

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

Helena, Montana
April 4, 2017

House Chambers
State Capitol

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

Roll Call. All members present, except Representatives Doane and Patelis, excused. Quorum present.

SPECIAL ORDERS OF THE DAY

Mr. Speaker moved that the House revert to Order of Business # 11, Special Orders Of The Day, for the purpose of receiving entertainment by the Montana School for the Deaf and Blind.

BILLS (Ricci, Chair): 4/4/2017

Correctly printed: **HB 655, SB 7, SB 17, SB 43, SB 44.**

Correctly enrolled: **HB 101, HB 103, HB 128, HB 147, HB 149, HB 168, HB 539.**

Examined by the sponsor and found to be correct: **HB 22, HB 83, HB 101, HB 103, HB 108, HB 128, HB 147, HB 149, HB 168, HB 444, HB 539.**

Signed by the President at 3:07 p.m., April 4, 2017: **HB 240, HB 306, HB 311, HB 351, HB 374, HB 494, HB 521.**

Delivered to the Governor for approval at 3:25 p.m., April 4, 2017: **HB 240, HB 306, HB 311, HB 351, HB 374, HB 494, HB 521.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ballance, Chair): 4/4/2017

HB 611, do pass. Report adopted.

SB 44, be concurred in. Report adopted.

SB 60, be concurred in. Report adopted. 4/3/2017

SB 63, be amended as follows:

1. Page 1, line 25.

Following: "exhaustion"

Insert: "and documentation in the offender's file"

2. Page 3, line 1.

Strike: "imprisonment" through "department"

Insert: "placement in a community corrections facility or program designated by the department for up to 9 months, including but not limited to placement in a prerelease center, sanction or hold bed, transitional living program, enhanced supervision program, relapse intervention bed, chemical dependency treatment, or 24/7 sobriety program"

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3. Page 3, line 17.

Following: "exhausted"

Insert: "and documented in the offender's file"

4. Page 3, line 21.

Following: "exhausted"

Insert: "and documented in the offender's file"

5. Page 3, line 24.

Strike: "imprisonment" through "department"

Insert: "placement as provided in subsection (7)(a)(ii)"

6. Page 4, following line 1.

Insert: "(10) All sanction and placement decisions must be documented in the offender's file."

Renumber: subsequent subsections

7. Page 5, line 25.

Strike: "behavioral changes techniques"

Insert: "evidence-based practices"

8. Page 6, line 12.

Following: "individual"

Insert: "as determined by the individual's most recent risk and needs assessment"

9. Page 7, line 19.

Strike: "confinement,"

Following: "monitoring"

Strike: " "

Following: "period;"

Strike: "or"

10. Page 7, line 19.

Insert: "(c) recommend placement in a community corrections facility or program for up to a 90-day period, including but not limited to placement in a prerelease center, sanction or hold bed, transitional living program, enhanced supervision program, relapse intervention bed, chemical dependency treatment, or 24/7 sobriety program; or"

Renumber: subsequent subsections

11. Page 7, following line 28.

Insert: "(6) All sanction and placement decisions must be documented in the offender's file."

12. Page 10, line 16.

Following: "(7)"

Insert: "(a)"

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13. Page 10, line 17.

Following: "interventions grid."

Insert: "(b)"

Following: "The grid must"

Insert: ": (i)"

14. Page 10, line 19.

Following: "manner"

Strike: ". The grid must"

Insert: "; (ii)"

15. Page 10, line 21.

Strike: "(a)"

Insert: "(A)"

16. Page 10, line 22.

Strike: "(b)"

Insert: "(B)"

17. Page 10, line 23.

Strike: "(c)"

Insert: "(C)"

18. Page 10, line 24.

Strike: "(d)"

Insert: "(D)"

Following: "interventions;"

Strike: "and"

19. Page 10, line 25.

Strike: "(e)"

Insert: "(E)"

Following: "exhaust"

Insert: "and document"

Following: "process"

Insert: "; and (F) recommend the least restrictive placement for offenders based on the result of a validated risk and needs assessment. Placement decisions must be documented in the offender's file and must indicate any other less secure sanction options considered by the probation and parole officer before utilizing a higher level of custody"

20. Page 10, following line 26.

Insert: "(a) review the grid every 5 years to ensure it adheres to evidence-based practices and that use of sanctions and incentives by probation and parole officers is consistent across the state;"

Renumber: subsequent subsections

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21. Page 10, line 28.

Following: "parole;"

Strike: "and"

22. Page 10, line 30.

Strike: "and"

Following: "detention center personnel"

Strike: " _ "

Insert: ",contracted service providers, and other interested personnel;

(d) ensure the guidance and procedures established in the grid give consideration to community safety and the needs of the victim and offender;

(e) collect data relating to placement decisions based on the grid; and

(f) aggregate data collected and provide a report to the law and justice interim committee each biennium."

And, as amended, be concurred in. Report adopted.

SB 64, be amended as follows:

1. Title, page 1, line 17.

Following: "DATES"

Strike: ", "

Insert: "AND"

2. Title, page 1, line 18.

Strike: ", AND A TERMINATION DATE"

3. Page 16, line 22 through page 17, line 25.

Strike: section 18 in its entirety

Renumber: subsequent sections

4. Page 18, line 20.

Strike: "[SECTIONS 1 AND 18] ARE"

Insert: "[Section 1] is"

5. Page 18, line 22.

Strike: "[SECTIONS 1 AND 18]"

Insert: "[section 1]"

6. Page 18, line 26.

Strike: "SUBSECTIONS"

Insert: "subsection"

7. Page 18, line 27.

Strike: "AND (3)"

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8. Page 18, line 29.

Strike: subsection (3) in its entirety

9. Page 19, line 5 through line 6.

Strike: section 24 in its entirety

And, as amended, be concurred in. Report adopted.

SB 139, be concurred in. Report adopted.

SB 260, be concurred in. Report adopted.

SB 341, be concurred in. Report adopted.

EDUCATION (Berglee, Chair):

4/3/2017

HJR 27, be adopted. Report adopted.

SB 227, be concurred in. Report adopted.

SB 242, be concurred in. Report adopted.

