

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

Helena, Montana
February 21, 2017

House Chambers
State Capitol

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

Roll Call. All members present. Representative Cuffe excused. Quorum present.

BILLS (Ricci, Chair):

2/21/2017

Correctly printed: **HB 282, HB 285, HB 332, HB 383, HB 393, HB 404, HB 405, HB 427, HB 500, HB 528, HB 529, HB 530, HB 531, HB 533, HB 534, HB 535, HB 536, HB 537, HB 538, HB 539, HB 540, HJR 11, HJR 12, HJR 13, SB 50.**

Correctly engrossed: **HB 30, HB 137, HB 324, HB 348, HB 408, HB 415.**

Correctly enrolled: **HJR 1.**

Examined by the sponsor and found to be correct: **HB 26, HB 41, HB 48, HB 49, HB 53, HB 79, HB 112, HB 159, HB 258, HB 278, HB 300, HJR 1.**

Signed by the Speaker at 10:10 a.m., February 21, 2017: **HB 106, HB 135, HB 177, HB 202.**

Signed by the President at 3:45 p.m., February 21, 2017: **HB 92, HB 106, HB 135, HB 177, HB 184, HB 202.**

Signed by the Chief Clerk of the House at 10:48 a.m., February 21, 2017: **HB 106, HB 135, HB 177, HB 202.**

Signed by the Speaker at 11:20 a.m., February 21, 2017: **HB 92, HB 184.**

Signed by the Chief Clerk of the House at 12:00 p.m., February 21, 2017: **HB 92, HB 184.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ballance, Chair):

2/20/2017

HB 44, do pass. Report adopted.

HB 137, introduced bill, be amended as follows:

1. Title, page 2, line 3.

Strike: "REPEALING"

Insert: "AMENDING"

2. Page 16, line 20.

Following: "~~June 30 2017,~~"

Insert: "On or after July 1, 2019,"

3. Page 16, line 22.

Following: "general fund."

Insert: "On or after July 1, 2021, all fees collected annually under 30-10-209(1)(b) must be deposited in the general fund."

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 21, 2017

4. Page 18, line 7.

Following: "the"

Strike: "The"

Insert: "From March 7, 2013, through June 30, 2021, the"

5. Page 18, line 9.

Following: "30-10-115(2)."

Insert: "On or after July 1, 2021, the notice filing fees provided for in subsection (1)(d) and the amounts collected for examination costs under 30-10-210 are subject to deposit as provided in 30-10-115(2)."

6. Page 36, line 4.

Following: ";

Insert: "and"

7. Page 36, line 8.

Strike: "30"

Insert: "60"

8. Page 36, line 9 through line 12.

Strike: "; and" on line 9 through "months" on line 12

9. Page 92, line 1.

Strike: section 55 in its entirety

Insert: "Section 55. Section 16, Chapter 58, Laws of 2011, is amended to read:

"Section 16. Termination. [This act] terminates June 30, ~~2017~~ 2021."

And, as amended, do pass. Report adopted.

SB 85, be concurred in. Report adopted.

BUSINESS AND LABOR (Noland, Chair):

2/20/2017

SB 142, be concurred in. Report adopted.

HUMAN SERVICES (Wagoner, Chair):

2/20/2017

HB 17, do pass. Report adopted.

HB 387, do pass. Report adopted.

SB 100, be concurred in. Report adopted.

SB 129, be concurred in. Report adopted.

JUDICIARY (Doane, Chair):

2/21/2017

HB 494, do pass. Report adopted.

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 21, 2017

TRANSPORTATION (Lavin, Chair):
HB 408, introduced bill, be amended as follows:

2/20/2017

1. Page 2, line 3.

Following: "essential air service"

Insert: "or a community development organization"

2. Page 2, line 7.

Following: "community"

Insert: "or a community development organization"

3. Page 2, line 11.

Strike: "A " through "funds"

Insert: "Grant funds may not be used"

4. Page 2, line 12.

Strike: the first "the"

Insert: "a"

5. Page 2.

Following: line 14

Insert: "(b) "Community development organization" means an organization or partnership in an area that is served by commercial air service or essential air service that has an interest in air service development, including a chamber of commerce, a convention and visitor bureau, or a community air service partnership."

