

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

Helena, Montana
February 22, 2017

House Chambers
State Capitol

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

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

SPECIAL ORDERS OF THE DAY

Speaker Knudsen moved the House revert to Order of Business # 11, Special Orders of The Day, for the purpose of receiving a proclamation.

Sergeant-at-Arms Murfitt escorted the 2017 Youth of the Year to the front of the Chamber.

Majority Leader Ehli addressed the House.

Mr. Speaker and members of the body, I am honored today to present a joint proclamation of the Montana Legislature honoring the Boys and Girls Club 2017 Youth of the Year:

Whereas, there are twenty-eight Boys and Girls Club sites in the State of Montana providing services to over eighteen thousand youth each year, including a site on Malmstrom Air Force Base and fourteen sites on Native American Reservations; and

Whereas, since opening their doors for the first time on Feb 4, 1971, the Boys and Girls Clubs in Montana strive to enable all young people, especially those in the most need, to realize their full potential as productive, caring and responsible citizens; and

Whereas, since 1947, Youth of the Year has been Boys and Girls Clubs of America's premier recognition program, celebrating the achievements of club members. Each year, one exceptional club member is selected to be the National Youth of the Year. The National Youth of the Year serves as both an exemplary ambassador for the Boys and Girls Club youth, and as a strong voice for all our Nation's young people; and

Whereas, being named Youth of the Year is the highest honor a Boys and Girls Club member can receive. The journey to being named National Youth of the Year begins locally and progresses to the state, regional and national levels. To achieve the title of Youth of the Year on any level, club members must embody the values of: leadership and service, academic excellence, and healthy lifestyles. They should exemplify the critical impact that Boys and Girls Clubs have on the lives of young people.

Whereas, It is fitting that our outstanding young people and the organizations that support them are recognized for making Montana a better place. In 2017, we honor the following six youth who have made an indelible impression on their local club and community:

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

Brayden Nolan

Boys and Girls Club of the Flathead Reservation and Lake County, Ronan, MT.

Emily Brurud

Boys and Girls Club of the Hi-Line, Havre, MT

Gracie Williams

Boys and Girls Club of Cascade County, Great Falls, MT

Jase Zarzoza

Boys and Girls Club of Yellowstone County, Billings, MT

Shelby Tatarka

Boys and Girls Club of Southwest Montana, Bozeman, MT

Logan Smith

Malmstrom Air Force Base Youth Program, Great Falls, MT

Therefore, be it resolved that the Legislature of the State of Montana recognizes and commends the Boys and Girls Clubs in Montana and congratulates the young people who have been named Youth of the Year. We thank all the people involved who have contributed selflessly to their communities, served as role models, and committed themselves to doing more for our State. We extend to the awardees our best wishes for success, and hope the Boys and Girls Clubs continue their work shaping the lives of thousands of young Montanans every day.

Speaker Knudsen congratulated the 2017 Youth of the Year.

Majority Leader Ehli presented each of the 2017 Youth of the Year with the proclamation.

Sergeant-at-Arms Murfitt escorted the honored guests from the House Chamber.

Speaker Knudsen moved the House remain on Order of Business # 11, Special Orders Of The Day for the purpose of receiving an address by the Honorable Senator for the State of Montana, Steve Daines.

Majority Leader Ehli moved that Speaker Knudsen be authorized to appoint two committee members to escort the United States Senator into the House Chambers. Motion carried.

Speaker Knudsen appointed Representative Ellis and Representative Manzella. The Committee was discharged.

Sergeant-at-Arms Murfitt notified Speaker Knudsen that the United States Senator Steve Daines was awaiting entrance into the House Chamber.

The Committee escorted the Senator into the Chamber.

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

Speaker Knudsen introduced the Honorable Steve Daines, Senator for the State of Montana.

Speaker Knudsen, Majority Leader Ehli, Minority Leader Eck, and Members of the State House. I'm honored to accept your invitation, and to speak with you about the great opportunities we, as Montanans, have before us.

Last month, we witnessed the inauguration of our new President Donald Trump. This peaceful transition of power is a testament to the enduring promise of America's democracy - that a federal government created by the people exists to serve the people. Our federal government was designed to be limited, with limited powers, and the rest was reserved for the States.

However, as we've seen in the past eight years, there are times when certain presidencies and their allies view this in reverse: there are those who believe that the Federal government knows better than the States and better than the people. That view ended thirty-three days ago. January 20, 2017 was more than a transfer of power from one administration to the next. This started a transfer of power from the Federal government, back to the states and back to the people of Montana.

We are at a unique moment in history that many of us haven't seen in a long time - a moment when Washington is ready to listen, rather than dictate. A moment when Washington understands this most important principle: Montanans are best at running Montana.

Back in 1979 there was a junior from Bozeman High and another junior from White Fish High both headed to Dillon as Boy's State delegates. The keynote speaker that year was a newly elected U.S. Senator named Max Baucus. Thirty-eight years later, that kid from Bozeman was serving on the U.S. Senate Energy and Natural Resources Committee and the kid from Whitefish was testifying before that same committee to be the next Secretary of Interior. This is a historic moment for Montana as Congressman Zinke will be the first Montanan to ever serve in a President's cabinet. I look forward to casting my vote to confirm Ryan Zinke next week on the U.S. Senate floor.

Last December, I wrapped up my second fifty-six County Tour, visiting with Montanans in every corner of the state and every county that each of you call home. From Carter County to Lincoln County, from Sheridan County to Beaverhead County and every county in between.

After traveling thousands of miles across Montana the past two years, I've seen a state rich in resources - coal, cattle, wheat, oil, natural gas, timber, wind, hydro, pulse crops, public lands, national parks - but what truly makes our state The Last Best Place is the people, especially our young people who have sadly become our greatest export. As I remind my colleagues in Washington, you'll never find a better work ethic or a better sense of values than what you find right here with Montana kids.

However, Montanans have been concerned by what's happening in Washington. I heard from Montanans the need to return educational decisions back to Montana and families, rein in regulations that are killing jobs, to secure our nation, the need to toughen and enforce our trade laws and ensure a level playing field in foreign markets for Montana agriculture, the need to expand

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

made-in-Montana energy, the need to protect access on our public lands and the need for Washington to balance the budget and work for the people. Following the election I gathered a list of DC regulations and policies that Montanans identified to me that have stifled job creation, economic growth, and innovation. I compiled them into a list of actions that I shared with the President for him to make a priority - the first Senator to do so.

