

**HOUSE JOURNAL
65TH LEGISLATURE
SEVENTY-FIRST LEGISLATIVE DAY**

Helena, Montana
April 5, 2017

House Chambers
State Capitol

House convened at 11:00 a.m. Mr. Speaker presiding. Invocation by Representative Glimm. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

COMMUNICATIONS AND PETITIONS

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

Representative Ricci, Chair

BILLS (Ricci, Chair):

4/5/2017

Correctly printed: **HB 611, HJR 27, HJR 32, HJR 33, HR 4, SB 15, SB 21, SB 24, SB 42, SB 43, SB 44, SB 60, SB 63, SB 92, SB 93, SB 99, SB 120, SB 126, SB 139, SB 145, SB 154, SB 158, SB 198, SB 200, SB 227, SB 242, SB 260, SB 268, SB 270, SB 271, SB 284, SB 286, SB 287, SB 291, SB 292, SB 293, SB 294, SB 341.**

Correctly engrossed: **HJR 28, SB 63, SB 64, SB 92, SB 94, SB 120, SB 126, SB 145, SB 208, SB 283, SB 299, SB 307, SB 315.**

Correctly enrolled: **HB 97, HB 108, HB 140, HB 198, HB 200, HB 231, HB 248, HB 251, HB 266, HB 289, HB 298, HB 334, HB 349, HB 355, HB 360, HB 427, HB 456, HB 469, HB 476, HB 482, HB 492, HB 495, HB 537.**

Examined by the sponsor and found to be correct: **HB 97, HB 140, HB 156, HB 198, HB 200, HB 231, HB 248, HB 251, HB 266, HB 289, HB 298, HB 324, HB 334, HB 349, HB 355, HB 360, HB 456, HB 469, HB 476, HB 482, HB 492, HB 495, HB 537.**

Signed by the Speaker at 10:00 a.m., April 5, 2017: **HB 22, HB 45, HB 83, HB 101, HB 103, HB 108, HB 128, HB 147, HB 149, HB 168, HB 444, HB 539.**

Signed by the Chief Clerk of the House at 10:40 a.m., April 5, 2017: **HB 22, HB 45, 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 5:00 p.m., April 5, 2017: **HB 22, HB 45, HB 83, HB 101, HB 103, HB 108, HB 128, HB 147, HB 149, HB 168, HB 444, HB 539.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ballance, Chair):

4/4/2017

SB 43, be concurred in. Report adopted.

BUSINESS AND LABOR (Noland, Chair):

4/5/2017

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SB 344, be amended as follows:

1. Page 1, line 14.

Following: "license"

Insert: "-- definition"

2. Page 2, line 26.

Following: "ownership interest"

Insert: "in the liquor license or the licensee's business"

Following: "guarantor"

Strike: "in the liquor license or the licensee's business"

Insert: "if the department determines the borrower, coborrower, guarantor, and owner or owners of the assets pledged as collateral meet the requirements of 16-4-401"

3. Page 2, line 29.

Strike: ", subject to" through "16-4-401"

4. Page 2, line 30.

Strike: ", subject to" through "16-4-401"

5. Page 3, line 3 through line 4.

Strike: ", subject to the" on line 3 through "16-4-401" on line 4

6. Page 3, line 24 through line 26.

Strike: "borrowing entity" on line 24 through "guarantor" on line 26

Insert: "borrower, an owner of the licensee"

Following: "payment on" on line 26

Strike: "an"

Insert: "the"

Strike: "secured by a liquor license" on line 26

7. Page 3.

Following: line 27

Insert: "(a) the party making the payment must be vetted and approved prior to making the payment;"

Renumber: subsequent subsections

8. Page 4, line 4.

Strike: "coborrower's or guarantor's"

Insert: "party's"

Following: "own funds"

Strike: " "

Insert: "or"

9. Page 4, line 5.

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Strike: ", or funds borrowed" through "16-4-401"

10. Page 4, line 6.

Following: "If a"

Insert: "borrower,"

Following: "coborrower"

Insert: ", "

Strike: "a shareholder" through "borrowing entity"

Insert: "the licensee or an owner of the licensee"

