

**HOUSE JOURNAL  
65TH LEGISLATURE  
TWENTY-FIRST LEGISLATIVE DAY**

Helena, Montana  
January 30, 2017

House Chambers  
State Capitol

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

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

**BILLS** (Ricci, Chair):

1/30/2017

Correctly printed: **HB 112, HB 152, HB 183, HB 202, HB 209, HB 214, HB 230, HB 241, HB 246, HB 255, HB 258, HB 262, HB 267, HB 319, HB 326, HB 327, HB 328, HB 330, HB 331, HB 332, HB 333, HJR 1, HJR 3, SB 5, SB 70, SB 131.**

Correctly engrossed: **HB 129, HB 175, HB 247, HB 251, HB 208, SJR 1.**

Transmitted to the Senate: **HB 202, HB 214, HB 241, HB 267, HB 1, HJR 3, SB 5, SB 70.**

**LEGISLATIVE ADMINISTRATION** (Ricci, Chair):

1/30/2017

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 5:00 p.m., Friday, January 27, 2017:

Alli Wade, Helena  
Audrey Barber, Helena  
Brooke Willett, Bozeman  
Sheridan Johnson, Conrad  
Kaitlyn Koterba, Great Falls  
Jake Wheeling, Townsend

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, January 30, 2017:

Kayne Bryant, Anaconda  
Quinton Schauer, Conrad  
Michael Hessler, Anaconda  
Molly Miltko, Missoula  
Michael McCollum, Laurel  
Kane Hicks, Billings

Report Adopted.

## REPORTS OF STANDING COMMITTEES

**BUSINESS AND LABOR** (Noland, Chair):  
**HB 233**, introduced bill, be amended as follows:

1/27/2017

1. Page 1, line 23.

**Strike:** "The term includes a biological product."

2. Page 3, line 20 through line 21.

**Strike:** subsection (5) in its entirety

And, as amended, do pass. Report adopted.

**SB 13**, be concurred in. Report adopted.

**SB 56**, be concurred in. Report adopted.

**ENERGY, TECHNOLOGY, AND FEDERAL RELATIONS** (Zolnikov, Chair):  
**HB 22**, introduced bill, be amended as follows:

1/27/2017

1. Title, page 1, line 6.

**Strike:** "AND THE GOVERNOR'S OFFICE"

2. Title, page 1, line 7.

**Strike:** "; APPROPRIATING MONEY FOR"

**Insert:** "THROUGH"

3. Title, page 1, line 10 through line 12.

**Strike:** "AND" on line 10 through "UNITS" on line 12

4. Page 2, line 14 through line 27.

**Strike:** subsection 1 in its entirety

**Insert:** "(1) There is appropriated from the general fund \$80,000 to the department of justice for the biennium beginning July 1, 2017, to participate in proceedings and related dockets before out-of-state utility or regulatory commissions that address planning for the future of coal-fired generation facilities located in Montana. The department shall represent Montana's investment in coal-fired generation facilities by advocating for proper decommissioning and remediation, opportunities for long-term power replacement investments in Montana, and recovery of appropriate social costs, including commitments to benefit and pension plans and workforce and community reinvestment opportunities."

5. Page 2, line 28.

**Strike:** "and the governor's office"

And, as amended, do pass. Report adopted.

**HB 61**, introduced bill, be amended as follows:

1. Title, page 1, line 8.

**Following:** "ROLES;"  
**Insert:** "LIMITING PROVIDERS' LIABILITY;"

2. Title, page 1, line 22.

**Following:** "10-4-201,"  
**Insert:** "10-4-204,"

3. Page 2, line 5.

**Following:** "providers"  
**Insert:** ", including at least one wireless provider"

4. Page 5, line 14 through line 15.

**Strike:** subsection (3) in its entirety

5. Page 10.

**Following:** line 23

**Insert:** "NEW SECTION. Section 14. Limitation on liability. (1) Except as provided in subsection (2), a provider and its employees, directors, officers, and agents are not liable for death or injury to any person or for damage to property as a result of developing, adopting, establishing, participating in, implementing, maintaining, or carrying out duties involved in or related to a 9-1-1 system or to emergency communications or 9-1-1 calls, including but not limited to the identification of phone numbers, addresses, or names associated with a person involved in an emergency communication or 9-1-1 call.

