

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

Helena, Montana
April 11, 2017

House Chambers
State Capitol

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

Roll Call. All members present. Quorum present.

BILLS (Ricci, Chair):

4/11/2017

Correctly printed: **HB 664, HJR 30, HJR 38, SB 29, SB 55, SB 73, SB 90, SB 94, SB 111, SB 119, SB 174, SB 227, SB 241, SB 258, SB 276, SB 285, SB 299, SB 315, SB 337, SB 344, SB 352.**

Correctly engrossed: **HJR 29, HJR 35, SB 124, SB 236, SB 359, SB 366.**

Correctly enrolled: **HB 126, HB 287, HB 372, HB 386, HB 393, HB 415, HB 416, HB 445, HB 466, HB 485, HB 510, HB 516, HB 517, HB 564.**

Examined by the sponsor and found to be correct: **HB 126, HB 287, HB 372, HB 386, HB 393, HB 415, HB 416, HB 428, HB 445, HB 466, HB 485, HB 510, HB 516, HB 517, HB 564.**

Signed by the Speaker at 8:15 a.m., April 11, 2017: **HB 73, HB 208, HB 402, HB 496.**

Signed by the Chief Clerk of the House at 8:30 a.m., April 11, 2017: **HB 73, HB 208, HB 402, HB 496.**

Signed by the President at 10:37 a.m., April 11, 2017: **HB 73, HB 208, HB 402, HB 496.**

Delivered to the Governor for approval at 11:23 a.m., April 11, 2017: **HB 73, HB 208, HB 402, HB 496.**

REPORTS OF STANDING COMMITTEES

EDUCATION (Berglee, Chair):

4/10/2017

SB 124, be amended as follows:

1. Page 1, line 12.

Following: "(1)"

Strike: "School"

Insert: "Except as provided in subsection (2), school"

2. Page 1, line 13.

Strike: "30"

Insert: "20"

3. Page 1, following line 19.

Insert: "(2) School district bonds may be issued for a term of up to 30 years if the rate on the bonds is less than or equal to the rate on bonds issued with a term of 20 years based on:

(a) the bonds being sold to the United States or the state of Montana or an agency,

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instrumentality, or corporation of the United States or the state; or

(b) a nationally recognized underwriter or municipal advisor rendering to the school district an unqualified opinion to the effect that the average annual interest rate on the bonds of the school district issued for a term of more than 20 years and up to 30 years is the same or less than the average annual interest rate on the bonds of the school district issued for a term of 20 years."

Renumber: subsequent subsection

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

SB 361, be concurred in. Report adopted.

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

4/10/2017

SB 140, be concurred in. Report adopted.

SB 335, be amended as follows:

1. Title, page 1, line 7.

Strike: "SECTIONS"

Insert: "SECTION"

2. Title, page 1, line 8.

Strike: "7-5-2307" through "60-2-107,"

Insert: "7-8-2219,"

3. Page 2, line 8.

Strike: ", tolls,"

4. Page 2, line 30.

Strike: "surface" through "systems,"

5. Page 3, line 1.

Following: "airports"

Strike: ", "

6. Page 4, line 24.

Strike: subsection (c) in its entirety

Renumber: subsequent subsections

7. Page 6.

Following: line 3

Insert: "(6) Except as provided in subsection (4)(b)(ii), the guidelines and the rules, ordinances, and policies are not subject to the provisions of Title 18, chapter 2."

8. Page 7, line 28 through line 29.

Strike: ", including" on line 28 through "applicable," on line 29

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9. Page 7, line 29.

Following: "entity"

Strike: ", "

10. Page 9, line 14 through line 16.

Strike: subsection (5) in its entirety

Renumber: subsequent subsections

11. Page 9, line 24.

Following: "any"

Insert: "real"

Following: "land"

Strike: ", "

Insert: "and"

12. Page 9, line 25.

Strike: "and tangible personal property,"

13. Page 10, line 5.

Strike: "licenses, franchises,"

Following: "easements"

Strike: ", "

14. Page 10, line 6.

Following: "interest"

Insert: "in real property"

15. Page 10, line 7 through line 10.

Strike: subsection (3) in its entirety

16. Page 12, line 18 through page 13, line 18.

Strike: sections 13 and 14 in their entirety

Renumber: subsequent sections

17. Page 14, line 10 through page 15, line 16.

Strike: sections 16 and 17 in their entirety

Renumber: subsequent sections

18. Page 15.

Following: line 24

Insert: "COORDINATION SECTION. Section 16. Coordination instruction. If House Bill No. 373 and [this act] are both passed and approved, then [section 11] of House Bill No. 373 must be amended as follows:

"NEW SECTION. Section 11. Authorization to sell real property -- resolution required -- contents of resolution -- hearing required. (1) The board shall, after holding a public hearing

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noticed as provided in 7-1-2121, adopt a resolution providing for sale and disposition of county real property. The resolution must include:

(a) approved locations for sales, including whether sales may be conducted by use of an internet website or other online location;

(b) a requirement that all sale locations be accessible to the public;

(c) types of sales for which public auction is required;

(d) who may conduct a sale or auction;

(e) procedures for issuing permits, leases, or licenses, including:

(i) the terms, conditions, and processes for issuance of permits, leases, and licenses;

(ii) authorization to enter into agreements with entities to which permits, leases, or licenses may be issued;

(iii) a prohibition on a lease being made for an amount less than the amount that would have been collected if taxes on the real property had been levied; and

(iv) the process for authorizing a lessee to place improvements on the property;

(f) how sales will be noticed if the board intends to provide notice in addition to notice by publication as required in 7-1-2121;

(g) how property retained by the county will be administered and maintained; ~~and~~

(h) if applicable, the terms for the conveyance or disposal of real property as part of a public-private partnership pursuant to [sections 1 through 12 of Senate Bill No. 335]; and

~~(h)~~(i) any other provision that the board considers to be necessary for the disposition of property in a manner that is in the best interests of the county and its citizens.

(2) In adopting the resolution, consideration must be given to multiple-use management.

(3) Provisions in the resolution regarding exchanges or donations of real property must be in compliance with 7-8-2502 and [section 12]."

"COORDINATION SECTION. Section 17. Coordination instruction. If House Bill No. 373 and [this act] are both passed and approved, then [section 12] of House Bill No. 373 must be amended as follows:

"NEW SECTION. Section 12. Exchange or donation of real property -- appraisal required. (1) Subject to the provisions of this section and a resolution adopted pursuant to [section 11], the board may make trades, exchanges, or donations of real property owned by the county.

