

**HOUSE JOURNAL  
65TH LEGISLATURE  
FORTY-THIRD LEGISLATIVE DAY**

Helena, Montana  
February 27, 2017

House Chambers  
State Capitol

House convened at 10:00 a.m. Mr. Speaker presiding. Invocation by Representative Fitzgerald. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representative Kipp III, excused. Quorum present.

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

2/27/2017

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 12:00 p.m., Saturday, February 25, 2017:

Darra Perdaems, Bozeman  
Paige Robinson, Gardiner  
Matthew Knuffke, Glacier  
Madison Tyson, Helena  
Grace Akiestad, Shelby  
Ian Caltabiano, Whitefish  
Thomas Frost, Broadwater  
Tate Carter, Billings  
Carly Behr, Conrad

and recommend that the following pages of the House be employed as of 8:00 a.m., Monday, February 27, 2017:

Jean Hampton, Helena  
Trevor Nelson, Helena  
Rianne Downing, Helena

Report Adopted.

**BILLS** (Ricci, Chair):

2/27/2017

Correctly printed: **HB 324, HB 358, HB 372, HB 376, HB 386, HB 389, HB 447, HB 458, HB 459, HB 460, HB 471, HB 476, HB 485, HB 495, HB 496, HB 498, HB 501, HB 509, HB 516, HB 517, HB 520, HB 521, HB 523, HB 531, HB 533, HB 541, HJR 2, HJR 15.**

Correctly engrossed: **HB 123, HB 298, HB 351, HB 368, HB 400, HB 424, HB 426, HB 469, HB 475, HB 481, HB 487, HB 514, HB 555, HJR 9, HJR 12.**

Transmitted to the Senate: **HB 324, HB 358, HB 372, HB 376, HB 386, HB 389, HB 447, HB 496, HB 501, HB 516, HB 520, HB 521, HB 523, HB 531, HB 541.**

Delivered to the Secretary of State at 9:30 a.m., February 27, 2017: **HJR 5.**

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Signed by the Chief Clerk of the House at 8:30 a.m., February 27, 2017: **HB 232.**

**REPORTS OF STANDING COMMITTEES**

**JUDICIARY** (Doane, Chair):

2/27/2017

**HB 351**, introduced bill, be amended as follows:

1. Title, page 1, line 5.

**Strike:** "REVISING DUTIES OF FOSTER CARE REVIEW COMMITTEES;"

2. Title, page 1, line 6.

**Strike:** "SECTIONS 41-3-115 AND"

**Insert:** "SECTION"

3. Page 1, line 9 through page 7, line 15.

**Strike:** everything after the enacting clause

**Insert:** "**Section 1.** Section 41-3-445, MCA, is amended to read:

"**41-3-445. Permanency hearing.** (1) (a) (i) Subject to subsection (1)(b), a permanency hearing must be held by the court or, subject to the approval of the court and absent an objection by a party to the proceeding, by the foster care review committee, as provided in 41-3-115, or the citizen review board, as provided in 41-3-1010:

(A) within 30 days of a determination that reasonable efforts to provide preservation or reunification services are not necessary under 41-3-423, 41-3-438(6), or 41-3-442(1); or

(B) no later than 12 months after the initial court finding that the child has been subjected to abuse or neglect or 12 months after the child's first 60 days of removal from the home, whichever comes first.

(ii) Within 12 months of a hearing under subsection (1)(a)(i)(B) and every 12 months thereafter until the child is permanently placed in either an adoptive or a guardianship placement, the court or the court-approved entity holding the permanency hearing shall conduct a hearing and the court shall issue a finding as to whether the department has made reasonable efforts to finalize the permanency plan for the child.

(b) A permanency hearing is not required if the proceeding has been dismissed, the child was not removed from the home, the child has been returned to the child's parent or guardian, or the child has been legally adopted or appointed a legal guardian.

(c) The permanency hearing may be combined with a hearing that is required in other sections of this part or with a review held pursuant to 41-3-115 or 41-3-1010 if held within the applicable time limits. If a permanency hearing is combined with another hearing or a review, the requirements of the court related to the disposition of the other hearing or review must be met in addition to the requirements of this section.

(d) The court-approved entity conducting the permanency hearing may elect to hold joint or separate reviews for groups of siblings, but the court shall issue specific findings for each child.

(2) At least 3 working days prior to the permanency hearing, the department shall submit a report regarding the child to the entity that will be conducting the hearing for review. The report must address the department's efforts to effectuate the permanency plan for the child, address the options for the child's permanent placement, examine the reasons for excluding higher priority

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options, and set forth the proposed plan to carry out the placement decision, including specific times for achieving the plan.

(3) At least 3 working days prior to the permanency hearing, the guardian ad litem or an attorney or advocate for a parent or guardian may submit an informational report to the entity that will be conducting the hearing for review.

