

**HOUSE JOURNAL
66TH LEGISLATURE
TWENTY-SIXTH LEGISLATIVE DAY**

Helena, Montana
February 8, 2019

House Chambers
State Capitol

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

Roll Call. All members present, except Representative Runningwolf, excused. Quorum present.

BILLS (Ricci, Chair):

2/8/2019

Correctly printed: **HB 3, HB 27, HB 57, HB 70, HB 112, HB 120, HB 142, HB 158, HB 181, HB 214, HB 220, HB 232, HB 247, HB 260, HB 268, HB 274, HB 282, HB 288, HB 292, HB 296, HB 299, HB 308, HB 310, HB 316, HB 320, HB 232, HB 334, HB 347, HB 356, HB 405, HB 406, HB 407, HB 408, HB 409, HB 410, HB 411, HB 412, HB 413, HB 414, HB 415, HB 416, HB 417, HB 418, HB 419, HB 420, HB 421, HB 422, HB 423, HB 424, HB 425, HB 426, HB 427, HB 428, HB 429, HB 430, HB 431, HB 432, HB 433, HB 434, HJR 4, HR 2, SB 2, SB 10, SB 11, SB 16, SB 28, SB 51.**

Correctly engrossed: **HB 15, HB 105, HB 132, HB 147, HB 172, HB 219, HB 236, HB 269, HB 304, HB 323, HB 331, HB 348.**

Transmitted to the Senate: **HB 57, HB 70, HB 158, HB 220, HB 247, HB 268, HB 282, HJR 4.**

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Noland, Chair):

2/8/2019

HB 105, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "AND"

2. Title, page 1, line 7.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 1.

Following: "line 27"

Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 320, do pass. Report adopted.

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HB 323, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "PROVIDING FOR UNFAIR LABOR PRACTICES;"

2. Title, page 1, line 7.

Strike: "SECTIONS 39-31-101, 39-31-203,"

Insert: "SECTION"

Strike: "AND 39-31-402,"

3. Page 1, line 21 through page 2, line 13.

Strike: section 1 through section 3 in their entirety

Renumber: subsequent sections

4. Page 2, line 18 through line 19.

Strike: "section 1" on line 18 through "and" on line 19

5. Page 3, line 3 through line 13.

Strike: section 5 in its entirety

Renumber: subsequent sections

6. Page 3, line 20 through line 21.

Strike: section 7 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

JUDICIARY (Doane, Chair):

2/8/2019

HB 147, introduced bill, be amended as follows:

1. Page 5, line 8.

Following: line 7

Insert: "COORDINATION SECTION. Section 10. Coordination instruction. If House Bill No. 146 is passed and approved, then [this act] is void."

Insert: "NEW SECTION. Section 11. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 296, do pass. Report adopted.

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HB 304, introduced bill, be amended as follows:

1. Page 1, line 11.

Strike: "done"

Insert: "caused by the operator's act or omission"

And, as amended, do pass. Report adopted.

HB 334, do pass. Report adopted.

HB 347, do pass. Report adopted.

HB 348, do pass. Report adopted.

LOCAL GOVERNMENT (Custer, Chair):

2/7/2019

HB 15, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Following: "DECAY;"

Strike: "AND"

Insert: "ESTABLISHING AN ADVISORY COUNCIL ON JUNK VEHICLES AND JUNK
NONMOTORIZED VEHICLES; PROVIDING DEFINITIONS;"

Strike: "SECTION"

Insert: "SECTIONS 61-12-402, 75-10-501, AND"

2. Title, page 1, line 7.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE"

3. Page 1.

Following: line 10

Insert: "**Section 1.** Section 61-12-402, MCA, is amended to read:

"61-12-402. Notice to owner. (1) Within 72 hours after a vehicle is removed and held by or at the direction of the Montana highway patrol, the highway patrol shall notify the sheriff of the county or the chief of police of the city in which the vehicle is being stored of where and when the vehicle was taken into custody and of where the vehicle is being stored. In addition, the Montana highway patrol shall furnish the sheriff or the chief of police:

(a) a complete description of the vehicle, including year, make, model, serial number, and license number if available;

(b) any costs incurred to that date in the removal, storage, and custody of the vehicle; and

(c) any available information concerning the vehicle's ownership.