The first items on my list stop the war on coal and approve the Keystone Pipeline.

Last fall, I was on my way from Baker to my first stop of the day in Ekalaka - when I stopped to Snapchat a quick update on where I was headed next. Snapchat is a social media application that provides real time updates to followers - in fact forty-one percent of all eighteen to thirty-four year olds are using this app. If you haven't heard of it, just ask the next young Montanan you run into. The 'snap' was simple - it had a timestamp that read 6AM with a video that said I was on my way to breakfast at the Wagon Wheel Café in Ekalaka.

Over breakfast with the Café's owner Trish, she mentioned that Kennedy Tooke (TUK), a junior at Carter County High had watched my 'snapchat' that morning and wondered if I would stop by the school. I could never turn down an opportunity to visit with Montana's future leaders at one of our Class C high schools.

As I walked in the doors of the Ekalaka Public Schools, I couldn't help but notice the some of the state-of-the-art infrastructure. The new gym was recently built and is the pride of 4C in southeast Montana. I asked the superintendent where they got the funds to build it...He told me ninety-two percent of the tax revenues for schools came from pipelines.

Speaking of pipelines, I'm pleased to report that under the Trump administration we are moving forward to BUILD THE KEYSTONE PIPELINE. Yet another Montana solution..... that no one in yesterday's Washington DC wanted to listen to -it's about time Montanans run Montana!

The Keystone XL pipeline will create about eight hundred jobs in Montana, and generate \$80 million a year in Montana property taxes, more than \$16 million of which would be distributed to Montana's schools and the university system. And, it will transport one hundred thousand barrels a day of Bakken oil. And by the way, it will reduce electrical prices ten percent for thousands of eastern Montana customers...(Norval Electric Coop in Glasgow)

Last year President Obama's EPA Administrator Gina McCarthy appeared before the Appropriations Committee to discuss the impact of the Clean Power Plan regulation that threatens to destroy seven thousand Montana jobs. I challenged her to quantify the environmental benefits for Montana and she could not give me a straight answer.

Of course, that was coming from the same person who couldn't see the value of the Keystone Pipeline, both in terms of jobs and energy security, and the fact that 21st century pipelines are the most environmentally sound way to transport oil. Even though Montana said "yes" to Keystone, the Obama Administration said "no".

Fortunately, we have a new EPA Administrator from another Keystone pipeline state who does

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

understand you can be pro-energy and pro-environment. Scott Pruitt and I had a great discussion last week about how we can work together for Montana. Scott understands that we need a true "all of the above energy strategy"...renewable energy and fossil fuels... resulting in more made-in-Montana energy, not more made in the Middle-East energy. The very first item I listed on my to-do list for President Trump was to roll back the EPA's power plan. I've been assured will see movement imminently.

It's a simple concept: Let Montana Energy Power America & power the world.

We will soon have a new Secretary of Energy, Texas Governor Rick Perry. Now, there's a lot of differences between Montana and Texas...for starters, our beef is better and our cowboys are real and not just a football team.

Rick wasn't surprised to hear the story of Evelyn Old Coyote, a twelve year-old girl from Montana's Crow tribe who walked up to protestors in Billings who were holding signs saying "keep it in the ground....and she quietly said to them, "if we keep it in the ground, my family will starve." The protestors folded up their signs and drove home...

Rick Perry appreciates that Montana coal provides tax revenues of \$145 million per year, which support our teachers and schools. He understands that - Coal keeps the lights on...and keeps state budgets balanced!

Natural resources are critical to Montana's economy. But, as you know, our state's number one industry is agriculture. It's important that we support the next generation of Montana farmers and ranchers by passing tax reform that kills the death tax once and for all.

On behalf of farmers and ranchers, I'm excited to serve on the U.S. Senate Committee on Agriculture.

I'm also pleased to announce that at the end of May, I'll be co-hosting a Montana Ag Summit in Great Falls.

Last May, I led a group of Senators and Congressmen to China determined to open the China market to US Beef. China is the second largest beef import market in the world.

During my discussion with Chinese leaders, the first topic I raised was China's ban on U.S. beef imports.

Fortunately they listened and shortly after my visit, Montana ranchers received the good news that China would end the ban on U.S. beef imports for the first time since 2003.

Montana's farmers and ranchers know that with ninety-five percent of the world's consumers living outside of the U.S., access to foreign markets is essential.

This is something our new Secretary of State, Rex Tillerson and I discussed when we met in my office in January. He will put American jobs ahead of academic hand-wringing about being

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

politically correct. Here in Montana, we call that horse sense.

As you can see, we are looking at a new Administration that believes that Montanans understand better than bureaucrats in Washington, how to develop our natural resources and protect and preserve our public lands.

Montanans can do a better job than D.C. bureaucrats who've never driven a pick-up and have a hard time finding Montana on a map.

Today, there are two million acres of public lands in Montana inaccessible to the public. Let's be clear - our public lands are not for sale....and Montanans should not be locked out of their public lands.

Speaking of being locked out... I was speaking to a group of Montana sawmill operators about the lack of timber supply....and how ironicas they were telling me of having to haul timber from other states hundreds of miles away to keep their mills operating, we were staring at mountain sides covered with timber. Litigation against commonsense timber projects is having far-reaching, damaging impacts on Montana jobs, Montana schools, forest health, access to recreation, and our watersheds. We need Montana solutions that increase active management of our ten national forests to get more logs to our mills and get Montanans back to work, and revenues to our counties Lincoln County is the proud home of the Libby Loggers but now they could change their mascot to the Libby Lawyers, because the logging industry is gone in Lincoln County.

It's time to stop the extremists who litigate timber projects....and put our loggers and mill operators back to work - and let Montanans run Montana.

And there is no better example of judicial activism then the 9th Circuit. And, when the Supreme Court decides to hear a case from the 9th Circuit, the Supreme Court overrules this court eighty percent of the time. The 9th Circuit, dominated by California, has eighty-five percent more people in it than the next most populated Circuit Court. We need to get Montana out of the 9th Circuit into a new 12th Circuit that will cover the Mountain West and Alaska and even out the caseload. I've introduced legislation to do just that.