(4) In a permanency hearing, the court or other entity conducting the hearing shall consult, in an age-appropriate manner, with the child regarding the proposed permanency or transition plan for the child.

(5) (a) The court's order must be issued within 20 days after the permanency hearing if the hearing was conducted by the court. If a member of the child's extended family, including an adult sibling, grandparent, great-grandparent, aunt, or uncle, has requested that custody be awarded to that family member or that a prior grant of temporary custody with that family member be made permanent, the department shall investigate and determine if awarding custody to that family member is in the best interests of the child. The department shall provide the reasons for any denial to the court. If the court accepts the department's custody recommendation, the court shall inform any denied family member of the reasons for the denial to the extent that confidentiality laws allow. The court shall include the reasons for denial in the court order if the family member who is denied custody requests it to be included.

(b) If an entity other than the court conducts the hearing, the entity shall keep minutes of the hearing and the minutes and written recommendations must be provided to the court within 20 days of the hearing.

(c) If an entity other than the court conducts the hearing and the court concurs with the recommendations, the court may adopt the recommendations as findings with no additional hearing required. In this case, the court shall issue written findings within 10 days of receipt of the written recommendations.

(6) The court shall approve a specific permanency plan for the child and make written findings on:

(a) whether the child has been asked about the desired permanency outcome;

~~(a)~~(b) whether the permanency plan is in the best interests of the child;

(c) whether the department has made reasonable efforts to effectuate the permanency plan for the individual child;

~~(b)~~(d) whether the department has made reasonable efforts to finalize the plan; and

(e) whether there are compelling reasons why it is not in the best interest of the individual child to:

(i) return to the child's home; or

(ii) be placed for adoption, with a legal guardian, or with a fit and willing relative; and

~~(e)~~(f) other necessary steps that the department is required to take to effectuate the terms of the plan.

(7) In its discretion, the court may enter any other order that it determines to be in the best interests of the child that does not conflict with the options provided in subsection (8) and that does not require an expenditure of money by the department unless the court finds after notice and a hearing that the expenditures are reasonable and that resources are available for payment. The department is the payor of last resort after all family, insurance, and other resources have been examined.

(8) Permanency options include:

(a) reunification of the child with the child's parent or guardian;

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(b) permanent placement of the child with the noncustodial parent, superseding any existing custodial order;

(c) adoption;

(d) appointment of a guardian pursuant to 41-3-444; or

(e) long-term custody if the child is in a planned permanent living arrangement and if it is established by a preponderance of the evidence, which is reflected in specific findings by the court, that:

(i) the child is being cared for by a fit and willing relative;

(ii) the child has an emotional or mental handicap that is so severe that the child cannot function in a family setting and the best interests of the child are served by placement in a residential or group setting;

(iii) the child is at least 16 years of age and is participating in an independent living program and that termination of parental rights is not in the best interests of the child;

(iv) the child's parent is incarcerated and circumstances, including placement of the child and continued, frequent contact with the parent, indicate that it would not be in the best interests of the child to terminate parental rights of that parent; or

(v) the child meets the following criteria:

(A) the child has been adjudicated a youth in need of care;

(B) the department has made reasonable efforts to reunite the parent and child, further efforts by the department would likely be unproductive, and reunification of the child with the parent or guardian would be contrary to the best interests of the child;

(C) there is a judicial finding that other more permanent placement options for the child have been considered and found to be inappropriate or not to be in the best interests of the child; and

(D) the child has been in a placement in which the foster parent or relative has committed to the long-term care and to a relationship with the child, and it is in the best interests of the child to remain in that placement.

(9) For a child 14 years of age or older, the permanency plan must:

(a) be developed in consultation with the child and in consultation with up to two members of the child's case planning team who are chosen by the child and who are not a foster parent or social worker for the child;

(b) identify one person from the case management team, who is selected by the child, to be designated as the child's advisor and advocate for the application of the reasonable and prudent parenting standard; and

(c) include services that will be needed to transition the child from foster care to adulthood.

(10) A permanency hearing must document the intensive, ongoing, and unsuccessful efforts made by the department to return the child to the child's home or to secure a permanent placement of the child with a relative, legal guardian, or adoptive parent.

~~(9)~~(11) The court may terminate a planned permanent living arrangement upon petition of the birth parents or the department if the court finds that the circumstances of the child or family have substantially changed and the best interests of the child are no longer being served.""

And, as amended, do pass. Report adopted.

