

**HOUSE JOURNAL
65TH LEGISLATURE
EIGHTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
April 24, 2017

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Beard. 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 forty-first, forty-second, forty-third, forty-fourth, forty-fifth, forty-sixth, forty-seventh, forty-eighth, forty-ninth, fiftieth, fifty-first, fifty-second, fifty-third, fifty-fourth, fifty-fifth, fifty-sixth, fifty-seventh, fifty-eighth, fifty-ninth, sixtieth, and sixty-first legislative days, find the same to be correct.

Representative Ricci, Chair

LEGISLATIVE ADMINISTRATION (Ricci, Chair):

4/24/2017

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 12:00 a.m., Saturday, April 22, 2017:

Alida Royal, Helena
Tova Littlewolf, Lame Deer
Starisa Three Fingers, Lame Deer
Jessica Wilson, Eureka
Hannah Pate, Great Falls
Elizabeth Simkins, Helena
Jason Sure Chief, Browning

and recommend that the following pages of the House be employed as of 8:00 a.m., Monday, April 24, 2017:

Alida Royal, Helena
Rianne Downing, Helena
Elizabeth Simkins, Helena

Report Adopted.

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

BILLS (Ricci, Chair):

4/24/2017

Correctly printed: **HJR 33, HJR 41, HJR 42, SB 168, SB 199, SB 233, SB 309, SB 310, SJR 3, SJR 5, SJR 9, SJR 20, SJR 21, SJR 27.**

Examined by the sponsor and found to be correct: **HB 61, HB 94, HB 487, HB 507, HB 565, HB 583, HB 589, HB 600, HB 642.**

Transmitted to the Senate: **HJR 41, HJR 42, SB 168, SB 198, SB 199, SB 233, SB 309, SB 310, SJR 3, SJR 5, SJR 9, SJR 20, SJR 21, SJR 27.**

Signed by the Speaker at 5:00 p.m., April 24, 2017: **HB 148.**

Signed by the Speaker at 2:45 p.m., April 24, 2017: **HB 118.**

Signed by the Chief Clerk of the House at 3:46 p.m., April 24, 2017: **HB 118.**

Signed by the President at 4:52 p.m., April 24, 2017: **HB 118.**

Signed by the Speaker at 10:25 a.m., April 24, 2017: **HB 303.**

Signed by the Chief Clerk of the House at 10:30 a.m., April 24, 2017: **HB 303.**

Signed by the President at 11:03 a.m., April 24, 2017: **HB 303.**

Signed by the President at 11:52 a.m., April 24, 2017: **HB 415, HB 564.**

Delivered to the Governor for approval at 11:01 a.m., April 24, 2017: **HB 393.**

Delivered to the Governor for approval at 11:37 a.m., April 24, 2017: **HB 303.**

Delivered to the Governor for approval at 4:54 p.m., April 24, 2017: **HB 185, HB 415, HB 564.**

Delivered to the Governor for approval at 5:07 p.m., April 24, 2017: **HB 118.**

REPORTS OF STANDING COMMITTEES

HUMAN SERVICES (Wagoner, Chair):

4/24/2017

SJR 32, be concurred in. Report adopted.

TAXATION (Essmann, Chair):

4/24/2017

SB 132, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE

on **Senate Bill 366**

Report No. 002, April 24, 2017

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 366** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 366** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 7.

Following: "AUTHORITY;"

Insert: "PROVIDING FOR APPROPRIATIONS; AUTHORIZING THE DEPARTMENT OF JUSTICE

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

TO ENTER INTO A LOAN FOR IMPLEMENTATION OF THE REAL ID ACT; PROVIDING FOR CONTINGENT VOIDNESS;"

Strike: "SECTION"

Insert: "SECTIONS 17-5-2001 AND"

2. Page 2.

Following: line 8

Insert: "**Section 2.** Section 17-5-2001, MCA, is amended to read:

"17-5-2001. Loans to state agencies. (1) An agency responsible for the procurement and provision of vehicles, automated systems, and equipment using an enterprise fund or an internal service fund, as described in 17-2-102, is authorized to enter into contracts, loan agreements, or other forms of indebtedness payable over a term not to exceed 7 years for the purpose of financing the cost of the vehicles and equipment and to pledge to the repayment of the indebtedness the revenue of the enterprise fund or internal service fund if:

(a) the term of the indebtedness does not exceed the useful life of the items being financed; and

(b) at the time that the indebtedness is incurred, the projected revenue of the fund, based on the fees and charges approved by the legislature and other available fund revenue, will be sufficient to repay the indebtedness over the proposed term and to maintain the operation of the enterprise.

(2) (a) The department of justice is authorized to enter into contracts, loan agreements, or other forms of indebtedness with the board of investments for an amount not to exceed \$28.5 million, payable over a term not to exceed 15 years, for financing the cost of an information technology system for the production and maintenance of motor vehicle title and registration records and driver's license records.

(b) For purposes of the financing of the motor vehicle information technology system, loans are payable from the money in the motor vehicle information technology system account as provided in 61-3-550. The term of the indebtedness may not exceed the useful life of the items being financed. At the time that the loan is made, the projected revenue of the motor vehicle information technology system account, based upon the fees approved by the legislature, must be sufficient to repay the indebtedness over the proposed term.