(2) In an exchange of real property, the properties must be appraised and an exchange of county property may not be made unless property received in exchange for the county property is of an equivalent value. If the properties are not of equivalent values, the exchange may be completed if a cash payment is made in addition to the delivery of title for property having the lesser value.

(3) If a county owns property containing a historically significant building or monument, the county may sell or give the property to nonprofit organizations or groups that agree to restore or preserve the property. The contract for the transfer of the property must contain a provision that:

(a) requires the property to be preserved in its current or restored state upon any subsequent transfer; and

(b) provides for the reversion of the property to the county for noncompliance with conditions attached to the transfer.

(4) A county may authorize the transfer of ownership of rural improvement district improvements as provided in 7-12-2128.

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(5) A county may donate real property or sell the property at a reduced price to a corporation for the purpose of constructing:

(a) a multifamily housing development operated by the corporation for low-income housing;

(b) single-family houses. Upon completion of a house, the corporation shall sell the property to a low-income person who meets the eligibility requirements of the corporation. After the sale is completed, the property becomes subject to taxation.

(c) improvements to real property or modifying, altering, or repairing improvements to real property that will enable the corporation, subject to the restrictions of Article X, section 6, of the Montana constitution, to pursue purposes specified in the articles of incorporation of the corporation, including the sale, lease, rental, or other use of the donated land and improvements.

(6) Land that is transferred pursuant to subsection (5) must be used to permanently provide low-income housing. The transfer of the property may contain a reversionary clause to reflect this condition.

(7) The provisions of this section requiring equivalent value do not apply if an exchange or donation is part of a public-private partnership under the provisions of [sections 1 through 12 of Senate Bill No. 335]."

Renumber: subsequent sections

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

SB 339, be concurred in. Report adopted.

SB 374, be concurred in. Report adopted.

HUMAN SERVICES (Wagoner, Chair):

4/10/2017

SB 205, be concurred in. Report adopted.

SB 233, be concurred in. Report adopted.

SB 272, be concurred in. Report adopted.

JUDICIARY (Doane, Chair):

4/11/2017

HJR 29, introduced joint resolution, be amended as follows:

1. Page 2, line 4.

Following: "Legal Services Association,"

Insert: "Montana Association of Realtors,"

And, as amended, be adopted. Report adopted.

HJR 35, introduced joint resolution, be amended as follows:

1. Page 2, line 11.

Following: "Agriculture,"

Insert: "federal and"

2. Page 2, line 12.

Following: "agencies,"

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Insert: "Indian tribes,"

And, as amended, be adopted. Report adopted.

SB 123, be concurred in. Report adopted.

SB 236, be amended as follows:

1. Page 1, line 24.

Following: line 24

Insert: "WHEREAS, hunting, fishing, and trapping are a valued part of Montana's harvest heritage;
and

WHEREAS, contemporary hunting, fishing, and trapping practices play a crucial, cost-effective role in sound wildlife management and conservation; and

WHEREAS, hunting, fishing, and trapping provide subsistence, life skills, health, and self-reliance central to the well-being of thousands of Montanans; and

WHEREAS, hunting, fishing, and trapping aid significantly in controlling wildlife populations, reducing wildlife-related conflicts, and preventing harm caused by wildlife to persons, property, crops, and livestock; and

WHEREAS, conservation fees paid by hunters, anglers, and trappers support wildlife management, conservation, and enforcement programs that are beneficial to all wildlife species in Montana; and

WHEREAS, in addition to all of the above, hunting, fishing, and trapping provide meaningful outdoor recreation opportunities that connect people to the environment unlike any other activity; and

WHEREAS, the people of Montana find it necessary to enact this amendment to the Montana Constitution solely to protect hunting, fishing, and trapping from undue bans or restrictions; and

WHEREAS, this amendment to the Montana Constitution is intended to preserve effective means, methods, and seasons of hunting, fishing, and trapping while fully respecting private property rights and other land and water uses, and allowing for necessary and proper management and conservation laws and regulations; and

WHEREAS, this amendment to the Montana Constitution is not intended to provide a right to impede or supersede other uses of land or water, such as farming, ranching, logging, irrigation, public works, or development; and

WHEREAS, this amendment to the Montana Constitution is not intended to require the state to offer the same rights and licensing structure to nonresidents as it does to residents; and

WHEREAS, this amendment to the Montana Constitution is not intended to delay or thwart existing wildlife control measures, such as those employed by game wardens and wildlife services to immediately or effectively protect persons or property from harm caused by wildlife."

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

SB 310, be concurred in. Report adopted.

SB 366, be amended as follows:

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1. Title, page 1, line 7 through line 8.

Strike: "A" on line 7 through "DELAYED EFFECTIVE DATE" on line 8

Insert: "EFFECTIVE DATES"

2. Page 1, line 29.

Strike: "and"

3. Page 2, line 1.

Following: "\$50"

Insert: "; and

(iii) for a person who renews a standard driver's license or a standard identification card under 61-5-111(3)(c) between June 1, 2017, through December 31, 2017, and is applying for a REAL ID-compliant driver's license or identification card between January 1, 2018, and June 30, 2018, the additional fee is \$25"

4. Page 2, line 19.

Following: line 19

Insert: "NEW SECTION. **Section 4. Contingent voidness.** If the REAL ID Act of 2005, Public Law 109-13, is repealed or if the federal government notifies the state of Montana that compliance with the REAL ID Act is not required, then [this act] is void."

Renumber: subsequent sections

5. Page 2, line 21.

Following: "Effective date"

Insert: "-- contingency"

Strike: "[This act]"

Insert: "(1) Except as provided in subsection (2), [this act]"

6. Page 2, line 21.

Following: line 21

Insert: "(2) If before January 1, 2018, the state of Montana receives an extension from compliance with the REAL ID Act of 2005, Public Law 109-13, from the department of homeland security, [this act] is effective July 1, 2019. Notification of the extension must be sent to the Montana department of justice and the code commissioner."

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

TAXATION (Essmann, Chair):

4/11/2017

HB 620, do pass. Report adopted.

HJR 36, be adopted. Report adopted.

SB 317, be amended as follows:

4/10/2017

1. Title, page 1, line 7.

Strike: "4"

Insert: "3"

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Following: "POINTS;"

Insert: "AND"

2. Title, page 1, line 7 through line 8.

Strike: "; AND" on line 7 through "DATE" on line 8

3. Page 4, line 11.

Following: "(ii)"

Insert: "(A)"

4. Page 4, line 12.

Following: "year"

Insert: "12% a year.

