

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

Helena, Montana
February 23, 2017

House Chambers
State Capitol

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

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

BILLS (Ricci, Chair):

2/23/2017

Correctly printed: **HB 17, HB 168, HB 332, HB 344, HB 345, HB 364, HB 387, HB 393, HB 407, HB 428, HB 455, HB 456, HB 470, HB 474, HB 478, HB 482, HB 492, HB 494, HB 500, HB 507, HB 510, HB 525, HB 532, HB 557, HB 558, HB 559, HB 560, HB 561, HJR 14, HJR 15.**

Correctly engrossed: **HB 70.**

Transmitted to the Senate: **HB 168, HB 344, HB 364, HB 393, HB 494, HB 500.**

Delivered to the Governor for approval at 9:21 a.m., February 23, 2017: **HB 26, HB 41, HB 48, HB 49, HB 53, HB 79, HB 112, HB 159, HB 258, HB 278, HB 300.**

Delivered to the Secretary of State at 10:55 a.m., February 23, 2017: **HJR 1.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ballance, Chair):

2/22/2017

HB 324, introduced bill, be amended as follows:

1. Title, page 1, line 18.

Strike: "DATE"

Insert: "AND A TERMINATION DATE"

2. Page 23, line 15.

Following: "23-2-404,"

Insert: "except for the Eden Bridge and Camp Baker fishing access sites,"

3. Page 59, line 10.

Following: line 9

Insert: "NEW SECTION. Section 59. Legislative intent. It is the intent of the legislature that the department of fish, wildlife, and parks and the state parks and recreation board operate within the appropriation for the department of fish, wildlife, and parks as set forth in House Bill No. 2 for the biennium beginning July 1, 2017."

Renumber: subsequent sections

4. Page 60.

Following: line 1

Insert: "NEW SECTION. Section 65. Termination. [This act] terminates June 30, 2023."

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And, as amended, do pass. Report adopted.

HB 383, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Following: "RATES;"

Insert: "INCREASING LENGTH OF MEMBERSHIP SERVICE FOR BENEFITS FOR EMPLOYEES HIRED ON OR AFTER JULY 1, 2017;"

2. Title, page 1, line 10.

Following: "19-7-403,"

Strike: "AND"

Following: "19-7-404,"

Insert: "19-7-501, 19-7-502, 19-7-601, AND 19-7-901,"

3. Page 5, line 25.

Following: line 24

Insert: "**Section 4.** Section 19-7-501, MCA, is amended to read:

"19-7-501. Eligibility for service retirement. (1) Subject to a member's right to a refund of the member's accumulated contributions under Title 19, chapter 2, part 6, a member hired prior to July 1, 2017, who has completed at least 20 years of membership service or a member hired on or after July 1, 2017, who has completed at least 25 years, is eligible for a nonforfeitable service retirement benefit under 19-7-503.

(2) For purposes of compliance with section 411 of the Internal Revenue Code, 26 U.S.C. 411, a vested member who has attained the later of age 50 or the completion of membership service of 20 years for a member hired prior to July 1, 2017, or of 25 years for a member hired on or after July 1, 2017, ~~of membership service~~ has attained normal retirement age and has a nonforfeitable right to the member's service retirement."

Insert: "**Section 5.** Section 19-7-502, MCA, is amended to read:

"19-7-502. Retirement option. (1)(a) A member hired prior to July 1, 2017, with at least 5 but less than 20 years of membership service may retire with a retirement benefit commencing no sooner than the first day of the month following the member's 50th birthday.

(b) A member hired on or after July 1, 2017, with at least 5 but less than 25 years of membership service may retire with a retirement benefit commencing no sooner than the first day of the month following the member's 50th birthday.

(2)(a) The retirement benefit must be calculated to be the actuarial equivalent of the member's service retirement benefit as otherwise accrued, based upon payment commencing when the member hired before July 1, 2017, would have completed 20 years of membership service or reached age 60, whichever event would have occurred first.