(3) The department of justice is authorized to enter into contracts, loan agreements, or other forms of indebtedness with the board of investments for an amount not to exceed \$4.6 million, payable over a term not to exceed 10 years, for financing the cost of an information technology system, and other associated costs, for the implementation of the REAL ID Act of 2005. Loans are payable from the money from the state special revenue fund provided for in [section 1(4)(b)]."

Renumber: subsequent sections

3. Page 2.

Following: line 20

Insert: "**NEW SECTION. Section 4. Appropriations.** (1) For the biennium beginning July 1, 2017, there is appropriated \$75,000 from the state special revenue fund referenced in [section 1(4)(b)] to the motor vehicle division of the department of justice for providing information to the public about [this act]. (2) For the biennium beginning July 1, 2017, there is appropriated

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

\$800,000 from the state special revenue fund referenced in [section 1(4)(b)] to the motor vehicle division of the department of justice for reprogramming information technology systems and modifying systems to implement [this act].

(3) For the fiscal year beginning July 1, 2017, there is appropriated \$1.852 million from the state special revenue fund referenced in [section 1(4)(b)] to the motor vehicle division of the department of justice for operating expenses related to the implementation of [this act].

(4) For the fiscal year beginning July 1, 2018, there is appropriated \$1.852 million from the state special revenue fund referenced in [section 1(4)(b)] to the motor vehicle division of the department of justice for operating expenses related to the implementation of [this act]."

Insert: "NEW SECTION. Section 5. Legislative intent. It is the intent of the legislature that the department of justice use modified full-time equivalent positions to implement [this act]."

Renumber: subsequent sections

4. Page 2.

Following: line 23

Insert: "NEW SECTION. Section 7. Contingent voidness. 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, the appropriation in [section 4(3)] is void."

Renumber: subsequent sections

5. Page 3, line 3.

Strike: "JULY"

Insert: "January"

For the Senate:

D. Brown, Chair
Cohenour
Osmundson

For the House:

Glimm, Vice Chair
Brodehl
Court

MESSAGES FROM THE SENATE

HB 639 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 639**:

4/24/2017

Senator L. Jones
Senator Moore
Senator Sesso

HB 562 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 562**:

4/24/2017

Senator Buttrey

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Senator Vance
Senator Whitford

SB 368 - The Senate failed to concur in the House amendments to **SB 368**, and by motion, the President was authorized to appoint a Conference Committee and requests the House to appoint a like committee to confer on House amendments to **SB 368**:

4/24/2017

Senator Richmond
Senator Sesso
Senator Thomas

SB 359 - The Senate failed to concur in the House amendments to **SB 359**, and by motion, the President was authorized to appoint the following **Free** Conference Committee and requests the House to appoint a like committee to confer on House amendments to **SB 359**:

4/24/2017

Senator Blasdel
Senator Malek
Senator R. Webb

**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 Curdy in the chair.

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

HB 133 - Conference Committee - Representative McConnell moved the Conference Committee Report to **HB 133** be adopted. Motion carried as follows:

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

Nays: Cuffe, Gunderson, Mandeville, Manzella.

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 198 - Governor's Amendments - Representative Wagoner moved Governor's Amendments to **HB 198** be **not** concurred in. Motion carried as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Fitzgerald, Flynn, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, 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 57

Nays: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Court, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Essmann, Fern, Fleming, Funk, Hamilton, Hamlett, Harris, 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 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 334 - Governor's Amendments - Representative Knokey moved Governor's Amendments to **HB 334** be **not** 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, Hamlett, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jones, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McCarthy, 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 61

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, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Schreiner,

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Smith, Stewart-Per, Swanson, Webber, Windy Boy, Woods.

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 358 - Governor's Amendments - Representative Noland moved Governor's Amendments to **HB 358** be **not** concurred in. Motion carried as follows:

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

Total 59

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, Windy Boy, Woods.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 360 - Governor's Amendments - Representative Hamlett moved Governor's Amendments to **HB 360** be concurred in. Motion carried as follows:

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

Total 88

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Nays: Bartel, Brodehl, B. Brown, Burnett, Galloway, Glimm, Gunderson, C Knudsen, Mandeville, Regier, Rosendale, Vinton.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 387 - Free Conference Committee Report - Representative Wagoner moved the Free Conference Committee Report to **HB 387** be adopted. 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, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: C Knudsen.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 434 - Conference Committee Report - Representative Flynn moved the Conference Committee Report to **HB 434** be adopted. 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, 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,

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

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

Nays: C Knudsen.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 462 - Free Conference Committee Report - Representative Garner moved the Free Conference Committee Report to **HB 462** be adopted. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Berglee, Bishop, Brodehl, B. Brown, Cook, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Knokey, Lavin, Lenz, Loge, Lynch, Mandeville, McCarthy, McConnell, McKamey, Morigeau, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Swanson, Trebas, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.
Total 81

Nays: Bennett, Z. Brown, Burnett, Cuffe, Doane, Flynn, Galloway, Harris, Hayman, Kipp III, C Knudsen, Manzella, Mortensen, Noland, Regier, Rosendale, Stewart-Per, Tschida, Usher.
Total 19

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 494 - Governor's Amendments - Representative Berglee moved Governor's Amendments to **HB 494** be **not** concurred in. Motion carried as follows:

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

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Total 59

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, Windy Boy, Woods.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 155 - Governor's Amendments - Representative Redfield moved Governor's Amendments to **SB 155** 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, 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, 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, Mr. Speaker.