(B) Beginning July 1, 2019, the interest rate is"

Strike: "4"

Insert: "3"

5. Page 4, line 14.

Following: "day"

Insert: "of the third quarter"

6. Page 5, line 3 through line 6.

Strike: section 2 through section 3 in their entirety

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

SB 333, be amended as follows:

1. Title, page 1, line 7.

Strike: "ESTABLISHING A TAX ON SALES;"

2. Title, page 1, line 10 through line 11.

Strike: "ESTABLISHING" on line 10 through "TAX;" on line 11

3. Title, page 1, line 11.

Following: "ESTABLISHING"

Insert: "A PER-PATIENT FEE FOR PROVIDERS AND"

4. Title, page 1, line 13.

Following: "50-46-327,"

Insert: "50-46-328,"

5. Title, page 1, line 14.

Following: "50-46-344"

Strike: "AND"

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Following: "50-46-345,"

Insert: "AND 80-1-104,"

6. Page 4, line 1.

Following: "premises"

Insert: "consisting of the area of the floor, platform, or means of support or suspension of the plant"

7. Page 4, line 18.

Following: "department;"

Insert: "or"

8. Page 4, line 19 through line 20.

Strike: "; or" on line 19 through "legislature" on line 20

9. Page 5.

Following: line 4

Insert: "(11) "Marijuana derivative" means any mixture or preparation of the dried leaves, flowers, resin, and byproducts of the marijuana plant, including but not limited to marijuana concentrates and marijuana-infused products.

Renumber: subsequent subsections

10. Page 6, line 11.

Strike: "12"

Insert: "40"

11. Page 7, line 5.

Strike: "mixtures" through "concentrate,"

Insert: "marijuana derivatives"

12. Page 7, line 26.

Following: "item."

Insert: "The license fees provided for in 50-46-344 must cover the costs of the seed-to-sale tracking system established by the department. The tracking system must be provided to providers, marijuana-infused products providers, dispensaries, and testing laboratories at no additional cost."

13. Page 8, line 21.

Strike: "IN"

Insert: "Except as provided in subsection (4)(c), in"

14. Page 8, line 22.

Strike: "ALSO INCLUDE A"

15. Page 8, line 23.

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Following: "(l)"

Insert: "include a"

16. Page 8, line 24 through line 25.

Strike: "MICROPROCESSOR" on line 24 through "THAT IS" on line 25

Insert: "be"

17. Page 8, line 26.

Following: line 25

Insert: "(c) The department shall contract with the department of justice to produce the registry identification cards provided for in this section. The department may issue temporary identification cards valid for 60 days that do not meet the requirements of subsection (4)(b).

(d) The department shall offer free or reduced cost registry identification cards that meet the requirements of subsection (4)(b) to registered cardholders who agree to provide their driver's license number or state identification card number and current mailing address to the department."

18. Page 9, line 14 through line 17.

Strike: "THE DEPARTMENT" on line 14 through "50-46-332." on line 17

19. Page 9, line 20.

Strike: "SUBSECTIONS (8)(B) AND"

Insert: "subsection"

20. Page 10, line 4.

Following: line 3

Insert: "(11) The department may share only information about providers, marijuana-infused products providers, dispensaries, and testing laboratories with the department of revenue for the purpose of investigation and prevention of noncompliance with tax laws, including but not limited to evasion, fraud, and abuse. The department of revenue and its employees are subject to the confidentiality requirements of [section 25(1)]."

Renumber: subsequent subsections

21. Page 17, line 13.

Following: "(f)"

Insert: "(i) before July 1, 2020, has resided in Montana for fewer than 3 years; and
(ii) on or after July 1, 2020,"

22. Page 17, line 18.

Strike: "A"

Insert: "Except as provided in [section 8(1)(b)], a"

23. Page 17, line 20.

Following: "50-46-311"

Insert: ", [section 8],"

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24. Page 17, line 22.

Strike: "and"

25. Page 17, line 24.

Following: "50-46-303"

Insert: "; and

(d) obtain the license provided for in 80-7-106 from the department of agriculture. A provider or marijuana-infused products provider is subject to the inspection requirements of 80-7-108. The department of agriculture and its employees are subject to the confidentiality requirements of 50-46-332"

26. Page 18, line 12.

Following: "laboratory"

Insert: "or the department of agriculture"

27. Page 18, line 15.

Following: "(1)"

Insert: "(a)"

28. Page 18, line 20.

Following: line 19

Insert: "(b) The analytical laboratory services provided by the department of agriculture pursuant to 80-1-104 may be used for the testing provided for in this section."

29. Page 18, line 27.

Strike: "AT LEAST A BACHELOR'S"

Insert: "the following minimum qualifications:"

(a) a doctorate in chemical or biological sciences from a college or university accredited by a national or regional certifying authority and a minimum of 2 years of postdegree laboratory experience; or

(b) a master's"

30. Page 18, line 29.

Following: "experience"

Insert: "and a minimum of 4 years of postdegree laboratory experience"

31. Page 19, line 9.

Strike: "A"

Insert: "Except as provided in [section 8(1)(b)], a"

32. Page 20.

Following: line 13

Insert: "(b) The department may not approve a license for a provider, marijuana-infused products provider, or dispensary if a local government has adopted an ordinance or resolution prohibiting the operation of dispensaries or storefront businesses as allowed under 50-46-

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328."

Renumber: subsequent subsection

33. Page 20, line 17.

Following: "(1)"

Insert: "(a)"

Strike: "A"

Insert: "Except as provided in subsection (1)(b), a"

34. Page 20, line 19.

Following: "laboratory"

Insert: "or the department of agriculture"

35. Page 20, line 20.

Following: line 19

Insert: "(b) A provider or marijuana-infused products provider who has been named as a provider by 10 or fewer registered cardholders is exempt from the testing requirements of this section until April 30, 2020."

36. Page 21, line 9.

Following: "(4)"

Insert: "The testing laboratory shall conduct a visual inspection of each lot to determine the presence of levels of foreign matter, debris, insects, and visible mold.

(5) The department shall establish by rule the acceptable levels of pesticides, residual solvents, mold, foreign matter, debris, insects, and other contaminants that marijuana-infused products may contain.

(6)"

Renumber: subsequent subsections

37. Page 21, line 16.

Following: line 15

Insert: "(8) Marijuana or a marijuana-infused product must include a label indicating whether the marijuana or marijuana-infused product has been tested."