Renumber: subsequent subsection

6. Page 2, line 19.

Following: "community"

Insert: "or community development organization"

7. Page 2, line 20.

Following: "community"

Insert: "or community development organization"

8. Page 3, line 6.

Following: "communities"

Insert: "or community development organizations"

9. Page 3, line 17.

Strike: "community"

Insert: "applicant"

10. Page 3, line 21.

Following: "community"

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 21, 2017

Insert: "or community development organization"

11. Page 3, line 24.

Following: "community"

Insert: "or community development organization"

And, as amended, do pass. Report adopted.

HB 415, introduced bill, be amended as follows:

1. Page 1, line 19.

Following: "61-8-346;"

Strike: "or"

2. Page 1, line 20.

Following: "roadway"

Insert: "; or

(g) when a police vehicle or authorized emergency vehicle is performing a job-related duty as provided in 61-8-107"

3. Page 1, line 28 through page 2, line 4.

Strike: "Upon all roadways" on page 1, line 28 through "permitted." on page 2, line 4

Insert: "(a) Except as provided in subsection (3)(b) and subject to subsection (4), upon all roadways having two or more lanes for traffic moving in the same direction, a vehicle must be driven in the right-hand lane.

(b) A vehicle being operated upon a roadway having two or more lanes for traffic moving in the same direction is not required to be driven in the right-hand lane when:

(i) overtaking and passing another vehicle proceeding in the same direction;

(ii) traveling at a speed greater than the traffic flow;

(iii) moving left to allow traffic to merge;

(iv) traveling on a roadway within the official boundaries of a city or town, except as provided in subsection (4);

(v) preparing for a left turn at an intersection or into a private road or driveway when a left turn is legally permitted;

(vi) exiting onto a left-hand exit from a controlled-access highway;

(vii) an obstruction or hazardous conditions make it necessary to drive in a lane other than the right-hand lane; or

(viii) authorized snow-removal equipment is operating on the roadway.

(4) When traveling upon an interstate highway, as defined in 60-5-102, within the official boundaries of a city or town, a vehicle must be driven in the right-hand lane unless otherwise directed or permitted by an official traffic control device."

And, as amended, do pass. Report adopted.

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 21, 2017

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 146**
Report No. 001, February 20, 2017

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 146** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 146** (reference copy -- salmon) be amended as follows:

1. Page 1, following line 21.

Following: "~~may be required.~~"

Insert: "(2) During a temporary roadblock, verification of a valid driver's license, vehicle registration, and insurance may be required."

Renumber: subsequent subsections

For the Senate:

Vance, Chair
Buttrey
Whitford

For the House:

Zolnikov, Vice Chair
Doane
Swanson

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/18/2017

SB 72, introduced by Connell

SB 111, introduced by K. Regier

SB 159, introduced by Blasdel

SB 166, introduced by Buttrey

SB 169, introduced by Hoven

SB 189, introduced by K. Regier

SB 208, introduced by Caferro

House joint resolution concurred in and returned to the House: 2/18/2017

HJR 1, introduced by Kelker

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 21, 2017

MESSAGES FROM THE GOVERNOR

February 20, 2017

Representative Austin Knudsen, Speaker
Montana House of Representatives
Capitol Building
Helena, MT 59601

Dear Speaker Knudsen:

On Monday, February 20, 2017, I signed the following bills:

HB 89 - K. Dudik
HB 105 - F. Garner
HB 125 - W. Curdy
HB 138 - D. Fern

Sincerely,
STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

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

HB 541, introduced by A. Hertz, E. Hill Smith, referred to Business and Labor.

HB 542, introduced by S. Morigeau, referred to Judiciary.