SB 307, be amended as follows:

1. Title, page 1, line 10.

Strike: "FACILITY"

Insert: "MAJOR"

2. Title, page 1, line 11.

Following: "SUPPORT;"

Insert: "RENAMING THE SCHOOL FACILITY REIMBURSEMENT PROGRAM THE DEBT SERVICE ASSISTANCE PROGRAM; CREATING A STATE SPECIAL REVENUE ACCOUNT AND PROGRAM FOR SCHOOL MAJOR MAINTENANCE AID;"

3. Title, page 1, line 12.

Following: "20-9-236,"

Insert: "20-9-343, 20-9-367,"

4. Page 2, line 28.

Strike: "facility"

Insert: "major"

5. Page 2, line 29.

Strike: "20-9-516(3)"

Insert: "[section 8(3)]"

6. Page 4, line 3.

Insert: "**Section 4.** Section 20-9-343, MCA, is amended to read:

"**20-9-343. Definition of and revenue for state equalization aid.** (1) As used in this title, the term "state equalization aid" means revenue as required in this section for:

(a) distribution to the public schools for guaranteed tax base aid, BASE aid, and state

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~~reimbursement for school facilities~~ debt service assistance; and

(b) negotiated payments authorized under 20-7-420(3) up to \$500,000 a biennium.

(2) The superintendent of public instruction may spend throughout the biennium funds appropriated for the purposes of guaranteed tax base aid, BASE aid for the BASE funding program, state ~~reimbursement for school facilities~~ debt service assistance, and negotiated payments authorized under 20-7-420(3).

(3) The following money must be paid into the guarantee account provided for in 20-9-622 for the public schools of the state as indicated:

(a) subject to 20-9-516(2)(a), interest and income money described in 20-9-341 and 20-9-342; and

(b) investment income earned by investing interest and income money described in 20-9-341 and 20-9-342."

Insert: "Section 5. Section 20-9-367, MCA, is amended to read:

"20-9-367. Eligibility to receive guaranteed tax base aid or state ~~advance or reimbursement~~ debt service assistance for school facilities. (1) If the district guaranteed tax base ratio of ~~any~~ an elementary or high school district is less than the corresponding statewide elementary or high school guaranteed tax base ratio, the district may receive guaranteed tax base aid based on the number of mills levied in the district in support of up to 35.3% of the basic entitlement, up to 35.3% of the total per-ANB entitlement, and up to 40% of the special education allowable cost payment budgeted within the general fund budget.

(2) If the county retirement mill value per elementary ANB or the county retirement mill value per high school ANB is less than the corresponding statewide mill value per elementary ANB or high school ANB, the county may receive guaranteed tax base aid based on the number of mills levied in the county in support of the retirement fund budgets of the respective elementary or high school districts in the county.

(3) For the purposes of 20-9-370 and 20-9-371, if the district mill value per elementary ANB or the district mill value per high school ANB is less than the corresponding statewide mill value per elementary ANB or statewide mill value per high school ANB, the district may receive debt service assistance in the form of a state advance or reimbursement for school facilities in support of the debt service fund."

Renumber: subsequent sections

7. Page 5, line 5.

Strike: "facility"

Insert: "major"

8. Page 5, line 8.

Strike: "facility"

Insert: "major"

9. Page 5, line 9.

Strike: "20-9-516(1)(b)"

Insert: "[section 8(2)]"

10. Page 5, line 10.

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Following: "using"

Insert: "the"

11. Page 5, line 11.

Following: "levy,"

Insert: "the"

12. Page 5, line 12.

Following: "section, and"

Insert: "anticipated"

Strike: "20-9-516(3)"

Insert: "[section 8(3)]"

Strike: "facility"

Insert: "major"

13. Page 5, line 13.

Strike: "facility"

Insert: "major"

14. Page 5, line 18.

Strike: "facility"

Insert: "major"

Following: "levy,"

Insert: "the"

15. Page 5, line 20.

Strike: "20-9-516(3)"

Insert: "[section 8(3)]"

16. Page 5, line 21.

Following: "levy,"

Insert: "the"

17. Page 5, line 22.

Strike: "20-9-516(3)"

Insert: "[section 8(3)]"

18. Page 5, line 27.

Strike: "20-9-516(1)(b)"

Insert: "[section 8(2)]"

19. Page 5, line 30.

Following: "levy,"

Insert: "the"

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20. Page 6, line 1.

Strike: "20-9-516(3)"

Insert: "[section 8(3)]"

21. Page 6, line 8.

Following: "levy,"

Insert: "the"

22. Page 6, line 10.

Strike: "20-9-516(3)"

Insert: "[section 8(3)]"

23. Page 6, line 16.

Strike: "facility"

Insert: "major"

24. Page 6, line 17.

Strike: "20-9-516"

Insert: "[section 8]"

25. Page 7, line 20.

Following: "20-9-534;"

Insert: "and"

26. Page 7, line 21 through line 26.

Strike: subsection (b) in its entirety

Renumber: subsequent subsections

27. Page 7, line 27.

Strike: "reimbursement for school facilities"

Insert: "debt service assistance"

28. Page 8, line 3 through page 9, line 16.

Strike: subsection (3) through subsection (6) in their entirety

Insert: "(3) If in any fiscal year the amount of revenue in the school facility and technology account is sufficient to fund debt service assistance without a proration reduction pursuant to 20-9-346(2)(b) and if in that same fiscal year the amount of revenue available in the school major maintenance aid account established in [section 8] will result in a proration reduction in school major maintenance aid pursuant to [section 8(5)] for that fiscal year, the state treasurer shall transfer any excess funds in the school facility and technology account to the school major maintenance aid account not to exceed the amount required to avoid a proration reduction."

29. Page 9, line 17.

Insert: "NEW SECTION. Section 8. School major maintenance aid account -- formula."

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(1) There is a school major maintenance aid account in the state special revenue fund provided for in 17-2-102.