38. Page 23, line 2.

Strike: "2"

Insert: "4"

39. Page 23, line 3.

Strike: "4"

Insert: "12"

40. Page 23, line 6.

Strike: "4"

Insert: "8"

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Strike: "8"

Insert: "24"

41. Page 28, line 14.

Strike: "[SECTION 19] OR [SECTION 20]"

Insert: "[section 20] or [section 21]"

42. Page 28, line 16.

Strike: "[SECTION 19] AND [SECTION 20]"

Insert: "[section 20] or [section 21]"

43. Page 30.

Following: line 7

Insert: "Section 12. Section 50-46-328, MCA, is amended to read:

"**50-46-328. Local government authority to regulate.** (1) To protect the public health, safety, or welfare, a local government may by ordinance or resolution regulate a provider or marijuana-infused products provider that operates within the local government's jurisdictional area. The regulations may include but are not limited to inspections of ~~locations where marijuana is cultivated or manufactured~~ registered premises and testing laboratories in order to ensure compliance with any public health, safety, and welfare requirements established by the department or the local government.

(2) A local government may adopt an ordinance or resolution prohibiting providers and marijuana-infused products providers from operating dispensaries or as storefront businesses."

Renumber: subsequent sections

44. Page 34, line 1 through line 3.

Strike: subsection (3) in its entirety

Insert: "(3) (a) Except as provided in subsection (3)(b), license fees for providers and marijuana-infused products providers are \$25 per registered cardholder per quarter.

(b) The department may revise the fee provided for in subsection (3)(a) as needed to adequately fund the administration of the Montana Medical Marijuana Act and the seed-to-sale tracking system, including operating reserve funds of \$250,000. The department shall establish revised fees by rule.

(c) A provider of both marijuana and marijuana-infused products is required to have only one license.

(d) The department of revenue shall collect the fee provided for in this subsection (3) pursuant to [sections 18 through 26] and deposit the fee into the account provided for in 50-46-345."

45. Page 34, line 16 through line 18.

Strike: ":", on line 16 through "(b)" on line 18

46. Page 34, line 18.

Strike: "50-46-344(4)"

Insert: "50-46-344"

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47. Page 34, line 24.

Strike: "17 THROUGH 25"

Insert: "18 through 26"

48. Page 35, line 4 through line 7.

Strike: subsection (6) through subsection (7) in their entirety

49. Page 35, line 9.

Strike: "**Tax on**" through "MARIJUANA"

Insert: "Marijuana"

50. Page 35, line 10.

Strike: "**providers**"

Insert: "provider fees"

51. Page 35, line 10 through line 16.

Strike: subsection (1) in its entirety

Insert: "(1) The department shall collect the license fee provided for in 50-46-344(3) and deposit the fee into the account provided for in 50-46-345."

52. Page 35, line 18 through line 19.

Strike: "dollar" on line 18 through "dispensaries" on line 19

Insert: "number of registered cardholders naming the marijuana product provider"

53. Page 35, line 24 through line 25.

Strike: "THE" on line 24 through "sales" on line 25

Insert: "the fee established by the department of public health and human services per registered cardholder"

54. Page 35, line 26.

Strike: "taxes"

Insert: "fees"

55. Page 36, line 8.

Strike: "TAX"

Insert: "fee"

Strike: "17 THROUGH 25"

Insert: "18 through 26"

56. Page 36, line 11.

Strike: "TAXES"

Insert: "fees"

57. Page 36, line 12.

Strike: "19 THROUGH 22"

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Insert: "20 through 23"

58. Page 36, line 14.

Following: "STATE"

Strike: "TAXES"

Insert: "fees"

Strike: "19 THROUGH 22"

Insert: "20 through 23"

Following: "PAY THE"

Strike: "TAXES"

Insert: "fees"

59. Page 36, line 15.

Strike: "TAXES"

Insert: "fees"

60. Page 36, line 17.

Strike: "TAXES"

Insert: "fees"

61. Page 36, line 19.

Strike: "TAXES"

Insert: "fees"

62. Page 36, line 21.

Strike: "TAX"

63. Page 36, line 23.

Strike: "17 THROUGH 25"

Insert: "18 through 26"

Strike: "TAXES"

Insert: "fees"

64. Page 36, line 24.

Strike: "17 THROUGH 25"

Insert: "18 through 26"

65. Page 36, line 26.

Strike: "TAXES"

Insert: "fees"

66. Page 36, line 29.

Strike: "TAXES"

Insert: "fees"

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67. Page 37, line 2.

Strike: "TAXES"

Insert: "fees"

68. Page 37, line 4.

Strike: "TAXES"

Insert: "fees"

69. Page 37, line 11.

Strike: "TAXES"

Insert: "fees"

70. Page 37, line 15.

Strike: "TAX"

Insert: "fee"

Strike: "18"

Insert: "19"

71. Page 37, line 18.

Strike: "TAXES"

Insert: "fees"

Strike: "17 THROUGH 25"

Insert: "18 through 26"

72. Page 37, line 19 through line 22.

Strike: "." on line 19 through "SOLD" on line 22

Insert: "an accurate record of each registered cardholder who names the marijuana product provider, the date the registered cardholder named the marijuana product provider, and the date a registered cardholder ceases to name the marijuana product provider"

73. Page 37, line 23.

Strike: "17 THROUGH 25"

Insert: "18 through 26"

74. Page 37, line 25.

Strike: "AMOUNT OF TAX"

Insert: "fee"

75. Page 38, line 3.

Strike: "TAX"

Insert: "fee"

76. Page 38, line 10.

Strike: "TAX"

Insert: "fee"

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77. Page 38, line 12.

Strike: "TAX"

Insert: "fee"

78. Page 38, line 17.

Strike: "AMOUNT OF TAX"

Insert: "fee"

79. Page 38, line 19.

Strike: "TAX"

Strike: "17 THROUGH 25"

Insert: "18 through 26"

80. Page 38, line 23.

Strike: "TAX"

Insert: "fee"

81. Page 38, line 24.

Strike: "TAX"

Insert: "fee"

82. Page 38, line 25.

Strike: "19"

Insert: "20"

83. Page 38, line 26.

Strike: "TAXES"

Insert: "fees"

84. Page 38, line 27.

Strike: "TAXES"

Insert: "fees"

85. Page 38, line 29.

Strike: "TAX"

Insert: "fee"

86. Page 39, line 4.

Strike: "TAXES"

Insert: "fees"

87. Page 39, line 5.

Strike: "TAXES"

Insert: "fees"

Strike: "17 THROUGH 25"

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Insert: "18 through 26"

88. Page 39, line 6.

Strike: the first "TAX"