(2) The highway patrol shall notify the sheriff of the county or the chief of police of the city in which the vehicle was taken into custody of the location at which the vehicle is being stored if the vehicle was removed to a different county.

(3) The sheriff or the city police in the jurisdiction where the vehicle is being stored shall make reasonable efforts to ascertain the name and address of the owner, lienholder, or person entitled to possession of the vehicle taken into custody under 61-12-401. If a name and address

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are ascertained, the sheriff or the city police shall notify the owner, lienholder, or person of the location of the vehicle.

(4) If the vehicle is registered in the office of the department, notice is considered to have been given when a certified letter addressed to the registered owner of the vehicle and lienholder, if any, at the latest address shown by the records in the office of the department, return receipt requested and postage prepaid, is mailed at least 30 days before the vehicle is sold.

(5) If the identity of the last-registered owner cannot be determined, if the registration does not contain an address for the owner, or if it is impossible to determine with reasonable certainty the identity and addresses of all lienholders, notice by one publication in one newspaper of general circulation in the county where the motor vehicle is being stored is sufficient to meet all requirements of notice pursuant to this part. The notice by publication may contain multiple listings of abandoned vehicles. The notice must be provided in the same manner as prescribed in 25-13-701(1)(b).

(6) If the abandoned vehicle is in the possession of a motor vehicle wrecking facility licensed under 75-10-511, the wrecking facility may make the required search to ascertain the name and address of the owner, lienholder, or person entitled to possession of the vehicle and shall give the notices required in subsections (3) through (5). The wrecking facility shall deliver to the sheriff or the city police a certificate describing the efforts made to ascertain the name and address of the owner, lienholder, or person entitled to possession of the vehicle and shall deliver to the sheriff or the city police proof of the notice given.

(7) (a) (i) A vehicle found by law enforcement officials to be a junk vehicle, as defined by in 75-10-501, and that has a value of \$500 or less may be directly submitted for disposal in accordance with the provisions of Title 75, chapter 10, part 5, upon a release given by the sheriff or the city police. The county representative designated to implement the county motor vehicle recycling and disposal program pursuant to 75-10-521 for the county where the vehicle is being stored shall determine the value of the vehicle. In the release, the sheriff or the city police shall include a description of the vehicle, including year, make, model, serial number, and license number if available. If the vehicle is being stored by a motor vehicle wrecking facility, the sheriff or the city police shall transmit the release to the motor vehicle wrecking facility and the facility shall consider the release to meet the requirements for records under 61-3-225 and 75-10-512. If the vehicle is being stored by a qualified tow truck operator, as defined in 61-8-903, the sheriff or the city police shall transmit the release to the operator. Vehicles described in this section may be submitted for disposal without notice and without a required holding period.

(ii) A junk nonmotorized vehicle, as defined in 75-10-501, may be submitted for disposal as provided in this subsection (7)(a) pursuant to the same provisions as a junk vehicle if the county has agreed to accept junk nonmotorized vehicles for disposal pursuant to 75-10-521(10).

(b) A licensed vehicle that otherwise meets the definition of a junk vehicle, as defined in 75-10-501, and that has a value of \$500 or less may be directly submitted for disposal as provided in subsection (7)(a)."

Insert: "Section 2. Section 75-10-501, MCA, is amended to read:

"75-10-501. Definitions. Unless the context requires otherwise, in this part, the following definitions apply:

- (1) "Board" means the board of environmental review provided for in 2-15-3502.
- (2) "Component part" means any identifiable part of a discarded, ruined, wrecked, or

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dismantled motor vehicle, including but not limited to fenders, doors, hoods, engine blocks, motor parts, transmissions, frames, axles, wheels, tires, and passenger compartment fixtures.