(2) The purpose of the account is to provide, contingent on appropriation from the legislature, funding for school major maintenance aid as provided in subsection (3) for school facility projects that support a basic system of free quality public elementary and secondary schools under 20-9-309 and that involve:

(a) first, making any repairs categorized as "safety", "damage/wear out", or "codes and standards" in the facilities condition inventory for buildings of the school district as referenced in the K-12 public schools facility condition and needs assessment final report prepared by the Montana department of administration pursuant to section 1, Chapter 1, Special Laws of December 2005; and

(b) after addressing the repairs in subsection (2)(a), any of the following:

(i) updating the facility condition inventory as recommended in the final report referenced in subsection (2)(a) with the scope and methods of the review to be determined by the trustees, employing experts as the trustees determine necessary. The first update must be completed by July 1, 2019, and each district shall certify the completion to the office of public instruction no later than October 31, 2019. Subsequent updates must be certified to the office of public instruction no less than once every 5 years following the first certification.

(ii) undertaking projects designed to produce operational efficiencies such as utility savings, reduced future maintenance costs, improved utilization of staff, and enhanced learning environments for students, including but not limited to projects addressing:

- (A) roofing systems;
- (B) heating, air conditioning, and ventilation systems;
- (C) energy-efficient window and door systems and insulation;
- (D) plumbing systems;
- (E) electrical systems and lighting systems;
- (F) information technology infrastructure, including internet connectivity both within and to the school facility; and
- (G) other critical repairs to an existing school facility or facilities.

(3) (a) In any year in which the legislature has appropriated funds for distribution from the school major maintenance aid account, the superintendent of public instruction shall administer the distribution of school major maintenance aid from the school major maintenance aid account for deposit in the subfund of the building reserve fund provided for in 20-9-502(3)(e). Subject to proration under subsection (5) of this section, aid must be annually distributed no later than the last working day of May to a school district imposing a levy pursuant to 20-9-502(3) in the current school fiscal year, with the amount of state support per dollar of local effort of the applicable elementary and high school program of each district determined as follows:

(i) using the taxable valuation most recently certified by the department of revenue under 15-10-202:

(A) divide the total statewide taxable valuation by the statewide total of school major maintenance amounts and multiply the result by 171%;

(B) multiply the result determined under subsection (3)(a)(i)(A) by the district's school major maintenance amount;

(C) subtract the district's taxable valuation from the amount determined under subsection (3)(a)(i)(B); and

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- (D) divide the amount determined under subsection (3)(a)(i)(C) by 1,000;
- (ii) determine the greater of the amount determined in subsection (3)(a)(i) or 18% of the district's mill value; and
- (iii) multiply the result determined under subsection (3)(a)(ii) by the district's school major maintenance amount, then divide the product by the sum of the result determined under subsection (3)(a)(ii) and the district's school major maintenance amount.
- (b) For a district with an adopted general fund budget in the prior year greater than or equal to 97% of the district's general fund maximum budget in the prior year, the amount determined in subsection (3)(a)(iii) rounded to the nearest cent is the amount of school major maintenance aid per dollar of local effort, not to exceed an amount that would result in the state aid composing more than 80% of the district's school major maintenance amount.
- (c) For a district with an adopted general fund budget in the prior year less than 97% of the district's maximum budget in the prior year, multiply the amount determined in subsection (3)(a)(iii) by the ratio of the district's adopted general fund budget in the prior year to the district's maximum general fund budget in the prior year. The result, rounded to the nearest cent, is the amount of state school major maintenance aid per dollar of local effort, not to exceed an amount that would result in the state aid composing more than 80% of the district's school major maintenance amount.
- (4) Using the taxable valuation most recently certified by the department of revenue under 15-10-202, the superintendent shall provide school districts with a preliminary estimated amount of state school major maintenance aid per dollar of local effort for the ensuing school year no later than March 1 and a final amount for the current school year no later than July 31.
- (5) If the appropriation from or the available funds in the school major maintenance aid account in any school fiscal year is less than the amount for which school districts would otherwise qualify, the superintendent of public instruction shall proportionally prorate the aid distributed to ensure that the distributions do not exceed the appropriated or available funds.
- (6) If in any fiscal year the amount of revenue in the school major maintenance aid account is sufficient to fund school major maintenance aid without a proration reduction pursuant to subsection (5) and if in that same fiscal year the amount of revenue available in the school facility and technology account established in 20-9-516 will result in a proration reduction in debt service assistance pursuant to 20-9-346(2)(b) for that fiscal year, the state treasurer shall transfer any excess funds in the school major maintenance aid account to the school facility and technology account, not to exceed the amount required to avoid a proration reduction.
- (7) For the purposes of this section, the following definitions apply:
- (a) "Local effort" means an amount of money raised by levying no more than 10 mills pursuant to 20-9-502(3) and, provided that 10 mills have been levied, any additional amount of money deposited or transferred by trustees to the subfund pursuant to 20-9-502(3).
- (b) "School major maintenance amount" means the sum of \$15,000 and the product of \$100 multiplied by the district's budgeted ANB for the prior fiscal year."

Renumber: subsequent sections

30. Page 10, line 9.

Following: "instruction."

Insert: "(1)"

31. Page 10.

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Following: line 10

Insert: "(2) [Section 8] is intended to be codified as an integral part of Title 20, chapter 9, part 5, and the provisions of Title 20, chapter 9, part 5, apply to [section 8]."

Insert: "COORDINATION SECTION. Section 13. Coordination instruction. If both Senate Bill No. 139 and [this act] are passed and approved and if both contain a section amending 20-9-502, then the sections amending 20-9-502 are void and 20-9-502 must be amended as follows:

"20-9-502. Purpose and authorization of building reserve fund by election -- levy for school transition costs. (1) The trustees of any district, ~~with the approval of the qualified electors of the district,~~ may establish a building reserve fund to budget for and expend funds for any of the purposes set forth in this section. Appropriate subfunds must be created to ensure separate tracking of the expenditure of funds from voted and nonvoted levies and transfers for school safety pursuant to 20-9-236.

(2) (a) A voted levy may be imposed and a subfund must be created with the approval of the qualified electors of the district for the purpose of raising money for the future construction, equipping, or enlarging of school buildings; or for the purpose of purchasing land needed for school purposes in the district; or for the purpose of funding school transition costs as provided in subsections (5) and (6). In order to submit to the qualified electors of the district a building reserve proposition for the establishment of or addition to a building reserve, the trustees shall pass a resolution that specifies:

~~(a)~~(i) the purpose or purposes for which the new or addition to the building reserve will be used;

~~(b)~~(ii) the duration of time over which the new or addition to the building reserve will be raised in annual, equal installments;

~~(c)~~(iii) the total amount of money that will be raised during the duration of time specified in ~~subsection (1)(b) for the levy;~~ and

~~(d)~~(iv) any other requirements under 15-10-425 and 20-20-201 for the calling of an election.