(b) The retirement benefit must be calculated to be the actuarial equivalent of the member's service retirement benefit as otherwise accrued, based upon payment commencing when the member hired on or after July 1, 2017, would have completed 25 years of membership service or reached age 60, whichever event would have occurred first."

Insert: "**Section 6.** Section 19-7-601, MCA, is amended to read:

"19-7-601. Disability retirement benefit. (1) Except as provided in subsection (2), a

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vested member who becomes disabled must be granted a disability retirement benefit that is the actuarial equivalent of the service retirement benefit under 19-7-503 standing to the member's credit at the time of the member's disability retirement.

(2) A vested or nonvested member who becomes disabled as a direct result of the member's service in the line of duty must be granted a disability retirement benefit as follows:

(a) A member hired prior to July 1, 2017, who becomes disabled:

~~(a)~~(i) before completing 20 years of membership service must receive a disability retirement benefit equal to one-half the member's highest average compensation; or

~~(b)~~(ii) after completing 20 years or more of membership service must receive a disability retirement benefit equal to 2.5% of the member's highest average compensation for each year of service credit.

(b) A member hired on or after July 1, 2017, who becomes disabled:

(i) before completing 25 years of membership service must receive a disability retirement benefit equal to one-half the member's highest average compensation; or

(ii) after completing 25 years or more of membership service must receive a disability retirement benefit equal to 2.5% of the member's highest average compensation for each year of service credit."

Insert: "**Section 7.** Section 19-7-901, MCA, is amended to read:

"19-7-901. Payments in case of death before retirement. If a member dies before retirement, the member's designated beneficiary may elect one of the following options for which the member qualified and for which the designated beneficiary qualifies:

(1) a lump-sum payment of the accumulated contributions standing to the member's credit at the member's death;

(2) a survivorship benefit equal to 2.5% of the member's highest average compensation for each year of service credit actuarially reduced from age 60 or the date on which the member would have completed 20 years of membership service for a member hired prior to July 1, 2017, or 25 years of membership service for a member hired on or after July 1, 2017, whichever provides a larger retirement benefit; or

(3) a survivorship benefit that is no less than one-half of the member's highest average compensation if the board finds that the member died as a direct and proximate result of injuries received in the course of employment."

And, as amended, do pass. Report adopted.

EDUCATION (Berglee, Chair):

2/22/2017

HB 134, introduced bill, be amended as follows:

1. Title, page 1, line 8 through line 9.

Strike: "ELIMINATING" on line 8 through "PROCEEDS;" on line 9

2. Title, page 1, line 11.

Strike: "FACILITY" through "PROGRAM"

Insert: "DEBT SERVICE ASSISTANCE"

3. Title, page 1, line 11, through page 1, line 13.

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Strike: "UTILIZING" on line 11 through "GRANTS;" on line 13

4. Title, page 1, line 16.

Strike: "ELIMINATING" through "PROGRAM;"

Insert: "PROVIDING A STATUTORY APPROPRIATION;"

Strike: "7-15-4286,"

5. Title, page 1, line 17.

Strike: "20-9-141, 20-9-306, 20-9-342,"

Strike: "20-9-344,"

Strike: "20-9-620,"

6. Title, page 1, line 18.

Strike: "20-26-606, 23-7-202, 23-7-402,"

7. Title, page 1, line 19.

Strike: "REPEALING" through "MCA;"

8. Page 1, line 24 through page 2, line 14.

Strike: section 1 in its entirety

Renumber: subsequent sections

9. Page 3, line 7.

Strike: "guarantee" through "20-9-622"

Insert: "school debt service assistance account provided for in 20-9-516"

10. Page 3, line 24.

Following: "20-8-107;"

Insert: "20-9-516;"

Following: "~~20-26-617;~~"

Insert: "20-26-617;"