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**HB 426**, introduced bill, be amended as follows:

1. Page 1, line 10 through page 2, line 18.

**Strike:** everything after the enacting clause

**Insert:** "NEW SECTION. Section 1. Telephone account requirements for state prisons -- protected accounts -- disclosure required -- rulemaking -- definitions. (1) A state prison shall, to the extent feasible, contract with a telecommunications service provider to provide communications services for inmates that:

- (a) provides public safety precautions required by the department of corrections;
- (b) prohibits expiration of prepaid minutes or charges;
- (c) does not charge additional usage or dormancy fees;
- (d) does not charge excessive intrastate fees that are greater than 10 cents a minute;
- (e) does not require monthly usage fees; and
- (f) allows rollover of unused, prepaid minutes into the next month unless the inmate for whom the account was set up is no longer able to use the telephone account, whether for disciplinary reasons or other reasons specified by department rule. No refund is required for unexpired minutes subject to this subsection (1)(f).

(2) Every contract entered into by a state prison for communications services under subsection (1) must require the telecommunications service provider to notify the purchaser of a prepaid telephone account of any fees or refunds that are available for unused minutes on a prepaid telephone card and that requested refunds may be mailed to the purchaser's address of record.

(3) The department of corrections has rulemaking authority to implement this section and shall notify the public service commission of the allowable rate that a telecommunications service provider may charge for intrastate calls under contract with the department of corrections.

(4) For purposes of this section, the following definitions apply:

(a) "Prepaid telephone account" means a system, whether purchased as a calling card or set up as an account with a telecommunications service provider to provide telephonic connections in which the purchaser pays for minutes prior to use. The term does not include a lifeline account, defined under 47 CFR 54.401, for which a telecommunications carrier receives universal service support.

(b) "State prison" has the meaning provided in 53-30-101(3)(c)(i) through (3)(c)(iii) and (3)(c)(v).

(c) "Telecommunications service provider" has the meaning provided for "operator service provider" in 69-3-1102."

**Insert:** "NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 53, chapter 30, part 1, and the provisions of Title 53, chapter 30, part 1, apply to [section 1]."

**Insert:** "NEW SECTION. Section 3. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

**Insert:** "NEW SECTION. Section 4. Effective date. [This act] is effective July 1, 2017."

And, as amended, do pass. Report adopted.

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**HB 536**, do pass. Report adopted.

**HB 537**, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

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

2/24/2017

**SB 43**, introduced by Sesso

**SB 44**, introduced by Vance

**SB 115**, introduced by Moe

**SB 126**, introduced by K. Regier

**SB 145**, introduced by R. Webb

**SB 168**, introduced by Malek

**SB 174**, introduced by R. Webb

**SB 197**, introduced by Gauthier

**SB 207**, introduced by Moore

**SB 214**, introduced by Cohenour

**SB 229**, introduced by Moore

**SB 233**, introduced by Caferro

**SB 240**, introduced by Buttrey

**SB 241**, introduced by Buttrey

**SB 242**, introduced by Malek

**SB 249**, introduced by Swandal

**SB 260**, introduced by L. Jones

**SB 268**, introduced by Fitzpatrick

**SB 270**, introduced by Kary

**SB 271**, introduced by Thomas

**SB 272**, introduced by R. Webb

**SB 274**, introduced by Buttrey

**SB 278**, introduced by Hinebauch

**SB 279**, introduced by Vincent

**SB 281**, introduced by Vincent

**SB 284**, introduced by Lang

**SB 286**, introduced by Moore

**SB 287**, introduced by L. Jones

**SB 289**, introduced by Moore

**SB 294**, introduced by Fitzpatrick

**SB 295**, introduced by Fielder

**SB 297**, introduced by Hinkle

**SB 298**, introduced by Osmundson

**SB 303**, introduced by Buttrey

**SB 305**, introduced by Fitzpatrick

**SB 306**, introduced by R. Webb

**SB 309**, introduced by Whitford

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**SB 311**, introduced by Buttrey  
**SB 312**, introduced by Welborn  
**SB 314**, introduced by Vincent  
**SB 315**, introduced by Vincent  
**SB 318**, introduced by Boland  
**SB 319**, introduced by Gross  
**SB 321**, introduced by Olszewski  
**SB 325**, introduced by Hoven

**Senate joint resolutions** passed and transmitted to the House for concurrence: 2/24/2017

**SJR 8**, introduced by Phillips  
**SJR 10**, introduced by Lang  
**SJR 13**, introduced by Facey  
**SJR 16**, introduced by Caferro  
**SJR 18**, introduced by Blasdel  
**SJR 19**, introduced by Phillips

**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 C. Knudsen in the chair.

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

**HB 97** - Representative Loge moved **HB 97** 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, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Staffanson.

Total 1

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 291** - Representative Jacobson moved **HB 291** do pass. Motion carried as follows:

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

Total 51

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

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 298** - Representative Greef moved **HB 298** 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, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Stewart-Per, Swanson, Trebas, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods.

Total 87

Nays: Galloway, Harris, Hopkins, C Knudsen, Mortensen, Noland, Rosendale, Skees, Staffanson, Tschida, Usher, Zolnikov, Mr. Speaker.