Insert: "fee"

Strike: "17 THROUGH 25"

Insert: "18 through 26"

Strike: the second "TAX"

Insert: "fee"

89. Page 39, line 8.

Strike: "TAXES"

Insert: "fees"

90. Page 39, line 9.

Strike: "TAX"

91. Page 39, line 12.

Strike: "TAX"

Insert: "fee"

92. Page 39, line 18.

Strike: "TAXES"

Insert: "fees"

Strike: "17 THROUGH 25"

Insert: "18 through 26"

93. Page 39, line 24.

Strike: "TAXPAYER"

Insert: "marijuana product provider"

94. Page 40, line 4.

Strike: "17 THROUGH 25"

Insert: "18 through 26"

95. Page 40, line 12.

Strike: "17 THROUGH 25"

Insert: "18 through 26"

96. Page 40, line 13.

Following: "JUSTICE"

Insert: "or law enforcement"

97. Page 40, line 14.

Strike: "17 THROUGH 25"

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Insert: "18 THROUGH 26"

98. Page 40, line 17 through line 20.

Strike: subsection (B) in its entirety

Renumber: subsequent subsections

99. Page 40, line 21.

Strike: "17 THROUGH 25"

Insert: "18 through 26"

100. Page 40, line 24 through line 25.

Strike: "17 THROUGH 25"

Insert: "18 through 26"

101. Page 40, line 30.

Strike: "17 THROUGH 25"

Insert: "18 through 26"

102. Page 41, line 2 through line 3.

Strike: "17 THROUGH" on line 2 through "25" on line 3

Insert: "18 through 26"

103. Page 41, line 11 through line 12.

Strike: "MARIJUANA" on line 11 through "SALES" on line 12

Insert: "license fee on marijuana product providers"

104. Page 41, line 13.

Insert: "**Section 27.** Section 80-1-104, MCA, is amended to read:

"80-1-104. Analytical laboratory services -- rulemaking authority -- deposit of fees.

(1) The department is authorized to provide analytical laboratory services for:

(a) programs it operates under this title;

(b) other state or federal agencies;

(c) providers and marijuana-infused products providers as those terms are defined in 50-46-302, and the department of public health and human services for the purposes of Title 50, chapter 46, part 3, as allowed by federal law; and

(e)(d) private parties.

(2) The department may enter into a contract or a memorandum of understanding for the space and equipment necessary for operation of the analytical laboratory.

(3) (a) The department may adopt rules establishing fees for testing services required under this title or provided to another state agency, a federal agency, or a private party.

(b) Money collected from the fees must be deposited in the appropriate related account in the state special revenue fund to the credit of the department to pay costs related to analytical laboratory services provided pursuant to this section."

Insert: "NEW SECTION. Section 28. Appropriation. There is appropriated \$650,000 from the state special revenue account that contains the fees collected pursuant to Title 50, chapter

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46, to the department of public health and human services for fiscal year 2018 for the purposes described in 50-46-303(4)(c) and (4)(d)."

"NEW SECTION. Section 29. Appropriation. There is appropriated \$1 million or the amount remaining in the account, whichever is more, from the state special revenue account that contains the fees collected pursuant to Title 50, chapter 46, to the department of public health and human services for fiscal year 2018 for the establishment of a tracking system for marijuana and marijuana-infused products pursuant to 50-46-303."

Renumber: subsequent sections

105. Page 41, line 16.

Strike: "17 THROUGH 25"

Insert: "18 through 26"

106. Page 41, line 17.

Strike: "17 THROUGH 25"

Insert: "18 through 26"

107. Page 41, line 26.

Strike: "17 THROUGH 25"

Insert: "18 through 26"

108. Page 41, line 27.

Following: "3(4)(B)"

Insert: "through (4)(d)"

Following: "5(5)"

Insert: "(a) through (5)(c)"

109. Page 41, line 28.

Strike: "12(2)(B)"

Insert: "13(2)(b)"

110. Page 42, line 1.

Following: "3(4)(B)"

Insert: "through (4)(d)"

Following: "5(5)"

Insert: "(a) through (5)(c)"

111. Page 42, line 2.

Strike: "12(2)(B)"

Insert: "13(2)(b)"

112. Page 42, line 4.

Following: "3(4)(B)"

Insert: "through (4)(d)"

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Following: "5(5)"

Insert: "(a) through (5)(c)"

113. Page 42, line 5.

Strike: "12(2)(B)"

Insert: "13(2)(b)"

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

SB 359, be amended as follows:

4/11/2017

1. Page 2, line 4.

Following: "buildings"

Insert: "under single ownership on contiguous parcels of land"

Strike: "in the aggregate"

Strike: "150,000"

Insert: "300,000"

2. Page 2, line 5.

Strike: "\$50"

Insert: "\$150"

3. Page 2, line 21.

Strike: "0.5%"

Insert: "0.9%"

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

TRANSPORTATION (Lavin, Chair):

4/10/2017

SB 336, be concurred in. Report adopted.

Representative Jacobson moved to reject the adverse committee report on **SB 336**. Motion **failed** as follows:

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

Total 42

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

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Welch, White, Zolnikov, Mr. Speaker.
Total 58

Excused: None.
Total 0

Absent or not voting: None.
Total 0

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 280**
Report No. 001, April 10, 2017

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 280** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 280** (reference copy -- salmon) be amended as follows:

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

Strike: "AND" on line 8 through "EMPLOYEEES" on line 9

2. Page 2, line 5 through line 6.

Following: "officer" on line 5

Strike: remainder of line 5 through "SERGEANT-AT-ARMS," on line 6

3. Page 2, line 14 through line 15.

Following: "officers" on line 14

Strike: remainder of line 14 through "ARE" on line 15

4. Page 3, line 20.

Following: "officer"

Strike: ", INCLUDING" through "SERGEANT-AT ARMS,"

For the Senate:

K. Regier, Chair
Sands
Vincent

For the House:

Brodehl
Perry

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FREE CONFERENCE COMMITTEE
on **House Bill 145**
Report No. 001, April 10, 2017

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **House Bill 145** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 145** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 12.