11. Page 7, line 3 through page 13, line 16.

Strike: sections 5 through 7 in their entirety

Renumber: subsequent sections

12. Page 13, line 29.

Strike: "[section 12]"

Insert: "20-9-516(2)(a)"

13. Page 14, line 4 through page 15, line 25.

Strike: section 9 in its entirety

Renumber: subsequent sections

14. Page 16, line 11.

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Following: "fund"

Insert: "in support of the debt service fund"

15. Page 16, line 16.

Strike: "The" through "money"

Insert: "Money in the account is statutorily appropriated, as provided in 17-7-502, to the office of public instruction to distribute"

16. Page 16, line 27 through line 28.

Strike: "The" through "23-7-402"

Insert: "There must be deposited in the account:

(a) an amount of money equal to the income attributable to the difference between the average sale value of 18 million board feet and the total income produced from the annual timber harvest on common school trust lands during the fiscal year;

(b) the income received from certain lands and riverbeds as provided in 17-3-1003(5); and

(c) any workers' compensation dividends refunded to state agencies pursuant to 39-71-403"

17. Page 17, line 4 through page 17, line 12.

Strike: ":" on line 4 through "million" on line 12

Insert: "any interest and income revenue pursuant to 20-9-622(2)(a)"

18. Page 17, line 23 through line 29.

Strike: section 14 in its entirety

Renumber: subsequent sections

19. Page 18, line 13.

Strike: "12"

Insert: "7"

20. Page 18, line 29 through page 21, line 24.

Strike: section 16 through section 18 in their entirety

Renumber: subsequent sections

21. Page 22, line 18 through line 19.

Strike: "facility" on line 18 through "12]" on line 19

Insert: "debt service assistance account provided for in 20-9-516"

22. Page 25, line 10.

Strike: "12"

Insert: "7"

23. Page 25, line 15.

Strike: "12"

Insert: "7"

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24. Page 29, line 7.

Following: "inventory"

Insert: "or capital improvement plan"

25. Page 29, line 8.

Following: "that"

Insert: ":

(i)"

Renumber: subsequent subsections

26. Page 29, line 9.

Strike: "and includes:"

Insert: ";

27. Page 29, line 10.

Following: "(i)"

Insert: "includes"

28. Page 29, line 11.

Strike: "evidence that"

Insert: "demonstrates how"

29. Page 29, line 14.

Strike: "by the consistent"

Insert: "through community utilization of the building and through the "

30. Page 29, line 24 through line 29.

Strike: section 26 in its entirety

Renumber: subsequent sections

31. Page 30, line 1 and line 2.

Strike: "12"

Insert: "7"

And, as amended, do pass. Report adopted.

HB 372, do pass. Report adopted.

HB 376, do pass. Report adopted.

HB 418, introduced bill, be amended as follows:

1. Title, page 1, line 9.

Strike: "PROVIDING AN APPROPRIATION;"

2. Page 2, line 17 through line 24.

Strike: section 2 in its entirety

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Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 421, do pass. Report adopted.

HUMAN SERVICES (Wagoner, Chair):

2/22/2017

HB 386, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: "THROUGH"

Strike: "TELEHEALTH"

Insert: "TELEMEDICINE"

Strike: ""TELEHEALTH""

Insert: ""TELEMEDICINE""

2. Page 1, line 27.

Strike: "telehealth"

Insert: "telemedicine"

3. Page 2, line 12 through line 14.

Strike: subsection (11) in its entirety

Insert: "(11) "Telemedicine" has the meaning provided in 33-22-138."

And, as amended, do pass. Report adopted.

HB 389, introduced bill, be amended as follows:

1. Page 3, line 7.

Strike: "Schedules II through V"

Insert: "Schedule II"

2. Page 3, line 24.

Following: "for a"

Insert: "Schedule II"

And, as amended, do pass. Report adopted.

HB 409, do pass. Report adopted.

SB 82, be concurred in. Report adopted.