(2) The immunity granted by subsection (1) does not extend to liability resulting from gross negligence, willful or wanton misconduct, or an intentional tort."

**Renumber:** subsequent sections

6. Page 11.

**Following:** line 14

**Insert:** "(2) "Access line" means a voice service of a provider of exchange access services, a wireless provider, or a provider of interconnected voice over IP service that has enabled and activated service for its subscriber to contact a public safety answering point via a 9-1-1 system by entering or dialing the digits 9-1-1. When the service has the capacity, as enabled and activated by a provider, to make more than one simultaneous outbound 9-1-1 call, then each separate simultaneous outbound call, voice channel, or other capacity constitutes a separate access line."

**Renumber:** subsequent subsections

7. Page 11, line 22.

**Strike:** "(2)(a)"

**Insert:** "(3)(a)"

8. Page 11, line 27 through line 28.

**Strike:** "the" on line 27 through "another" on line 28

**Insert:** "any form of communication requesting any type of emergency services by contacting a public safety answering point through a 9-1-1 system, including voice, nonvoice, or video communications, as well as transmission of any text message or analog digital data"

9. Page 12, line 16.

**Strike:** "~~(6)(a)~~"

**Insert:** "(7)(a)"

10. Page 12.

**Following:** line 19

**Insert:** "(8) "Interconnected voice over IP service" means a service that:

(a) enables real-time, two-way voice communications;

(b) requires a broadband connection from a user's location;

(c) requires IP-compatible customer premises equipment; and

(d) permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network.

(9) "IP" means internet protocol, or the method by which data are sent on the internet, or a communications protocol for computers connected to a network, especially the internet."

**Renumber:** subsequent subsections

11. Page 13, line 11.

**Following:** "company,"

**Insert:** "a wireless provider, a provider of interconnected voice over IP service, a provider of exchange access services,"

12. Page 13, line 12.

**Strike:** "telecommunications" through "services"

**Insert:** "access lines"

13. Page 13, line 26.

**Strike:** "receives" through "services"

**Insert:** "has an access line"

14. Page 14, line 30.

**Strike:** "service"

15. Page 15, line 1 through line 2.

**Strike:** "on the" on line 1 through "services" on line 2

16. Page 15, line 7.

**Following:** "line"

**Strike:** "or"

**Insert:** "on each"

17. Page 15, line 8 through line 9.

**Strike:** "on the" on line 8 through "services" on line 9

18. Page 15, line 11.

**Strike:** "exchange"

**Insert:** "an"

**Strike:** "services"

19. Page 15.

**Following:** line 15

**Insert:** "Section 18. Section 10-4-204, MCA, is amended to read:

"**10-4-204. Deadlines for filing returns.** (1) The provider collecting the fee under 10-4-201 must file a return with the department of revenue on or before the last day of the month following the end of each calendar quarter, reporting the amount of fee due on ~~exchange access line services lines~~ during the quarter. Returns are subject to the penalty for false swearing provided in 45-7-202.

(2) When a return of the fee is required, the provider required to make the return shall pay the fee due the department of revenue at the time fixed for filing the return.

(3) The provider shall pay the fee based on the net amount billed for the ~~exchange access service line~~ fee during the quarter.

(4) As used in this section, the "net amount billed for the ~~exchange access service line~~ fee" equals the gross amount billed for ~~such the~~ service, less adjustments for uncollectible accounts, refunds, incorrect billings, and other appropriate adjustments."