Another challenge that we face is judges who legislate from the bench. This is why I'm pleased with the nomination of Judge Neil Gorsuch to be the next Justice of the United States Supreme Court. Over his career, Judge Gorsuch has displayed the temperament and approach that befits a Supreme Court Justice. Judge Gorsuch has a clear understanding that the third, co-equal, separate branch of our government is there to be an umpire, not a player on the field.

I'm also very proud of the important role Malmstrom and the Montana Air National Guard plays in keeping our nation safe and secure. I'm humbled by their character, dedication and determination to their mission. And the threats we face today are great. Threats like North Korea who is believed to have missiles of varying capabilities, including long-range missiles. Or Iran, who test launched two ballistic missiles with "Israel Must be Wiped Out", written in Hebrew on the side of the missile. And over the last fifteen months, we have seen radical Islamic extremist attacks on the homeland in places like San Bernardino and Orlando.

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

President Reagan had it right with his peace through strength strategy. ICBM's serve as a critical deterrent, to protect our nation and the world, and I'm thankful every day for the men and women who serve us in Great Falls.

And we need to ensure that when service members retire, they receive the care and benefits that were promised to them upon enlisting. Major change needs to happen in the VA - just ask any veteran that's had their credit score impacted by the failure to get their medical bills reimbursed in time.

When I met with the new Secretary of Veteran's Affairs, Secretary David Shulkin I invited him to Montana to hear first hand from our veterans, and made it clear to him we have a long to-do list to work on behalf of our veterans.

When I spoke to you in 2013, the US was \$16 trillion dollars in debt. Today our federal debt is \$20 trillion, current projections show this debt will increase by another \$10 trillion over the next ten years. Enough is enough. Admiral Mullen, Former Chairman of the Joint Chiefs of Staff said, "Our national debt is our biggest national threat."

I've spent twenty-eight years of my life in business and know that if you don't do your job, you don't get paid. We need to bring that same accountability to Washington, D.C.

In fact, the first bill I introduced to Congress was the Balanced Budget Accountability Act. It's not that complicated. It's easy to measure. It's very simple - no balanced budget, no paycheck for Members of Congress. Solutions like this are common sense. I know our country would be better off if Montanans ran Washington, DC!

Seven years ago, Nancy Pelosi, Harry Reid and President Obama jammed a bill through Congress called the Affordable Care Act, which proved to be anything but.

They said trust us, this 2700 page bill...nearly twice as long as War and Peace... will be wonderful for everyone and dismissed concerns about cost and access. In fact, Nancy Pelosi even said "we have to pass the bill so that you can find out what is in it" - only in Washington DC would that make sense.

They promised with Obamacare that we could keep the health plans that we liked. Well, that didn't turn out to be true. In fact there are 4.7 million American's who have been kicked off their health care plans by Obamacare.

They promised us Obamacare would lower health care costs. Well that didn't turn out to be true, either. We've witnessed premiums skyrocket since Obamacare's implementation. In Montana, families are seeing insurance hikes that average between twenty-seven and fifty-eight percent in 2017 alone.

They promised Obamacare would create more competition in the marketplace. But today Americans in one-third of the counties across our country are down to one company to choose from.

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

No matter who won the election in November -Obamacare is in a death spiral, and it was going to have to be addressed by Congress. To this day we are still seeing insurance companies leave the exchange because they just can't afford to stay in. Just last Tuesday Humana was the latest to leave the Obamacare exchange.

Obamacare's failure is an example of the core premise that Washington knows better than all of you.

It is straight from the big government, Washington-knows-best play book.

As Obamacare repeal and replace moves forward, we are already hearing the scare tactics from the other side.

So as this process moves forward, Montanans should be asking whether their elected officials are working to bring Montana solutions forward or just trying to scare people yet again. Obamacare has failed. The law is getting worse and letting it go as is, would hurt Montana families even more.

It is time to return the decision making authority back to the states, and we're going to do that when we repeal and replace Obamacare. It is time to let Montanans run Montana.

This past year, Cindy and I spent time in the Beartooth Wilderness with our children...and our two mini-Aussies Ruby and Reagan...thirty-four miles on horseback and thirty-one miles on foot...Golden Trout.. Cutthroats. This past fall I watched Cindy shoot her first antelope, deer and elk. My sweetheart is a darn good shot.

And it was yet another reminder of how special Montana is and how lucky we are to live here.

At RightNow Technologies, a start-up software company in Bozeman where I worked for twelve years, our hiring website was www.iloveithere.com

The quality of life we have here in Montana, our fishing, hunting, camping, our national parks and our other public lands allow us to attract and retain the best workforce in the world.

Oracle which acquired RightNow Technologies in 2012 - is now one of the largest cloud computing companies in the world.

I believe we will continue to see Montana rise as a global leader in innovation and high tech job growth.

You see, what the rest of the world is starting to realize is that in Montana, you can have it all - a quality of life and a quality education second to none...and I say that as a product of the Montana public schools and public university... ..all four of our children will graduate from public universities...three from MSU.... because in Montana we combine a quality education, a quality of life...and connectivity.... and this is a recipe for success and uniquely positions Montana to be a 21st century high tech leader.

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

As I close, I wanted to take a moment to reemphasize that no matter where you come from or who you voted for, my job is to represent ALL Montanans. The office I hold belongs to the 1,032,949 residents of the Treasure State, of which all of us here represent.

We are not here to be served...but to serve.

And speaking of service, I'm proud of the nine veterans who serve on my team, to serve you.

And our team is working to change the culture in Washington DC.... to an attitude of service - customer service. As the only member of the Montana delegation to visit each one of our fifty-six counties - Eureka to Ekalaka - visiting our schools, hospitals, small businesses, ranches, wind farms, coal mines, national parks - I could go on and on. I'm honored to listen to folks all around Montana. And I'm grateful for their gracious hospitality.

We use technology to reach as many Montanans as possible to learn what's on their minds. Over the past couple of years we have dialed out to one million numbers across Montana, as I regularly hold tele-town halls. In fact I held one last week, where I dialed out to two hundred thousand Montanans and had tens of thousands folks stay on to listen and ask questions. And I'll be hosting another next month. If interested just text senator daines (one word) to 828282, and you will receive a confirmation text that you have joined.

Well....Sometimes in the midst of our busy lives, we can lose perspective.

We must never forget that we are some of the luckiest people in the world because we get to call Montana HOME.

We get to live in the best state....That is part of the greatest country in the world.

And together, we can ensure that twelve year-old, Evelyn Old Coyote's voice is heard in Washington DC.