TAXATION (Essmann, Chair):

2/23/2017

HB 516, introduced bill, be amended as follows:

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

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Strike: "AND" on line 5 through "BROUGHT" on line 6

2. Page 1, line 12.

Following: "taxes"

Insert: "of \$250,000 or more"

3. Page 1, line 12 through line 13.

Strike: "the taxing" on line 12 through "land" on line 13

Insert: "all taxing jurisdictions"

4. Page 1, line 14 through line 18.

Strike: subsection (2) in its entirety

Insert: "(2) A civil action may be brought as provided in this section for property that was offered for tax lien sale pursuant to 15-17-211 and for which the tax lien failed to sell in at least three successive sales."

5. Page 1, line 21 through line 22.

Strike: "(a)" on line 21 through "prevails" on line 22

Insert: "Reasonable attorney fees must be awarded to the prevailing party"

6. Page 1, line 23 through line 24.

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

7. Page 1, line 25.

Following: line 24

Insert: "(5) If the taxing jurisdiction prevails in the civil action provided for in this section, the taxpayer shall pay interest and penalties as provided in 15-16-101(1)(b). The interest and penalties must be distributed to the funds to which the taxes are distributed in the same proportion as the taxes are distributed."

And, as amended, do pass. Report adopted.

SB 86, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/21/2017

SB 79, introduced by Fitzpatrick

SB 150, introduced by D. Brown

SB 171, introduced by C. Smith

SB 175, introduced by R. Webb

SB 176, introduced by R. Webb

SB 177, introduced by R. Webb

SB 184, introduced by Moore

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Senate joint resolutions passed and transmitted to the House for concurrence: 2/21/2017
SJR 5, introduced by Phillips
SJR 11, introduced by K. Regier
House amendments to Senate bill concurred in: 2/22/2017
SB 131, introduced by Thomas
House bill concurred in and returned to the House: 2/21/2017
HB 232, introduced by Holmlund

MESSAGES FROM THE GOVERNOR

February 23, 2017

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

Dear Speaker Knudsen:

On Thursday, February 23, 2017, I signed the following bills:

HB 82 - J. Bachmeier
HB 91 - G. Pierson
HB 111 - R. Lynch
HB 130 - Z. Perry
HB 191 - S. Berglee
HB 207 - B. Bennett
HB 237 - R. Ehli
HB 241 - A. Doane

I am returning House Bill 65 - K. Holmlund with amendments.

I have vetoed House Bill 262 - B. Harris and HB 246 - R. Brodehl.

Sincerely,

STEVE BULLOCK
Governor

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February 22, 2017

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

Dear Speaker Knudsen:

On Wednesday, February 22, 2017, I signed the following bills:

HB 67 - M. Ryan
HB 68 - M. Ryan
HB 233 - R. Ehli
HB 150 - K. White

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

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

HB 562, introduced by C. Knudsen, M. Blasdel, M. Hopkins, D. Jones, A. Knudsen, T. Manzella, D. Mortensen, A. Rosendale, R. Shaw, D. Skees, referred to Judiciary.

HB 563, introduced by K. Kelker, L. Bishop, V. Court, W. Curdy, K. Dudik, M. Dunwell, J. Eck, J. Ellis, D. Fern, M. Funk, J. Hamilton, B. Hamlett, D. Hayman, J. Karjala, J. Keane, K. McCarthy, N. McConnell, S. Morigeau, A. Olsen, R. Peppers, Z. Perry, J. Price, M. Ryan, C. Schreiner, B. Smith, K. Swanson, T. Woods, referred to Education.

HB 564, introduced by J. Patelis, M. Blasdel, R. Cook, A. Curtis, R. Fitzgerald, W. Galt, E. Hill Smith, M. Hopkins, J. Keane, J. Knokey, S. Lavin, R. Lynch, D. Mortensen, R. Shaw, D. Skees, S. Vinton, D. Zolnikov, referred to Business and Labor.