(3) "Department" means the department of environmental quality provided for in 2-15-3501.

(4) "Junk mobile home" means a mobile home as defined in 15-24-201 that is wrecked, ruined, dismantled, or abandoned and is no longer fit for human habitation.

(5) "Junk nonmotorized vehicle" means an inoperative vehicle that is not constructed with a motor and that is discarded, ruined, wrecked, or dismantled.

~~(4)(6)~~ (a) "Junk vehicle" means a motor vehicle, including component parts:

(i) that is discarded, ruined, wrecked, or dismantled;

(ii) that, except as provided in subsection ~~(4)(b)~~ (6)(b), is not lawfully and validly licensed;

and

(iii) that remains inoperative or incapable of being driven.

(b) If a vehicle is permanently registered under 61-3-562 and meets the criteria for a junk vehicle under subsection ~~(4)(a)~~ (6)(a), the vehicle is a junk vehicle.

~~(5)(7)~~ "Motor vehicle graveyard" means a collection point established by a county for junk motor vehicles prior to their disposal.

~~(6)(8)~~ (a) "Motor vehicle wrecking facility" means:

(i) a facility buying, selling, or dealing in four or more vehicles a year, of a type required to be licensed, for the purpose of wrecking, dismantling, disassembling, or substantially changing the form of the motor vehicle; or

(ii) a facility that buys or sells component parts, in whole or in part, and deals in secondhand motor vehicle parts. A facility that buys or sells component parts of a motor vehicle, in whole or in part, is a motor vehicle wrecking facility whether or not the buying or selling price is based upon weight or any other type of classification.

(b) The term does not include a garage where wrecked or disabled motor vehicles are temporarily stored for a reasonable period of time for inspection, repairs, or subsequent removal to a junkyard.

~~(7)(9)~~ "Person" means any individual, firm, partnership, company, association, corporation, city, town, local governmental entity, or other governmental or private entity, whether organized for profit or not.

~~(8)(10)~~ "Public view" means any point 6 feet above the surface of the center of a public road from which junk vehicles can be seen.

~~(9)(11)~~ "Shielding" means the construction or use of fencing or constructed or natural barriers to conceal junk vehicles from public view.""

Renumber: subsequent section

4. Page 2, line 9.

Strike: "A portion"

Insert: "If a county agrees to accept junk nonmotorized vehicles or junk mobile homes for recycling and disposal as provided in subsection (10), no more than 20%"

Following: "dispose of"

Insert: "junk"

Following: "vehicles and"

Insert: "junk"

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5. Page 2, line 9 through line 12.

Following: "mobile homes" on line 9

Strike: remainder of line 9 through "disposal" on line 12

6. Page 2, line 25.

Following: line 24

Insert: "(10) (a) A county may accept for recycling and disposal junk nonmotorized vehicles and junk mobile homes that cause:

(i) a public nuisance as provided in 45-8-111; or

(ii) conditions of community decay as provided in 7-5-2110.

(b) If a county agrees to accept junk nonmotorized vehicles or junk mobile homes pursuant to subsection (10)(a):

(i) prior to recycling and disposal of a junk nonmotorized vehicle, the junk nonmotorized vehicle must be released to the county by the owner or by law enforcement officials in accordance with 61-12-402(7)(a); and

(ii) prior to recycling and disposal of a junk mobile home:

(A) if the junk mobile home is on private property, the junk mobile home may be released to the county only by written consent of the owner. The county may dispose of a junk mobile home on private property only if the county has also received the permission of the property owner where the junk mobile home is located.

(B) if a junk mobile home is abandoned on public property for more than 2 weeks, the county may dispose of the junk mobile home after first sending a certified letter to the last-known owner of the junk mobile home or, if no owner information is available, after notice has been placed in a paper of general circulation. If the junk mobile home remains on the public property after 2 weeks from when the notice is sent or published, the county may dispose of the junk mobile home. If an owner can be identified for the junk mobile home, the county may require that the owner reimburse the cost of transport and disposal of the junk mobile home."