Total 13



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Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 388** - Representative G. Hertz moved **HB 388** 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, 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, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Morigeau, Olsen.

Total 2

Excused: None.

Total 0

Absent or not voting: Windy Boy.

Total 1

**HB 422** - Representative Cook moved **HB 422** 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, 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

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Excused: None.

Total 0

Absent or not voting: Greef.

Total 1

**HB 448** - Representative Fitzgerald moved **HB 448** do pass. Motion carried as follows:

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

Total 52

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

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 460** - Representative Fitzgerald moved **HB 460** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bartel, Beard, Bennett, Bishop, B. Brown, Z. Brown, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, Hill-Smith, Holmlund, Hopkins, Jacobson, Karjala, Keane, Kelker, Kipp III, C Knudsen, Loge, Lynch, Manzella, 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, Webb, Webber, Welch, White, Windy Boy, Woods, Mr. Speaker.

Total 81

Nays: Ballance, Berglee, Brodehl, Burnett, Flynn, Galloway, Galt, Glimm, A Hertz, G Hertz, Jones, Knokey, Lavin, Lenz, Mandeville, Rosendale, Skees, Wagoner, Zolnikov.

Total 19

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

**HB 471** - Representative Flynn moved **HB 471** 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 475** - Representative Woods moved **HB 475** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bennett, Bishop, Z. Brown, Cook, Court, Cuffe, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Garner, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, A Hertz, G Hertz, Hill-Smith, Hopkins, Jacobson, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lynch, Manzella, McCarthy, McConnell, Morigeau, Mortensen, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Ricci, Rosendale, Ryan, Sales, Schreiner, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Usher, Webb, Webber, Welch, Windy Boy, Woods, Zolnikov.

Total 70

Nays: Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Custer, Doane, Ehli, Galt, Glimm, Greef, Harris, Holmlund, Jones, Lavin, Lenz, Loge, Mandeville, McKamey, Noland, Redfield, Regier, Shaw, Skees, Tschida, Vinton, White, Mr. Speaker.

Total 29

Excused: None.

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Total 0

Absent or not voting: Wagoner.

Total 1

**HB 476** - Representative Hayman moved **HB 476** 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, Lynch, Mandeville, McCarthy, McConnell, Morigeau, 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 96

Nays: Loge, Manzella, McKamey, Mortensen.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Ehli moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair C. Knudsen moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, 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, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Knokey, 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 95

Nays: Berglee.

Total 1

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Excused: None.

Total 0

Absent or not voting: Cuffe, Hamlett, Kipp III, C Knudsen.

Total 4

**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 324** passed as follows:

Yeas: Anderson, Ballance, Bartel, Berglee, Bishop, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Dudik, Ehli, Essmann, Fitzgerald, Fleming, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, A Hertz, G Hertz, Hopkins, Jones, Keane, C Knudsen, Lavin, Lenz, Mandeville, Manzella, McCarthy, McKamey, Mortensen, Noland, O'Hara, Patelis, Peppers, Perry, Redfield, Regier, Rosendale, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Trebas, Tschida, Usher, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 67

Nays: Abbott, Bachmeier, Beard, Bennett, Z. Brown, Court, Curdy, Curtis, Custer, Dunwell, Eck, Ellis, Fern, Flynn, Hayman, Hill-Smith, Holmlund, Jacobson, Karjala, Kelker, Knokey, Loge, Lynch, McConnell, Morigeau, Olsen, Pierson, Price, Ricci, Ryan, Swanson, Vinton.

Total 32

Excused: None.

Total 0

Absent or not voting: Kipp III.

Total 1

**HB 372** passed as follows:

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

Total 61

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

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Kelker, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Schreiner, Smith, Swanson, Webber, Woods.  
Total 38

Excused: None.  
Total 0

Absent or not voting: Kipp III.  
Total 1

**HB 376** passed as follows:

Yeas: Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Flynn, Galloway, Galt, Garner, Glimm, Greef, Gunderson, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jones, Knokey, C Knudsen, Lavin, Lenz, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Patelis, Redfield, Regier, Ricci, Rosendale, Shaw, Skees, Staffanson, Stewart-Per, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Windy Boy, Zolnikov, Mr. Speaker.  
Total 55

Nays: Abbott, Anderson, Bachmeier, Bennett, Bishop, Z. Brown, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ellis, Fern, Fitzgerald, Fleming, Funk, Grubbs, Hamilton, Hamlett, Hayman, Hill-Smith, Jacobson, Karjala, Keane, Kelker, Loge, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Sales, Schreiner, Smith, Swanson, Webber, Woods.  
Total 44

Excused: None.  
Total 0

Absent or not voting: Kipp III.  
Total 1

**HB 358** passed as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jones, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Patelis, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Windy Boy, Zolnikov, Mr. Speaker.  
Total 60

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

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Kelker, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Schreiner, Smith, Stewart-Per, Swanson, Webber, Woods.  
Total 39

Excused: None.  
Total 0

Absent or not voting: Kipp III.  
Total 1

**HB 386** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, 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: Manzella.  
Total 1

Excused: None.  
Total 0

Absent or not voting: Kipp III.  
Total 1

**HB 389** passed as follows:

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

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Total 97

Nays: Mandeville, Manzella.