**Renumber:** subsequent sections

20. Page 22, line 5.

**Following:** "[Sections 1 through 5]"

**Insert:** " and [section 14]"

21. Page 22, line 7.

**Following:** "[sections 1 through 5]"

**Insert:** "and [section 14]"

22. Page 22, line 20.

**Strike:** "16, 20, and 22"

**Insert:** "18, 22, and 24"

And, as amended, do pass. Report adopted.

**HB 193**, do pass. Report adopted.

**HUMAN SERVICES** (Wagoner, Chair):

1/27/2017

**HB 71**, introduced bill, be amended as follows:

1. Title, page 1, line 8.

**Strike:** "HEATH"

**Insert:** "HEALTH"

2. Page 1, line 26 through line 27.

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

**Renumber:** subsequent subsections

3. Page 2, line 3.

**Strike:** "and"

4. Page 2, line 4.

**Following:** "chapter 22"

**Insert:** ";

(g) an addiction counselor licensed under Title 37, chapter 35; and

(h) a marriage and family therapist licensed under Title 37, chapter 37"

5. Page 2, line 7.

**Strike:** "subsections (3)(b) and (3)(c)"

**Insert:** "subsection (3)(b)"

6. Page 2, line 22.

**Following:** "center;"

**Insert:** "and"

7. Page 3, line 3.

**Insert:** "(7) (a) A physician licensed pursuant to Title 37, chapter 3, who has responsibility for providing initial and primary care to patients, for maintaining the continuity of patient care, and for initiating referrals for specialist care may complete suicidality assessment, treatment, and management training as provided in this section.

(b) The board of medical examiners shall approve and make available training that satisfies the requirements listed in subsection (3)."

And, as amended, do pass. Report adopted.

**JUDICIARY** (Doane, Chair):

1/27/2017

**HB 273**, do pass. Report adopted.

### **MESSAGES FROM THE SENATE**

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

1/26/2017

**SB 7**, introduced by Connell

**SB 11**, introduced by Connell

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

1/27/2017

**SB 127**, introduced by Moe

### **FIRST READING AND COMMITMENT OF BILLS**

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

**HB 329**, introduced by T. Manzella, R. Ehli, B. Grubbs, G. Hertz, C. Knudsen, F. Mandeville, M. Noland, A. Redfield, V. Ricci, D. Skees, referred to Business and Labor.

**HB 334**, introduced by J. Knokey, F. Anderson, D. Ankney, N. Ballance, D. Bartel, B. Beard, S. Berglee, M. Blasdel, R. Brodehl, B. Brown, D. Brown, T. Burnett, E. Buttrey, M. Caferro, P. Connell, R. Cook, G. Custer, A. Doane, R. Ehli, J. Essmann, J. Fielder, R. Fitzgerald, S. Fitzpatrick, K. Flynn, W. Galt, F. Garner, T. Gauthier, C. Glimm, E. Greef, B. Grubbs, S. Gunderson, B. Hamlett,

B. Harris, A. Hertz, G. Hertz, S. Hinebauch, J. Hinkle, K. Holmlund, M. Hopkins, B. Hoven, T. Jacobson, D. Jones, L. Jones, D. Kary, B. Keenan, A. Knudsen, C. Knudsen, M. Lang, S. Lavin, D. Lenz, D. Loge, R. Lynch, F. Mandeville, T. Manzella, W. McKamey, D. Mortensen, J. O'Hara, A. Olszewski, R. Osmundson, J. Patelis, A. Redfield, K. Regier, M. Regier, V. Ricci, T. Richmond, A. Rosendale, M. Ryan, S. Sales, W. Sales, D. Salomon, R. Shaw, D. Skees, J. Small, C. Smith, N. Swandal, R. Tempel, F. Thomas, J. Trebas, B. Tschida, B. Usher, G. Vance, C. Vincent, S. Vinton, K. Wagoner, P. Webb, R. Webb, J. Welborn, T. Welch, K. White, J. Windy Boy, D. Zolnikov, referred to Appropriations.

**HB 335**, introduced by J. Trebas, S. Berglee, D. Brown, J. Hinkle, C. Knudsen, D. Mortensen, A. Rosendale, D. Skees, B. Usher, R. Webb, referred to Taxation.