11. Page 4, line 7 through line 8.

Strike: "an" on line 7

Insert: "the"

Strike: "secured by" on line 7 through "subsection (6)" on line 8

Insert: ", and the payment does not create an undisclosed ownership interest in the liquor license by the borrower, coborrower, or guarantor only if"

12. Page 4, line 9.

Strike: "must notify"

Insert: "notifies"

13. Page 4, line 10.

Strike: "must be"

Insert: "is"

14. Page 4, line 11.

Strike: "must be"

Insert: "are"

Following: "guarantor's own funds"

Strike: " "

Insert: "or"

15. Page 4, line 12.

Strike: ", or funds borrowed" through "16-4-401"

16. Page 4.

Following: line 16

Insert: "(8) For the purposes of subsections (5) and (6), the term "borrower" means the party that is primarily responsible for making payments and that receives the funds or on whose behalf the funds were paid."

17. Page 4, line 19.

Following: "interest"

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Insert: "-- definition"

18. Page 5, line 1.

Following: "interest"

Insert: "in the licensee's business"

Following: "guarantor"

Strike: "in the licensee's business"

Insert: "if the department determines the borrower, coborrower, guarantor, and owner or owners of the assets pledged as collateral meet the requirements of 23-5-176"

19. Page 5, line 4.

Strike: ", subject to" through "23-5-176"

20. Page 5, line 5.

Strike: ", subject to" through "23-5-176"

21. Page 5, line 8 through line 9.

Strike: ", subject to the" on line 8 through "23-5-176" on line 9

22. Page 5, line 10 through line 12.

Strike: "borrowing entity" on line 10 through "guarantor" on line 12

Insert: "borrower, an owner of the licensee"

Following: "payment on the"

Strike: "borrowing entity's"

23. Page 5, line 20.

Strike: "coborrower's or guarantor's"

Insert: "party's"

Following: "own funds"

Strike: " "

Insert: "or"

24. Page 5, line 21.

Strike: ", or funds borrowed" through "23-5-176"

25. Page 5, line 22.

Following: "If a"

Insert: "borrower,"

Following: "coborrower"

Insert: " ,"

Strike: "a shareholder" through "entity"

Insert: "the licensee or an owner of the licensee"

26. Page 5, line 23 through line 24.

Strike: "borrowing entity's" on line 23

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Following: "loan" on line 23

Strike: ". If a payment is made" on line 23 through "subsection (6)" on line 24

Insert: ", and the payment does not create an undisclosed ownership in the licensee's business by the borrower, coborrower, or guarantor only if"

27. Page 5, line 25.

Strike: "must notify"

Insert: "notifies"

28. Page 5, line 26.

Strike: "must be"

Insert: "is"

29. Page 5, line 27.

Strike: "must be"

Insert: "are"

Following: "own funds"

Strike: " "

Insert: "or"

30. Page 5, line 28.

Strike: ", or funds borrowed" through "23-5-176"

31. Page 6.

Following: line 1

Insert: "(8) For the purposes of subsections (5) and (6), the term "borrower" means the party that is primarily responsible for making payments and that receives the funds or on whose behalf the funds were paid."

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

MESSAGES FROM THE SENATE

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

4/5/2017

HB 2, introduced by Ballance

HB 99, introduced by Z. Brown

HB 100, introduced by Bennett

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MESSAGES FROM THE GOVERNOR

April 4, 2017

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

Dear Speaker Knudsen:

On Tuesday, April 4, 2017, I signed the following bills:

HB 137 - M. Funk
HB 175 - J. Hamilton
HB 285 - W. McKamey
HB 323 - G. Pierson
HB 350 - P. Webb
HB 362 - E. Hill Smith
HB 396 - B. Grubbs

I am also returning House Bill 367 - B. Beard with amendments.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

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

HR 4, introduced by J. Eck, referred to Business and Labor.

**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 Skees in the chair.

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

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SB 294 - Representative Ehli moved consideration of **SB 294** be placed at the top of the second reading board. Motion carried.

SB 307 - Representative Ehli moved consideration of **SB 307** be passed for the day. Motion carried.