Total 2

Excused: None.

Total 0

Absent or not voting: Kipp III.

Total 1

**HB 447** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bennett, Berglee, Bishop, B. Brown, Z. Brown, Cook, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fern, Fitzgerald, Fleming, Funk, Galt, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Jacobson, Jones, Karjala, Keane, Kelker, Loge, Lynch, McCarthy, McConnell, McKamey, Morigeau, O'Hara, Olsen, Peppers, Perry, Pierson, Price, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Stewart-Per, Swanson, Trebas, Usher, Vinton, Webb, Webber, Windy Boy, Woods.

Total 66

Nays: Ballance, Bartel, Beard, Brodehl, Burnett, Cuffe, Doane, Essmann, Flynn, Galloway, Glimm, Harris, Hopkins, Knokey, C Knudsen, Lavin, Lenz, Mandeville, Manzella, Mortensen, Noland, Patelis, Redfield, Regier, Rosendale, Skees, Staffanson, Tschida, Wagoner, Welch, White, Zolnikov, Mr. Speaker.

Total 33

Excused: None.

Total 0

Absent or not voting: Kipp III.

Total 1

**HB 496** passed as follows:

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

Total 55

Nays: Abbott, Anderson, Bachmeier, Bennett, Bishop, Z. Brown, Cook, Court, Curdy, Curtis,



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Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Hamilton, Hamlett, Hayman, A Hertz, Hill-Smith, Jacobson, Karjala, Keane, Kelker, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Schreiner, Shaw, Smith, Stewart-Per, Swanson, Webber, Windy Boy, Woods.

Total 44

Excused: None.

Total 0

Absent or not voting: Kipp III.

Total 1

**HB 501** passed as follows:

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

Total 61

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

Total 38

Excused: None.

Total 0

Absent or not voting: Kipp III.

Total 1

**HB 516** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bennett, Bishop, Brodehl, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Olsen, Patelis, Peppers, Perry, Pierson, Price, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webber, Welch, Windy Boy, Woods, Mr. Speaker.

Total 77

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Nays: Bartel, Beard, Berglee, B. Brown, Doane, Flynn, Galloway, Galt, Glimm, Harris, Knokey, C Knudsen, Mortensen, Noland, O'Hara, Redfield, Regier, Rosendale, Staffanson, Webb, White, Zolnikov.

Total 22

Excused: None.

Total 0

Absent or not voting: Kipp III.

Total 1

**HB 520** passed as follows:

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

Total 1

**HB 521** passed as follows:

Yeas: Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Eck, Ehli, 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, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mortensen, Noland, O'Hara, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr.

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Speaker.

Total 94

Nays: Abbott, Dunwell, Ellis, Morigeau, Olsen.

Total 5

Excused: None.

Total 0

Absent or not voting: Kipp III.

Total 1

**HB 523** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Eck, Ehli, 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, 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, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Dunwell, Ellis, Olsen, Peppers, Smith.

Total 5

Excused: None.

Total 0

Absent or not voting: Kipp III.

Total 1

**HB 531** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, 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, Jacobson, Jones, Karjala, Keane, Kelker, Knokey, C Knudsen, Lavin, Lenz, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, 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.

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Total 93

Nays: Court, Dunwell, Hopkins, Loge, Mortensen, Ricci.

Total 6

Excused: None.

Total 0

Absent or not voting: Kipp III.

Total 1

**HB 541** passed as follows:

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

Total 85

Nays: Beard, Burnett, Galloway, Harris, Lenz, McKamey, Mortensen, Noland, Patelis, Regier, Staffanson, Usher, White, Windy Boy.

Total 14

Excused: None.

Total 0

Absent or not voting: Kipp III.

Total 1

**MOTIONS**

Representative Ehli moved to re-refer **HB 97** to the Appropriations Committee. Without objection, so ordered.

Representative Ehli moved to re-refer **HB 298** to the Appropriations Committee. Without objection, so ordered.

Representative Ehli moved to re-refer **HB 460** to the Appropriations Committee. Without objection, so ordered.

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Representative Ehli moved to re-refer **HB 475** to the Appropriations Committee.

Representative Jacobson moved that **HB 295** be taken from the Judicial Committee and placed on second reading on the 44<sup>th</sup> legislative day.