Total 92

Nays: Bennett, Funk, Galloway, Mandeville, Olsen, Peppers, Staffanson, Zolnikov.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 43 - Representative White moved **HJR 43** do pass. Motion carried as follows:

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

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Total 53

Nays: Abbott, Bachmeier, Bennett, Bishop, Brodehl, Z. Brown, Burnett, Court, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fleming, Funk, Galt, Glimm, Greef, Hamilton, Hamlett, Hayman, A Hertz, Hill-Smith, Hopkins, Jacobson, Karjala, Keane, Kelker, Kipp III, Lynch, Mandeville, McCarthy, McConnell, Morigeau, Olsen, Perry, Pierson, Price, Ryan, Schreiner, Stewart-Per, Swanson, Trebas, Webber, Windy Boy, Woods.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 333 - Conference Committee Report - Representative A. Hertz moved the Conference Committee Report to **SB 333** be adopted. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Beard, Bennett, Berglee, Bishop, Brodehl, 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, Hamilton, Hamlett, Hayman, A Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, McConnell, McKamey, Morigeau, Noland, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 81

Nays: Bartel, B. Brown, Curtis, Doane, Gunderson, Harris, G Hertz, Karjala, Lynch, Mandeville, Manzella, McCarthy, Mortensen, O'Hara, Olsen, Ricci, Rosendale, Wagoner, Webb.

Total 19

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 23 - Representative A. Hertz moved **SJR 23** be concurred in. Motion carried as follows:

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

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Total 54

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

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 24 - Representative W. Sales moved **SJR 24** be concurred in. Motion **failed** as follows:

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

Total 50

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

Total 50

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 248 - Free Conference Committee Report - Representative White moved the Free Conference Committee Report to **SB 248** be adopted. Motion carried as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Custer, Doane, Ehli, Essmann, Fitzgerald, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harris, A Hertz, G Hertz, Hopkins, Jones, Keane, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Patelis, Perry, Pierson, Regier, Ricci, Rosendale, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton,

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Wagoner, Webb, Welch, White, Windy Boy, Zolnikov, Mr. Speaker.

Total 60

Nays: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Court, Cuffe, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Flynn, Funk, Hamilton, Hayman, Hill-Smith, Holmlund, Jacobson, Karjala, Kelker, Kipp III, McCarthy, McConnell, Morigeau, Olsen, Peppers, Price, Redfield, Ryan, Sales, Schreiner, Smith, Stewart-Per, Swanson, Webber, Woods.

Total 40

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 Curdy moved the Committee of the Whole report be adopted. Report 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, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Webb, Webber, Welch, White, Windy Boy, Woods, Mr. Speaker.

Total 96

Nays: Bennett, Olsen, Wagoner, Zolnikov.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 562**
Report No. 001, April 24, 2017

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 562** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 562** (reference copy -- salmon) be amended as follows:

1. Page 1, line 28.

Following: "HOURS"

Insert: "to be performed within the county or municipality in which the person resides"

2. Page 2, line 22.

Following: "HOURS"

Insert: "to be performed within the county or municipality in which the person resides"

3. Page 4, line 13.

Following: "HOURS"

Insert: "to be performed in the county or municipality in which the person resides"

For the Senate:

Vance, Chair
Buttrey
Whitford

For the House:

Usher, Vice Chair
C. Knudsen

FREE CONFERENCE COMMITTEE
on **Senate Bill 363**
Report No. 001, April 21, 2017

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 363** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 363** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 13.

Following: "69-3-308,"

Insert: "69-3-308,"

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

2. Title, page 1, line 14.

Strike: "AND"

Following: "87-2-817,"

Insert: "AND 87-2-903,"

3. Page 3.

Following: line 10

Insert: "(7) For the purposes of this section, the public service commission shall determine the appropriate recovery of this fee in rates in a proceeding held pursuant to 69-3-302 for any hydroelectric facility approved pursuant to 69-8-421."

Renumber: subsequent subsections

4. Page 12.

Following: line 24

Insert: "**Section 5.** Section 69-3-308, MCA, is amended to read:

"69-3-308. Disclosure of taxes and fees paid by customers of public utility -- automatic rate adjustment and tracking for taxes and fees. (1) A public utility may separately disclose in a customer's bill the amount of state and local taxes and fees assessed against the public utility that the customer is paying.

(2) (a) (i) ~~The~~ Except as provided in [section 2], the commission shall allow a public utility to file rate schedules containing provisions for the automatic adjustment and tracking of Montana state and local taxes and fees, except state income tax, paid by the public utility. The resulting rate schedule changes must include:

(A) adjustments for the net change in federal and state income tax liability caused by the deductibility of state and local taxes and fees;

(B) retroactive tax adjustments; and

(C) adjustments related to the resolution of property taxes paid under protest.

(ii) The rate schedules must include provisions for annual rate adjustments, including both tax increases and decreases.

(b) The amended rates must automatically go into effect on January 1 following the date of change in taxes paid on an interim basis, subject to any adjustments determined in subsection (2)(c).

