

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

Helena, Montana  
January 27, 2017

House Chambers  
State Capitol

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

Roll Call. All members present. Quorum present.

**BILLS** (Ricci, Chair): 1/27/2017

Correctly printed: **HB 24, HB 92, HB 124, HB 152, HB 165, HB 190, HB 237, HB 240, HB 267, HB 277, HB 278, HB 320, HB 321, HB 322, HB 323, HB 324, HB 325, HR 1, HJR 5.**

Correctly engrossed: **HB 180, HB 185, HB 196, HB 205, HB 231, HB 241.**

Transmitted to the Senate: **HB 24, HB 92, HB 124, HB 165, HB 223, HB 237, HB 240, HB 277, HB 278, HJR 5.**

**REPORTS OF STANDING COMMITTEES**

**FISH, WILDLIFE AND PARKS** (Flynn, Chair): 1/26/2017  
**HB 183**, do pass. Report adopted.

**JUDICIARY** (Doane, Chair): 1/27/2017  
**HB 129**, introduced bill, be amended as follows:

1. Page 2, line 2.

**Following:** "(d)"

**Insert:** "with the intent to terrify, intimidate, threaten, or harass,"

2. Page 2, line 6.

**Following:** "whose"

**Insert:** "actual or perceived"

3. Page 2, line 8.

**Following:** "(iii)"

**Insert:** "has a reasonable expectation of privacy and"

4. Page 2, line 8.

**Following:** "creation"

**Insert:** "or distribution"

5. Page 2, line 8.

**Following:** "of the"

**Insert:** "image that was distributed or disseminated in the"

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6. Page 2, following line 9.

**Insert:** "(2)(a) Evidence that a person has sent a visual or print medium to another person using an electronic device as described in subsection (1)(d) does not, on its own, remove the person depicted's reasonable expectation of privacy.

(b) Nothing in subsection (1)(d) may be construed to impose liability on an interactive computer service, as defined in 47 U.S.C. 230(f)(2), for content provided by another person."

**Renumber:** subsequent subsections

And, as amended, do pass. Report adopted.

**HB 230**, do pass. Report adopted.

**HB 246**, do pass. Report adopted.

**HB 247**, introduced bill, be amended as follows:

1. Title, page 1, line 5.

**Following:** "MATERIAL"

**Insert:** "OR ACTS"

2. Page 1, line 21.

**Following:** "material"

**Insert:** "or acts for the purpose of inducing or persuading a child to participate in any activity that is illegal"

And, as amended, do pass. Report adopted.

**HB 251**, introduced bill, be amended as follows:

1. Page 1, line 12.

**Strike:** "a handgun"

**Insert:** "a firearm or weapon as defined in 45-2-101"

2. Page 1, line 20.

**Strike:** "handgun"

**Insert:** "firearm"

3. Page 1, line 21.

**Strike:** "deadly"

**Following:** "weapon"

**Insert:** "as defined in 45-2-101"

And, as amended, do pass. Report adopted.

**HB 258**, do pass. Report adopted.

**HB 262**, do pass. Report adopted.

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**RULES** (Essmann, Chair):

1/26/2017

**SJR 1**, be amended as follows:

1. Page 6, line 15.

**Strike:** "THE SUBSTANCE OF"

2. Page 17, line 9 through line 10.

**Strike:** "CHAIR" on line 9 through "BILL" on line 10

**Insert:** "presiding officer of each house"

3. Page 17, line 12 through line 13.

**Strike:** "FIRST" on line 12 through "BILL" on line 13

**Insert:** "presiding officer of the originating chamber"

4. Page 17, line 13.

**Strike:** "appears on"

**Insert:** "is used in the preparation of"

5. Page 19, line 17.

**Strike:** "WITHIN 1 LEGISLATIVE DAY,"

6. Page 19, line 25 through page 20, line 4.

**Strike:** subsection (4) in its entirety

**Insert:** "(4) A bill that has passed both houses of the Legislature by the 90th day may be:

(a) enrolled;

(b) clerically corrected by the presiding officers, if necessary;

(c) signed by the presiding officers; and

(d) delivered to the Governor or, in the case of a bill proposing a referendum, to the Secretary of State, not later than 5 working days after the 90th legislative day."