Together, we can make sure that Kennedy Tooke and her friends in Ekalaka and every Montana student has the opportunity to succeed.

The solutions to our challenges are not more Washington ideas, not more Washington knows best. The best solutions will come from the people of Montana.

Thank you again for the work you're doing on behalf of all Montanan's. I look forward to working with all of you and you know why?..... because Montanans are best at running Montana.

Thank you and God Bless!

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

Speaker Knudsen thanked Senator Daines for his remarks and requested the Committee escort Senator Daines from the Chamber.

Sergeant-at-Arms Murfitt escorted the guests from the House Chamber.

BILLS (Ricci, Chair):

2/22/2017

Correctly printed: **HB 17, HB 44, HB 387, HB 494, HB 541, HB 542, HB 543, HB 544, HB 545, HB 546, HB 547, HB 548, HB 549, HB 550, HB 551, HB 552, HB 553, HB 554, HB 555, HB 556, SB 85, HB 94, SB 100, SB 129, SB 142, HB 244, HB 325, HB 346, HB 360, HB 362, HB 367, HB 373, HB 381, HB 384, HB 432, HB 433.**

Correctly engrossed: **HB 225, HB 338, HB 406, HB 416, HB 490.**

Correctly enrolled: **HB 18.**

Examined by the sponsor and found to be correct: **HB 18.**

Transmitted to the Senate: **HB 30, HB 44, HB 94, HB 244, HB 325, HB 346, HB 348, HB 360, HB 362, HB 367, HB 373, HB 381, HB 384, HB 432, HB 433, SB 85.**

Signed by the Speaker at 9:10 p.m., February 22, 2017: **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 President at 11:30 a.m., February 22, 2017: **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 Chief Clerk of the House at 9:30 a.m., February 22, 2017: **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 4:10 p.m., February 22, 2017: **HB 18.**

Signed by the Chief Clerk of the House at 4:30 p.m., February 22, 2017: **HB 18.**

Delivered to the Governor for approval at 11:19 a.m., February 22, 2017: **HB 92, HB 106, HB 135, HB 177, HB 184, HB 202.**

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Redfield, Chair):

2/21/2017

HB 338, introduced bill, be amended as follows:

1. Page 2, line 15.

Strike: "to privately deeded land"

2. Page 5, line 19.

Following: "(e)"

Insert: "(i)"

3. Page 5, line 20.

Strike: "to privately deeded land"

4. Page 5, line 22.

Following: "agent"

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

Strike: "."

Insert: "and when they are being moved to and from land owned or controlled by the owner of the livestock or the owner's agent:

(A) into an adjoining county; or

(B) across multiple county lines if the entire grazing range is the privately deeded property of the livestock owner.

(ii)"

5. Page 5, line 24.

Following: "~~Montana.~~"

Insert: "(iii) The permit may be issued only if the livestock are branded with the permittee's brand, which must be registered in Montana, unless the animal is classified as a virgin breeding female or a nursing calf.

(iv)"

And, as amended, do pass. Report adopted.

HB 345, do pass. Report adopted.

APPROPRIATIONS (Ballance, Chair):

2/21/2017

HB 168, do pass. Report adopted.

HB 225, introduced bill, be amended as follows:

1. Page 1, line 18.

Strike: "and"

2. Page 1, line 22.

Following: line 21

Insert: "(3) consider adding signage along certain shared-use paths that designate walking pathways of least 1,320 feet that may be referred to as "Take a Break - Take a Walk" pathways."

And, as amended, do pass. Report adopted.

HB 344, do pass. Report adopted.

BUSINESS AND LABOR (Noland, Chair):

2/22/2017

HB 428, do pass. Report adopted.

HB 470, do pass. Report adopted.

HB 474, do pass. Report adopted.

HB 490, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "UNEMPLOYMENT AND"

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

2. Title, page 1, line 6.

Strike: "SECTIONS 39-51-204 AND"

Insert: "SECTION"

3. Page 1, line 11 through page 5, line 21.

Strike: section 1 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

JUDICIARY (Doane, Chair):

2/22/2017

HB 406, introduced bill, be amended as follows:

1. Page 1, line 28.

Following: "(2)"

Strike: "For"

Insert: "(a) Except as provided in subsection (2)(b), for"

2. Page 1, line 30.

Strike: "(a)"

Insert: "(i)"

Renumber: subsequent subsections

3. Page 2, following line 2.

Insert: "(b) The commissioner may consult with an individual who previously served as a commissioner only about a case or complaint investigated by that individual during the individual's term of office.

(c) A commissioner who consults with an individual who previously served as a commissioner shall document each contact with the individual in writing and place the documentation in the complaint or investigation files."

And, as amended, do pass. Report adopted.

HB 478, do pass. Report adopted.

HB 482, do pass. Report adopted.

LOCAL GOVERNMENT (Greef, Chair):

2/21/2017

HB 407, do pass. Report adopted.

HB 416, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Following: "CHALLENGED;"

Insert: "CLARIFYING WHAT STANDARDS OF REVIEW APPLY TO AN ENVIRONMENTAL ASSESSMENT; PROVIDING DEFINITIONS;"

Following: "SECTIONS"

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

Insert: "76-3-103,76-3-603,"

Following: "76-3-608"

Insert: ", "

Strike: "AND"

Following: "76-3-625,"

Insert: "AND 76-8-101,"

2. Page 1, line 11.

Insert: "**Section 1.** Section 76-3-103, MCA, is amended to read:

"76-3-103. Definitions. As used in this chapter, unless the context or subject matter clearly requires otherwise, the following definitions apply:

(1) "Arbitrary, capricious, or unlawful" means random, unreasonable, seemingly unmotivated, or failing to comply with applicable statutes and regulations.

(2) "Certificate of survey" means a drawing of a field survey prepared by a registered surveyor for the purpose of disclosing facts pertaining to boundary locations.

~~(2)~~(3) "Cluster development" means a subdivision with lots clustered in a group of five or more lots that is designed to concentrate building sites on smaller lots in order to reduce capital and maintenance costs for infrastructure through the use of concentrated public services and utilities, while allowing other lands to remain undeveloped.

~~(3)~~(4) "Dedication" means the deliberate appropriation of land by an owner for any general and public use, reserving to the landowner no rights that are incompatible with the full exercise and enjoyment of the public use to which the property has been devoted.