(c) The amended rate schedule must be filed with the commission on or before the effective date of the change in taxes paid, and if the commission determines that the revised rate schedule is in error, the commission may, within 45 days of receipt of the revised rate schedule, ask for comment and order the public utility to address any errors or omissions including, if necessary, any refunds due customers.

(d) Failure of the commission to issue an order pursuant to subsection (2)(c) is considered approval on the part of the commission.

(e) A public utility may challenge an order issued by the commission under subsection (2)(c) in accordance with the provisions of 69-3-401 through 69-3-405.""

Renumber: subsequent sections

5. Page 14, line 25.

Following: "(8)"

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Insert: "(a)"

6. Page 14.

Following: line 26

Insert: "(b) The department of fish, wildlife, and parks shall report to the legislative finance committee at least biannually on expenditures made in the implementation of this part."

7. Page 20.

Following: line 8

Insert: "**Section 17.** Section 87-2-903, MCA, is amended to read:

"87-2-903. (Temporary) Compensation, fees, and duties of agents -- penalty for late submission of license money. (1) License agents, except salaried employees of the department, must receive for all services rendered a commission of 50 cents for each transaction, plus any additional amount as determined under subsection (9) and by rules adopted pursuant to subsection (10).

(2) A license agent may charge a convenience fee of up to 3% of the total amount of a transaction if a purchase is made with a credit card or a debit card. A financial institution or credit card company may not prohibit collection of the convenience fee provided for in this subsection.

(3) Each license agent shall submit to the department the money received from the sale of licenses and aquatic invasive species prevention passes and from donations received pursuant to 87-1-293, less the appropriate commission and convenience fee.

(4) Each license agent shall submit to the department copies of each paper license sold.

(5) The department may charge license agents appointed after March 1, 1998, an electronic license system fee not to exceed actual costs.

(6) The department may designate classes of license agents and may establish a protocol for each class of agent. Each license agent shall keep the license account open at all reasonable hours to inspection by the department, the director, the wardens, or the legislative auditor.

(7) For purposes of this section, the term "transaction" includes the sale of any license or permit, collection of any data or fee, or issuance of any certificate prescribed by the department. The term does not include donations collected pursuant to 87-1-293 or the sale of aquatic invasive species prevention passes pursuant to [section 1].

(8) If a license agent fails to submit to the department all money received from the declared sale of licenses and aquatic invasive species prevention passes and from donations received pursuant to 87-1-293, less the appropriate commission and convenience fee, by the deadline established by the department, an interest charge equal to the rate charged under 15-1-216 may be assessed. Acceptance of late payments with interest does not preclude the department from summarily revoking the appointment of a license agent under 87-2-904.

(9) A license agent, except for an electronic service provider, must receive a commission of 50 cents for each ticket the agent processes for a hunting license lottery held pursuant to 87-1-271.

(10) The department may adopt rules necessary to implement this section. (Terminates June 30, 2019--sec. 7, Ch. 83, L. 2013.)

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

87-2-903. (Effective July 1, 2019) Compensation, fees, and duties of agents -- penalty for late submission of license money. (1) License agents, except salaried employees of the department, must receive for all services rendered a commission of 50 cents for each transaction, plus any additional amount as determined under subsection (9) and by rules adopted pursuant to subsection (10).

(2) A license agent may charge a convenience fee of up to 3% of the total amount of a transaction if a purchase is made with a credit card or a debit card. A financial institution or credit card company may not prohibit collection of the convenience fee provided for in this subsection.

(3) Each license agent shall submit to the department the money received from the sale of licenses and aquatic invasive species prevention passes, less the appropriate commission and convenience fee.

(4) Each license agent shall submit to the department copies of each paper license sold.

(5) The department may charge license agents appointed after March 1, 1998, an electronic license system fee not to exceed actual costs.

(6) The department may designate classes of license agents and may establish a protocol for each class of agent. Each license agent shall keep the license account open at all reasonable hours to inspection by the department, the director, the wardens, or the legislative auditor.

(7) For purposes of this section, the term "transaction" includes the sale of any license or permit, collection of any data or fee, or issuance of any certificate prescribed by the department. The term does not include the sale of aquatic invasive species prevention passes pursuant to [section 1].

(8) If a license agent fails to submit to the department all money received from the declared sale of licenses and aquatic invasive species prevention passes, less the appropriate commission and convenience fee, by the deadline established by the department, an interest charge equal to the rate charged under 15-1-216 may be assessed. Acceptance of late payments with interest does not preclude the department from summarily revoking the appointment of a license agent under 87-2-904.

(9) A license agent, except for an electronic service provider, must receive a commission of 50 cents for each ticket the agent processes for a hunting license lottery held pursuant to 87-1-271.

(10) The department may adopt rules necessary to implement this section."

