

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

Helena, Montana  
March 9, 2017

House Chambers  
State Capitol

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

Roll Call. All members present, except Representatives Berglee, C. Knudsen, Lenz, and Sheldon-Galloway, excused. Quorum present.

**COMMUNICATIONS AND PETITIONS**

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the sixth, seventh, eighth, ninth, and tenth legislative days, find the same to be correct.

Representative Ricci, Chair

**BILLS** (Ricci, Chair):

3/9/2017

Correctly printed: **HB 430, HB 462, HB 577, HB 578, HB 579, SB 4, SB 82.**

Correctly engrossed: **HB 478.**

Transmitted to the Senate: **HB 430, HB 462, SB 4, SB 82.**

**FIRST READING AND COMMITMENT OF BILLS**

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 17**, introduced by J. Windy Boy, M. Caferro, J. Karjala, A. Olszewski, J. Price, referred to Human Services.

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

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

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

**HB 428** - Representative D. Jones moved **HB 428** 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, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galt, Garner, Glimm,

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Greef, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Keane, Knokey, C Knudsen, Lavin, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Zolnikov, Mr. Speaker.  
Total 89

Nays: Eck, Galloway, Harris, Karjala, Kelker, Kipp III, Lenz, Peppers, Stewart-Per, Windy Boy, Woods.  
Total 11

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 54** - Representative Price moved **SB 54** be concurred in. Motion carried as follows:

Yeas: Abbott, Bachmeier, Beard, Bennett, Bishop, Z. Brown, Cook, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ellis, Fern, Fitzgerald, Fleming, Funk, Garner, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, Hill-Smith, Hopkins, Jacobson, Karjala, Keane, Kelker, Kipp III, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Sales, Schreiner, Shaw, Smith, Stewart-Per, Swanson, Webber, Windy Boy, Woods.  
Total 51

Nays: Anderson, Ballance, Bartel, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Flynn, Galloway, Galt, Glimm, Greef, Harris, A Hertz, G Hertz, Holmlund, Jones, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Patelis, Redfield, Regier, Ricci, Rosendale, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Zolnikov, Mr. Speaker.  
Total 49

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 62** - Representative Welch moved **SB 62** be concurred in. 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,

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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

**SB 86** - Representative B. Smith moved **SB 86** be concurred in. Motion carried as follows:

Yeas: Anderson, Bachmeier, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fern, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jacobson, Jones, Keane, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Patelis, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Smith, Staffanson, Stewart-Per, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Windy Boy, Zolnikov, Mr. Speaker.  
Total 70

Nays: Abbott, Bennett, Bishop, Z. Brown, Court, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fleming, Funk, Hamilton, Hayman, Hill-Smith, Karjala, Kelker, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Ryan, Schreiner, Swanson, Webber, Woods.  
Total 30

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 89** - Representative Pierson moved **SB 89** be concurred in. Motion carried as follows:

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

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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, Manzella, 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, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Mr. Speaker.  
Total 93

Nays: Brodehl, Burnett, Galloway, Mandeville, Regier, Rosendale, Zolnikov.  
Total 7

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 100** - Representative M. Regier moved **SB 100** be concurred in. Motion carried as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Curdy, Custer, Doane, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jacobson, Jones, Karjala, Kelker, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Patelis, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Zolnikov, Mr. Speaker.  
Total 64

Nays: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Court, Curtis, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Hamilton, Hayman, Hill-Smith, Keane, Kipp III, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Schreiner, Smith, Stewart-Per, Swanson, Webber, Windy Boy, Woods.  
Total 36

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 129** - Representative Knokey moved **SB 129** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, 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,

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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, Loge, Lynch, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, Windy Boy, Woods, Mr. Speaker.  
Total 93

Nays: Ballance, Lenz, Mandeville, Manzella, Redfield, White, Zolnikov.  
Total 7

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 142** - Representative Curdy moved **SB 142** be concurred in. Motion carried 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, 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, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.  
Total 94

Nays: Brodehl, Cuffe, Galt, Hopkins, McCarthy, Usher.  
Total 6

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Ehli moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Dunwell 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, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Eck, Ehli,

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Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, 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, 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: Dunwell.  
Total 1

Excused: None.  
Total 0

Absent or not voting: Berglee, Galloway, C Knudsen, Lenz.  
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 430** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Bishop, Brodehl, B. Brown, Z. Brown, Court, Curtis, Custer, Doane, Dudik, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harris, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, Lavin, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Patelis, Perry, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Woods, Zolnikov, Mr. Speaker.  
Total 79

Nays: Burnett, Cook, Cuffe, Curdy, Dunwell, Hamilton, Hayman, Olsen, Peppers, Pierson, Sales, Schreiner, Smith, Stewart-Per, Swanson, Webber, Windy Boy.  
Total 17

Excused: None.  
Total 0

Absent or not voting: Berglee, Galloway, C Knudsen, Lenz.  
Total 4

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**HB 462** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Bishop, Brodehl, B. Brown, Z. Brown, Curdy, Curtis, Custer, Dudik, Dunwell, Ehli, Ellis, Fern, Fitzgerald, Fleming, Funk, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Karjala, Keane, Kelker, Lavin, Loge, Lynch, Mandeville, McCarthy, McConnell, Morigeau, Mortensen, Noland, O'Hara, Olsen, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Shaw, Skees, Swanson, Trebas, Vinton, Wagoner, Welch, Woods, Zolnikov, Mr. Speaker.

Total 69

Nays: Burnett, Cook, Court, Cuffe, Doane, Eck, Essmann, Flynn, Harris, Hayman, Jones, Kipp III, Knokey, Manzella, McKamey, Patelis, Peppers, Schreiner, Smith, Staffanson, Stewart-Per, Tschida, Usher, Webb, Webber, White, Windy Boy.

Total 27

Excused: None.

Total 0

Absent or not voting: Berglee, Galloway, C Knudsen, Lenz.

Total 4

**SB 4** concurred in 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, Galt, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, Lavin, 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, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Cuffe, Glimm, Hopkins, White.

Total 4

Excused: None.

Total 0

Absent or not voting: Berglee, Galloway, C Knudsen, Lenz.

Total 4

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**SB 82** concurred in as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, 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, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, Lavin, 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, Windy Boy, Woods, Zolnikov, Mr. Speaker.  
Total 94

Nays: Burnett, White.  
Total 2

Excused: None.  
Total 0

Absent or not voting: Berglee, Galloway, C Knudsen, Lenz.  
Total 4

**MOTIONS**

Representative Ehli moved to re-refer **HB 428** 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, March 10, 2017.  
Motion carried.

House adjourned at 1:47 p.m.

LINDSEY VROEGINDEWEY  
Chief Clerk of the House

AUSTIN KNUDSEN  
Speaker of the House