~~(4)~~(5) "Division of land" means the segregation of one or more parcels of land from a larger tract held in single or undivided ownership by transferring or contracting to transfer title to a portion of the tract or properly filing a certificate of survey or subdivision plat establishing the identity of the segregated parcels pursuant to this chapter. The conveyance of a tract of record or an entire parcel of land that was created by a previous division of land is not a division of land.

~~(5)~~(6) "Examining land surveyor" means a registered land surveyor appointed by the governing body to review surveys and plats submitted for filing.

~~(6)~~(7) "Final plat" means the final drawing of the subdivision and dedication required by this chapter to be prepared for filing for record with the county clerk and recorder and containing all elements and requirements set forth in this chapter and in regulations adopted pursuant to this chapter.

~~(7)~~(8) "Governing body" means a board of county commissioners or the governing authority of a city or town organized pursuant to law.

~~(8)~~(9) "Immediate family" means a spouse, children by blood or adoption, and parents.

~~(9)~~(10) "Minor subdivision" means a subdivision that creates five or fewer lots from a tract of record.

~~(10)~~(11) "Planned unit development" means a land development project consisting of residential clusters, industrial parks, shopping centers, or office building parks that compose a planned mixture of land uses built in a prearranged relationship to each other and having open space and community facilities in common ownership or use.

~~(11)~~(12) "Plat" means a graphical representation of a subdivision showing the division of land into lots, parcels, blocks, streets, alleys, and other divisions and dedications.

~~(12)~~(13) "Preliminary plat" means a neat and scaled drawing of a proposed subdivision

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

showing the layout of streets, alleys, lots, blocks, and other elements of a subdivision that furnish a basis for review by a governing body.

~~(13)~~(14) "Public utility" has the meaning provided in 69-3-101, except that for the purposes of this chapter, the term includes county or consolidated city and county water or sewer districts as provided for in Title 7, chapter 13, parts 22 and 23, and municipal sewer or water systems and municipal water supply systems established by the governing body of a municipality pursuant to Title 7, chapter 13, parts 42, 43, and 44.

~~(14)~~(15) "Subdivider" means a person who causes land to be subdivided or who proposes a subdivision of land.

~~(15)~~(16) "Subdivision" means a division of land or land so divided that it creates one or more parcels containing less than 160 acres that cannot be described as a one-quarter aliquot part of a United States government section, exclusive of public roadways, in order that the title to the parcels may be sold or otherwise transferred and includes any resubdivision and a condominium. The term also means an area, regardless of its size, that provides or will provide multiple spaces for rent or lease on which recreational camping vehicles or mobile homes will be placed.

~~(16)~~(17) (a) "Tract of record" means an individual parcel of land, irrespective of ownership, that can be identified by legal description, independent of any other parcel of land, using documents on file in the records of the county clerk and recorder's office.

(b) Each individual tract of record continues to be an individual parcel of land unless the owner of the parcel has joined it with other contiguous parcels by filing with the county clerk and recorder:

(i) an instrument of conveyance in which the aggregated parcels have been assigned a legal description that describes the resulting single parcel and in which the owner expressly declares the owner's intention that the tracts be merged; or

(ii) a certificate of survey or subdivision plat that shows that the boundaries of the original parcels have been expunged and depicts the boundaries of the larger aggregate parcel.

(c) An instrument of conveyance does not merge parcels of land under subsection ~~(16)~~(b)(i) (17)(b)(ii) unless the instrument states, "This instrument is intended to merge individual parcels of land to form the aggregate parcel(s) described in this instrument" or a similar statement, in addition to the legal description of the aggregate parcels, clearly expressing the owner's intent to effect a merger of parcels."

Insert: "Section 2. Section 76-3-603, MCA, is amended to read:

"76-3-603. Contents of environmental assessment. (1) When required, the environmental assessment must accompany the subdivision application and must include:

~~(1)~~(a) for a major subdivision:

~~(a)~~(i) a description of every body or stream of surface water that may be affected by the proposed subdivision, together with available ground water information, and a description of the topography, vegetation, and wildlife use within the area of the proposed subdivision;

~~(b)~~(ii) a summary of the probable impacts of the proposed subdivision based on the criteria described in 76-3-608; and

~~(c)~~(iii) a community impact report containing a statement of anticipated needs of the proposed subdivision for local services, including education and busing; roads and maintenance; water, sewage, and solid waste facilities; and fire and police protection; and

~~(d)~~(iv) additional relevant and reasonable information related to the applicable regulatory criteria adopted under 76-3-501 as may be required by the governing body;

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

(2)(b) except as provided in 76-3-609, for a minor subdivision, a summary of the probable impacts of the proposed subdivision based on the criteria described in 76-3-608.

(2) An environmental assessment conducted pursuant to this chapter is distinct from an environmental review conducted pursuant to Title 75, chapter 1. The standards of review applicable to an environmental review conducted pursuant to Title 75, chapter 1, do not apply to an environmental assessment conducted pursuant to this chapter."

Renumber: subsequent sections

3. Page 3, line 5.

Following: "governing body"

Strike: "under this section"

Insert: "concerning whether the development of the proposed subdivision meets the requirements of this chapter"

4. Page 3, line 12.

Following: "chapter"

Strike: "that is arbitrary, ~~or capricious,~~ or unlawful"

5. Page 3, line 13 through line 14.

Strike: "random, unreasonable, or seemingly unmotivated or fails to comply with applicable statutes and regulations"

Insert: "arbitrary, capricious, or unlawful"

6. Page 3, line 15.

Strike: "an arbitrary, capricious, or unlawful"

Insert: "a"

7. Page 3, line 20 and 21.

Strike: "random, unreasonable, or seemingly unmotivated or fails to comply with applicable statutes and regulations"

Insert: "arbitrary, capricious, or unlawful"

8. Page 4, line 6.

Following: line 6

Insert: "**Section 5.** Section 76-8-101, MCA, is amended to read:

"76-8-101. Definitions. As used in this part, the following definitions apply:

(1) "Building" means a structure or a unit of a structure with a roof supported by columns or walls for the permanent or temporary housing or enclosure of persons or property or for the operation of a business. Except as provided in ~~76-3-103(15)~~ 76-3-103(16) the term includes a recreational camping vehicle, mobile home, or cell tower. The term does not include a condominium or townhome.

(2) "Department" means the department of environmental quality provided for in 2-15-3501.

(3) "Governing body" means the legislative authority for a city, town, county, or consolidated city-county government.