SB 294 - Representative Garner moved **SB 294** 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, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Windy Boy.

Total 1

SB 64 - Representative Brodehl moved consideration of **SB 64** be placed at the bottom of the second reading board. Motion carried.

HB 73 - Senate Amendments - Representative Lynch moved Senate Amendments to **HB 73** 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, 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, Woods, Zolnikov, Mr. Speaker.

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Total 96

Nays: Hopkins, Rosendale, White.

Total 3

Excused: None.

Total 0

Absent or not voting: Windy Boy.

Total 1

HB 402 - Senate Amendments - Representative Essmann moved Senate Amendments to **HB 402** 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, 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, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Manzella, White.

Total 2

Excused: None.

Total 0

Absent or not voting: Windy Boy.

Total 1

SB 63 - Representative Patelis moved **SB 63** 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, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson,

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Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Redfield.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 92 - Representative M. Regier moved **SB 92** 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, 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: Lavin.
Total 1

SB 120 - Representative Ricci moved **SB 120** 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, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield,

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Ricci, Rosendale, Ryan, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: McKamey, Regier, Sales, White.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 126 - Representative Fern moved **SB 126** be concurred in. Motion carried as follows:

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

Total 72

Nays: Abbott, Bachmeier, Bennett, Bishop, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill-Smith, Jacobson, Karjala, Keane, Lynch, McConnell, Morigeau, Olsen, Pierson, Price, Ryan, Schreiner, Swanson, Webber, Windy Boy, Woods.

Total 27

Excused: None.

Total 0

Absent or not voting: Patelis.

Total 1

SB 145 - Representative Kelker moved **SB 145** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Ballance, Bartel, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Cook, Cuffe, Custer, Dunwell, Essmann, Fern, Fitzgerald, Flynn, Garner, Glimm, Greef, Grubbs, Harris, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Kelker, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McCarthy, Mortensen, Noland, Olsen, Patelis, Pierson, Redfield, Ricci, Sales, Shaw, Skees, Trebas, Tschida, Usher, Vinton, Webb, Welch, White, Zolnikov.

Total 55

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Nays: Bachmeier, Beard, Burnett, Court, Curdy, Curtis, Doane, Dudik, Eck, Ehli, Ellis, Fleming, Funk, Galloway, Galt, Gunderson, Hamilton, Hamlett, Hayman, A Hertz, G Hertz, Karjala, Keane, Kipp III, Lynch, McConnell, McKamey, Morigeau, O'Hara, Peppers, Perry, Price, Regier, Rosendale, Ryan, Schreiner, Smith, Staffanson, Stewart-Per, Swanson, Wagoner, Webber, Windy Boy, Woods, Mr. Speaker.
Total 45

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

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Doane, 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.
Total 95

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Brodehl, Custer, Dudik, Greef, Mr. Speaker.
Total 5

MOTIONS

Representative Ehli moved to re-refer **SB 294** to the Appropriations Committee. Without objection, so ordered.

Representative Ehli moved to re-refer **SB 126** to the Appropriations Committee. Without objection, so ordered.

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Representative Ehli moved to re-refer **SB 145** to the Appropriations Committee. Without objection, so ordered.

**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 Skees in the chair.

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

SB 208 - Representative Harris moved **SB 208** be concurred in. Motion carried as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Cuffe, Doane, Dunwell, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Galt, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jones, Keane, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, 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 65

Nays: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Burnett, Cook, Court, Curdy, Curtis, Custer, Dudik, Eck, Ellis, Fern, Fleming, Funk, Garner, Hamilton, Hayman, Hill-Smith, Jacobson, Karjala, Kelker, McCarthy, McConnell, Morigeau, Perry, Pierson, Price, Ryan, Schreiner, Swanson, Webber, Woods.

Total 35

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 282 - Representative Manzella moved **SB 282** be concurred in.

SB 282 - Representative Brodehl moved for cloture. Motion **failed** as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fern, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jones, Keane, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McKamey, Mortensen, O'Hara,

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Patelis, Pierson, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Staffanson, Stewart-Per, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Windy Boy, Zolnikov, Mr. Speaker.