Motion **failed** as follows:

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

Total 48

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

Total 51

Excused: None.

Total 0

Absent or not voting: Kipp III.

Total 1

Representative Dunwell moved that **HB 169** be taken from the Business and Labor Committee and placed on second reading on the 44<sup>th</sup> legislative day.

Motion **failed** as follows:

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

Total 40

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

Total 59

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Excused: None.

Total 0

Absent or not voting: Kipp III.

Total 1

Representative Zolnikov moved to change his vote on **HB 372** from No to Yes. Without objection, so ordered.

Representative McCarthy moved to change his vote on **HB 324** from No to Yes. Without objection, so ordered.

Representative Stewart-Peregoy moved that **HB 552** be taken from the State Administration Committee and placed on second reading on the 44<sup>th</sup> legislative day.

Motion **failed** as follows:

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

Total 42

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

Total 57

Excused: None.

Total 0

Absent or not voting: Kipp III.

Total 1

Representative Windy Boy moved to change his vote on **HB 541** from Yes to No. Without objection, so ordered.

House in Recess.

House Reconvened.

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**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 C. Knudsen in the chair.

Representative Kipp III present at this time.

**HB 352** - Representative G. Hertz moved **HB 352** do pass. Motion carried as follows:

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

Total 64

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

Total 36

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 385** - Representative Berglee moved **HB 385** do pass. Motion **failed** as follows:

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

Total 43

Nays: Abbott, Anderson, Bachmeier, Bennett, Bishop, Z. Brown, Cook, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Galloway, Garner, Grubbs, Hamilton, Hamlett, Hayman, Hill-Smith, Jacobson, Karjala, Keane, Kelker, Kipp III, Knokey, Loge, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry,

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Pierson, Price, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Staffanson, Stewart-Per, Swanson, Vinton, Webber, Welch, Windy Boy, Woods.

Total 57

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 401** - Representative Skees moved **HB 401**, second reading copy, be amended as follows:

1. Page 1, line 13.

**Following:** "elections"

**Insert:** "-- exceptions"

**Following:** "."

**Insert:** "(1)"

2. Page 1, line 14.

**Strike:** "(1)"

**Insert:** "(a)"

3. Page 1, line 16.

**Strike:** "(2)"

**Insert:** "(b)"

4. Page 1.

**Following:** line 18

**Insert:** "(2) A candidate or political committee is exempt from the provisions of 13-37-201 and 13-37-205 if the candidate or political committee does not receive any contributions or make any expenditures, not including the candidate's filing fee, in a campaign."

5. Page 3, line 26.

**Strike:** "UNLESS"

**Insert:** "if"

6. Page 3, line 27.

**Strike:** "MENTIONS OR DEPICTS A VOTING POSITION,"

**Insert:** "does not mention, depict, or advocate a clearly identified position on a"

**Following:** "CANDIDATE"

**Strike:** " 1 "

7. Page 8, line 21.

**Strike:** "Each"

**Insert:** "Except as provided in [section 1(2)], each"



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8. Page 8, line 24.

**Strike:** "becoming a candidate"

**Insert:** "receiving a contribution or making an expenditure"

9. Page 9, line 4.

**Strike:** "Each"

**Insert:** "Except as provided in [section 1(2)], each"

Amendment adopted as follows:

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

Total 99

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Beard.

Total 1

**HB 401** - Representative Custer moved **HB 401**, second reading copy, be further amended as follows:

1. Title, page 1, line 8.

**Strike:** "AND"

2. Title, page 1, line 9.

**Following:** "~~13-37-228~~,"

**Insert:** "AND 13-37-226,"

3. Page 12.

**Following:** line 26

**Insert:** "**Section 6.** Section 13-37-226, MCA, is amended to read:

"**13-37-226. Time for filing reports.** (1) Candidates for a state office filled by a

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statewide vote of all the electors of Montana, statewide ballot issue committees, and political committees that receive a contribution or make an expenditure supporting or opposing a candidate for statewide office or a statewide ballot issue shall file reports electronically as follows:

- (a) quarterly, due on the 5th day following a calendar quarter, beginning with the calendar quarter in which:
  - (i) funds are received or expended during the year or years prior to the election year that the candidate expects to be on the ballot; or
  - (ii) an issue becomes a ballot issue, as defined in 13-1-101(6)(b);
- (b) on the 1st day of each month from March through November during a year in which an election is held;
- (c) on the 15th day preceding the date on which an election is held;
- (d) within 2 business days after receiving a contribution of \$200 or more if received between the 20th day before the election and the day of the election;
- (e) not more than 20 days after the date of the election; and
- (f) on the 10th day of March and September of each year following an election until the candidate or political committee files a closing report as specified in 13-37-228(3).