HB 565, introduced by R. Cook, referred to Appropriations.

HB 566, introduced by A. Redfield, referred to Judiciary.

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

SB 79, introduced by S. Fitzpatrick, referred to Local Government.

SB 150, introduced by D. Brown, referred to Taxation.

SB 152, introduced by J. Sesso, referred to State Administration.

SB 158, introduced by M. MacDonald, referred to State Administration.

SB 171, introduced by C. Smith, referred to Fish, Wildlife and Parks.

SB 175, introduced by R. Webb, referred to Judiciary.

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SB 176, introduced by R. Webb, referred to Judiciary.

SB 177, introduced by R. Webb, referred to Local Government.

SB 184, introduced by F. Moore, referred to Business and Labor.

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

SJR 5, introduced by M. Phillips, referred to Energy, Technology, and Federal Relations.

SJR 11, introduced by K. Regier, referred to Judiciary.

**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 Zolnikov in the chair.

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

HB 137 - Representative Funk moved **HB 137** do pass. Motion carried as follows:

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

Total 82

Nays: Berglee, Brodehl, B. Brown, Doane, Flynn, Harris, Hopkins, Mandeville, Mortensen, Redfield, Regier, Skees, Staffanson, Tschida, Wagoner, White, Zolnikov.

Total 17

Excused: None.

Total 0

Absent or not voting: Noland.

Total 1

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

Yeas: Abbott, Anderson, Bachmeier, Bennett, Bishop, Z. Brown, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ellis, Fern, Fitzgerald, Fleming, Funk, Galloway, Garner, Grubbs,

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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 53

Nays: Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, 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 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 407 - Representative A. Hertz moved **HB 407** 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, 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: Dunwell, Olsen, Peppers.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 408 - Representative Lavin moved **HB 408** do pass. Motion carried as follows:

Yeas: Abbott, Bennett, Bishop, Court, Cuffe, Curdy, Dudik, Dunwell, Eck, Ellis, Fern, Fitzgerald,

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Fleming, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Jacobson, Karjala, Kelker, Kipp III, Knokey, Lavin, Loge, Lynch, McCarthy, McConnell, McKamey, Morigeau, Olsen, Patelis, Peppers, Perry, Pierson, Price, Ricci, Ryan, Shaw, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Webb, Webber.
Total 52

Nays: Anderson, Bachmeier, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Curtis, Custer, Doane, Ehli, Essmann, Flynn, Funk, Galloway, Galt, Glimm, Harris, Hopkins, Jones, Keane, C Knudsen, Lenz, Mandeville, Manzella, Mortensen, Noland, O'Hara, Redfield, Regier, Rosendale, Sales, Schreiner, Skees, Tschida, Usher, Vinton, Wagoner, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.
Total 48

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 455 - Representative Mandeville moved **HB 455** do pass. Motion carried as follows:

Yeas: Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzgerald, Flynn, 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, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Zolnikov, Mr. Speaker.
Total 56

Nays: Abbott, Anderson, Bachmeier, Bennett, Bishop, Z. Brown, Court, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Galloway, 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, Trebas, Webber, Windy Boy, Woods.
Total 44

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 456 - Representative Mandeville moved **HB 456** do pass. Motion carried as follows:

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

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

Total 98

Nays: Olsen, Smith.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 470 - Representative Sheldon-Galloway moved **HB 470** 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, 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 98

Nays: McCarthy, Ryan.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 474 - Representative Shaw moved **HB 474** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, 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, 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, Loge, Lynch, Mandeville, McCarthy, McConnell, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Burnett, Cuffe, Lenz, Manzella, McKamey, Tschida, Windy Boy.

Total 7

Excused: None.

Total 0

Absent or not voting: Greef.

Total 1

HB 482 - Representative Eck moved **HB 482** 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

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HB 492 - Representative Hayman moved **HB 492** 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, Mr. Speaker.