Total 64

Nays: Abbott, Bachmeier, Bennett, Bishop, Court, Curdy, Curtis, Dunwell, Eck, Ellis, Fleming, Funk, Hamilton, Hamlett, Hayman, Hill-Smith, Jacobson, Karjala, Kelker, Kipp III, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Price, Ryan, Schreiner, Smith, Swanson, Webber, Woods.

Total 34

Excused: None.

Total 0

Absent or not voting: Dudik, Noland.

Total 2

SB 282 - Representative Harris moved for cloture. Motion carried as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Custer, Doane, Eck, Ehli, Essmann, Fitzgerald, Fleming, 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, Redfield, Regier, Ricci, Rosendale, Sales, Skees, Staffanson, Stewart-Per, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Windy Boy, Zolnikov, Mr. Speaker.

Total 69

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

Total 29

Excused: None.

Total 0

Absent or not voting: Dudik, Shaw.

Total 2

SB 282 - Be concurred in motion for **SB 282** 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,

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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, Kelker, Kipp III, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Schreiner, Smith, Stewart-Per, Swanson, Webber, Woods.
Total 40

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 283 - Representative Usher moved **SB 283** 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, Gunderson, Hamilton, Hamlett, Harris, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Ryan, Sales, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.
Total 92

Nays: Brodehl, Burnett, Galloway, Hayman, Lenz, Olsen, Rosendale, Schreiner.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 306 - Representative Mandeville moved **SB 306** be concurred in. Motion **failed** as follows:

Yeas: Anderson, Ballance, Beard, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Galt, Glimm, Greef, Gunderson, A Hertz, G Hertz, Holmlund, Hopkins, Jacobson, Knokey, C Knudsen, Lavin, Lenz, Mandeville, Manzella, McKamey, Mortensen, Noland, Patelis, Regier, Rosendale, Skees, Staffanson, Trebas, Tschida, Usher, Wagoner, Webb, Zolnikov, Mr. Speaker.

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Total 44

Nays: Abbott, Bachmeier, Bartel, Bennett, Bishop, Z. Brown, Cook, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Garner, Grubbs, Hamilton, Hamlett, Harris, Hayman, Hill-Smith, Jones, Karjala, Keane, Kelker, Kipp III, Loge, Lynch, McCarthy, McConnell, Morigeau, O'Hara, Olsen, Peppers, Perry, Pierson, Price, Redfield, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Stewart-Per, Swanson, Vinton, Webber, Welch, White, Windy Boy, Woods.

Total 56

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 314 - Representative Mortensen moved **SB 314** do pass. Motion carried 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, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harris, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Knokey, C Knudsen, Lavin, Lenz, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Smith, Stewart-Per, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Zolnikov, Mr. Speaker.

Total 85

Nays: Court, Dunwell, Ellis, Essmann, Fern, Hamilton, Hayman, Kipp III, Loge, Olsen, Ryan, Schreiner, Staffanson, Swanson, Woods.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 319 - Representative Kipp III moved **SB 319**, second reading copy, be amended as follows:

1. Title, page 1, line 8.

Strike: "PROVIDING AN EXCEPTION;"

2. Page 1, line 17.

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Strike: "(A) EXCEPT AS PROVIDED IN SUBSECTION (2)(B), A"

Insert: "A"

3. Page 1, line 19 through line 21.

Strike: line 19 through line 21 in their entirety

Amendment adopted as follows:

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

Total 51

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

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 319 - Representative Webber moved **SB 319**, as amended, be concurred in. Motion carried as follows:

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

Total 69

Nays: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Ehli, Flynn, Galloway, Galt, Glimm, Gunderson, G Hertz, Knokey, C Knudsen, Lavin, Lenz, Manzella, Mortensen, Noland, Redfield, Regier, Rosendale, Skees, Staffanson, Tschida, Usher, Mr. Speaker.

Total 31

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 325 - Representative Anderson moved **SB 325** 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, 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, 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 96

Nays: Brodehl, Burnett.

Total 2

Excused: None.

Total 0

Absent or not voting: Mandeville, Patelis.