(4) "Landowner" means an owner of a legal or equitable interest in real property. The term

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

includes an heir, successor, or assignee of the ownership interest.

(5) "Local reviewing authority" means a local department or board of health that is approved to conduct reviews under Title 76, chapter 4.

(6) "Supermajority" means:

(a) an affirmative vote of at least two-thirds of the present and voting members of a city or town council;

(b) a unanimous affirmative vote of the present and voting county commissioners in counties with three county commissioners;

(c) an affirmative vote of at least four-fifths of the present and voting county commissioners in counties with five commissioners;

(d) an affirmative vote of at least two-thirds of the present and voting county commissioners in counties with more than five commissioners; or

(e) an affirmative vote of at least two-thirds of the present and voting members of the governing body of a consolidated city-county government.

(7) "Tract" means an individual parcel of land that can be identified by legal description, independent of any other parcel of land, using documents on file in the records of the county clerk and recorder's office."

And, as amended, do pass. Report adopted.

HB 455, do pass. Report adopted.

HB 456, do pass. Report adopted.

HB 492, do pass. Report adopted.

HB 507, do pass. Report adopted.

HB 510, do pass. Report adopted.

MESSAGES FROM THE SENATE

Free Conference Committee Report No.1 adopted: 2/20/2017

HB 18, introduced by Jacobson

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

2/20/2017

HB 24, introduced by Ehli

Senate bills passed and transmitted to the House for concurrence: 2/20/2017

SB 137, introduced by Ankney

SB 152, introduced by Sesso

SB 158, introduced by MacDonald

SB 160, introduced by Caferro

SB 163, introduced by K. Regier

SB 183, introduced by Welborn

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

SB 192, introduced by Swandal
SB 200, introduced by Buttrey
SB 205, introduced by Olszewski

FIRST READING AND COMMITMENT OF BILLS

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

HB 525, introduced by M. Funk, referred to State Administration.
HB 532, introduced by K. Abbott, G. Custer, referred to State Administration.
HB 557, introduced by V. Court, J. Bachmeier, W. Curdy, M. Dunwell, D. Fern, J. Fleming, D. Hayman, K. Kelker, A. Olsen, M. Ryan, B. Smith, K. Swanson, S. Webber, J. Windy Boy, T. Woods, referred to Business and Labor.
HB 558, introduced by G. Hertz, referred to Taxation.
HB 559, introduced by P. Webb, referred to Judiciary.
HB 560, introduced by S. Morigeau, B. Bennett, L. Bishop, V. Court, W. Curdy, A. Curtis, M. Dunwell, J. Eck, J. Ellis, J. Fleming, M. Funk, J. Hamilton, B. Hamlett, D. Hayman, E. Hill Smith, K. Kelker, G. Kipp, N. McConnell, A. Olsen, R. Peppers, J. Price, M. Ryan, B. Smith, S. Stewart-Peregoy, K. Swanson, S. Webber, T. Woods, referred to Judiciary.
HB 561, introduced by J. Karjala, referred to Human Services.

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

HJR 14, introduced by B. Tschida, R. Ehli, S. Vinton, referred to Human Services.
HJR 15, introduced by S. Gunderson, F. Anderson, D. Ankney, N. Ballance, D. Bartel, B. Beard, S. Berglee, R. Brodehl, B. Brown, D. Brown, Z. Brown, J. Cohenour, P. Connell, R. Cook, M. Cuffe, G. Custer, A. Doane, R. Ehli, J. Essmann, R. Fitzgerald, S. Fitzpatrick, J. Fleming, K. Flynn, W. Galt, F. Garner, C. Glimm, E. Greef, B. Grubbs, S. Gunderson, B. Hamlett, B. Harris, A. Hertz, G. Hertz, S. Hinebauch, J. Hinkle, K. Holmlund, M. Hopkins, D. Jones, D. Kary, J. Keane, J. Knokey, A. Knudsen, C. Knudsen, M. Lang, S. Lavin, D. Lenz, D. Loge, F. Mandeville, T. Manzella, W. McKamey, D. Mortensen, M. Noland, J. O'Hara, J. Patelis, G. Pierson, A. Redfield, K. Regier, M. Regier, V. Ricci, T. Richmond, A. Rosendale, W. Sales, C. Schreiner, R. Shaw, L. Sheldon-Galloway, D. Skees, J. Small, C. Smith, S. Staffanson, S. Stewart-Peregoy, J. Trebas, B. Tschida, B. Usher, G. Vance, S. Vinton, G. Vuckovich, K. Wagoner, P. Webb, R. Webb, T. Welch, K. White, D. Zolnikov, referred to Natural Resources.

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

SB 137, introduced by D. Ankney, referred to Taxation.
SB 160, introduced by M. Caferro, referred to Human Services.
SB 163, introduced by K. Regier, referred to State Administration.
SB 183, introduced by J. Welborn, referred to Fish, Wildlife and Parks.
SB 192, introduced by N. Swandal, referred to Judiciary.
SB 200, introduced by E. Buttrey, referred to Judiciary.
SB 205, introduced by A. Olszewski, referred to Human Services.

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Ehli moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Ricci in the chair.

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

HB 17 - Representative Ehli moved **HB 17** do pass. Motion carried as follows:

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

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 70 - Representative Ehli moved **HB 70**, second reading copy, be amended as follows:

1. Title, line 7.

Following: "APPROPRIATIONS;"

Insert: "PROVIDING APPROPRIATIONS;"

2. Page 2.

Following: line 27

Insert: "NEW SECTION. Section 4. Appropriation. (1) There is appropriated \$80,000 from the general fund to the judicial branch for the biennium beginning July 1, 2017, to support the activities of the working interdisciplinary network of guardianship stakeholders established in [section 1], including hiring a 0.50 FTE.

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

(2) The legislature intends that the appropriation be considered a part of the ongoing base for the next legislative session.

(3) Money from the appropriation that is not spent during the biennium must revert to the general fund."

Renumber: subsequent sections

Amendment adopted as follows:

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

Total 81

Nays: B. Brown, Burnett, Doane, Flynn, Galloway, Galt, A Hertz, G Hertz, Jones, C Knudsen, Lavin, Mandeville, Manzella, Redfield, Rosendale, Trebas, Tschida, White, Zolnikov.