Renumber: subsequent sections

8. Page 21, line 13.

Strike: "6"

Insert: "7"

9. Page 21, line 19.

Strike: "5, 12, 13, 14, AND 15"

Insert: "6, 13, 14, 15, 16, and 17"

10. Page 21, line 21.

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Strike: "6(6)"

Insert: "7(6)"

11. Page 21, line 22.

Strike: "5"

Insert: "6"

For the Senate:

Vincent, Chair
Olszewski
Phillips

For the House:

Cuffe, Vice Chair
Z. Brown
Noland

MESSAGES FROM THE SENATE

SB 374 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **SB 374**:

4/24/2017

Senator Ankney, Chair
Senator Connell
Senator Wolken

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:

HJR 33 passed as follows:

Yeas: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Cook, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fern, Fitzgerald, Fleming, Funk, Garner, Grubbs, Hamilton, Hamlett, Hayman, Hill-Smith, Jacobson, Karjala, Keane, Kelker, Kipp III, Lynch, McCarthy, McConnell, McKamey, Morigeau, Olsen, Perry, Pierson, Price, Ricci, Ryan, Sales, Schreiner, Shaw, Stewart-Per, Swanson, Trebas, Usher, Webber, Welch, Windy Boy, Woods, Zolnikov.
Total 53

Nays: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Essmann, Flynn, Galloway, Galt, Glimm, Greef, Gunderson, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jones, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, Mortensen, Noland, O'Hara, Patelis, Peppers, Redfield, Regier, Rosendale, Skees, Smith, Staffanson, Tschida, Vinton, Wagoner, Webb, White, Mr. Speaker.
Total 47

Excused: None.

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Total 0

Absent or not voting: None.

Total 0

HJR 41 passed as follows:

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

Total 70

Nays: Anderson, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Ehli, Flynn, Galt, Glimm, Gunderson, A Hertz, G Hertz, Hopkins, Knokey, C Knudsen, Lavin, Lenz, Noland, Redfield, Regier, Rosendale, Skees, Trebas, Tschida, Vinton, White, Mr. Speaker.

Total 30

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 42 passed as follows:

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

Total 59

Nays: Anderson, Ballance, Beard, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Fitzgerald, Flynn, Galloway, Galt, Glimm, Gunderson, A Hertz, G Hertz, Holmlund, Jones, Knokey, C Knudsen, Lavin, Lenz, Mandeville, Manzella, McKamey, Noland, O'Hara, Redfield, Regier, Ricci, Rosendale, Skees, Staffanson, Tschida, Usher, Wagoner, Webb, White, Mr. Speaker.

Total 41

Excused: None.

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Total 0

Absent or not voting: None.

Total 0

SB 168 concurred in as follows:

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

Total 57

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

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 198 concurred in as follows:

Yeas: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fern, Fitzgerald, Fleming, Garner, Greef, Grubbs, Hamilton, Hamlett, Hayman, Hill-Smith, Jacobson, Jones, Keane, Kelker, Kipp III, Loge, Lynch, Mandeville, McCarthy, McConnell, McKamey, Morigeau, Olsen, Peppers, Perry, Price, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Stewart-Per, Swanson, Trebas, Wagoner, Webber, Welch, Windy Boy.

Total 53

Nays: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Curtis, Doane, Essmann, Flynn, Funk, Galloway, Galt, Glimm, Gunderson, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Karjala, Knokey, C Knudsen, Lavin, Lenz, Manzella, Mortensen, Noland, O'Hara, Patelis, Pierson, Redfield, Regier, Rosendale, Skees, Staffanson, Tschida, Usher, Vinton, Webb, White, Woods, Zolnikov, Mr. Speaker.

Total 47

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 199 concurred in as follows:

Yeas: Abbott, Anderson, Bachmeier, Bartel, Bennett, Berglee, Bishop, Z. Brown, Cook, Court, Cuffe, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galt, Garner, Greef, Grubbs, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Jacobson, Karjala, Keane, Kelker, Kipp III, Knokey, Lavin, Lenz, 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, Usher, Vinton, Wagoner, Webb, Webber, Welch, Windy Boy, Woods, Mr. Speaker.

Total 78

Nays: Ballance, Beard, Brodehl, B. Brown, Burnett, Doane, Galloway, Glimm, Gunderson, Hopkins, Jones, C Knudsen, Manzella, Mortensen, Noland, Redfield, Regier, Rosendale, Skees, Tschida, White, Zolnikov.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 233 concurred in as follows:

Yeas: Bachmeier, Ballance, Bartel, Beard, Berglee, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Dunwell, Ehli, Essmann, Fitzgerald, Flynn, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harris, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Keane, Knokey, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McKamey, Morigeau, Noland, O'Hara, Patelis, Perry, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, Windy Boy, Zolnikov, Mr. Speaker.

Total 64

Nays: Abbott, Anderson, Bennett, Bishop, Brodehl, Z. Brown, Court, Curdy, Curtis, Dudik, Eck, Ellis, Fern, Fleming, Funk, Galloway, Hamilton, Hayman, Karjala, Kelker, Kipp III, C Knudsen, McConnell, Mortensen, Olsen, Peppers, Pierson, Price, Ryan, Schreiner, Smith, Stewart-Per, Swanson, Webber, White, Woods.

Total 36

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 250 concurred in as follows:

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

Total 82

Nays: Abbott, Beard, Brodehl, B. Brown, Custer, Eck, Flynn, Galloway, A Hertz, Kipp III, C Knudsen, Mandeville, Morigeau, Noland, Olsen, Schreiner, Stewart-Per, Tschida.