Total 2

SJR 13 - Representative Lynch moved **SJR 13** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, 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, Hill-Smith, Holmlund, 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, 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: B. Brown, G Hertz, Hopkins, C Knudsen, Rosendale.

Total 5

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 18 - Representative A. Hertz moved **SJR 18** 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, Hill-Smith, Holmlund, 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, 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 96

Nays: G Hertz, Hopkins, Redfield, Rosendale.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 64 - Representative Brodehl moved **SB 64**, second reading copy, be amended as follows:

1. Page 18, following line 24.

Insert: "COORDINATION SECTION. Section 21. Coordination instruction. If both Senate Bill No. 294 and [this act] are passed and approved, then [section 2 of this act] must read as follows:

"NEW SECTION. Section 2. Compensation of board members. (1) Board members must be paid a salary within the ~~pay band, as defined in 2-18-101, determined occupational wage range for the occupation designated~~ by the department of administration as provided in subsection (2). Board members must receive longevity, expense reimbursement, leave, insurance, and other benefits provided to classified state employees under Title 2, chapter 18, and must receive pay adjustments consistent with those required by the legislature for state employees in 2-18-303 and 2-18-304.

(2) The department of administration shall determine the appropriate occupation ~~and pay band~~ for the board members in the same manner that it determines the occupation ~~and pay bands~~ for employees in state government pursuant to Title 2, chapter 18.

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(3) The governor shall set the salary of the board members within the ~~pay band~~ occupational wage range established by the department of administration."

Renumber: subsequent sections

Amendment 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, 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 64 - Representative Brodehl moved **SB 64**, as amended, be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, 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 96

Nays: Bartel, Essmann, G Hertz, Staffanson.

Total 4

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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 Skees 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, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harris, Hayman, A Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McConnell, McKamey, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Shaw, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Zolnikov, Mr. Speaker.

Total 91

Nays: Hamilton, G Hertz, Karjala, McCarthy, Morigeau, Schreiner, Skees, Woods.

Total 8

Excused: None.

Total 0

Absent or not voting: Dudik.

Total 1

THIRD READING OF BILLS

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

SB 42 concurred in 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,

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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 44 concurred in 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, 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 96

Nays: Beard, Burnett, Galloway, Rosendale.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 60 concurred in 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,

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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 concurred in 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, 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 139 concurred in as follows:

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

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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 97

Nays: Curdy, Olsen, Ryan.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 158 concurred in as follows:

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

Total 69

Nays: Anderson, Ballance, Bartel, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Flynn, Galloway, Galt, Glimm, Gunderson, Harris, A Hertz, G Hertz, Hopkins, Kipp III, C Knudsen, Lavin, Manzella, Noland, Redfield, Regier, Rosendale, Trebas, Tschida, Usher, Windy Boy.

Total 31

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 268 concurred in 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, Grubbs, Gunderson, A Hertz, G Hertz, Holmlund, Hopkins, Jacobson, Jones, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Olsen, Patelis, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Zolnikov, Mr. Speaker.

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Total 61

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, Lynch, McCarthy, McConnell, Morigeau, Peppers, Perry, Pierson, Price, Ryan, Schreiner, Smith, Stewart-Per, Swanson, Webber, Windy Boy, Woods.

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 270 concurred in 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, Peppers, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Smith, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Zolnikov, Mr. Speaker.

Total 61

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, Perry, Pierson, Price, Ryan, Schreiner, Stewart-Per, Swanson, Webber, Windy Boy, Woods.

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 284 concurred in 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,

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Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Mr. Speaker.

Total 96

Nays: Galloway, Manzella, Mortensen, Zolnikov.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 286 concurred in 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, 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 95

Nays: Olsen, Peppers, Stewart-Per, Windy Boy, Woods.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 287 concurred in 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, Knokey, Lavin, Lenz, Loge, Lynch, Mandeville, McCarthy, McConnell, McKamey, Morigeau, Noland, O'Hara, Olsen,

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Patelis, Peppers, Perry, Pierson, Price, 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, Kipp III, C Knudsen, Manzella, Mortensen, Redfield, Regier, Rosendale, Stewart-Per.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 291 concurred in as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Bennett, Berglee, Bishop, 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, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, Lavin, Lenz, Loge, Lynch, Mandeville, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: Beard, Brodehl, B. Brown, Galloway, Harris, C Knudsen, Manzella, Regier, Rosendale, Skees, White, Windy Boy.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 292 concurred in as follows:

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

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Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Mr. Speaker.