~~(2)(b)~~ Except as provided in ~~subsections (5)(b) and (6) subsection (4)(b),~~ a building reserve tax authorization may not be for more than 20 years.

~~(3)(c)~~ The election must be conducted in accordance with the school election laws of this title, and the electors qualified to vote in the election must be qualified under the provisions of 20-20-301. The ballot for a building reserve proposition must be substantially in compliance with 15-10-425.

~~(4)(d)~~ The building reserve proposition is approved if a majority of those electors voting at the election approve the establishment of or addition to the building reserve. The annual budgeting and taxation authority of the trustees for a building reserve is computed by dividing the total authorized amount by the specified number of years. The authority of the trustees to budget and impose the taxation for the annual amount to be raised for the building reserve lapses when, at a later time, a bond issue is approved by the qualified electors of the district for the same purpose or purposes for which the building reserve fund of the district was established. Whenever a subsequent bond issue is made for the same purpose or purposes of a building reserve, the money in the building reserve must be used for the purpose or purposes before any money realized by the bond issue is used.

(3) (a) A subfund must be created to account for revenue and expenditures for school major maintenance and repairs authorized under this subsection (3). Except as provided in subsection

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(3)(g), the trustees of a district may authorize and impose a levy of no more than 10 mills on the taxable value of all taxable property within the district for that school fiscal year for the purposes of raising revenue for identified school major maintenance projects meeting the requirements of [section 8(2)]. The 10-mill limit under this section must be calculated using the district's total taxable valuation most recently certified by the department of revenue under 15-10-202. The amount of money raised by the levy, the deposits and transfers authorized under subsection (3)(f) of this section, and anticipated state aid pursuant to [section 8(3)] may not exceed the district's school major maintenance amount. For the purposes of this section, the term "school major maintenance amount" means the sum of \$15,000 and the product of \$100 multiplied by the district's budgeted ANB for the prior fiscal year. To authorize and impose a levy under this subsection (3), the trustees shall:

(i) following public notice requirements pursuant to [section 1], adopt no later than April 15 for fiscal year 2017 only and no later than March 31 for fiscal years 2018 and subsequent fiscal years, a resolution:

(A) identifying the anticipated school major maintenance projects for which the proceeds of the levy, the deposits and transfers authorized under subsection (3)(f) of this section, and anticipated state aid pursuant to [section 8(3)] will be used; and

(B) estimating a total dollar amount of money to be raised by the levy, the deposits and transfers authorized under subsection (3)(f) of this section, anticipated state aid pursuant to [section 8(3)], and the resulting estimated number of mills to be levied using the district's taxable valuation most recently certified by the department of revenue under 15-10-202; and

(ii) include the amount of any final levy to be imposed as part of its final budget meeting noticed in compliance with 20-9-131.

(b) Proceeds from the levy may be expended only for the purposes under [section 8(2)], and the expenditure of the money must be reported in the annual trustees' report as required by 20-9-213.

(c) Whenever the trustees of a district impose a levy pursuant to this section during the current school fiscal year, they shall budget for the proceeds of the levy, the deposits and transfers authorized under subsection (3)(f) of this section, and anticipated state aid pursuant to [section 8(3)] in the district's building reserve fund budget. Any expenditures of the funds must be made in accordance with the financial administration provisions of this title for a budgeted fund.

(d) When a tax levy pursuant to this section is included as a revenue item on the final building reserve fund budget, the county superintendent shall report the levy requirement to the county commissioners by the later of the first Tuesday in September or within 30 calendar days after receiving certified taxable values and a levy on the district must be made by the county commissioners in accordance with 20-9-142.

(e) A subfund in the building reserve fund must be created for the deposit of proceeds from the levy, the deposits and transfers authorized under subsection (3)(f) of this section, and anticipated state aid pursuant to [section 8(3)].

(f) If the imposition of 10 mills pursuant to subsection (3)(a) is estimated by the trustees to generate an amount less than the maximum levy revenue specified in subsection (3)(a), the trustees may deposit additional funds from any lawfully available revenue source and may transfer additional funds from any lawfully available fund of the district to the subfund provided for in subsection (3)(a), up to the difference between the revenue estimated to be raised by the imposition of 10 mills and the maximum levy revenue specified in subsection (3)(a). The district's local effort for purposes of calculating its eligibility for state school major maintenance aid pursuant

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to [section 8] consists of the combined total of funds raised from the imposition of 10 mills and additional funds raised from deposits and transfers in compliance with this subsection (3)(f).

(g) A district awarded a quality schools facility grant pursuant to Title 90, chapter 6, part 8, during the biennium beginning July 1, 2017, may not impose the levy under this subsection (3) during the biennium beginning July 1, 2017.

(5)(4) (a) The trustees may submit a proposition to the qualified electors of the district for a levy. A voted levy may be imposed and a subfund must be created with the approval of the qualified electors of the district to provide funding for transition costs incurred when the trustees:

(i) open a new school under the provisions of Title 20, chapter 6;

(ii) close a school;

(iii) replace a school building; or

(iv) consolidate with or annex another district under the provisions of Title 20, chapter 6; or

(v) receive approval from voters to expand an elementary district into a K-12 district pursuant to 20-6-326.

(b) Except as provided in subsections (5)(c) and (6) subsection (4)(c), the total amount the trustees may submit to the electorate for transition costs may not exceed the number of years specified in the proposition times the greater of 5% of the district's maximum general fund budget for the current year or \$250 per ANB for the current year. Except as provided in subsection (6), the duration of the levy for transition costs may not exceed 6 years.

(c) If the levy for transition costs is for consolidation or annexation:

(i) the limitation on the amount levied is calculated using the ANB and the maximum general fund budget for the districts that are being combined; and

(ii) the proposition must be submitted to the qualified electors in the combined district.

(d) The levy for transition costs may not be considered as outstanding indebtedness for the purpose of calculating the limitation in 20-9-406.