Total 18

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 309 concurred in as follows:

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

Total 56

Nays: Anderson, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Glimm, Greef, Grubbs, Gunderson, Holmlund, Jones, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Manzella, McKamey, Noland, O'Hara, Redfield, Regier, Ricci, Rosendale, Sales, Skees, Smith, Staffanson, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White.

Total 44

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 310 concurred in as follows:

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

Total 53

Nays: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Ehli, Essmann, Flynn, Galloway, Galt, Glimm, Greef, Gunderson, A Hertz, G Hertz, Holmlund, Hopkins, Jones, Knokey, C Knudsen, Lavin, Lenz, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Peppers, Redfield, Regier, Ricci, Rosendale, Skees, Smith, Staffanson, Trebas, Tschida, Usher, Vinton, Webb, White, Mr. Speaker.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 3 concurred in as follows:

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

Total 76

Nays: Bartel, Berglee, Brodehl, B. Brown, Burnett, Court, Cuffe, Flynn, Galt, Glimm, Gunderson, Holmlund, C Knudsen, Loge, Manzella, Noland, Redfield, Regier, Ricci, Rosendale, Skees, Tschida, Usher, Wagoner.

Total 24

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 5 concurred in as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Beard, Bennett, Berglee, Bishop, Z. Brown, Cook, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Garner, Greef, Grubbs, Hamilton, Hamlett, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Kelker, Kipp III, Lenz, Loge, McCarthy, McKamey, Morigeau, O'Hara, Olsen, Patelis, Peppers, Perry, Ricci, Ryan, Sales, Shaw, Skees, Smith, Stewart-Per, Swanson, Trebas, Wagoner, Webber, Welch, Windy Boy, Zolnikov.

Total 61

Nays: Bartel, Brodehl, B. Brown, Burnett, Court, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Glimm, Gunderson, Harris, Hayman, Keane, Knokey, C Knudsen, Lavin, Lynch, Mandeville, Manzella, McConnell, Mortensen, Noland, Pierson, Price, Redfield, Regier, Rosendale, Schreiner, Staffanson, Tschida, Usher, Vinton, Webb, White, Woods, Mr. Speaker.

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 9 concurred in as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bennett, Berglee, Bishop, B. Brown, Z. Brown, Cook, Court, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fleming, Flynn, Funk, Galloway, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, Hill-Smith, Holmlund, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, Lavin, Lenz, Loge, Lynch, Manzella, McCarthy, McConnell, McKamey, Morigeau, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Smith, Stewart-Per, Swanson, Trebas, Vinton, Wagoner, Webber, Welch, Windy Boy, Woods.

Total 74

Nays: Bartel, Beard, Brodehl, Burnett, Cuffe, Fitzgerald, Galt, Glimm, Harris, A Hertz, G Hertz, Hopkins, C Knudsen, Mandeville, Mortensen, Noland, Redfield, Regier, Skees, Staffanson, Tschida, Usher, Webb, White, Zolnikov, Mr. Speaker.

Total 26

Excused: None.

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Total 0

Absent or not voting: None.

Total 0

SJR 20 concurred in as follows:

Yeas: Abbott, Anderson, Bachmeier, Bennett, Bishop, Z. Brown, Cook, Court, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, Hill-Smith, Jacobson, Karjala, Keane, Kelker, Kipp III, Lavin, Lenz, Loge, Lynch, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Olsen, Patelis, Peppers, Perry, Pierson, Price, Rosendale, Ryan, Sales, Schreiner, Shaw, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Vinton, Webb, Webber, Welch, White, Windy Boy, Woods, Mr. Speaker.

Total 67

Nays: Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Ehli, Flynn, Galloway, Galt, Glimm, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jones, Knokey, C Knudsen, Mandeville, Manzella, Noland, O'Hara, Redfield, Regier, Ricci, Skees, Tschida, Usher, Wagoner, Zolnikov.

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 21 concurred in as follows:

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

Total 77

Nays: Anderson, Bartel, Brodehl, B. Brown, Burnett, Doane, Flynn, Galloway, Galt, Glimm, Harris, G Hertz, Jones, Knokey, C Knudsen, Lavin, Mortensen, Redfield, Regier, Rosendale, Skees, Staffanson, Tschida.

Total 23

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 27 concurred in as follows:

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

Total 88

Nays: Bartel, Brodehl, Cuffe, Glimm, Gunderson, Hopkins, C Knudsen, Mandeville, McCarthy, Morigeau, Redfield, Woods.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Representative Ehli moved to suspend the rules and accept the late transmittal of **HB 134**.

Motion **failed** as follows:

Yeas: Anderson, Ballance, 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, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Patelis, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, Windy Boy, Zolnikov, Mr. Speaker.

Total 56

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

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Jacobson, Karjala, Keane, Kelker, Kipp III, Loge, Lynch, McCarthy, McConnell, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Schreiner, Smith, Stewart-Per, Swanson, Webber, White, Woods.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Ehli moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on Governor's Amendments to **HB 198**. Motion carried. Speaker Knudsen appointed:

Representative Bartel
Representative Curtis
Representative Wagoner

Representative Ehli moved that the Speaker accede to the request of the Senate and be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on House Amendments to **SB 374**. Motion carried. Speaker Knudsen appointed:

Representative Bishop
Representative O'Hara
Representative Zolnikov

Representative Ehli moved that the Speaker accede to the request of the Senate and be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate to confer on House Amendments to **SB 359**. Motion carried. Speaker Knudsen appointed:

Representative Abbott
Representative A. Hertz
Representative Lavin

Representative Ehli moved that the Speaker accede to the request of the Senate and be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on House Amendments to **SB 368**. Motion carried. Speaker Knudsen appointed:

Representative Bennett
Representative Mandeville
Representative Manzella

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Representative Cuffe moved to suspend the rules to reconsider **HB 648**.