Total 82

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

Total 18

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ballance, Chair):
SB 294, be concurred in. Report adopted.

4/5/2017

LOCAL GOVERNMENT (Greef, Chair):
HJR 31, be adopted. Report adopted.

4/4/2017

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SB 372, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on **Senate Bill 59**
Report No. 001, April 5, 2017

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 59** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 59** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 6.

Strike: "BOARD OF CRIME CONTROL"

Insert: "OFFICE OF COURT ADMINISTRATOR"

Following: "PRETRIAL"

Strike: "GRANT"

2. Title, page 1, line 8.

Strike: "PROGRAMS"

Insert: "PROSECUTION DIVERSION PROGRAM"

3. Title, page 1, line 14.

Following: "OFFENDERS;"

Insert: "REQUIRING THE COLLECTION OF CERTAIN DATA AND THE PROVISION OF CERTAIN REPORTS;"

4. Title, page 1, line 16.

Strike: "SECTION"

Insert: "SECTIONS 3-1-702 AND"

5. Page 1, line 23.

Strike: "board of crime control"

Insert: "office of court administrator"

Following: "pretrial"

Strike: "grant program to encourage local adoption of"

Insert: "program for felony defendants that includes the use of"

6. Page 1, following line 26.

Insert: "(2) The office of court administrator may use program funds to:

(a) develop, implement, and administer the pretrial program; and

(b) make allocations to counties or nonprofit organizations contracting with a county to provide pretrial services."

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Renumber: subsequent subsections

7. Page 1, line 27.

Strike: "Grant"

Insert: "Allocated"

8. Page 1, line 28.

Following: "pretrial"

Insert: "felony"

9. Page 1, line 28 through line 29.

Strike: "A county" on line 28 through "a grant." on line 29

10. Page 1, line 30.

Strike: "board"

Insert: "office"

11. Page 2, line 1.

Following: "services"

Strike: ", " through "funds"

Insert: "and activities and the criteria for the allocation of program funds, including that courts accepting funds must use a validated risk assessment tool to assign release conditions and determine placement options"

12. Page 2, line 2.

Following: "funds by"

Insert: "counties and"

13. Page 2, line 3.

Following: "section;"

Strike: "and"

Insert: "(d) establish an advisory council that includes local and district court judges and other stakeholders to provide guidance to the office; and"

Renumber: subsequent subsections

14. Page 2, line 4.

Strike: "adopt rules"

Insert: "develop policies and procedures"

Following: "section"

Insert: ", subject to approval of the supreme court"

15. Page 2, line 5.

Strike: "Grants"

Insert: "Funds"

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16. Page 2, line 6.

Strike: "board"

Insert: "office"

17. Page 2, line 7.

Strike: "(4)(b)"

Insert: "(5)(b)"

18. Page 2, line 8.

Strike: "board"

Insert: "office"

19. Page 2, line 29.

Strike: "12"

Insert: "15"

20. Page 2, line 30 through page 3, line 2.

Strike: subsection (A) in its entirety

Insert: "(a) (i) two members of the house of representatives, one selected by the speaker of the house and one by the house minority leader; and

(ii) two members of the senate, one selected by the president of the senate and one selected by the senate minority leader;"

21. Page 3, line 16 through line 17.

Strike: subsection (IV) in its entirety

Insert: "(iv) two representatives of community corrections providers, one of whom must represent a treatment facility and one of whom must represent a prerelease center."