Total 19

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 70 - Representative Ehli moved **HB 70**, second reading copy, be further amended as follows:

1. Title, line 7.

Following: "APPROPRIATIONS;"

Insert: "PROVIDING AN APPROPRIATION;"

2. Page 2, line 17 and line 18.

Following: "shall"

Strike: "i" on line 17 through "RESOURCES," on line 18

3. Page 2.

Following: line 27

Insert: "NEW SECTION. Section 4. Appropriation. (1) (a) There is appropriated \$120,000 from the general fund to the judicial branch for the fiscal year beginning July 1, 2018, to make grants for public guardianship programs as provided in [section 3].

(b) The appropriation may be used only for direct grants to organizations.

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

(2) The legislature intends that the appropriation be considered a part of the ongoing base for the next legislative session.

(3) Money from the appropriation that is not spent during the biennium must revert to the general fund."

Renumber: subsequent sections

Amendment adopted as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, Z. Brown, Cook, Cuffe, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, Hill-Smith, Holmlund, Hopkins, Jacobson, Karjala, Keane, Kelker, Kipp III, Knokey, Lenz, Loge, Lynch, McCarthy, McConnell, McKamey, Morigeau, Mortensen, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Vinton, Wagoner, Webb, Webber, Welch, Windy Boy, Woods, Mr. Speaker.

Total 75

Nays: B. Brown, Burnett, Court, Doane, Flynn, Galloway, Galt, Glimm, Harris, A Hertz, G Hertz, Jones, C Knudsen, Lavin, Mandeville, Manzella, Noland, Redfield, Regier, Rosendale, Trebas, Tschida, Usher, White, Zolnikov.

Total 25

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 70 - Representative Karjala moved **HB 70** do pass as amended. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, 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, A Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Karjala, Keane, Kelker, Kipp III, Knokey, Loge, Lynch, McCarthy, McConnell, McKamey, Morigeau, Mortensen, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Tschida, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Mr. Speaker.

Total 77

Nays: Berglee, Brodehl, B. Brown, Burnett, Doane, Flynn, Galloway, Galt, Glimm, G Hertz, Jones, C Knudsen, Lavin, Lenz, Mandeville, Manzella, Noland, Redfield, Regier, Rosendale, Trebas, Usher, Zolnikov.

Total 23

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 238 - Representative Anderson moved **HB 238** do pass. Motion **failed** as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Bennett, Berglee, Cook, Custer, Fern, Fitzgerald, Flynn, Galloway, Garner, Glimm, Grubbs, Gunderson, A Hertz, Holmlund, Jones, Knokey, Lavin, Lenz, Loge, Mandeville, McKamey, Mortensen, Noland, O'Hara, Patelis, Redfield, Regier, Rosendale, Sales, Shaw, Trebas, Tschida, Usher, Vinton, Webb, Welch, Mr. Speaker.
Total 41

Nays: Abbott, Bachmeier, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Court, Cuffe, Curdy, Curtis, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fleming, Funk, Galt, Greef, Hamilton, Hamlett, Harris, Hayman, G Hertz, Hill-Smith, Hopkins, Jacobson, Karjala, Keane, Kelker, Kipp III, C Knudsen, Lynch, Manzella, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ricci, Ryan, Schreiner, Skees, Staffanson, Stewart-Per, Swanson, Wagoner, Webber, White, Windy Boy, Woods, Zolnikov.
Total 58

Excused: None.

Total 0

Absent or not voting: Smith.

Total 1

HB 332 - Representative Holmlund moved **HB 332** do pass. Motion carried as follows:

Yeas: Anderson, Bachmeier, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Z. Brown, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Hamilton, Hamlett, Harris, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Karjala, Keane, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Manzella, McCarthy, McKamey, Morigeau, Mortensen, Noland, O'Hara, Patelis, Pierson, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Zolnikov, Mr. Speaker.
Total 76

Nays: Abbott, Bennett, Bishop, Burnett, Dudik, Dunwell, Eck, Gunderson, Hayman, Jacobson, Jones, Kelker, Kipp III, Mandeville, McConnell, Olsen, Peppers, Perry, Price, Stewart-Per, Swanson, Trebas, Tschida, Woods.
Total 24

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 364 - Representative Loge moved **HB 364** do pass. Motion carried as follows:

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

Total 67

Nays: Abbott, Bachmeier, Bennett, Bishop, Court, Cuffe, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Hamilton, Hayman, Karjala, Keane, Kelker, Mandeville, McCarthy, McConnell, Morigeau, Olsen, Perry, Price, Ricci, Ryan, Schreiner, Swanson, Webber, Woods.

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 387 - Representative Wagoner moved **HB 387** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, 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, 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, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Bishop, Cuffe, Doane, Ehli, Garner, C Knudsen, Mandeville, Webb.

Total 8

Excused: None.

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

Total 0

Absent or not voting: None.

Total 0

HB 393 - Representative Zolnikov moved **HB 393** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Kelker, Kipp III, Knokey, C Knudsen, Lenz, Loge, Mandeville, Manzella, McCarthy, McConnell, 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, Vinton, Wagoner, Webb, Webber, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: Bartel, Custer, Hamlett, Keane, Lavin, Lynch, McKamey, Olsen, Usher, Welch.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 494 - Representative Berglee moved **HB 494** do pass. Motion carried as follows:

Yeas: Anderson, Bachmeier, 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 60

Nays: Abbott, 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 40

Excused: None.

Total 0

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

Absent or not voting: None.

Total 0

HB 500 - Representative A. Hertz moved **HB 500** 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

Majority Leader Ehli moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Ricci 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, 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, Zolnikov, Mr. Speaker.

Total 97

Nays: Woods.

Total 1

Excused: None.

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

Total 0

Absent or not voting: Cuffe, Essmann.

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:

SB 85 concurred in as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Bishop, Z. Brown, Burnett, Cook, Court, 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, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart-Per, Swanson, Trebas, Wagoner, Webber, Welch, Windy Boy, Woods, Mr. Speaker.

Total 86

Nays: Berglee, Brodehl, B. Brown, Doane, Regier, Rosendale, Staffanson, Tschida, Usher, Vinton, Webb, White, Zolnikov.