7. Page 2, line 25.

Following: line 24

Insert: "NEW SECTION. Section 4. Junk vehicle advisory group -- members -- duties.

(1) The department shall establish a junk vehicle advisory group to provide information and advice to the department concerning junk vehicle and junk nonmotorized vehicle recycling and disposal.

(2) (a) The junk vehicle advisory group consists of, at a minimum:

(i) a representative of a county junk vehicle program;

(ii) a representative of the Montana tow truck association;

(iii) a representative of the Montana environmental health association;

(iv) a representative of the Montana league of cities and towns; and

(v) a representative of the Montana association of counties.

(b) The department may appoint other members to the advisory group. Advisory group members must be selected from a diverse group of interests affected or regulated by this part.

(3) The junk vehicle advisory group shall:

(a) evaluate the changes implemented in [this act], including financial impacts on state and county funds;

(b) research and analyze ways to address recycling and disposal of junk mobile homes and

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junk nonmotorized vehicles, including possible funding mechanisms and statutory changes;

(c) evaluate payments to private sector partners for towing costs associated with abandoned and junk vehicle programs; and

(d) in cooperation with the department, prepare recommendations for the department to present to the environmental quality council established in 5-16-101.

(4) The department shall report the findings and recommendations of the advisory council to the environmental quality council by December 31, 2020."

Insert: "NEW SECTION. Section 5. Codification instruction. [Section 4] is intended to be codified as an integral part of Title 75, chapter 10, part 5, and the provisions of Title 75, chapter 10, part 5, apply to [section 4]."

Insert: "NEW SECTION. Section 6. Effective date. [This act] is effective July 1, 2019."

Insert: "NEW SECTION. Section 7. Termination. [This act] terminates June 30, 2021."

And, as amended, do pass. Report adopted.

HB 236, introduced bill, be amended as follows:

1. Page 2, line 24.

Following: "months"

Insert: ", based on the average of actual expenditures over the previous 3 years"

And, as amended, do pass. Report adopted.

HB 299, do pass. Report adopted.

HB 331, introduced bill, be amended as follows:

1. Page 1, line 12.

Following: "may"

Insert: "charge its solid waste customers for services rendered either by rates, rentals, and charges or by levy pursuant to 75-10-112. The governing body may"

2. Page 1, line 16.

Following: "charges"

Insert: "on solid waste customers"

3. Page 1, line 27.

Strike: "in all parts of"

Insert: "regardless of the location of the customer in"

4. Page 3, line 28.

Following: "system"

Insert: "on system customers"

And, as amended, do pass. Report adopted.

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SB 2, be concurred in. Report adopted.

STATE ADMINISTRATION (Mandeville, Chair):
HB 172, introduced bill, be amended as follows:

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1. Page 1, line 24 through line 27.

Strike: subsection (5) in its entirety

2. Page 1, line 30.

Following: "(1)"

Insert: "(a)"

3. Page 2.

Following: line 1

Insert: "(b) The amount paid to each county or multicounty veterans' service office is calculated by multiplying the total budget for all state and county veterans' service offices by the ratio of the number of veterans residing in a county or counties serviced by a county or multicounty veterans' service office to the total number of veterans residing in the state, as most recently reported by the U.S. department of veterans affairs, and rounding the product to the nearest whole dollar amount.

(c) Administrative costs assessed by the board for managing grants provided for in this section may not exceed 5% of the total amount allocated for grants under this section. The board shall ensure that all nonadministrative funds are distributed to eligible county or multicounty veterans' service offices."

4. Page 2, line 3.

Following: "15-10-425"

Insert: "or through other means provided by law"

5. Page 2, line 6.

Strike: "working a minimum of 1,000 hours annually"

6. Page 2, line 18.

Following: "office"

Insert: "as specified in subsection (1)(b)"

7. Page 3, line 6.

Strike: "the purposes of [section 2]"

Insert: "grants awarded to county and multicounty veterans' service offices as provided for in [section 2]"

8. Page 3, line 7.

Strike: "each"

Insert: "the"

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9. Page 3, line 7 through line 10.