22. Page 3, line 22 through line 23.

Following: "2015"

Strike: "1" on line 22 through "RECOMMENDATIONS" on line 23

23. Page 3, line 26.

Following: "RECOMMENDATIONS"

Following: ", including data related to the programs established in [sections 1 and 2]"

24. Page 4, following line 1.

Insert: "(4) Data evaluation performed by the council must:

(a) assess the current electronic records utilized by criminal justice agencies;

(b) review and list all variables collected in each agency's information management system;

(c) establish a baseline for historical data comparisons;

(d) determine whether data is linked to specific offenders through a unique identifying factor;

(e) review archival data and agencies' data retention policies;

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- (f) determine whether presentence investigation reports are completed electronically in the department of corrections' case management system within established statutory timelines;
- (g) review any established data protocols for pretrial services;
- (h) assess if the data collected or recommended to be collected on offenders and programs will provide criminal justice agencies, the legislature, and the public adequate information to determine whether correctional programs produce standardized outcomes across the state and are an efficient use of state resources; and
- (i) review and suggest improvements for behavioral health screening instruments and other screening instruments as needed to ensure the integrity of data that is captured in criminal justice agencies' information management systems.

(5) The council shall examine the feasibility of creating and maintaining a public portal through which criminal justice data can be accessed, including data on court case filings, correctional populations, and historical and legacy data sets."

Renumber: subsequent subsections

25. Page 4, line 6.

Strike: "AND"

26. Page 4, line 7.

Following: "REFORMS"

Insert: "; and

(d) a narrative of the council's progress on establishing data collection and uniformity standards and any changes that have been implemented as a result of the council's work"

27. Page 4, line 8.

Strike: "IMPLEMENTATION" through "WITH"

28. Page 4, line 9.

Following: "REFORMS"

Strike: ", "

Following: "AND"

Insert: "to"

29. Page 5, line 1.

Following: "INCLUDE"

Insert: ": (a)"

30. Page 5, line 2.

Following: "2015"

Strike: ", AND"

Insert: "; (b)"

31. Page 5, line 4.

Following: "METRICS"

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Insert: "; and

(c) the results of initial and ongoing program evaluations that the department is required by [section 6] to conduct, including any identified program deficiencies and the department's plan to correct those deficiencies"

32. Page 5, line 10.

Following: "GRID"

Insert: " -- report"

33. Page 5, line 19.

Following: "EXHAUST"

Insert: "and document"

34. Page 5, following line 19.

Insert: "(2) The grid must 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."

Renumber: subsequent subsections

35. Page 5, line 22.

Following: "PAROLE;"

Strike: "AND"

36. Page 5, line 24.

Following: "LAW ENFORCEMENT PERSONNEL,"

Strike: "AND"

Following: "DETENTION CENTER PERSONNEL"

Strike: "."

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

37. Page 5, line 25.

Strike: "(3) THE DEPARTMENT SHALL"

Insert: "(c)"

Following: "ENSURE"

Insert: "that"

38. Page 5, line 27.

Following: "STATE"

Strike: "."

Insert: "; (d) ensure that the guidance and procedures established in the grid consider community safety and the needs of the victim and offender;
(e) collect data relating to placement decisions based on the grid; and
(f) aggregate collected data and provide a report to the law and justice interim

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committee each biennium."

39. Page 5, line 30.

Following: "SERVICES"

Insert: " -- report"

40. Page 6, line 4.

Following: "ADOPT"

Strike: "A"

Insert: "an evidence-based"

Following: "THAT"

Strike: "ENSURES" through "PRACTICES;"

Insert: "measures how closely correctional programs meet the known principles of effective intervention. The tool must measure program content and capacity to ensure the delivery of effective interventions for offenders."

41. Page 6, line 6.

Following: "ENSURE"

Insert: "that"

42. Page 6, line 12.

Following: "STANDARDS FOR"

Strike: "THE"

Following: "HEALTH"

Insert: "PROGRAMS"

43. Page 6, following line 14.

Insert: "(6) The department shall:

(a) develop and maintain a list of evidence-based treatment curriculums to be utilized in programs operated by or under contract with the department with priority being placed on adopting treatment curriculums that are in the public domain and evidence-based; and

(b) report the results of all initial and ongoing program evaluations to the law and justice interim committee each interim, including any identified program deficiencies and the department's plan to correct those deficiencies."