Strike: "AN IMMEDIATE"

Insert: "A DELAYED"

2. Page 2, line 29.

Strike: "policyholder"

Insert: "policyowner"

3. Page 3, line 1.

Strike: "policyholder"

Insert: "policyowner"

4. Page 3, line 3.

Strike: "policyholder"

Insert: "policyowner"

5. Page 9, line 5.

Strike: "on passage and approval"

Insert: "January 1, 2018"

For the Senate:

Buttrey, Chair
Pomnichowski
Vance

For the House:

Z. Brown, Vice Chair
Grubbs
Treas

MESSAGES FROM THE SENATE

House amendments to Senate bill not concurred in: 4/10/2017

SB 294, introduced by Fitzpatrick

House bills not concurred in and returned to the House: 4/8/2017

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HB 528, introduced by Welch
HB 576, introduced by Hamilton

Conference Committee Report No.1 adopted: 4/8/2017

SB 59, introduced by Wolken

House amendments to Senate bills concurred in: 4/8/2017

SB 44, introduced by Vance
SB 99, introduced by C. Smith
SB 144, introduced by R. Webb
SB 158, introduced by MacDonald
SB 163, introduced by K. Regier
SB 270, introduced by Kary
SB 284, introduced by Lang
SB 286, introduced by Moore
SB 291, introduced by Facey
SB 292, introduced by Facey

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

4/8/2017

HB 205, introduced by Redfield
HB 303, introduced by Kelker
HB 383, introduced by Custer
HB 462, introduced by Garner
HB 642, introduced by Tschida
HB 647, introduced by D. Jones

House bill concurred in and returned to the House: 4/8/2017

HB 428, introduced by D. Jones

House bills received in the Senate after the March 31st deadline date for returning appropriation and revenue bills. The Senate, by motion, refused to suspend its rules to accept these bills:

4/11/2017

HB 239
HB 611

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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 39, introduced by A. Olsen, referred to Business and Labor.

HJR 40, introduced by A. Olsen, 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 Woods in the chair.

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

HB 333 - Representative Ehli moved consideration of **HB 333** be placed at the top of the second reading board. Motion carried.

HB 333 - Senate Amendments - Representative Garner moved Senate Amendments to **HB 333** 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, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: White.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 37 - Senate Amendments - Representative Windy Boy moved Senate Amendments to **HB 37** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Beard, Bennett, Bishop, Z. Brown, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fleming, Funk, Garner, Greef, Grubbs, Hamilton, Hamlett, Harris, Hayman, G Hertz, Hill-Smith, Hopkins, Jacobson, 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, Staffanson, Stewart-Per, Swanson, Trebas, Wagoner, Webb, Webber, Welch, Windy Boy, Woods, Zolnikov, Mr. Speaker.
Total 70

Nays: Ballance, Bartel, Berglee, Brodehl, B. Brown, Burnett, Fitzgerald, Flynn, Galloway, Galt, Glimm, Gunderson, A Hertz, Holmlund, Jones, Knokey, C Knudsen, Lavin, Lenz, Manzella, Mortensen, Noland, Redfield, Regier, Rosendale, Skees, Tschida, Usher, Vinton, White.
Total 30

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 44 - Senate Amendments - Representative Essmann moved Senate Amendments to **HB 44** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Wagoner, Webb, Webber, Welch, Windy Boy, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: Burnett, Vinton, White.
Total 3

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

HB 99 - Senate Amendments - Representative Z. Brown moved Senate Amendments to **HB 99** be concurred in. Motion carried as follows:

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

Total 80

Nays: Bartel, Brodehl, Doane, Flynn, Garner, Glimm, Knokey, Manzella, Mortensen, Noland, O'Hara, Redfield, Regier, Ricci, Rosendale, Tschida, Usher, Vinton, White, Zolnikov.

Total 20

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 100 - Senate Amendments - Representative Bennett moved Senate Amendments to **HB 100** be concurred in. Motion carried as follows:

Yeas: Abbott, Bachmeier, Ballance, Bennett, Bishop, Z. Brown, Burnett, Cook, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Galt, Garner, Greef, Grubbs, Hamilton, Hamlett, Harris, Hayman, Hill-Smith, Holmlund, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Lenz, Loge, Lynch, Manzella, McCarthy, McConnell, Morigeau, Olsen, Patelis, Perry, Pierson, Price, Ryan, Sales, Schreiner, Shaw, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Vinton, Webber, Welch, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 66

Nays: Anderson, Bartel, Beard, Berglee, Brodehl, B. Brown, Cuffe, Doane, Flynn, Galloway, Glimm, Gunderson, A Hertz, G Hertz, Hopkins, Knokey, C Knudsen, Lavin, Mandeville, McKamey, Mortensen, Noland, O'Hara, Peppers, Redfield, Regier, Ricci, Rosendale, Skees, Tschida, Usher, Wagoner, Webb, White.

Total 34

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 185 - Senate Amendments - Representative Morigeau moved Senate Amendments to **HB 185** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bennett, Berglee, Bishop, Z. Brown, Cook, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Galt, Garner, Greef, Grubbs, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lynch, McCarthy, McConnell, McKamey, Morigeau, Olsen, Patelis, Peppers, Perry, Pierson, Price, Ryan, Sales, Schreiner, Shaw, Smith, Stewart-Per, Swanson, Trebas, Vinton, Webber, Welch, Windy Boy, Woods, Zolnikov.

Total 67

Nays: Ballance, Bartel, Beard, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Flynn, Galloway, Glimm, Gunderson, Holmlund, Lenz, Loge, Mandeville, Manzella, Mortensen, Noland, O'Hara, Redfield, Regier, Ricci, Rosendale, Skees, Staffanson, Tschida, Usher, Wagoner, Webb, White, Mr. Speaker.

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 255 - Senate Amendments - Representative Tschida moved Senate Amendments to **HB 255** be concurred in. Motion carried as follows:

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

Total 55

Nays: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Cook, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Greef, 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, White, Windy Boy, Woods.

Total 45

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 348 - Senate Amendments - Representative P. Webb moved Senate Amendments to **HB 348** 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, Jacobson, Jones, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Patelis, Redfield, Regier, Rosendale, Sales, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Mr. Speaker.

Total 56

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, Ricci, Ryan, Schreiner, Smith, Stewart-Per, Swanson, Webber, Welch, White, Windy Boy, Woods, Zolnikov.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 373 - Senate Amendments - Representative Grubbs moved Senate Amendments to **HB 373** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, 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, 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, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Usher, Wagoner, Webb, Webber, Welch, Windy Boy, Woods, Mr. Speaker.

Total 90

Nays: Brodehl, Essmann, Glimm, Mandeville, Ricci, Rosendale, Tschida, Vinton, White, Zolnikov.