**HB 336**, introduced by B. Hamlett, W. Curdy, J. Eck, T. Jacobson, C. Schreiner, R. Shaw, referred to Transportation.

**HB 337**, introduced by B. Hamlett, B. Brown, Z. Brown, P. Connell, J. Fielder, C. Glimm, J. Knokey, W. Sales, S. Stewart-Peregoy, C. Vincent, referred to Natural Resources.

**HB 338**, introduced by C. Knudsen, S. Berglee, Z. Brown, A. Doane, K. Flynn, W. Galt, B. Hoven, S. Lavin, T. Manzella, D. Mortensen, A. Redfield, W. Sales, B. Usher, referred to Agriculture.

**HB 339**, introduced by C. Glimm, B. Hamlett, referred to Natural Resources.

**HB 340**, introduced by D. Skees, F. Anderson, D. Bartel, S. Berglee, B. Brown, A. Doane, W. Galt, C. Glimm, S. Gunderson, B. Harris, S. Hinebauch, M. Hopkins, J. Knokey, C. Knudsen, D. Loge, T. Manzella, D. Mortensen, J. O'Hara, R. Osmundson, J. Patelis, A. Redfield, C. Smith, J. Trebas, B. Tschida, B. Usher, S. Vinton, K. Wagoner, P. Webb, R. Webb, K. White, referred to Judiciary.

**HB 341**, introduced by M. Dunwell, referred to State Administration.

**HB 342**, introduced by R. Fitzgerald, B. Beard, B. Brown, R. Cook, W. Curdy, A. Curtis, J. Fleming, E. Greef, B. Hoven, L. Jones, G. Kipp III, D. Lenz, T. Manzella, J. O'Hara, G. Pierson, J. Price, W. Sales, D. Salomon, D. Sands, R. Shaw, B. Smith, F. Smith, G. Vuckovich, referred to Judiciary.

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

**SB 7**, introduced by P. Connell, referred to Energy, Technology, and Federal Relations.

**SB 11**, introduced by P. Connell (by request of the Energy and Telecommunications Interim Committee), referred to Energy, Technology, and Federal Relations.

**SB 127**, introduced by M. Moe, 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 Skees in the chair.

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

**HB 112** - Representative Fern moved **HB 112** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, 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, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: B. Brown, Doane, Manzella, Rosendale, Staffanson.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 183** - Representative Flynn moved **HB 183** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, 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, 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 95

Nays: Court, Funk, Olsen, Price, Schreiner.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 185** - Representative Morigeau moved **HB 185** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bennett, Bishop, Z. Brown, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fern, Fleming, Funk, Garner, Greef, Grubbs, Hamilton, Hamlett, Hayman, A Hertz, G Hertz, Hill-Smith, Hopkins, Jacobson, Karjala, Keane, Kelker, Kipp III, Knokey, Lynch, McCarthy, McConnell, McKamey, Morigeau, Olsen, Patelis, Peppers, Perry, Pierson, Price, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart-Per, Swanson, Trebas, Vinton, Webber, Windy Boy, Woods, Zolnikov.



Total 59

Nays: Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Fitzgerald, Flynn, Galloway, Galt, Glimm, Gunderson, Harris, Holmlund, Jones, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, Mortensen, Noland, O'Hara, Redfield, Regier, Ricci, Rosendale, Staffanson, Tschida, Usher, Wagoner, Webb, Welch, White, Mr. Speaker.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 209** - Representative Usher moved **HB 209** do pass. Motion carried as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Custer, Doane, Dudik, Ehli, Ellis, Essmann, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harris, Hayman, A Hertz, G Hertz, Holmlund, Hopkins, Jones, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McCarthy, McKamey, Morigeau, Mortensen, Noland, O'Hara, Patelis, Pierson, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Windy Boy, Zolnikov, Mr. Speaker.