Renumber: subsequent subsections

44. Page 6, line 15.

Following: "ENSURE"

Insert: "that"

45. Page 6, line 16 through 17.

Strike: "INCLUDE" on line 16 through "PRACTICES" on line 17

Insert: "contain:

(a) minimum program standards that adhere to the evidence-based program evaluation

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tool adopted as required in subsection (2);

(b) offender eligibility criteria for program entry with the contractor; and

(c) program dosage requirements that conform to evidence-based practices"

46. Page 6, line 18.

Insert: "Section 7. Section 3-1-702, MCA, is amended to read:

"3-1-702. Duties. The court administrator is the administrative officer of the court.

Under the direction of the supreme court, the court administrator shall:

(1) prepare and present judicial budget requests to the legislature, including the costs of the state-funded district court program;

(2) collect, compile, and report statistical and other data relating to the business transacted by the courts and provide the information to the legislature on request;

(3) report annually to the law and justice interim committee and at the beginning of each regular legislative session report to the house appropriations subcommittee that considers general government on the status of development and procurement of information technology within the judicial branch, including any changes in the judicial branch information technology strategic plan and any problems encountered in deploying appropriate information technology within the judicial branch. The court administrator shall, to the extent possible, provide that current and future applications are coordinated and compatible with the standards and goals of the executive branch as expressed in the state strategic information technology plan provided for in 2-17-521.

(4) recommend to the supreme court improvements in the judiciary;

(5) administer legal assistance for indigent victims of domestic violence, as provided in 3-2-714;

(6) administer state funding for district courts, as provided in chapter 5, part 9;

(7) administer and report on the child abuse court diversion pilot project provided in 41-3-305;

(8) administer the pretrial program provided for in [section 1];

~~(8)~~(9) administer the judicial branch personnel plan; and

~~(9)~~(10) perform other duties that the supreme court may assign. (Subsection (7) terminates June 30, 2017--sec. 7, Ch. 376, L. 2015.)"

Renumber: subsequent sections

47. Page 6, line 26.

Strike: subsection (b) in its entirety

Renumber: subsequent subsections

48. Page 7, line 27.

Strike: "[SECTIONS 1 AND 2] ARE"

Insert: "[Section 1] is"

49. Page 7, line 28.

Following: "INTEGRAL PART OF"

Strike: "TITLE 44, CHAPTER 4, PART 3,"

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Insert: "Title 3, chapter 1, part 7,"

50. Page 7, line 28 through line 29.

Strike: "TITLE 44" on line 28 through "3," on line 29

Insert: "Title 3, chapter 1, part 7,"

51. Page 7, line 29.

Strike: "[SECTIONS 1 AND 2]."

Insert: "[section 1]."

(2) [Section 2] is intended to be codified as an integral part of Title 44, chapter 4, part 3, and the provisions of Title 44, chapter 4, part 3, apply to [section 2]."

Renumber: subsequent subsections

52. Page 8, line 12.

Following: "APPROPRIATION"

Insert: "for the purposes of funding [section 3]"

53. Page 8, line 14.

Strike: "9"

Insert: "10"

54. Page 8, following line 14.

Insert: "(3) If House Bill No. 2 is passed and approved and if it does not include funding for the pretrial program established in [section 1], then [sections 1, 7, and 8] are void."

55. Page 8, line 16.

Strike: "SUBSECTIONS"

Insert: "section"

Strike: "AND (3)"

56. Page 8, line 18 through line 19.

Strike: subsection (2) through subsection (3) in their entirety

Insert: "(2) [Sections 1, 2, 7, 8, and 10] are effective July 1, 2017."

For the Senate:

K. Regier, Chair
Vincent
Wolken

For the House:

Lynch, Vice Chair
Brodehl
Patelis

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MOTIONS

Representative Ehli moved to re-refer **SB 283** to the Appropriations Committee. Without objection, so ordered.

Representative Ehli moved that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate to confer on Senate Amendments to **HB 145**. Motion carried. Speaker Knudsen appointed:

4/5/2017

Representative Z. Brown
Representative Grubbs
Representative Trebas

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Ehli moved that the House adjourn until 11:00 a.m., Thursday, April 6, 2017. Motion carried.

House adjourned at 3:08 p.m.

LINDSEY VROEGINDEWEY
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House