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Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 381 - Senate Amendments - Representative Lenz moved Senate Amendments to **HB 381** be concurred in. Motion carried as follows:

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

Total 78

Nays: Abbott, B. Brown, Burnett, Curtis, Hamilton, Karjala, Keane, Kipp III, C Knudsen, Lynch, Manzella, Mortensen, Olsen, Regier, Rosendale, Skees, Stewart-Per, Usher, Wagoner, Webber, White, Zolnikov.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 405 - Senate Amendments - Representative Cook moved Senate Amendments to **HB 405** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, 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, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Ryan, Sales, Schreiner, Shaw, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Usher, Wagoner, Webb, Webber, Welch, Windy Boy, Woods, Mr. Speaker.

Total 85

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Nays: Brodehl, B. Brown, Z. Brown, Glimm, Lynch, Mandeville, Noland, Regier, Ricci, Rosendale, Skees, Tschida, Vinton, White, Zolnikov.
Total 15

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 407 - Senate Amendments - Representative A. Hertz moved Senate Amendments to **HB 407** 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, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, Windy Boy, Woods, Mr. Speaker.
Total 93

Nays: Dunwell, Eck, Hayman, Olsen, Ricci, White, Zolnikov.
Total 7

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 424 - Senate Amendments - Representative Z. Brown moved Senate Amendments to **HB 424** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bennett, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galt, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, Hill-Smith, Holmlund, Hopkins, Jacobson, Karjala, Keane, Kelker, Kipp III, Lavin, Loge, Mandeville, McCarthy, McKamey, Peppers, Pierson, Price, Regier, Ryan, Sales, Shaw, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Wagoner, Webb, Webber, Welch, Windy Boy, Woods, Mr. Speaker.
Total 64

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Nays: Ballance, Bartel, Beard, Berglee, Curtis, Doane, Eck, Galloway, Glimm, Harris, A Hertz, G Hertz, Jones, Knokey, C Knudsen, Lenz, Lynch, Manzella, McConnell, Morigeau, Mortensen, Noland, O'Hara, Patelis, Perry, Redfield, Ricci, Rosendale, Schreiner, Skees, Tschida, Usher, Vinton, White, Zolnikov.

Total 35

Excused: None.

Total 0

Absent or not voting: Olsen.

Total 1

HB 426 - Senate Amendments - Representative Price moved Senate Amendments to **HB 426** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bennett, Berglee, Bishop, Z. Brown, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Galt, Garner, Greef, Gunderson, Hamilton, Hamlett, Hayman, Hill-Smith, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Olsen, Peppers, Perry, Pierson, Price, Regier, Ryan, Sales, Schreiner, Shaw, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Usher, Wagoner, Webb, Webber, Windy Boy, Woods, Zolnikov.

Total 70

Nays: Bartel, Beard, Brodehl, B. Brown, Burnett, Ehli, Flynn, Galloway, Glimm, Grubbs, Harris, A Hertz, G Hertz, Holmlund, Knokey, C Knudsen, Lavin, Lenz, Noland, O'Hara, Patelis, Redfield, Ricci, Rosendale, Skees, Tschida, Vinton, Welch, White, Mr. Speaker.

Total 30

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 449 - Senate Amendments - Representative Galt moved Senate Amendments to **HB 449** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, 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, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Karjala, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mortensen, O'Hara, Olsen, Patelis, Peppers, Perry, Redfield, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson,

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Stewart-Per, Swanson, Trebas, Tschida, Usher, Wagoner, Webb, Webber, Welch, Woods, Zolnikov, Mr. Speaker.

Total 85

Nays: Bennett, Glimm, Jacobson, Jones, Keane, Lynch, Morigeau, Noland, Pierson, Price, Regier, Ricci, Vinton, White, Windy Boy.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 533 - Senate Amendments - Representative Court moved Senate Amendments to **HB 533** be concurred in. Motion carried as follows:

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

Total 83

Nays: Bennett, Berglee, Curtis, Doane, Hamlett, Knokey, Lavin, McCarthy, Morigeau, Mortensen, Patelis, Pierson, Ricci, Ryan, Tschida, Webber, White.

Total 17

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 363 - Representative Cook moved **SB 363**, second reading copy, be amended as follows:

1. Page 3.

Following: line 2

Insert: "(5) A hydroelectric facility that funds protection, mitigation, and enhancement measures pursuant to a settlement approved by the federal energy regulatory commission may use any of those funds that are unobligated to pay, in whole or in part, the fee owed pursuant to subsection (1)."

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Renumber: subsequent subsections

Amendment adopted as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, 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, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Bennett, Olsen, Stewart-Per.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 363 - Representative G. Hertz moved **SB 363**, second reading copy, be further amended as follows:

1. Title, page 1, line 10 through line 11.

Strike: "ESTABLISHING" on line 10 through "PREVENTION;" on line 11

2. Page 4, line 23 through page 5, line 20.

Strike: section 4 in its entirety

Renumber: subsequent sections

3. Page 12, line 27.

Following: "[section 2],"

Insert: "and"

4. Page 12, line 27 through line 28.

Strike: "AND" on line 27 through "[SECTION 4]," on line 28

5. Page 13, line 13.

Strike: "fees" through "[section 4],"

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6. Page 21, line 4 through line 6.

Strike: subsection (3) in its entirety

7. Page 21, line 10.

Strike: "(A)"

Following: "[SECTION]"

Strike: "7"

Insert: "6"

8. Page 21, line 11.

Strike: subsection (2)(B) in its entirety

9. Page 21, line 16.

Strike: "6, 13, 14, 15, AND 16"

Insert: "5, 12, 13, 14, and 15"

10. Page 21, line 18.

Strike: "5 AND 7(6)"

Insert: "4 and 6(6)"

11. Page 21, line 19.

Following: "[SECTION]"

Strike: "6"

Insert: "5"

Amendment adopted as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Berglee, Bishop, Brodehl, B. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fleming, Flynn, Funk, Galt, Garner, Glimm, Grubbs, Gunderson, Hamilton, Harris, Hayman, A Hertz, G Hertz, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, Lavin, Loge, Lynch, Mandeville, McCarthy, McConnell, McKamey, Morigeau, O'Hara, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Sales, Schreiner, Shaw, Smith, Stewart-Per, Swanson, Trebas, Vinton, Wagoner, Webb, Webber, Windy Boy, Woods, Mr. Speaker.

Total 74

Nays: Bachmeier, Ballance, Bennett, Z. Brown, Doane, Fern, Fitzgerald, Galloway, Greef, Hamlett, Hill-Smith, C Knudsen, Lenz, Manzella, Mortensen, Noland, Olsen, Rosendale, Ryan, Skees, Staffanson, Tschida, Usher, Welch, White, Zolnikov.