HB 543, introduced by B. Usher, C. Knudsen, D. Loge, D. Mortensen, J. Patelis, L. Sheldon-Galloway, D. Skees, S. Staffanson, J. Trebas, referred to Transportation.

HB 544, introduced by A. Olsen, referred to Business and Labor.

HB 545, introduced by J. Windy Boy, T. Jacobson, G. Kipp III, A. Olsen, B. Smith, S. Stewart-Peregoy, referred to Judiciary.

HB 546, introduced by B. Hamlett, referred to Natural Resources.

HB 547, introduced by B. Hamlett, referred to Natural Resources.

HB 548, introduced by J. Hamilton, referred to Local Government.

HB 549, introduced by D. Skees, referred to Business and Labor.

HB 550, introduced by J. Essmann, referred to Taxation.

HB 551, introduced by B. Brown, referred to Fish, Wildlife and Parks.

HB 552, introduced by S. Stewart-Peregoy, A. Curtis, J. Ellis, M. Funk, D. Hayman, A. Olsen, B. Smith, referred to State Administration.

HB 553, introduced by A. Curtis, referred to Judiciary.

HB 554, introduced by B. Beard, K. Abbott, F. Anderson, D. Bartel, Z. Brown, S. Gunderson, T. Jacobson, D. Lenz, A. Redfield, W. Sales, L. Sheldon-Galloway, S. Staffanson, S. Vinton, P. Webb, T. Welch, referred to Taxation.

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 21, 2017

HB 555, introduced by N. Ballance, referred to Natural Resources.

HB 556, introduced by F. Garner, referred to Judiciary.

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

SB 72, introduced by P. Connell, referred to Business and Labor.

SB 111, introduced by K. Regier, referred to Fish, Wildlife and Parks.

SB 159, introduced by M. Blasdel, referred to Education.

SB 166, introduced by E. Buttrey, referred to Human Services.

SB 169, introduced by B. Hoven, referred to Business and Labor.

SB 189, introduced by K. Regier, referred to Local Government.

SB 208, introduced by M. Caferro, referred to Human Services.

**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 D. Jones in the chair.

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

HB 94 - Representative Garner moved **HB 94** 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

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 21, 2017

HB 142 - Representative Bishop moved **HB 142** do pass. Motion **failed** as follows:

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

Total 49

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

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 244 - Representative Jacobson moved **HB 244** do pass. Motion carried as follows:

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

Total 63

Nays: Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Flynn, Galt, Glimm, Gunderson, Harris, G Hertz, Jones, C Knudsen, Lavin, Lenz, Mandeville, Manzella, Mortensen, Noland, O'Hara, Redfield, Regier, Rosendale, Skees, Staffanson, Trebas, Tschida, Wagoner, Webb, White, Zolnikov, Mr. Speaker.

Total 37

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 21, 2017

HB 325 - Representative Olsen moved **HB 325**, second reading copy, be amended as follows:

1. Title, page 1, line 11 through line 12.

Strike: "SECTIONS" on line 11 through "81-23-405" on line 12

Insert: "SECTION 81-2-102"

2. Page 1, line 18 through page 4, line 22.

Strike: section 1 through section 4 in their entirety

Renumber: subsequent sections

3. Page 4, line 26.

Strike: "Except" through "(6), it"

Insert: "It"

4. Page 5.

Following: line 5

Insert: "(3) A grade A milk plant may sell raw milk directly at the point of production from a bulk milk tank to a consumer if the milk from the bulk milk tank meets standards established by the department and is not resold by the consumer."

Renumber: subsequent subsections

5. Page 5.

Strike: line 16 in its entirety

6. Page 5, line 18 through page 12, line 19.

Strike: section 6 through section 11 in their entirety

Amendment **not** adopted as follows:

Yeas: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Cook, Court, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Hamilton, Hamlett, Hayman, Hill-Smith, Jacobson, Karjala, Keane, Kipp III, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Schreiner, Smith, Stewart-Per, Swanson, Webber, Windy Boy, Woods.
Total 41

Nays: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Custer, Doane, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jones, Kelker, 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

Excused: None.