Total 72

Nays: Abbott, Bachmeier, Bennett, Bishop, Curdy, Curtis, Dunwell, Eck, Fern, Fleming, Funk, Hamilton, Hill-Smith, Jacobson, Karjala, Keane, Kelker, Lynch, McConnell, Olsen, Peppers, Perry, Price, Smith, Stewart-Per, Swanson, Webber, Woods.

Total 28

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 230** - Representative D. Jones moved **HB 230** 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, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, 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 95

Nays: Galt, G Hertz, Keane, Lynch, Rosendale.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 231** - Representative Ehli moved consideration of **HB 231** be passed for the day. Motion carried.

**HB 246** - Representative Brodehl moved **HB 246** do pass. Motion carried as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. 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, 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 60

Nays: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Court, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Hamilton, Hayman, Hill-Smith, Jacobson, 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 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 255** - Representative Tschida moved **HB 255** do pass. Motion carried as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Harris, A Hertz, G Hertz, 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 59

Nays: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Hamilton, Hamlett, Hayman, Hill-Smith, 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 41

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 258** - Representative Hill Smith moved **HB 258** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Beard, Bennett, Bishop, B. Brown, Z. Brown, Cook, Court, Cuffe, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Wagoner, Webb, Webber, Welch, Windy Boy, Woods, Zolnikov, Mr. Speaker.  
Total 82

Nays: Bartel, Berglee, Brodehl, Burnett, Doane, Galt, Garner, Glimm, Holmlund, Lavin, Lenz, Noland, Rosendale, Skees, Tschida, Usher, Vinton, White.  
Total 18

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 262** - Representative Harris moved **HB 262** do pass. Motion carried as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, 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, Patelis, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Zolnikov, Mr. Speaker.  
Total 59

Nays: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Court, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Hamilton, Hamlett, Hayman, Hill-Smith, Jacobson, 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 41

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

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

1. Page 23, line 28 through page 24, line 7.

**Strike:** Section 60-05 in its entirety

**Insert:** "**60-05. Statute supersedes joint legislative 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, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Hamilton, Hamlett, Hayman, Hill-Smith, Jacobson, Karjala, Keane, Kelker, Kipp III, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Schreiner, Smith, Stewart-Per, Swanson, Webber, Windy Boy, Woods.  
Total 40

Nays: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, 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, Patelis, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Zolnikov, Mr. Speaker.  
Total 60

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SJR 1** - Representative Essmann moved **SJR 1** be concurred in. Motion carried as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, 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, Patelis, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Windy Boy, Zolnikov, Mr. Speaker.  
Total 60

Nays: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Court, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Hamilton, Hamlett, Hayman, Hill-Smith, Jacobson, Karjala, Keane, Kelker, Kipp III, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price,

Ryan, Schreiner, Smith, Stewart-Per, Swanson, Webber, Woods.  
Total 40

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

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Cuffe, Curtis, Custer, Doane, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jones, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McKamey, Morigeau, Mortensen, O'Hara, Olsen, Patelis, Perry, Pierson, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Webb, Webber, Welch, White, Windy Boy, Zolnikov, Mr. Speaker.  
Total 77

Nays: Bennett, Bishop, Court, Curdy, Dudik, Dunwell, Eck, Funk, Jacobson, Karjala, Keane, Lynch, McCarthy, McConnell, Peppers, Price, Schreiner, Smith, Stewart-Per, Swanson, Woods.  
Total 21

Excused: None.  
Total 0

Absent or not voting: Noland, Wagoner.  
Total 2

### **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 180 failed** as follows:

Yeas: Bachmeier, Bennett, Bishop, Z. Brown, Cook, Court, Curdy, Custer, Dunwell, Eck, Ellis, Essmann, Fern, Fleming, Garner, Greef, Grubbs, Hamilton, Hamlett, Hayman, Hill-Smith, Jacobson, Karjala, Keane, Kipp III, Knokey, C Knudsen, Lavin, Loge, Lynch, McCarthy, McConnell, Olsen, Perry, Ryan, Sales, Shaw, Smith, Woods.  
Total 39

Nays: Abbott, Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Dudik, Ehli, Fitzgerald, Flynn, Funk, Galloway, Galt, Glimm, Gunderson, Harris, A

Hertz, G Hertz, Holmlund, Hopkins, Jones, Kelker, Lenz, Mandeville, Manzella, McKamey, Morigeau, Mortensen, O'Hara, Patelis, Peppers, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Schreiner, Skees, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Zolnikov, Mr. Speaker.