Total 26

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

SB 363 - Representative Cuffe moved **SB 363** as amended, be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, 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, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Swanson, Usher, Webb, Webber, White, Windy Boy, Woods, Mr. Speaker.

Total 89

Nays: Berglee, Galloway, Mandeville, Mortensen, Stewart-Per, Trebas, Tschida, Vinton, Wagoner, Welch, Zolnikov.

Total 11

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

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, 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, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Patelis, 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 93

Nays: Berglee, Curtis, Karjala, Lynch.

Total 4

Excused: None.

Total 0

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Absent or not voting: Olsen, Peppers, Staffanson.

Total 3

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

Total 98

Nays: Rosendale, Tschida.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 111 concurred in as follows:

Yeas: Abbott, Anderson, Ballance, Beard, Bennett, Berglee, Bishop, B. Brown, Z. Brown, Burnett, Cook, Cuffe, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fern, Fitzgerald, Fleming, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, Hill-Smith, Holmlund, Jacobson, Kelker, Knokey, C Knudsen, Lenz, Loge, McCarthy, McConnell, McKamey, Noland, Peppers, Perry, Pierson, Price, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Swanson, Trebas, Tschida, Vinton, Webb, Webber, Welch, White, Windy Boy, Woods.

Total 66

Nays: Bachmeier, Bartel, Brodehl, Court, Doane, Essmann, Flynn, Funk, Galloway, Galt, Harris, A Hertz, G Hertz, Hopkins, Jones, Karjala, Keane, Kipp III, Lavin, Lynch, Mandeville, Manzella, Morigeau, Mortensen, O'Hara, Olsen, Patelis, Redfield, Staffanson, Stewart-Per, Usher,

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Wagoner, Zolnikov, Mr. Speaker.
Total 34

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 227 concurred in as follows:

Yeas: Abbott, Anderson, Bachmeier, Bennett, Bishop, Z. Brown, Cook, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ellis, Fern, Fitzgerald, Fleming, Funk, Garner, Greef, Grubbs, Hamilton, Hamlett, Hayman, Hill-Smith, Holmlund, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Loge, Lynch, McCarthy, McConnell, McKamey, Morigeau, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Ryan, Sales, Schreiner, Shaw, Smith, Stewart-Per, Swanson, Trebas, Vinton, Webber, Welch, Windy Boy, Woods.
Total 59

Nays: Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Flynn, Galloway, Galt, Glimm, Gunderson, Harris, A Hertz, G Hertz, Hopkins, Knokey, C Knudsen, Lavin, Lenz, Mandeville, Manzella, Mortensen, Noland, O'Hara, Regier, Ricci, Rosendale, Skees, Staffanson, Tschida, Usher, Wagoner, Webb, White, Zolnikov, Mr. Speaker.
Total 41

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 241 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, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.
Total 100

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Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 299 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, Jacobson, Jones, Keane, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Patelis, Perry, Pierson, Redfield, Regier, Ricci, Rosendale, Sales, Schreiner, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Zolnikov, Mr. Speaker.
Total 65

Nays: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Court, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Hamilton, Hamlett, Hayman, Hill-Smith, Karjala, Kelker, Kipp III, McCarthy, McConnell, Morigeau, Olsen, Peppers, Price, Ryan, Smith, Stewart-Per, Swanson, Webber, Windy Boy, Woods.
Total 35

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 315 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, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.
Total 100

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Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 344 concurred in as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Bennett, Bishop, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Flynn, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, Hill-Smith, Holmlund, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, 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, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Woods, Zolnikov, Mr. Speaker.
Total 83

Nays: Beard, Berglee, Brodehl, Fleming, Funk, Galloway, Galt, Harris, A Hertz, G Hertz, Hopkins, C Knudsen, Lavin, Rosendale, Skees, Tschida, Windy Boy.
Total 17

Excused: None.
Total 0

Absent or not voting: None.
Total 0

REPORTS OF STANDING COMMITTEES

JUDICIARY (Doane, Chair):
SB 368, be amended as follows:

4/11/2017

1. Page 9, line 4.

Strike: "commissioner"

Insert: "attorney general"

2. Page 9, line 6.

Following: "chapter."

Insert: "An agreement hiring or retaining an attorney by the commissioner under this section must be in writing and must include the terms of the attorney's compensation. The

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agreement must be posted to the commissioner's website, and on the first day of each month, the commissioner shall post on the website a list of all costs and expenses incurred by any attorneys hired or retained under this section."

3. Page 9, line 6 through line 7.

Strike: "prosecutions" on line 6 through "County" on line 7

Insert: "civil or criminal actions must be filed in the state district court of the county in which the defendant resides or in the district court for Lewis and Clark County if the defendant resides out of state"

4. Page 9, line 13.

Following: "complaints;"

Insert: "and"

5. Page 9, line 16 through line 18.

Strike: "; and" on line 16 through "chapter" on line 18

6. Page 12, following line 3.

Insert: "(3) The commissioner is one party in the appeal process and the candidate, political committee, or other respondent to the preliminary order of noncompliance or decision is the other party."

Renumber: subsequent subsections

7. Page 12, line 4.

Following: "(a)"

Insert: "The commissioner shall develop and maintain a list of at least 10 individuals who are willing and able to serve as a mediator in an initial decision appeal."

Following: "must"

Strike: "have been"

Insert: "be"

8. Page 12, line 5.

Following: "must"

Strike: "have scheduled"

Insert: "schedule"

9. Page 12, line 6.

Following: "parties."

Insert: "If the parties cannot agree on a mediator, the respondent to the preliminary order of noncompliance or decision shall select the mediator.

(b)"

Renumber: subsequent subsections

10. Page 12, line 12.

Strike: "and shall jointly share the costs of the mediator."

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Insert: "as incurred separately by each party. The fees and costs due to the mediator must be equally divided between the parties and billed to each party by the mediator.
(d)"

Renumber: subsequent subsections

11. Page 12, line 30.

Strike: "alleged violation occurred"

Insert: "subject of the alleged violation resides"

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

MOTIONS

Representative Ehli moved to re-refer **SB 363** to the Appropriations Committee. Without objection, so ordered.

Representative Woods moved that **HB 667** be taken from the Human Services Committee and placed on second reading on the 77th legislative day.

Motion **failed** as follows:

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

Total 45

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

Total 55

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Ehli moved that the House adjourn until 1:00 p.m., Wednesday, April 12, 2017.
Motion carried.

House adjourned at 2:35 p.m.

LINDSEY VROEGINDEWEY
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House