(2) Candidates for a state district office, including but not limited to candidates for the legislature, the public service commission, or a district court judge, and political committees that receive contributions or make expenditures to support or oppose a particular state district candidate or issue, unless the political committee is already reporting under the provisions of subsection (1), shall file reports as follows:

- (a) on the 35th and 12th days preceding the date on which an election is held;
- (b) within 2 business days after receiving a contribution of \$100 or more if received between the 17th day before the election and the day of the election;
- (c) not more than 20 days after the date of the election; and
- (d) on the 10th day of March and September of each year following an election until the candidate or political committee files a closing report as specified in 13-37-228(3).

(3) Candidates for any other public office and political committees that receive contributions or make expenditures to support or oppose a particular local issue shall file the reports specified in subsection (2) only if the total amount of contributions received or the total amount of funds expended for all elections in a campaign, excluding the filing fee paid by the candidate, exceeds \$500, ~~except as provided in 13-37-206.~~

(4) Independent and political party committees not required to report under subsection (1) or (2) shall file:

- (a) a report on the 90th, 35th, and 12th days preceding the date of an election in which they participate by making an expenditure;
- (b) a report within 2 business days of receiving a contribution of \$500 or more if received between the 17th day before the election and the day of the election;
- (c) a report within 2 business days of making an expenditure of \$500 or more for an electioneering communication if the expenditure is made between the 17th day before the election and the day of the election;
- (d) a report not more than 20 days after the date of the election in which they participate by making an expenditure; and
- (e) a report on a date to be prescribed by the commissioner for a closing report at the close of each calendar year.

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(5) An incidental committee not required to report under subsection (1) or (2) shall file a report:

(a) on the 90th, 35th, and 12th days preceding the date of an election in which it participates by making an expenditure;

(b) within 2 business days of receiving a contribution as provided in 13-37-232(1) of \$500 or more if received between the 17th day before an election and the day of the election;

(c) within 2 business days of making an expenditure of \$500 or more for an electioneering communication if the expenditure is made between the 17th day before the election and the day of the election;

(d) not more than 20 days after the date of the election in which it participated; and

(e) on a date to be prescribed by the commissioner for a closing report at the close of each calendar year.

(6) The commissioner shall post on the commissioner's website:

(a) all reports filed under this section within 7 business days of filing; and

(b) for each election the calendar dates that correspond with the filing requirements of subsections (1), (2), (4), and (5).

(7) The commissioner may require reports filed under this section to be submitted electronically.

(8) Except as provided in subsections (1)(d), (2)(b), (4)(b), (4)(c), (5)(b), and (5)(c), all reports required by this section must be complete as of the 5th day before the date of filing as specified in 13-37-228(2) and this section.

(9) A political committee may file a closing report prior to the date prescribed by rule or set in 13-37-228(3) and after the complete termination of its contribution and expenditure activity during an election cycle.""

**Renumber:** subsequent sections

Amendment adopted as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, 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, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, O'Hara, Olsen, 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 96

Nays: Noland.

Total 1

Excused: None.

Total 0

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Absent or not voting: Berglee, Jacobson, Peppers.

Total 3

**HB 401** - Representative Skees moved **HB 401** do pass as amended. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, 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, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Perry, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Staffanson, Stewart-Per, Trebas, Tschida, Usher, Vinton, Wagoner, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 91

Nays: Hayman, Karjala, Peppers, Pierson, Price, Smith, Swanson.

Total 7

Excused: None.

Total 0

Absent or not voting: Berglee, Webb.

Total 2

**HB 402** - Representative Essmann moved **HB 402** do pass. Motion carried as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, 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, 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, Harris, Hayman, Hill-Smith, Karjala, Keane, Kelker, Kipp III, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Schreiner, Smith, Staffanson, Stewart-Per, Swanson, Webber, Windy Boy, Woods.

Total 42

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

**HB 449** - Representative Galt moved **HB 449** do pass. Motion carried 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, Swanson, Webber, Windy Boy, Woods.

Total 40

Excused: None.

Total 0

Absent or not voting: Cuffe, Stewart-Per.

Total 2

**HB 458** - Representative Wagoner moved **HB 458** do pass. Motion carried 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

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Absent or not voting: Cuffe.

Total 1

**HB 459** - Representative Curdy moved **HB 459** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bartel, Beard, Bennett, Bishop, Brodehl, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Galloway, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, Hill-Smith, Holmlund, Jacobson, Karjala, Keane, Kelker, Kipp III, C Knudsen, Lavin, Loge, Lynch, Manzella, McCarthy, McConnell, McKamey, Morigeau, Olsen, Patelis, Peppers, Perry, Pierson, Price, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Vinton, Wagoner, Webb, Welch, White, Windy Boy, Woods, Mr. Speaker.