(5) A subfund in the building reserve fund must be created for the funds transferred to the building reserve fund for school safety and security pursuant to 20-9-236.

(6) The trustees of a K-12 district shall impose a levy for transition costs to fund the payment required by 20-6-326(6)(b) when a proposition to create the K-12 district and to assess the transition levy has been approved pursuant to 20-6-326(2). The levy is limited to the amount required by 20-6-326(6)(b) for a period not to exceed 3 years."

"COORDINATION SECTION. Section 14. Coordination instruction. If both House Bill No. 134 and [this act] are passed and approved, then House Bill No. 134 is void.

32. Page 10, line 15.

Strike: "4(3)"

Insert: "6(3)"

33. Page 10, line 17.

Strike: "6 and 7"

Insert: "9 and 10"

34. Page 10, line 18.

Strike: "14 or [LC 2344]"

Insert: "645 or Senate Bill No. 367"

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35. Page 10, line 19.

Strike: "7"

Insert: "10"

And, as amended, be concurred in. Report adopted.

ENERGY, TECHNOLOGY, AND FEDERAL RELATIONS (Zolnikov, Chair):

4/3/2017

HJR 28, introduced joint resolution, be amended as follows:

1. Page 1, line 17.

Strike: "study and"

Insert: ":

(1) identify:

(a) the costs for monopoly utilities to open their gas systems to consumer choice;

(b) the merits and complications of customer choice companies to be regulated by the appropriate state agency;

(c) in consultation with the appropriate state agencies, the costs, if any that will be passed on to consumers; and

(d) the merits and complications of deregulating a natural gas utility; and

(2)"

2. Page 1, line 18.

Strike: "(1)"

Insert: "(a)"

3. Page 1, line 19.

Strike: "(2)"

Insert: "(b)"

And, as amended, be adopted. Report adopted.

SB 93, be concurred in. Report adopted.

SB 154, be concurred in. Report adopted.

SB 299, be amended as follows:

1. Title, page 1, line 11.

Following: "FLUIDS;"

Insert: "AND"

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

Strike: "; AND" on line 11 through "DATE" on line 12

3. Page 3, line 3.

Following: "(a)"

Insert: "that"

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Strike: "its"

Strike: "has"

Insert: "have"

4. Page 3, line 4.

Strike: "pursuant to a"

5. Page 3, line 5.

Insert: "pursuant to a"

6. Page 3, line 6.

Following: "(ii)"

Insert: "in a"

7. Page 3, line 9.

Following: "ingredient,"

Insert: "its"

Strike: "is"

Insert: "are"

8. Page 3, line 13.

Strike: "is"

Insert: "are"

9. Page 3, line 17.

Strike: "is"

Insert: "are"

10. Page 3, line 20.

Following: "ingredient"

Insert: ", "

11. Page 4, line 14.

Strike: "has"

Insert: "have"

12. Page 5, line 28.

Strike: section 7 in its entirety

And, as amended, be concurred in. Report adopted.

HUMAN SERVICES (Wagoner, Chair):

4/3/2017

SB 92, be amended as follows:

1. Page 2, line 23.

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Following: "SPECIFIC DISABILITY."

Strike: "HEALTH"

Insert: "If available, health"

2. Page 2, line 24.

Strike: "SHOULD BE RETAINED"

Insert: "must be consulted"

3. Page 2, line 26.

Following: "LANGUAGE."

Insert: "Patients who communicate using American sign language must be assessed in the presence of an interpreter fluent in American sign language."

4. Page 3, line 7.

Following: "THE GUARDIAN"

Strike: "MAY"

Insert: "shall"

5. Page 6, line 19.

Following: "capacity if"

Insert: "the patient or"

6. Page 6, line 23.

Following: "capacity"

Insert: ", if the request was made by someone other than the patient or proxy decisionmaker"

And, as amended, be concurred in. Report adopted.

SB 120, be amended as follows:

1. Page 1, line 26.

Following: "SUBSTANCES;"

Insert: "and"

2. Page 1, line 27 through line 30.

Strike: "; AND" on line 27 through "WHEN NECESSARY" on line 30

3. Page 2, line 2.

Following: "DENTIST"

Insert: "or by a dental hygienist practicing with a limited access permit under public health supervision "

And, as amended, be concurred in. Report adopted.

SB 198, be concurred in. Report adopted.

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SB 208, be amended as follows:

1. Title, page 1, line 5.

Following: "SLOTS;"

Insert: "PROVIDING DIRECTION TO THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES ON THE 0208 WAIVER FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES;"

2. Page 1.

Following: line 20

Insert: "NEW SECTION. **Section 2. Direction to department of public health and human services.** The legislature directs the department of public health and human services to submit to the centers for medicare and medicaid services, by no later than September 30, 2017, a request for an amendment to the medicaid home and community-based services 0208 waiver for individuals with developmental disabilities that:

(1) allows individuals and providers to use the entirety of each individual's cost plan to provide services that the individual needs to be successful in the community, not to exceed the amount of medicaid waiver appropriations in House Bill No. 2;

(2) provides the flexibility necessary to enable the provision of professional services to an individual; and

(3) provides a sufficient number of emergency slots throughout Montana to accommodate individuals who may go into crisis."

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

SB 283, be amended as follows:

1. Page 2, line 1.

Strike: "\$125,000"

Insert: "\$150,000"

And, as amended, be concurred in. Report adopted.

JUDICIARY (Doane, Chair):

4/4/2017

SB 21, be concurred in. Report adopted.

SB 145, be amended as follows:

1. Page 2, line 28.

Strike: "best"

Insert: "better"

2. Page 3, line 6.

Strike: "of the department"

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3. Page 3, line 7.