Total 59

Excused: None.

Total 0

Absent or not voting: Curtis, Noland.

Total 2

**HB 202** passed as follows:

Yeas: Anderson, Bachmeier, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Z. 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, McCarthy, McKamey, Mortensen, 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 66

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

Total 32

Excused: None.

Total 0

Absent or not voting: Curtis, Noland.

Total 2

**HB 214** 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, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, Morigeau, Mortensen, 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 93

Nays: G Hertz, McKamey, Peppers, Redfield, Ricci, Rosendale.  
Total 6

Excused: None.  
Total 0

Absent or not voting: Noland.  
Total 1

**HB 241** 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, 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: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: Noland.  
Total 1

**HB 267** passed as follows:

Yeas: Abbott, Bachmeier, Bartel, 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, Jones, 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 62

Nays: Anderson, Ballance, Beard, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Flynn, Galloway, Galt, Glimm, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Lavin, Lenz, Mandeville, Manzella, Mortensen, O'Hara, Patelis, Redfield, Regier, Ricci, Rosendale, Skees, Staffanson, Tschida, Wagoner, Webb, White, Zolnikov, Mr. Speaker.  
Total 37

Excused: None.  
Total 0

Absent or not voting: Noland.  
Total 1

**HJR 1** adopted 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, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, A Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, Lenz, Loge, Lynch, Mandeville, McCarthy, McConnell, McKamey, Morigeau, 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 77

Nays: Ballance, Bartel, Brodehl, B. Brown, Burnett, Doane, Flynn, Galt, Glimm, Harris, G Hertz, C Knudsen, Lavin, Manzella, Mortensen, O'Hara, Rosendale, Skees, Tschida, Wagoner, White, Mr. Speaker.  
Total 22

Excused: None.  
Total 0

Absent or not voting: Noland.  
Total 1

**HJR 3** 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, 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, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: Windy Boy.  
Total 1

Excused: None.  
Total 0



Absent or not voting: Noland.  
Total 1

**SB 5** concurred in 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, Hayman, A 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, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Webb, Webber, Welch, Windy Boy, Woods, Zolnikov, Mr. Speaker.  
Total 91

Nays: Brodehl, Harris, G Hertz, Regier, Rosendale, Skees, Wagoner, White.  
Total 8

Excused: None.  
Total 0

Absent or not voting: Noland.  
Total 1

**SB 70** concurred in 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, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lenz, Loge, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Webb, Webber, Welch, Windy Boy, Woods, Zolnikov, Mr. Speaker.  
Total 88

Nays: Flynn, Harris, A Hertz, G Hertz, Lavin, Lynch, Mortensen, Redfield, Rosendale, Wagoner, White.  
Total 11

Excused: None.  
Total 0

Absent or not voting: Noland.  
Total 1

## MOTIONS

Representative Ehli moved to re-refer **HB 255** to the Appropriations Committee. Without objection, so ordered.

Representative Ehli moved to re-refer **HB 209** to the Appropriations Committee. Without objection, so ordered.

Representative Ehli moved to re-refer **HB 230** to the Appropriations Committee. Without objection, so ordered.

## UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned name be **REMOVED** as sponsor to **HB 280**  
Motion carried.

**HB 280** (R. Brodehl, Chief Sponsor)  
Knokey.

## ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Ehli moved that the House adjourn until 1:00 p.m., Tuesday, January 31, 2017.  
Motion carried.

House adjourned at 3:25 p.m.

LINDSEY VROEGINDEWEY  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House