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

**STATE ADMINISTRATION** (Mandeville, Chair):

1/27/2017

**HB 255**, do pass. Report adopted.

**TAXATION** (Essmann, Chair):

1/27/2017

**HB 112**, do pass. Report adopted.

**HB 175**, introduced bill, be amended as follows:

1. Page 3, line 12.

**Strike:** "a spouse, parent, or child"

**Insert:** "an immediate family member"

2. Page 8, line 29.

**Following:** "member"

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**Insert:** "for the purposes allowed under the Family and Medical Leave Act of 1993, 29 U.S.C. 2601, et seq., and 29 CFR, part 825"

3. Page 9, line 3.

**Following:** line 2

**Insert:** "(9) "Immediate family member" means a parent, spouse, or child."

**Renumber:** subsequent subsections

4. Page 9, line 11.

**Strike:** "a spouse, parent, or child"

**Insert:** "an immediate family member"

5. Page 9, line 22.

**Strike:** "(2)(c)(ii)"

**Insert:** "(2)(a)(ii)"

6. Page 10, line 6.

**Strike:** "within the"

**Insert:** "who is an"

**Following:** "family"

**Insert:** "member"

7. Page 10, line 19.

**Strike:** "A spouse, child, or parent"

**Insert:** "An immediate family member"

And, as amended, do pass. Report adopted.

**HB 209**, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bill** passed and transmitted to the House for concurrence:

1/27/2017

**SB 131**, introduced by Thomas

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 319**, introduced by J. Essmann, referred to Local Government.

**HB 326**, introduced by J. Karjala, B. Brown, Z. Brown, R. Cook, A. Curtis, M. Dunwell, C. Knudsen, S. Morigeau, D. Mortensen, P. Webb, R. Webb, T. Welch, referred to Business and Labor.

**HB 327**, introduced by K. Dudik, J. Bachmeier, referred to Judiciary.

**HB 328**, introduced by R. Ehli, referred to Human Services.

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**HB 330**, introduced by K. Abbott, referred to Taxation.

**HB 331**, introduced by M. Regier, J. Essmann, W. Galt, K. Regier, T. Woods, referred to Taxation.

**HB 332**, introduced by K. Holmlund, referred to Judiciary.

**HB 333**, introduced by F. Garner, J. Hamilton, J. Karjala, A. Olszewski, referred to Human Services.

The following Senate bill was introduced, read first time, and referred to committee:

**SB 131**, introduced by F. Thomas, referred to State Administration.

**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 24** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, 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 99

Nays: Ballance.  
Total 1

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 92** 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, 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,

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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 124** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, 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, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Brodehl, Skees.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 165** passed as follows:

Yeas: 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, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Patelis, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Zolnikov, Mr. Speaker.

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Total 58

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

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 223** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Beard, Bennett, Bishop, Z. Brown, Cook, Court, Cuffe, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, G Hertz, Hill-Smith, Holmlund, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Loge, Lynch, Mandeville, McCarthy, McConnell, McKamey, Morigeau, O'Hara, Olsen, Peppers, Perry, Pierson, Price, Ryan, Sales, Schreiner, Shaw, Smith, Stewart-Per, Swanson, Trebas, Tschida, Vinton, Webber, Welch, Windy Boy, Woods.

Total 69

Nays: Ballance, Bartel, Berglee, Brodehl, B. Brown, Burnett, Doane, Flynn, Galloway, Galt, Glimm, A Hertz, Hopkins, Lavin, Lenz, Manzella, Mortensen, Noland, Patelis, Redfield, Regier, Ricci, Rosendale, Skees, Staffanson, Usher, Wagoner, Webb, White, Zolnikov, Mr. Speaker.

Total 31

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 237** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, 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,

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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: Burnett.  
Total 1

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 240** 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, 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, 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 99

Nays: Mandeville.  
Total 1

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 277** passed as follows:

Yeas: Ballance, Bartel, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jacobson, Jones, Knokey, Lavin, Lenz, Loge, Mandeville, Manzella, McConnell, McKamey, Mortensen, Noland, O'Hara, Patelis, Redfield, Regier, Ricci, Sales, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Zolnikov, Mr. Speaker.  
Total 59



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Nays: Abbott, Anderson, Bachmeier, Beard, Bennett, Bishop, Court, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Hamilton, Hayman, Hill-Smith, Karjala, Keane, Kelker, Kipp III, C Knudsen, Lynch, McCarthy, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Rosendale, Ryan, Schreiner, Smith, Stewart-Per, Swanson, Webber, Windy Boy, Woods.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 278** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, 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 99

Nays: Burnett.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HJR 5** 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.

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Speaker.  
Total 100

Nays: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**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 Manzella in the chair.

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

**HB 152** - Representative Welch moved **HB 152** do pass. Motion carried as follows:

Yeas: Abbott, 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, 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, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Hamilton, Smith.  
Total 2

Excused: None.  
Total 0

Absent or not voting: Anderson.  
Total 1

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**HB 190** - Representative Vinton moved **HB 190**, second reading copy, be amended as follows:

1. Page 3, line 4.

**Strike:** "\$50,000"

**Insert:** "\$1,500"

Amendment adopted as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, 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, Mandeville, 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, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Bennett, Lynch, Stewart-Per.