Strike: "as defined in 50-46-302"

4. Page 3, line 26.

Strike: "of the department"

5. Page 4, line 3.

Strike: "of the department"

6. Page 4, line 8.

Strike: "of the department"

7. Page 4, line 19 through line 20.

Following: "director" on line 19

Strike: "of" on line 19 through "services" on line 20

8. Page 4, line 21.

Strike: "of public health and human services"

9. Page 4, line 27.

Strike: "of public health and human services"

10. Page 4, line 28 through line 29.

Following: "director" on line 28

Strike: "of" on line 28 through "services" on line 29

11. Page 5, line 2 through line 3.

Following: "DIRECTOR" on line 2

Strike: "OF" on line 2 through "SERVICES" on line 3

12. Page 5, line 7.

Following: "director"

Strike: "of" through "services"

13. Page 5, line 9.

Following: "of the"

Insert: "Montana"

14. Page 5, line 12 through line 13.

Following: "director" on line 12

Strike: "of" on line 12 through "services" on line 13

15. Page 5, line 16.

Strike: "of public health and human services"

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16. Page 5, line 20.

Following: "director"

Strike: "of" through "services"

Following: "to the"

Insert: "Montana"

17. Page 5, line 22 through line 23.

Following: "department" on line 22

Strike: "of" on line 22 through "services" on line 23

18. Page 5, line 25 through line 26.

Following: "director" on line 25

Strike: "of" on line 25 through "services" on line 26

19. Page 5, line 26 through line 27.

Following: "director" on line 26

Strike: "of" on line 26 through "services" on line 27

20. Page 5, line 28.

Insert: "NEW SECTION. Section 4. Definitions. As used in [sections 2 through 4], the following definitions apply:

(1) "Correctional facility or program" means a facility or program that is described in 53-1-202 and to which an individual may be ordered by any court of competent jurisdiction.

(2) "Department" means the department of public health and human services provided for in 2-15-2201.

(3) "Developmental disabilities facility" has the meaning provided in 53-20-202.

(4) "Director" means the director of the department of public health and human services.

(5) "Mental health facility" has the meaning provided in 53-21-102.

(6) "Mental health professional" has the meaning provided in 53-21-102.

(7) "Professional person" has the meaning provided in 53-21-102.

(8) "Residential facility" has the meaning provided in 53-20-102."

Renumber: subsequent sections

21. Page 8, line 1.

Strike: "and 3"

Insert: "through 4"

22. Page 8, line 2.

Strike: "Title 53, chapter 21, part 1" in two places

Insert: "Title 46, chapter 14" in two places

23. Page 8, line 3.

Strike: "and 3"

Insert: "through 4"

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And, as amended, be concurred in. Report adopted.

SB 200, be concurred in. Report adopted.

SB 293, be concurred in. Report adopted.

NATURAL RESOURCES (White, Chair):

4/3/2017

SB 15, be concurred in. Report adopted.

SB 24, be concurred in. Report adopted.

SB 315, be amended as follows:

1. Title, line 5.

Strike: "OVERSIGHT"

Insert: "ADVISORY"

2. Title, page 1, line 7.

Following: "FUNDING;"

Insert: "PROVIDING FUND TRANSFERS AND APPROPRIATIONS;"

Following: "REPORTING;"

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 1, line 11.

Strike: "oversight"

Insert: "advisory"

4. Page 1, line 12.

Following: "superfund"

Strike: "oversight"

Insert: "advisory"

Following: "The"

Strike: "oversight"

Insert: "advisory"

5. Page 1, line 14.

Strike: "oversight"

Insert: "advisory"

6. Page 1, line 15.

Following: "quality"

Insert: "or the director's designated representative"

7. Page 1, line 18 through line 19.

Strike: "and" on line 18 through line 19

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8. Page 1, line 20.

Strike: "(i)"

Insert: "(d)"

9. Page 1, line 22.

Strike: "(ii)"

Insert: "(e)"

10. Page 1, line 24.

Strike: "oversight"

Insert: "advisory"

11. Page 1, line 25.

Strike: "oversight"

Insert: "advisory"

12. Page 1, line 26.

Strike: "oversight"

Insert: "advisory"

13. Page 1, line 27.

Strike: "administer"

Insert: "advise the department of environmental quality regarding the administration of"

14. Page 1, line 28.

Strike: "administer"

Insert: "advise the department of environmental quality regarding the administration of"

15. Page 1, line 30.

Strike: "supervise" through "terminate"

Insert: "recommend tasks and work priorities for"

16. Page 2, line 2.

Strike: "oversight"

Insert: "advisory"

17. Page 2, line 5.

Strike: "at the pleasure of"

Insert: "as staff to"

18. Page 2, line 6.

Strike: "oversight"

Insert: "advisory"

19. Page 2, line 8.

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Strike: "oversight team"

Insert: "director of the department of environmental quality or the director's designated representative"

20. Page 2, line 9.

Following: "and the state"

Insert: "by assisting the department of environmental quality"

21. Page 2, line 12.

Following: "implementation of"

Strike: "the"

Following: "cleanup"

Strike: "plan"

Insert: "plans"

22. Page 2, line 13 through line 14.

Strike: "to the department" through "agencies"

Insert: "to the department and, at the department's request, to local governments and appropriate federal agencies"

23. Page 2, line 16.

Strike: "oversight team"

Insert: "director of the department of environmental quality or the director's designated representative"

24. Page 3, line 10.

Strike: "oversight"

Insert: "advisory"

25. Page 6, line 9.

Following: line 8

Insert: "NEW SECTION. Section 6. Transfer of funds. The department of environmental quality is authorized to transfer money as required in [sections 3 and 4]."

Insert: "NEW SECTION. Section 7. Appropriations. There is appropriated to the department of environmental quality in each of the fiscal years 2018 and 2019:

(1) \$120,000 from the Libby asbestos cleanup trust fund for the purposes of [section 3]; and

(2) \$480,000 from the Libby asbestos cleanup operation and maintenance account for the purposes of [section 4]."

Renumber: subsequent section

26. Page 6, line 13.

Following: line 12

Insert: "NEW SECTION. Section 9. Effective date. [This act] is effective July 1, 2017."

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And, as amended, be concurred in. Report adopted.