Strike: "the department" on line 7 through "state veterans' service offices" on line 10

Insert: "and each biennium thereafter, the department, pursuant to 17-7-111 and 17-7-112, shall include in its agency budget an amount necessary to award grants provided for in [section 2]"

And, as amended, do pass. Report adopted.

HB 219, introduced bill, be amended as follows:

1. Page 1.

Following: line 19

Insert: "(h) Indigenous Peoples' Day, the second Monday in October;"

Renumber: subsequent subsections

2. Page 1, line 21.

Strike: subsection (i) in its entirety

And, as amended, do pass. Report adopted.

HB 308, do pass. Report adopted.

HB 310, do pass. Report adopted.

HB 316, do pass. Report adopted.

HR 2, be adopted. Report adopted.

TAXATION (Redfield, Chair):

2/8/2019

HB 232, do pass. Report adopted.

HB 269, do pass. Report adopted.

HB 288, do pass. Report adopted.

HB 292, do pass. Report adopted.

SB 28, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/6/2019

SB 79, introduced by S. Hinebauch

SB 144, introduced by T. Jacobson

SB 161, introduced by T. Jacobson

SB 163, introduced by S. Fitzpatrick

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FIRST READING AND COMMITMENT OF BILLS

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

HB 405, introduced by J. Krautter, Z. Brown, E. Buttrey, J. Dooling, M. Dunwell, R. Fitzgerald, D. Loge, W. McKamey, G. Pierson, referred to Taxation.

HB 426, introduced by J. Windy Boy, J. Bachmeier, B. Bessette, A. Olsen, R. Peppers, J. Read, T. Runningwolf, J. Small, B. Smith, F. Smith, S. Stewart Peregoy, M. Weatherwax, S. Webber, referred to Transportation.

HB 427, introduced by J. Bachmeier, S. Fitzpatrick, F. Garner, referred to Energy, Technology and Federal Relations.

HB 428, introduced by S. Morigeau, referred to Appropriations.

HB 429, introduced by Z. Brown, K. Dudik, M. Hopkins, J. Krautter, M. MacDonald, N. McConnell, C. Pope, D. Sands, R. Webb, D. Zolnikov, referred to Judiciary.

HB 430, introduced by L. Sheldon-Galloway, referred to State Administration.

HB 431, introduced by Z. Brown, D. Ankney, J. Bachmeier, B. Bennett, J. Dooling, K. Dudik, D. Dunn, P. Flowers, M. Hopkins, J. Krautter, M. MacDonald, S. Malek, W. McKamey, B. Mercer, A. Redfield, W. Sales, D. Salomon, R. Shaw, referred to Agriculture.

HB 432, introduced by M. Marler, referred to Fish, Wildlife and Parks.

HB 433, introduced by F. Moore, N. Ballance, M. Caferro, T. Jacobson, L. Jones, M. McNally, A. Olszewski, R. Osmundson, M. Ryan, C. Smith, referred to Appropriations.

HB 434, introduced by L. Sheldon-Galloway, referred to Human Services.

The following Senate bills were introduced, read first time, and referred to committees:

SB 79, introduced by S. Hinebauch (by request of the Department of Fish, Wildlife, and Parks), referred to Fish, Wildlife and Parks.

SB 144, introduced by T. Jacobson, Ellsworth, referred to Fish, Wildlife and Parks.

SB 161, introduced by T. Jacobson, referred to State Administration.

SB 163, introduced by S. Fitzpatrick, referred to Local Government.

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

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

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

SB 10 - Representative Anderson moved **SB 10** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway,

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Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted absentee: Runningwolf, Aye.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

SB 11 - Representative Funk moved **SB 11** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown Z, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Krautter, Krotkov, Loge, Lynch, Mandeville, Marler, McKamey, Moore E, Moore T, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Mr. Speaker.