Motion **failed** as follows:

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

Total 57

Nays: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, Burnett, Doane, Ehli, Flynn, Galloway, Galt, Glimm, Greef, Gunderson, A Hertz, G Hertz, Holmlund, Jones, Knokey, C Knudsen, Lavin, Lenz, Mandeville, Manzella, Mortensen, O'Hara, Patelis, Price, Redfield, Regier, Ricci, Rosendale, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, White, Zolnikov, Mr. Speaker.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Noland moved the House Sine Die.

Motion **failed** as follows:

Yeas: Beard, Berglee, B. Brown, Burnett, Galt, Gunderson, Harris, C Knudsen, Manzella, Mortensen, Noland, Regier, Ricci, Rosendale, Skees, Trebas, Tschida, Usher, White, Windy Boy.

Total 20

Nays: Abbott, Anderson, Bachmeier, Ballance, Bartel, Bennett, Bishop, Brodehl, Z. Brown, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Garner, Glimm, Greef, Grubbs, 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, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Ryan, Sales, Schreiner, Shaw, Smith, Staffanson, Stewart-Per, Swanson, Vinton, Wagoner, Webb, Webber, Welch, Woods, Zolnikov, Mr. Speaker.

Total 80

Excused: None.

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Total 0

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES

ENERGY, TECHNOLOGY, AND FEDERAL RELATIONS (Zolnikov, Chair): 4/24/2017
SJR 31, be concurred in. Report adopted.

**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 Curdy in the chair.

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

HB 209 - Governor's Amendments - Representative Usher moved Governor's Amendments to **HB 209** 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, 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, C Knudsen, Lavin, Lenz, Loge, Lynch, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart-Per, Swanson, Trebas, Tschida, Usher, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 91

Nays: Berglee, Flynn, Galloway, Harris, Mandeville, Redfield, Rosendale, Staffanson, Vinton.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 367 - Governor's Amendments - Representative Beard moved Governor's Amendments to **HB 367** be **not** concurred in. Motion carried as follows:

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Custer, Doane, Ehli, Essmann, Fitzgerald, Fleming, 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, Pierson, Redfield, Regier, Ricci, Rosendale, Sales, Shaw, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, White, Zolnikov, Mr. Speaker.

Total 61

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

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 562 - Conference Committee Report - Representative C. Knudsen moved the Conference Committee Report to **HB 562** be adopted. Motion carried as follows:

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

Total 59

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

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 127 - Governor's Amendments - Representative Price moved Governor's Amendments to

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

SB 127 be concurred in. Motion carried as follows:

Yeas: Abbott, Bachmeier, Ballance, Bennett, Bishop, Brodehl, Z. Brown, Burnett, Cook, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, Hill-Smith, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Loge, Lynch, McCarthy, McConnell, McKamey, Morigeau, Noland, O'Hara, Olsen, Peppers, Perry, Pierson, Price, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Smith, Stewart-Per, Swanson, Trebas, Webber, Welch, Windy Boy, Woods.

Total 65

Nays: Anderson, Bartel, Beard, Berglee, B. Brown, Cuffe, Doane, Flynn, Galloway, Galt, Glimm, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Knokey, C Knudsen, Lavin, Lenz, Mandeville, Manzella, Mortensen, Patelis, Redfield, Skees, Staffanson, Tschida, Usher, Vinton, Wagoner, Webb, White, Zolnikov, Mr. Speaker.

Total 35

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 184 - Governor's Amendments - Representative Ricci moved Governor's Amendments to **SB 184** be **not** concurred in. Motion carried as follows:

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

Total 59

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, Windy Boy, Woods.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

SB 189 - Governor's Amendments - Representative Skees moved Governor's Amendments to **SB 189** 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, 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, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Mr. Speaker.

Total 96

Nays: A Hertz, Mandeville, Peppers, Zolnikov.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 363 - Free Conference Committee Report - Representative Cuffe moved the Free Conference Committee Report to **SB 363** be adopted. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, 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, Knokey, C Knudsen, Lavin, Lenz, Loge, Manzella, McCarthy, McConnell, McKamey, Morigeau, Noland, O'Hara, Patelis, Peppers, Perry, Pierson, Price, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Swanson, Tschida, Usher, Wagoner, Webb, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: Curtis, Flynn, Hamlett, Lynch, Mandeville, Mortensen, Olsen, Redfield, Staffanson, Stewart-Per, Trebas, Vinton, Webber.

Total 13

Excused: None.

Total 0

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Absent or not voting: None.