TAXATION (Essmann, Chair):
SB 94, be amended as follows:

4/4/2017

1. Title, page 1, line 7.

Following: "IMPROVEMENTS;"

Insert: "PROVIDING THAT THE EXEMPTION AMOUNT IS BASED ON INCOME;"

2. Page 1, line 24.

Strike: "~~150%~~"

Insert: "200%"

3. Page 1, line 25.

Following: "on the land"

Insert: "or if income is greater than the amount provided in subsection (3)"

4. Page 1, line 27 through page 2, line 1.

Strike: subsection (3) in its entirety

Insert: "(3) (a) Subject to the minimum equalization of value requirement in subsection (4) and the requirements of subsection (6), the land is valued at the percentage of the appraised value of the primary residence and improvements situated on the land that corresponds to income as provided in the following table, and the remainder of the land value is exempt from taxation:

Income Single Person	Income Married Couple	Income Head of Household	% of Appraised Value of Improvements
Less than \$33,333	Less than \$50,000		200%
\$33,334 - \$40,000	\$50,001 - \$60,000		250%
\$40,001 - \$46,667	\$60,001 - \$70,000		300%
\$46,668 - \$53,333	\$70,001 - \$80,000		350%
\$53,334 - \$60,000	\$80,001 - \$90,000		400%
\$60,001 - \$66,667	\$90,001 - \$100,000		450%
\$66,668 - \$73,333	\$100,001 - \$110,000		500%

(b) The income levels contained in subsection (3)(a) must be adjusted annually using the PCE inflation factor and rounded to the nearest whole dollar amount."

5. Page 2, line 11.

Following: "cycle."

Insert: "A taxpayer may not receive the exemption provided for in this section and the property tax assistance programs provided for in Title 15, chapter 6, part 3."

6. Page 2, line 14.

Following: "and"

Insert: "and"

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7. Page 2, line 15 through line 16.

Strike: subsection (ii) in its entirety

Renumber: subsequent subsections

8. Page 2, following line 26.

Insert: "(a) "Income" means the federal adjusted gross income excluding capital and income losses of an applicant and the applicant's spouse as calculated on the Montana income tax return for the prior tax year."

Renumber: subsequent subsections

9. Page 3, line 2.

Strike: "(7)(A)(I)"

Insert: "(7)(b)(i)"

10. Page 3, line 8.

Following: line 7

Insert: "(c) "PCE" has the meaning provided in 15-6-301.

(d) "PCE inflation factor" for a tax year means the PCE for March of the prior tax year before the tax year divided by the PCE for March 2018."

Renumber: subsequent subsections

11. Page 14, line 19.

Insert: "NEW SECTION. Section 5. 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."

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

SB 126, be amended as follows:

1. Title, page 1, line 7.

Strike: "SECTIONS"

Insert: "SECTION"

Strike: "AND 15-2-302"

2. Page 2, line 9.

Following: "(3)"

Insert: "(a) Except as provided in subsection (3)(b), the state tax appeal board shall consider an independent appraisal provided by the taxpayer if the appraisal is conducted by a Montana licensed appraiser and the appraisal was prepared using data collected within 6 months of the valuation date. If the state board does not use the appraisal provided by the taxpayer in conducting the appeal, the state board shall provide to the taxpayer the reason for not using the appraisal.

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(b)"

3. Page 2, line 9.

Strike: "the property"

Insert: "residential property that has been owned by the taxpayer for at least 5 consecutive years"

4. Page 2, line 11.

Following: "APPRAISAL"

Insert: "is conducted by a Montana licensed appraiser and"

5. Page 2, line 12 through 13.

Strike: "valuation"

Strike: "that" on line 12 through "appraisers" on line 13

Insert: "provided for in subsection (3)(a)"

6. Page 3, line 7 through page 4, line 7.

Strike: section 2 in its entirety

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

SB 143 - The Senate failed to concur in the House Amendments to **SB 143**, and by motion, the President was authorized to appoint a **Free** Conference Committee to confer on **SB 143** and requests the House appoint a like committee. The President appointed the following members:

4/4/2017

Senator Lang, Chair
Senator Osmundson
Senator F. Smith

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

4/3/2017

HB 333, introduced by Garner
HB 348, introduced by P. Webb
HB 402, introduced by Essmann
HB 426, introduced by Price
HB 507, introduced by Mandeville
HB 510, introduced by A. Hertz
HB 516, introduced by Dudik
HB 533, introduced by Court

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House bills concurred in and returned to the House:

4/3/2017

HB 97, introduced by Loge
HB 140, introduced by Stewart-Peregoy
HB 324, introduced by Hamlett
HB 334, introduced by Knokey
HB 360, introduced by Hamlett
HB 427, introduced by A. Knudsen
HB 456, introduced by Mandeville
HB 469, introduced by Sheldon-Galloway
HB 476, introduced by Hayman
HB 482, introduced by Eck
HB 492, introduced by Hayman
HB 495, introduced by Dunwell
HB 537, introduced by Curdy

MESSAGES FROM THE GOVERNOR

April 3, 2017

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

Dear Speaker Knudsen:

On Monday, April 3, 2017, I signed the following bills:

HB 64 - K. Dudik
HB 183 - K. Flynn
HB 282 - M. Cuffe
HB 316 - K. Holmlund
HB 388 - G. Hertz
HB 421 - R. Brodehl
HB 520 - R. Fitzgerald
HB 523 - C. Knudsen

Sincerely,

STEVE BULLOCK
Governor

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FIRST READING AND COMMITMENT OF BILLS

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

HJR 32, introduced by M. Dunwell, M. Ryan, C. Schreiner, referred to Education.

HJR 33, introduced by B. Bennett, J. Bachmeier, R. Cook, G. Custer, J. Fleming, F. Garner, E. Greef, D. Hayman, A. Hertz, J. Karjala, W. McKamey, J. Price, W. Sales, R. Shaw, B. Smith, K. Swanson, J. Trebas, B. Usher, P. Webb, S. Webber, referred to State Administration.

**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 Fern in the chair.

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

SB 42 - Representative Flynn moved **SB 42** 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, 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 99 - Representative Berglee moved **SB 99** be concurred in. 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,

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

Total 60

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

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 158 - Representative Staffanson moved **SB 158** be concurred in. Motion carried as follows:

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

Total 79

Nays: Ballance, Bartel, Berglee, Brodehl, B. Brown, Burnett, Cook, Galloway, Galt, Glimm, Hopkins, C Knudsen, Manzella, Noland, Regier, Rosendale, Stewart-Per, Trebas, Tschida, Usher, Windy Boy.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 268 - Representative Wagoner moved **SB 268** be concurred in. Motion carried as follows:

Yeas: Anderson, Ballance, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Dunwell, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef,

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

Total 59

Nays: Abbott, Bachmeier, Bartel, Bennett, Bishop, Z. Brown, Court, Curdy, Curtis, Dudik, 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, Stewart-Per, Swanson, Webber, Windy Boy, Woods.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 270 - Representative McKamey moved **SB 270** be concurred in. 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, 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, Smith, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Zolnikov, Mr. Speaker.