Total 0

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 21, 2017

Absent or not voting: None.

Total 0

HB 325 - Representative Ballance moved **HB 325** do pass. Motion carried as follows:

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

Total 71

Nays: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Court, Curdy, Dudik, Dunwell, Ellis, Funk, Hamilton, Hayman, Hill-Smith, Kelker, Kipp III, McConnell, Morigeau, Olsen, Perry, Price, Ryan, Sales, Schreiner, Smith, Swanson, Webber, Windy Boy, Woods.

Total 29

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 346 - Representative Curdy moved **HB 346** 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

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 21, 2017

Absent or not voting: None.

Total 0

HB 360 - Representative Hamlett moved **HB 360** 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, 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, 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: Essmann, Regier.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 362 - Representative Hill Smith moved **HB 362** 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, 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, Lavin, Lenz, Loge, Lynch, 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, Mr. Speaker.

Total 96

Nays: Doane, C Knudsen, Rosendale, Zolnikov.

Total 4

Excused: None.

Total 0

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 21, 2017

Absent or not voting: None.

Total 0

HB 367 - Representative Beard moved **HB 367** do pass. Motion carried as follows:

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

Total 81

Nays: Abbott, Bennett, Dunwell, Eck, Ellis, Funk, Hayman, Karjala, Kelker, McConnell, Olsen, Ryan, Schreiner, Smith, Stewart-Per, Windy Boy, Woods.

Total 17

Excused: None.

Total 0

Absent or not voting: Morigeau, Mr. Speaker.

Total 2

HB 373 - Representative Grubbs moved **HB 373** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bartel, Beard, Bennett, Berglee, Bishop, Z. Brown, Cook, Court, Cuffe, Curdy, Curtis, Custer, 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, Jones, Karjala, Keane, Kelker, Knokey, C Knudsen, Lavin, Loge, Lynch, McCarthy, McConnell, McKamey, Morigeau, Noland, O'Hara, Olsen, Peppers, Perry, Pierson, Price, Redfield, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Swanson, Trebas, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Mr. Speaker.

Total 76

Nays: Ballance, Brodehl, B. Brown, Burnett, Doane, Essmann, Galloway, Glimm, Hopkins, Jacobson, Kipp III, Lenz, Mandeville, Manzella, Mortensen, Patelis, Regier, Ricci, Rosendale, Staffanson, Stewart-Per, Tschida, Usher, Zolnikov.

Total 24

Excused: None.

Total 0

Absent or not voting: None.

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 21, 2017

Total 0

HB 381 - Representative Lenz moved **HB 381** do pass. Motion carried 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, Keane, Kelker, Kipp III, Knokey, Lavin, Lenz, Loge, Lynch, Mandeville, McCarthy, McConnell, McKamey, Morigeau, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Mr. Speaker.

Total 91

Nays: Burnett, Karjala, C Knudsen, Manzella, Mortensen, Regier, Rosendale, Vinton, Zolnikov.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 384 - Representative A. Knudsen moved **HB 384** do pass. Motion carried 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, 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, 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: Cook.

Total 1

Excused: None.

Total 0

Absent or not voting: Sales.

Total 1

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 21, 2017

HB 432 - Representative Hamlett moved **HB 432** do pass. Motion carried as follows:

Yeas: Anderson, Ballance, Berglee, Bishop, Brodehl, B. Brown, Burnett, Cook, Cuffe, Curtis, Custer, Doane, Dudik, Ehli, Essmann, Fern, Fitzgerald, Galloway, Galt, Garner, Glimm, Greef, Gunderson, Hamilton, Hamlett, Harris, A Hertz, G Hertz, Hopkins, Jacobson, Jones, Karjala, Keane, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McKamey, Mortensen, Noland, O'Hara, Patelis, Peppers, Price, Regier, Ricci, Rosendale, Ryan, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 73

Nays: Abbott, Bachmeier, Bartel, Beard, Bennett, Z. Brown, Court, Curdy, Dunwell, Eck, Ellis, Fleming, Flynn, Funk, Grubbs, Hayman, Hill-Smith, Holmlund, Kelker, McConnell, Morigeau, Olsen, Perry, Pierson, Redfield, Sales, Swanson.