Total 76

Nays: Ballance, Berglee, B. Brown, Doane, Flynn, Galt, Glimm, A Hertz, G Hertz, Hopkins, Jones, Knokey, Lenz, Mandeville, Mortensen, Noland, O'Hara, Redfield, Regier, Rosendale, Tschida, Usher, Zolnikov.

Total 23

Excused: None.

Total 0

Absent or not voting: Webber.

Total 1

**HB 485** - Representative Manzella moved **HB 485** 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

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Absent or not voting: None.

Total 0

**HB 491** - Representative Court moved **HB 491** do pass. Motion carried as follows:

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

Total 59

Nays: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Galloway, Galt, Gunderson, Harris, G Hertz, Holmlund, Hopkins, C Knudsen, Lavin, Lenz, Mandeville, Manzella, Mortensen, Noland, O'Hara, Patelis, Redfield, Rosendale, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, White, Zolnikov, Mr. Speaker.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 495** - Representative Dunwell moved **HB 495** 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, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Noland, White.

Total 2

Excused: None.

Total 0

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Absent or not voting: Kipp III.

Total 1

**HB 498** - Representative Knokey moved **HB 498** do pass. Motion carried as follows:

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

Nays: Cook, Galt.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 509** - Representative Patelis moved **HB 509** do pass. Motion carried as follows:

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

Total 98

Nays: Burnett, Rosendale.

Total 2

Excused: None.

Total 0



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Absent or not voting: None.

Total 0

**HB 517** - Representative Dudik moved **HB 517** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Bennett, Bishop, Brodehl, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fern, Fleming, Funk, Garner, Glimm, Greef, Grubbs, Hamilton, Hamlett, Hayman, A Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, Lavin, Lynch, Manzella, McCarthy, McConnell, McKamey, Morigeau, Olsen, Patelis, Peppers, Perry, Pierson, Price, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart-Per, Swanson, Trebas, Webb, Webber, Windy Boy, Woods, Zolnikov.

Total 71

Nays: Beard, Berglee, B. Brown, Doane, Essmann, Fitzgerald, Flynn, Galloway, Galt, Gunderson, G Hertz, C Knudsen, Lenz, Loge, Mandeville, Mortensen, Noland, O'Hara, Redfield, Rosendale, Staffanson, Tschida, Usher, Vinton, Wagoner, Welch, White, Mr. Speaker.

Total 28

Excused: None.

Total 0

Absent or not voting: Harris.

Total 1

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

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Total 0

Absent or not voting: C Knudsen.

Total 1

**REPORTS OF STANDING COMMITTEES**

**APPROPRIATIONS** (Ballance, Chair):

2/27/2017

**HB 97**, do pass. Report adopted.

**HB 298**, introduced bill, be amended as follows:

1. Page 2.

**Following:** line 15

**Insert:** "NEW SECTION. Section 2. Implementation. The office of public instruction shall implement [this act] within existing resources."

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**HB 475**, introduced bill, be amended as follows:

1. Page 2.

**Following:** line 3

**Insert:** "NEW SECTION. Section 2. Implementation. The commission shall implement [this act] within existing resources."

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**MOTIONS**

Representative Abbott moved that **HB 532** be taken from the State Administration Committee and placed on second reading on the 44<sup>th</sup> legislative day.

Motion **failed** as follows:

Yeas: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Cook, Court, Curdy, Curtis, Custer, 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, Shaw, Smith, Stewart-Per, Swanson, Webber, Windy Boy, Woods.

Total 44

Nays: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson,

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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, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Zolnikov, Mr. Speaker.

Total 56

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Hopkins moved that **HB 538** be taken from the Human Services Committee and placed on second reading on the 44<sup>th</sup> legislative day.

Motion **failed** as follows:

Yeas: Abbott, Bachmeier, Bennett, Berglee, Bishop, Z. Brown, Court, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Hamilton, Hamlett, Hayman, A Hertz, Hopkins, Jacobson, Karjala, Kipp III, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Rosendale, Ryan, Schreiner, Smith, Stewart-Per, Swanson, Webber, Windy Boy, Woods, Zolnikov.

Total 45

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

Total 55

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FORTY-THIRD LEGISLATIVE DAY - FEBRUARY 27, 2017

**ANNOUNCEMENTS**

Representative Olsen rose on a **Point of Personal Privilege** to state the importance of every cover of the MCA to include the State Seal of the State of Montana and include our State motto, Oro y Plata which is Spanish for gold and silver.

Representative Jacobson rose on a **Point of Personal Privilege** to clarify that his testimony on **HB 291** was correct.

Committee meetings were announced by the committee chairs.

Representative Ehli moved that the House adjourn until 9:00 a.m., Tuesday, March 28, 2017.  
Motion carried.

House adjourned at 4:18 p.m.

LINDSEY VROEGINDEWEY  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House