Total 83

Nays: Brown B, Burnett, Glimm, Knudsen C, Knudsen R, Lenz, Manzella, Mercer, Mortensen, Noland, Read, Redfield, Regier, Skees, Tschida, Usher, Zolnikov.

Total 17

Voted absentee: Runningwolf, Aye.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

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SB 16 - Representative Bachmeier moved **SB 16** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted absentee: Runningwolf, Aye.

Excused: Runningwolf.

Total 0

Absent or not voting: None.

Total 0

HB 3 - Representative Holmlund moved **HB 3** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Webb, Welch, Windy Boy, Winter, Woods, Mr. Speaker.

Total 91

Nays: Berglee, Caferro, Mandeville, Skees, Tschida, Usher, Vinton, White, Zolnikov.

Total 9

Voted absentee: Runningwolf, Aye.

Excused: Runningwolf.

Total 1

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Absent or not voting: None.

Total 0

HB 112 - Representative Redfield moved **HB 112** do pass. Motion carried as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Bedey, Berglee, Brown B, Brown Z, Burnett, Buttrey, Custer, DeVries, Doane, Dooling, Dunn, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harvey, Holmlund, Hopkins, Jones, Kassmier, Keogh, Knudsen C, Knudsen R, Krautter, Lenz, Loge, McKamey, Mercer, Moore E, Moore T, Mortensen, Noland, Peppers, Read, Redfield, Regier, Ricci, Sales, Shaw, Skees, Sweeney, Tschida, Usher, Vinton, Webb, Welch, White, Zolnikov, Mr. Speaker.

Total 64

Nays: Abbott, Bachmeier, Bahr, Bessette, Bishop, Caferro, Curdy, Dudik, Dunwell, Funk, Hamilton, Hayman, Karjala, Keane, Kelker, Kerr-Carpenter, Krotkov, Lynch, Mandeville, Manzella, Marler, Morigeau, Olsen, Perry, Pierson, Pope, Runningwolf, Ryan, Schreiner, Smith, Stewart Peregoy, Sullivan, Weatherwax, Windy Boy, Winter, Woods.

Total 36

Voted absentee: Runningwolf, No.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

HB 132 - Representative Holmlund moved **HB 132** do pass.

HB 132 - Representative Curdy moved **HB 132**, second reading copy, be amended as follows:

1. Title, page 1, line 5.

Following: "BISON";

Insert: "CLARIFYING THAT THE PER CAPITA FEE DOES NOT APPLY TO CERTAIN DOMESTIC BISON;"

Following: "SECTIONS"

Insert: "15-24-921,"

2. Page 1.

Following: line 8

Insert: "**Section 1.** Section 15-24-921, MCA, is amended to read:

"15-24-921. Per capita fee to pay expenses of enforcing livestock laws. (1) (a) A per capita fee is authorized and directed to be imposed by the department on all poultry and honey bees, all swine 3 months of age or older, and all other livestock 9 months of age or older in each county of this state. The fee is in addition to appropriations and is to help pay the salaries and all

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expenses connected with the enforcement of the livestock laws of the state and bounties on wild animals as provided in 81-7-104.

(b) A per capita fee may not be imposed on bison owned by a tribal member and located on fee land or tribal land within the boundaries of a reservation.

(2) The per capita fee is due on May 31 of each year. The penalty and interest provisions contained in 15-1-216 apply to late payments of the fee.

(3) ~~As~~ Except as provided in subsection (1)(b), as used in this section, "livestock" means cattle, sheep, swine, poultry, honey bees, goats, horses, mules, asses, llamas, alpacas, domestic bison, ostriches, rheas, emus, and domestic ungulates.""

Renumber: subsequent sections

Amendment adopted as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Bessette, Bishop, Brown Z, Buttrey, Caferro, Curdy, Dooling, Dudik, Dunwell, Farris-Olsen, Fern, Funk, Grubbs, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Krautter, Krotkov, Lynch, Marler, Moore E, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Welch, Windy Boy, Winter, Woods, Zolnikov.