Total 99

Nays: Zolnikov.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 507 - Representative Dunwell moved **HB 507**, second reading copy, be amended as follows:

1. Page 3, line 3 through line 4.

Following: "(iii)"

Strike: "The reviewing authority may only review resubmitted applications for information found to be deficient during the previous review of the application."

Amendment **not** adopted as follows:

Yeas: Abbott, Bachmeier, Bennett, Bishop, Court, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fleming, Funk, Hamilton, Hamlett, Hayman, Hill-Smith, Jacobson, Karjala, Keane, Kelker, Lynch, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Ryan, Schreiner, Smith, Swanson, Webber, Windy Boy, Woods.

Total 35

Nays: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fern, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jones, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McCarthy, McKamey, Mortensen, Noland, O'Hara, Patelis, Price, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Staffanson, Stewart-Per, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch,

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White, Zolnikov, Mr. Speaker.

Total 65

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 507 - Representative Mandeville moved **HB 507** 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, Custer, Doane, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harris, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McKamey, Morigeau, Mortensen, Noland, O'Hara, Patelis, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Sales, Schreiner, Shaw, Skees, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Zolnikov, Mr. Speaker.

Total 84

Nays: Curdy, Curtis, Dudik, Dunwell, Eck, Funk, Hamilton, Hayman, Karjala, McConnell, Olsen, Peppers, Ryan, Smith, Windy Boy, Woods.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 510 - Representative A. Hertz moved **HB 510** 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, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Mr. Speaker.

Total 97

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Nays: Zolnikov.
Total 1

Excused: None.
Total 0

Absent or not voting: Hayman, Olsen.
Total 2

Majority Leader Ehli moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Zolnikov 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, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, 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, Woods, Mr. Speaker.
Total 96

Nays: Windy Boy, Zolnikov.
Total 2

Excused: None.
Total 0

Absent or not voting: Cuffe, McConnell.
Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 168 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bartel, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fern, Fitzgerald, Fleming, Funk, Galloway, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones,

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Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lenz, Loge, Lynch, Mandeville, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.
Total 88

Nays: Ballance, Beard, Essmann, Flynn, Galt, Garner, Lavin, Manzella, Regier, Rosendale, Tschida.
Total 11

Excused: None.
Total 0

Absent or not voting: Cuffe.
Total 1

HB 344 passed 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, 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: Brodehl, Galt.
Total 2

Excused: None.
Total 0

Absent or not voting: Cuffe.
Total 1

HB 364 passed 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, Holmlund, Hopkins, Jacobson, Jones,

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Keane, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Manzella, McKamey, Mortensen, Noland, O'Hara, Patelis, Peppers, Pierson, Redfield, Regier, Rosendale, Sales, Shaw, Skees, Staffanson, Stewart-Per, Trebas, Tschida, Usher, Vinton, Webb, Welch, White, Windy Boy, Zolnikov, Mr. Speaker.

Total 64

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

Total 35

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

HB 393 passed as follows:

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

Total 92

Nays: Custer, Hamlett, Keane, Lynch, McCarthy, Olsen, Welch.

Total 7

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

HB 494 passed as follows:

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

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Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Patelis, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Windy Boy, Zolnikov, Mr. Speaker.
Total 62

Nays: Abbott, Bennett, Bishop, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Hamilton, Hamlett, Hayman, Hill-Smith, Jacobson, Karjala, Keane, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Schreiner, Smith, Stewart-Per, Swanson, Webber, Woods.
Total 37

Excused: None.
Total 0

Absent or not voting: Cuffe.
Total 1

HB 500 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

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Cuffe.
Total 1

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MOTIONS

Representative Ehli moved to re-refer **HB 408** to the Appropriations Committee. Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Ehli moved that the House adjourn until 1:00 p.m., Friday, February 24, 2017. Motion carried.

House adjourned at 2:22 p.m.

LINDSEY VROEGINDEWEY
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House