigeau, Mortensen, Noland, O'Hara, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson,

HOUSE JOURNAL  
FOURTEENTH LEGISLATIVE DAY - JANUARY 19, 2017

Stewart-Per, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov.  
Total 87

Nays: Anderson, Bartel, Cuffe, Harris, Knokey, McConnell, Olsen.  
Total 7

Excused: None.  
Total 0

Absent or not voting: Essmann, Galloway, Lavin, Patelis, Swanson, Mr. Speaker.  
Total 6

**MOTIONS**

Representative Ehli moved to re-refer **HB 64** to the Appropriations Committee. Without objection, so ordered.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Representative Ehli moved that the House adjourn until 1:00 p.m., Friday, January 20, 2017.  
Motion carried.

House adjourned at 1:31 p.m.

LINDSEY VROEGINDEWEY  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House