Total 13

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

HB 30 passed as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Burnett, Cook, Court, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Grubbs, Gunderson, Hamlett, Harris, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, 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 90

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

Nays: Abbott, Bachmeier, Z. Brown, Greef, Hamilton, Hayman, Keane, Lynch, McCarthy.
Total 9

Excused: None.
Total 0

Absent or not voting: Cuffe.
Total 1

HB 44 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, Z. Brown, 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, 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: B. Brown, Burnett.
Total 2

Excused: None.
Total 0

Absent or not voting: Cuffe.
Total 1

HB 94 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, 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

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

HB 244 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bennett, Berglee, Bishop, Z. Brown, Cook, Court, 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, Loge, Lynch, McCarthy, McConnell, McKamey, Morigeau, Olsen, Patelis, Peppers, Perry, Pierson, Price, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart-Per, Swanson, Usher, Vinton, Webber, Welch, Windy Boy, Woods, Zolnikov.

Total 69

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

Total 30

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

HB 325 passed as follows:

Yeas: Anderson, Bachmeier, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Custer, Doane, Eck, Ehli, Essmann, Fern, Fleming, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jacobson, Jones, Keane, Kipp III, 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 69

Nays: Abbott, Bennett, Bishop, Court, Curdy, Curtis, Dudik, Dunwell, Ellis, Fitzgerald, Funk, Hamilton, Hamlett, Hayman, Hill-Smith, Karjala, Kelker, McConnell, Morigeau, Olsen, Perry, Price, Ryan, Sales, Schreiner, Smith, Swanson, Webber, Windy Boy, Woods.

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

Total 30

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

HB 346 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, 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: Regier.

Total 1

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

HB 348 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, 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 58

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.

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

Total 41

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

HB 360 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, 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, Mr. Speaker.

Total 96

Nays: Essmann, Regier, Zolnikov.

Total 3

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

HB 362 passed as follows:

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

Total 91

Nays: Ballance, Brodehl, Doane, C Knudsen, Manzella, Rosendale, Skees, Zolnikov.

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

Total 8

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

HB 367 passed as follows:

Yeas: Anderson, Bachmeier, Ballance, Bartel, Beard, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, 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, Perry, Pierson, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Staffanson, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Zolnikov, Mr. Speaker.

Total 79

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

Total 20

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

HB 373 passed as follows:

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

Total 79

Nays: Brodehl, B. Brown, Doane, Essmann, Galloway, Glimm, Hopkins, Lenz, Mandeville, Manzella, Mortensen, Noland, Patelis, Regier, Rosendale, Staffanson, Stewart-Per, Tschida, Windy Boy, Zolnikov.

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

Total 20

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

HB 381 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, B. Brown, Z. Brown, 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, Keane, Kipp III, Knokey, Lavin, Lenz, Loge, Lynch, Mandeville, McCarthy, McConnell, McKamey, Morigeau, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Ricci, Sales, Schreiner, Shaw, Skees, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Mr. Speaker.

Total 87

Nays: Brodehl, Burnett, Karjala, Kelker, C Knudsen, Manzella, Mortensen, Regier, Rosendale, Ryan, Smith, Zolnikov.

Total 12

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

HB 384 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Court, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, 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 98

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

Nays: Cook.

Total 1

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

HB 432 passed as follows:

Yeas: Anderson, Bachmeier, Ballance, Beard, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Curtis, Custer, Doane, Dudik, Eck, Ehli, Essmann, Fern, Fitzgerald, Fleming, Galloway, Galt, Garner, Glimm, Greef, Gunderson, Hamilton, Hamlett, Harris, A Hertz, G Hertz, Hopkins, Jacobson, Jones, Karjala, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McCarthy, Morigeau, Mortensen, Noland, O'Hara, Patelis, Peppers, Price, Regier, 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 75

Nays: Abbott, Bartel, Bennett, Court, Curdy, Dunwell, Ellis, Flynn, Funk, Grubbs, Hayman, Hill-Smith, Holmlund, Keane, Lynch, McConnell, McKamey, Olsen, Perry, Pierson, Redfield, Ricci, Sales, Swanson.

Total 24

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

HB 433 passed as follows:

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

Total 56

Nays: Abbott, Bachmeier, Ballance, Beard, Bennett, Bishop, Z. Brown, Burnett, Cook, Court, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Galloway, Garner, Grubbs, Hamilton, Hayman, Hill-Smith, Kelker, Lynch, McCarthy, McConnell, McKamey, Morigeau,

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

Olsen, Perry, Pierson, Ricci, Ryan, Sales, Shaw, Stewart-Per, Swanson, Trebas, Webber, Woods.
Total 43

Excused: None.
Total 0

Absent or not voting: Cuffe.
Total 1

MOTIONS

Representative Ehli moved to re-refer **HB 17** to the Appropriations Committee. Without objection, so ordered.

Representative Ehli moved to re-refer **HB 70** to the Appropriations Committee. Without objection, so ordered.

Representative Ehli moved re-refer **HB 332** to the Appropriations Committee. Without objection, so ordered.

Representative Ehli moved to re-refer **HB 387** to the Appropriations Committee. Without objection, so ordered.

Representative Bishop moved to reconsider action on **HB 142** and that **HB 142** be placed on second reading on the 40th legislative day.

Motion passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bennett, Bishop, Z. Brown, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fern, Fleming, Funk, Galloway, Garner, 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, Shaw, Smith, Stewart-Per, Swanson, Trebas, Webber, Welch, Windy Boy, Woods.
Total 52

Nays: Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Doane, Essmann, Fitzgerald, Flynn, 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, Skees, Staffanson, Tschida, Usher, Vinton, Wagoner, Webb, White, Zolnikov, Mr. Speaker.
Total 46

Excused: None.
Total 0

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

Absent or not voting: Cuffe, Grubbs.

Total 2

Representative Bachmeier moved to change his vote on **HB 367** from No to Yes. Without objection, so ordered.

Representative Hamlett moved that **HB 336** be taken from Transportation and be placed on second reading on the 40th legislative day.

Motion **failed** as follows:

Yeas: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Court, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Hamlett, Hayman, Hill-Smith, Jacobson, Karjala, Keane, Kelker, Kipp III, Lynch, McCarthy, McConnell, McKamey, 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, Cook, Custer, Doane, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jones, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, 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 58

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

Representative Skees moved to change his vote on **HB 500** from Not Voting to Yes. Without objection, so ordered.

HOUSE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - FEBRUARY 22, 2017

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Ehli moved that the House adjourn until 1:00 p.m., Thursday, February 23, 2017. Motion carried.

House adjourned at 3:17 p.m.

LINDSEY VROEGINDEWEY
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House