Total 60

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

Total 39

Excused: None.

Total 0

Absent or not voting: Lynch.

Total 1

SB 271 - Representative Wagoner moved **SB 271** be concurred in. Motion carried as follows:

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

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Gunderson, Hamilton, Hamlett, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, Lavin, Lenz, Loge, Lynch, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Regier, Ricci, 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 90

Nays: Beard, B. Brown, Ehli, Glimm, Harris, C Knudsen, Mandeville, Redfield, Rosendale, Staffanson.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 284 - Representative Galt moved **SB 284** 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, 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, McCarthy, McConnell, McKamey, 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 97

Nays: Galloway, Manzella, Mortensen.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 286 - Representative M. Regier moved **SB 286** 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,

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Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, 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: Olsen, Ryan.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 287 - Representative Fitzgerald moved **SB 287** be concurred in. Motion carried as follows:

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

Total 91

Nays: Beard, Doane, Kipp III, C Knudsen, Manzella, Mortensen, Redfield, Rosendale, Stewart-Per.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 291 - Representative Lynch moved **SB 291** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Bennett, Berglee, Bishop, B. Brown, Z.

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Brown, Burnett, Cook, Court, 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, Kipp III, Knokey, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: Beard, Brodehl, Cuffe, Galloway, Harris, C Knudsen, Regier, Rosendale, Skees, White.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 292 - Representative Lynch moved **SB 292** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bennett, Berglee, Bishop, Z. Brown, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galt, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, 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, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart-Per, Swanson, Trebas, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Mr. Speaker.

Total 84

Nays: Ballance, Bartel, Beard, Brodehl, B. Brown, Burnett, Galloway, Glimm, Harris, Jones, C Knudsen, Regier, Rosendale, Staffanson, Tschida, Zolnikov.

Total 16

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 Fern moved the Committee of the Whole report be adopted. Report adopted as follows:

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

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Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, 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, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Mr. Speaker.

Total 97

Nays: Zolnikov.

Total 1

Excused: None.

Total 0

Absent or not voting: Doane, Patelis.

Total 2

THIRD READING OF BILLS

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

HB 289 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, 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, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Lynch.

Total 1

Excused: None.

Total 0

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Absent or not voting: Doane, Patelis.

Total 2

HB 298 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, 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, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Mr. Speaker.

Total 93

Nays: Galloway, Rosendale, Tschida, Usher, Zolnikov.

Total 5

Excused: None.

Total 0

Absent or not voting: Doane, Patelis.

Total 2

HB 328 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, 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, 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: None.

Total 0

Excused: None.

Total 0

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Absent or not voting: Doane, Patelis.

Total 2

HB 349 passed as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jacobson, Jones, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, 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, Karjala, Keane, Kelker, Kipp III, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Schreiner, Smith, Stewart-Per, Swanson, Webber, Windy Boy, Woods.

Total 40

Excused: None.

Total 0

Absent or not voting: Doane, Patelis.

Total 2

HB 355 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, 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, 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: None.

Total 0

Excused: None.

Total 0

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Absent or not voting: Doane, Patelis.

Total 2

SB 7 concurred in as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, G Hertz, Holmlund, Jones, Keane, Knokey, 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, Windy Boy, Mr. Speaker.

Total 56

Nays: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Court, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Hamilton, Harris, Hayman, A Hertz, Hill-Smith, Hopkins, Jacobson, Karjala, Kelker, Kipp III, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Schreiner, Smith, Stewart-Per, Swanson, Webber, Woods, Zolnikov.

Total 42

Excused: None.

Total 0

Absent or not voting: Doane, Patelis.

Total 2

SB 17 concurred in as follows:

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

Total 78

Nays: Beard, Brodehl, Burnett, Flynn, Galloway, Galt, Glimm, Gunderson, A Hertz, Lavin, Lenz, Manzella, Noland, Redfield, Regier, Rosendale, Skees, Staffanson, Trebas, Tschida.

Total 20

Excused: None.

Total 0

Absent or not voting: Doane, Patelis.

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Total 2

MOTIONS

Representative Ehli moved to re-refer **SB 271** to the Appropriations Committee. Without objection, so ordered.

Representative Ehli moved the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on Senate Amendments to **HB 280**. Motion carried. Speaker Knudsen appointed:

4/4/2017

Representative Berglee
Representative Brodehl
Representative Perry

Representative Ehli moved the Speaker accede to the request of the Senate and be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate to confer on House Amendments to **SB 143**. Motion carried. Speaker Knudsen appointed:

4/4/2017

Representative Fern
Representative Mandeville
Representative Staffanson

Representative Flynn moved to reconsider action on **HB 98** and that **HB 98** be placed on third reading on the 71st legislative day.

Motion **failed** as follows:

Yeas: Anderson, Beard, Berglee, Brodehl, B. Brown, Ehli, Essmann, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jones, Knokey, C Knudsen, Lavin, Loge, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Redfield, Regier, Ricci, Rosendale, Shaw, Skees, Trebas, Usher, Vinton, Wagoner, Webb, White, Zolnikov, Mr. Speaker.

Total 45

Nays: Abbott, Bachmeier, Ballance, Bartel, Bennett, Bishop, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ellis, Fern, Fitzgerald, Fleming, Funk, Hamilton, Hamlett, Hayman, Hill-Smith, Jacobson, Karjala, Keane, Kelker, Kipp III, Lenz, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Sales, Schreiner, Smith, Staffanson, Stewart-Per, Swanson, Tschida, Webber, Welch, Windy Boy, Woods.

Total 53

Excused: None.

Total 0

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Absent or not voting: Doane, Patelis.
Total 2

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Ehli moved that the House adjourn until 11:00 a.m., Wednesday, April 5, 2017.
Motion carried.

House adjourned at 2:07 p.m.

LINDSEY VROEGINDEWEY
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House