Total 57

Nays: Beard, Bedey, Berglee, Brown B, Burnett, Custer, DeVries, Doane, Dunn, Duram, Fitzgerald, Fleming, Fuller, Galloway, Galt, Garcia, Garner, Glimm, Greef, Gunderson, Kassmier, Knudsen C, Knudsen R, Lenz, Loge, Mandeville, Manzella, McKamey, Mercer, Moore T, Mortensen, Noland, Read, Redfield, Regier, Ricci, Skees, Tschida, Usher, Vinton, Webb, White, Mr. Speaker.

Total 43

Voted absentee: Runningwolf, Aye.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

HB 132 - Representative Holmlund moved **HB 132**, as amended, do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Burnett, Buttrey, Curdy, Custer, DeVries, Dooling, Dunn, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Holmlund, Hopkins, Jones, Kassmier, Kelker, Keogh, Knudsen C, Knudsen R, Krautter, Lenz, Loge, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Pierson, Pope, Read, Redfield, Regier, Ricci,

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Runningwolf, Ryan, Sales, Shaw, Skees, Stewart Peregoy, Sullivan, Tschida, Usher, Vinton, Webb, Welch, Winter, Woods, Zolnikov, Mr. Speaker.
Total 76

Nays: Bahr, Brown B, Brown Z, Caferro, Doane, Dudik, Dunwell, Hamilton, Hamlett, Harvey, Hayman, Karjala, Keane, Kerr-Carpenter, Krotkov, Lynch, Mandeville, Perry, Schreiner, Smith, Sweeney, Weatherwax, White, Windy Boy.
Total 24

Voted absentee: Runningwolf, Aye.

Excused: Runningwolf.
Total 1

Absent or not voting: None.
Total 0

HB 142 - Representative Kassmier moved **HB 142** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Winter, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: Fleming, Regier, Windy Boy.
Total 3

Voted absentee: Runningwolf, Aye.

Excused: Runningwolf.
Total 1

Absent or not voting: Morigeau.
Total 1

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HB 214 - Representative Ricci moved **HB 214** do pass. Motion carried as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Brown B, Buttrey, Custer, DeVries, Doane, Dooling, Dunn, Duram, Fitzgerald, Fleming, Fuller, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Holmlund, Hopkins, Jones, Kassmier, Knudsen C, Knudsen R, Krautter, Lenz, Loge, Mandeville, Manzella, McKamey, Mercer, Moore E, Moore T, Mortensen, Noland, Read, Redfield, Regier, Ricci, Sales, Shaw, Skees, Tschida, Usher, Vinton, Webb, Welch, White, Zolnikov, Mr. Speaker.

Total 55

Nays: Abbott, Bachmeier, Bahr, Ballance, Bessette, Bishop, Brown Z, Burnett, Caferro, Curdy, Dudik, Dunwell, Farris-Olsen, Fern, Funk, Galloway, Hamilton, Hamlett, Harvey, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Krotkov, Lynch, Marler, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Runningwolf, Ryan, Schreiner, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Windy Boy, Winter, Woods.

Total 45

Voted absentee: Runningwolf, No.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

Majority Leader Tschida moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Garner moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Abbott, Anderson, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ryan, Sales, Schreiner, Shaw, Skees, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Winter, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Bachmeier, Caferro, Hamlett, Ricci, Smith, Windy Boy.

Total 6

Voted absentee: None.

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Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

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

HB 57 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Beard, Bedey, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Dooling, Dudik, Dunn, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Garcia, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, Mercer, Moore E, Moore T, Morigeau, Mortensen, Olsen, Peppers, Perry, Pierson, Pope, Read, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Mr. Speaker.

Total 85

Nays: Bartel, Berglee, Doane, Duram, Galt, Glimm, Kassmier, Knudsen C, McKamey, Noland, Redfield, Skees, Tschida, Zolnikov.