Total 27

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 433 - Representative Hamlett moved **HB 433** do pass. Motion carried as follows:

Yeas: Anderson, Ballance, Bartel, Berglee, Brodehl, B. Brown, Cuffe, Doane, Ehli, Essmann, Fitzgerald, Flynn, Galt, Glimm, Greef, Gunderson, Hamlett, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jacobson, Jones, Keane, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Patelis, Peppers, Price, Redfield, Regier, Ricci, Rosendale, Schreiner, Skees, Smith, Staffanson, Tschida, Vinton, Wagoner, Webb, Webber, White, Windy Boy, Zolnikov, Mr. Speaker.

Total 57

Nays: Abbott, Bachmeier, Beard, Bennett, Bishop, Z. Brown, Burnett, Cook, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Galloway, Garner, Grubbs, Hamilton, Hayman, Hill-Smith, Karjala, Kelker, Lynch, McCarthy, McConnell, Morigeau, Olsen, Perry, Pierson, Ryan, Sales, Shaw, Stewart-Per, Swanson, Trebas, Usher, Welch, Woods.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 21, 2017

Majority Leader Ehli moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair D. Jones 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, 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, Keane, Kelker, Kipp III, 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, 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: Jones, Karjala.

Total 2

Excused: None.

Total 0

Absent or not voting: Cuffe, Knokey, Ryan.

Total 3

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 282 passed 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, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, 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 98

Nays: Hayman.

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 21, 2017

Total 1

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

HB 285 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bartel, Beard, Bennett, Bishop, Brodehl, Z. Brown, Cook, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, 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, Lavin, Loge, Lynch, McCarthy, McConnell, McKamey, Morigeau, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Mr. Speaker.

Total 83

Nays: Ballance, Berglee, B. Brown, Burnett, Doane, Essmann, Galt, C Knudsen, Lenz, Mandeville, Manzella, Mortensen, Redfield, Regier, Rosendale, Zolnikov.

Total 16

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

HB 404 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, Hamlett, 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 60

Nays: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Court, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Hamilton, 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 39

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 21, 2017

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

HB 405 passed 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, 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, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Mr. Speaker.

Total 97

Nays: Rosendale, Zolnikov.

Total 2

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

HB 427 passed 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, 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, 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: Olsen, Peppers.

Total 2

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 21, 2017

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

SB 50 concurred in as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, 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, 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, Regier, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Brodehl, Redfield, Ricci, White, Windy Boy.

Total 5

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

MOTIONS

Representative McCarthy moved that **HB 417** be taken from Judiciary and placed on second reading on the 39th legislative day.

Motion **failed** as follows:

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

Total 43

Nays: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Doane, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Harris, G Hertz, Holmlund, Hopkins, Jones, C Knudsen, Lavin, Lenz, Loge, Mandeville,

HOUSE JOURNAL
THIRTY-EIGHTH LEGISLATIVE DAY - FEBRUARY 21, 2017

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 55

Excused: None.

Total 0

Absent or not voting: Cuffe, A Hertz.

Total 2

UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 516**
Motion carried.

HB 516 (K. Dudik, Chief Sponsor)

A. Hertz.

Mr. Speaker, I move that the following undersigned names be **ADDED** as sponsors to **HB 538**
Motion carried.

HB 538 (M. Hopkins, Chief Sponsor)

Ballance, Z. Brown, Holmlund, Hopkins, Knokey, Patelis, Rosendale, Shaw, Skees, Trebas, and Zolnikov.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Ehli moved that the House adjourn until 1:00 p.m., Wednesday, February 22, 2017. Motion carried.

House adjourned at 3:03 p.m.

LINDSEY VROEGINDEWEY
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House