Total 3

Excused: None.

Total 0

Absent or not voting: Manzella.

Total 1

**HB 190** - Representative Fern moved **HB 190** do pass as amended. Motion **failed** as follows:

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

Total 45

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

Total 55

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 202** - Representative Wagoner moved **HB 202** do pass. Motion carried as follows:

Yeas: Anderson, Bachmeier, Ballance, Bartel, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Dunwell, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harris, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, 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, Zolnikov, Mr. Speaker.

Total 63

Nays: Abbott, Beard, Bennett, Bishop, Z. Brown, Court, Curdy, Curtis, Dudik, Eck, Ellis, Fern, Fleming, Funk, Hamilton, Hayman, Karjala, Keane, Kelker, Kipp III, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Schreiner, Smith, Stewart-Per, Swanson, Webber, Windy Boy, Woods.

Total 37

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 208** - Representative Bachmeier moved **HB 208**, second reading copy, be amended as follows:

1. Page 1, line 28.

**Following:** "JURISDICTION."

**Insert:** "(4)"

**Following:** "REMEDIES"

**Insert:** "available to an aggrieved individual"

**Renumber:** subsequent subsections

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

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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 208** - Representative Wagoner moved **HB 208** do pass as amended. Motion carried as follows:

Yeas: Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Cuffe, Curdy, Custer, Doane, Dunwell, Ehli, Essmann, Fern, Fitzgerald, Fleming, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harris, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Keane, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McKamey, Mortensen, Noland, O'Hara, Patelis, Perry, Redfield, Regier, Ricci, Rosendale, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Windy Boy, Zolnikov, Mr. Speaker.

Total 76

Nays: Abbott, Bishop, Court, Curtis, Dudik, Eck, Ellis, Funk, Hamilton, Hayman, Karjala, Kelker, Kipp III, McConnell, Morigeau, Olsen, Peppers, Pierson, Price, Ryan, Stewart-Per, Swanson, Webber, Woods.

Total 24

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 214** - Representative B. Brown moved **HB 214** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell,

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Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Perry, Pierson, Price, Regier, 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 92

Nays: Berglee, G Hertz, C Knudsen, McKamey, Peppers, Redfield, Ricci, Rosendale.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 241** - Representative Doane moved **HB 241** 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, Usher, Vinton, Wagoner, Webb, Webber, Welch, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Tschida, White.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Dudik was excused at this time.

**HB 267** - Representative Garner moved **HB 267** do pass. Motion carried as follows:

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Yeas: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Cook, Court, Cuffe, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, Hill-Smith, Jacobson, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Loge, Lynch, McCarthy, McConnell, McKamey, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Sales, Schreiner, Shaw, Smith, Stewart-Per, Swanson, Trebas, Usher, Vinton, Webber, Welch, Windy Boy, Woods.

Total 60

Nays: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Flynn, Galloway, Galt, Glimm, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jones, Lavin, Lenz, Mandeville, Manzella, Mortensen, Noland, O'Hara, Patelis, Redfield, Regier, Ricci, Rosendale, Skees, Staffanson, Tschida, Wagoner, Webb, White, Zolnikov, Mr. Speaker.

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HJR 1** - Representative Kelker moved **HJR 1** be adopted. Motion carried as follows:

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

Total 81

Nays: Ballance, Bartel, Brodehl, B. Brown, Burnett, Doane, Flynn, Galt, Harris, Holmlund, C Knudsen, Lavin, Mortensen, Rosendale, Skees, Tschida, Wagoner, White, Mr. Speaker.

Total 19

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HJR 3** - Representative Z. Brown moved **HJR 3** be adopted. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop,

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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, 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 99

Nays: Harris.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 5** - Representative Vinton moved **SB 5** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Beard, Bennett, Berglee, Bishop, 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, 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, Ricci, 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 94

Nays: Bartel, Brodehl, B. Brown, Harris, Regier, Skees.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 70** - Representative Schreiner moved **SB 70** be concurred in. Motion carried as follows:



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Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. 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, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, 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, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Z. Brown, A Hertz, G Hertz, Mortensen, Redfield, White.

Total 6

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

Yeas: Abbott, Anderson, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, 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, 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.

Total 95

Nays: Bachmeier, Dunwell, Olsen.

Total 3

Excused: None.

Total 0

Absent or not voting: Dudik, Mr. Speaker.

Total 2

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**MOTIONS**

Representative Ehli moved to re-refer **HB 152** to the Appropriations Committee. Without objection, so ordered.

Representative Wagoner moved to change his vote on **HB 241** from No to Yes. 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., Monday, January 30, 2017. Motion carried.

House adjourned at 3:07 p.m.

LINDSEY VROEGINDEWEY  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House