Total 14

Voted absentee: None.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

HB 70 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry,

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Pierson, Pope, Read, Redfield, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Duram.

Total 1

Voted absentee: None.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

HB 158 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Mr. Speaker.

Total 94

Nays: Beard, Mandeville, Manzella, Regier, Zolnikov.

Total 5

Voted absentee: None.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

HB 220 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling,

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Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Glimm.

Total 1

Voted absentee: None.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

HB 247 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Beard, Bedey, Bessette, Bishop, Brown Z, Buttrey, Caferro, Curdy, Custer, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galt, Garcia, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Loge, Lynch, Marler, McKamey, Mercer, Morigeau, Mortensen, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Vinton, Weatherwax, Webb, Welch, Windy Boy, Winter, Woods, Mr. Speaker.

Total 80

Nays: Bartel, Berglee, Brown B, Burnett, DeVries, Galloway, Glimm, Lenz, Mandeville,

Manzella, Moore E, Moore T, Noland, Regier, Skees, Tschida, Usher, White, Zolnikov.

Total 19

Voted absentee: None.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

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HB 268 passed as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Bedey, Berglee, Brown B, Burnett, Buttrey, Custer, DeVries, Doane, Dooling, Dunn, Duram, Fern, Fitzgerald, Fleming, Fuller, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Holmlund, Hopkins, Jones, Kassmier, Kelker, Keogh, Knudsen C, Knudsen R, Krautter, Lenz, Loge, Mandeville, Manzella, McKamey, Mercer, Moore T, Morigeau, Mortensen, Noland, Pope, Read, Redfield, Regier, Ricci, Sales, Shaw, Skees, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Mr. Speaker.

Total 63

Nays: Abbott, Bachmeier, Bahr, Bessette, Bishop, Brown Z, Caferro, Curdy, Dudik, Dunwell, Farris-Olsen, Funk, Garcia, Hamilton, Harvey, Hayman, Karjala, Keane, Kerr-Carpenter, Krotkov, Lynch, Marler, Moore E, Olsen, Peppers, Perry, Pierson, Ryan, Schreiner, Smith, Stewart Peregoy, Sullivan, Windy Boy, Winter, Woods, Zolnikov.

Total 36

Voted absentee: None.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

HB 282 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: DeVries, Knudsen C.

Total 2

Voted absentee: None.

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Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

HJR 4 passed as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Brown B, Brown Z, Burnett, Buttrey, Custer, DeVries, Doane, Dooling, Dunn, Duram, Fern, Fitzgerald, Fleming, Fuller, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harvey, Holmlund, Hopkins, Jones, Kassmier, Keane, Knudsen C, Knudsen R, Krautter, Lenz, Loge, Lynch, Mandeville, Manzella, McKamey, Mercer, Moore E, Moore T, Mortensen, Noland, Pierson, Read, Redfield, Regier, Ricci, Sales, Schreiner, Shaw, Skees, Stewart Peregoy, Sweeney, Tschida, Usher, Vinton, Webb, Welch, White, Winter, Zolnikov, Mr. Speaker.

Total 70

Nays: Abbott, Bachmeier, Bahr, Bishop, Caferro, Curdy, Dudik, Dunwell, Farris-Olsen, Funk, Hamilton, Hayman, Karjala, Kelker, Keogh, Kerr-Carpenter, Krotkov, Marler, Morigeau, Olsen, Peppers, Perry, Pope, Ryan, Smith, Sullivan, Weatherwax, Windy Boy, Woods.

Total 29

Voted absentee: None.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Tschida moved to re-refer **HB 214** to the Appropriations Committee. Without objection, so ordered.

UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 413**. Motion carried.

HB 413 (F. Anderson, Chief Sponsor)
E. McClafferty.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Tschida moved the House adjourn until 8:00 a.m., Saturday, February 9, 2019.
Motion carried.

House adjourned at 2:15 p.m.

LINDSEY VROEGINDEWEY
Chief Clerk of the House

GREG HERTZ
Speaker of the House