Total 0

SB 366 - Free Conference Committee Report - Representative Brodehl moved the Free Conference Committee Report to **SB 366** be adopted. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, Z. Brown, Burnett, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Garner, Greef, Grubbs, Gunderson, Hamlett, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Lavin, Lenz, Loge, Lynch, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, 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 84

Nays: B. Brown, Cook, Galloway, Galt, Glimm, Hamilton, Harris, Hopkins, C Knudsen, Mandeville, Noland, Regier, Rosendale, Tschida, Zolnikov.

Total 15

Excused: None.

Total 0

Absent or not voting: Knokey.

Total 1

SJR 25 - Representative Court moved **SJR 25** be concurred in. Motion carried as follows:

Yeas: Abbott, Bachmeier, Bennett, Bishop, Brodehl, Z. Brown, Court, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fleming, Funk, Galloway, Galt, Garner, Greef, Grubbs, Hamilton, Hamlett, Harris, Hayman, Hill-Smith, Holmlund, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Lynch, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Ricci, Ryan, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Usher, Wagoner, Webb, Webber, Welch, Windy Boy, Woods, Zolnikov.

Total 69

Nays: Anderson, Ballance, Bartel, Beard, Berglee, B. Brown, Burnett, Cook, Cuffe, Fitzgerald, Flynn, Glimm, A Hertz, G Hertz, Hopkins, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, Noland, Redfield, Regier, Rosendale, Sales, Tschida, Vinton, White, Mr. Speaker.

Total 30

Excused: None.

Total 0

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Absent or not voting: Gunderson.

Total 1

Majority Leader Ehli moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Curdy moved the Committee of the Whole report be adopted. Report 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, 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, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Noland, O'Hara, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Bennett, Galt, C Knudsen, Lynch, Mortensen, Olsen, Usher.

Total 7

Excused: None.

Total 0

Absent or not voting: Harris.

Total 1

REPORTS OF SELECT COMMITTEES

**FREE CONFERENCE COMMITTEE
on **Senate Bill 359****

Report No. 001, April 24, 2017

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 359** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 359** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 9.

Following: "INFRASTRUCTURE;"

Insert: "PROVIDING A REDUCED TAX RATE FOR DEDICATED COMMUNICATIONS
INFRASTRUCTURE FOR A 15-YEAR PERIOD;"

2. Page 1, line 22 through page 2, line 22.

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

Strike: section 1 in its entirety

Insert: "NEW SECTION. Section 1. Class seventeen property -- description -- taxable percentage. (1) Class seventeen property includes the land, improvements, furniture, fixtures, equipment, tools that are not exempt under 15-6-219, and supplies except those included in class five under 15-6-135 of a qualified data center.

(2) (a) "Qualified data center" means the land, improvements, and personal property of a facility designed or modified to house networked computers or equipment supporting computing, networking, or data storage that is:

(i) composed of one or more buildings under single ownership on contiguous parcels of land that consist of at least 300,000 square feet, where the total cost of land, improvements, personal property, and software is at least \$150 million; and

(ii) commences construction after June 30, 2017.

(b) The term includes but is not limited to:

(i) cooling systems, cooling towers, and other temperature infrastructure;

(ii) power infrastructure for transformation, distribution, or management of electricity used for the maintenance and operation of the facility, such as exterior dedicated business-owned substations, backup power generation systems, battery systems, and related infrastructure; and

(iii) any other equipment necessary for the maintenance and operation of the facility.

(3) During construction, property not meeting the requirements of subsection (2) must be classified as class seventeen property if, prior to March 1 of the first tax year for which the classification will be applied, the taxpayer certifies to the department that the facility under construction will meet the requirements of subsection (2) within 2 years of the date of the certification.

(4) The taxable property of a qualified data center must be locally assessed.

(5) (a) Class seventeen property includes centrally assessed interstate or intrastate dedicated communications infrastructure that is owned or leased by the owner of a qualified data center and is composed of telecommunication or data lines, equipment, and services, including but not limited to copper or fiber optic lines or microwave, satellite, or other wireless communication systems.

(b) To qualify under this subsection (5), construction of the owned or leased interstate or intrastate communications infrastructure must commence after June 30, 2017, and before July 1, 2027, and must satisfy the criteria of this section.

(c) Dedicated communications infrastructure provided for in this subsection (5) is taxed at the rate provided for in subsection (6) for a period of 15 years from the time that construction commences. After the 15-year period, the dedicated communications infrastructure is taxed as class thirteen property at the rate provided in 15-6-156.

(6) Class seventeen property is taxed at 0.9% of its market value."

3. Page 3, line 4.

Strike: "and"

4. Page 3, line 5.

Following: "companies"

Insert: "; and"

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 24, 2017

(e) dedicated communications infrastructure described in [section 1(5)] for which construction commenced after June 30, 2027, or for which the 15-year period provided for in [section 1(5)(c)] has expired"

5. Page 3, line 16.

Strike: "property"

Insert: "qualified data centers"

6. Page 4, line 13.

Strike: "[section 1(2)(a)]"

Insert: "[section 1(5)]"

For the Senate:

Blasdel, Chair
Malek
R. Webb

For the House:

Lavin, Vice Chair
Abbott
A. Hertz

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Ehli moved that the House adjourn until 11:00 a.m., Tuesday, April 25, 2017.
Motion carried.

House adjourned at 4:38 p.m.

LINDSEY VROEGINDEWEY
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House