

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

Helena, Montana
April 26, 2017

House Chambers
State Capitol

House convened at 11:00 a.m. Mr. Speaker presiding. Invocation by Representative Greef. 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 sixty-second, sixty-third, sixty-fourth, sixty-fifth, sixty-sixth, sixty-seventh, sixty-eighth, sixty-ninth, seventieth, seventy-first, seventy-second, seventy-third, seventy-fourth, and seventy-fifth legislative days, find the same to be correct.

Representative Ricci, Chair

BILLS (Ricci, Chair):

4/26/2017

Correctly printed: **SB 132, SB 367, SJR 31, SJR 32.**

Correctly engrossed: **HB 367.**

Correctly enrolled: **HB 133, HB 209, HB 294, HB 360, HB 387, HB 434, HB 462, HB 562.**

Examined by the sponsor and found to be correct: **HB 131, HB 209, HB 280, HB 294, HB 360, HB 387, HB 434, HB 562.**

Signed by the Speaker at 8:15 a.m., April 26, 2017: **HB 100, HB 216, HB 225, HB 228, HB 333, HB 339, HB 429, HB 554, HB 574, HB 126, HB 217, HB 287, HB 372, HB 386, HB 416, HB 428, HB 445, HB 466, HB 485, HB 510, HB 516, HB 517.**

Delivered to the Secretary of State at 8:28 a.m., April 26, 2017: **HR 2, HR 3.**

Signed by the Chief Clerk at 9:00 a.m., April 26, 2017: **HB 100, HB 216, HB 225, HB 228, HB 333, HB 339, HB 429, HB 126, HB 217, HB 287, HB 372, HB 386, HB 416, HB 428, HB 445, HB 466, HB 485, HB 510, HB 516, HB 517, HB 554, HB 574.**

Signed by the Speaker at 10:30 a.m., April 26, 2017: **HJR 6, HJR 9, HJR 15, HJR 17, HJR 18, HJR 20, HJR 22, HJR 24, HJR 25.**

Signed by the Chief Clerk at 11:00 a.m., April 26, 2017: **HJR 6, HJR 9, HJR 15, HJR 17, HJR 18, HJR 20, HJR 22, HJR 24, HJR 25.**

Signed by the Speaker at 12:30 p.m., April 26, 2017: **HB 17, HB 193, HB 572, HB 597, HB 644, HB 426, HB 449, HB 572, HB 585, HB 614, HB 622, HB 623, HB 653.**

Signed by the Chief Clerk at 12:45 p.m., April 26, 2017: **HB 17, HB 193, HB 571, HB 597, HB 644, HB 426, HB 449, HB 572, HB 585, HB 614, HB 622, HB 623, HB 653.**

Signed by the President at 3:03 p.m., April 26, 2017: **HB 148, HB 550.**

Delivered to the Governor for approval at 3:47 p.m., April 26, 2017: **HB 148, HB 550.**

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

Signed by the Speaker at 5:30 p.m., April 26, 2017: **HB 6, HB 7, HB 9, HB 11, HB 44, HB 99, HB 142, HB 255, HB 344, HB 348, HB 373, HB 381, HB 511.**

Signed by the Chief Clerk at 5:45 p.m., April 26, 2017: **HB 6, HB 7, HB 9, HB 11, HB 44, HB 99, HB 142, HB 255, HB 344, HB 348, HB 373, HB 381, HB 511.**

Signed by the President at 6:00 p.m., April 26, 2017: **HJR 6, HJR 9, HJR 15, HJR 17, HJR 18, HJR 20, HJR 22, HJR 24, HJR 25.**

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on **Senate Bill 95**
Report No. 001, April 26, 2017

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 95** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 95** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 4.

Strike: "TRANSFERS AND OTHER"

2. Title, page 1, line 5.

Following: "ACT;"

Insert: "ESTABLISHING A TEMPORARY STATE LANDS REIMBURSEMENT BLOCK GRANT; PROVIDING FOR LEGISLATIVE INTENT; CREATING A BUREAU OF CRIME CONTROL; PROVIDING TRANSITION INSTRUCTIONS; REQUIRING REPORTING ON THE TRANSITION OF ALLOCATING THE BOARD OF CRIME CONTROL TO THE DEPARTMENT OF CORRECTIONS FOR ADMINISTRATIVE PURPOSES;"

3. Title, page 1, line 17.

Strike: "AN"

Strike: "DATE"

Insert: "DATES AND A TERMINATION DATE"

4. Page 1, line 23 through 27.

Strike: everything after the enacting clause

Insert: "NEW SECTION. Section 1. Legislative intent. The legislature intends that for the biennium beginning July 1, 2017, the department of corrections will amend its contract with Great Falls Pre-Release Services, Inc., to remove the contract language related to the "Booters" as a result of the passage of House Bill No. 650. The legislature further intends that the department of corrections work cooperatively with Great Falls Pre-Release Services, Inc., to develop an alternative purpose for the contract that is mutually agreeable to both organizations."

Insert: "NEW SECTION. Section 2. Crime control bureau. There is a bureau within the office of the director called the crime control bureau. The purpose of the bureau is to provide staff

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

and support to the board of crime control established in 2-15-2006."

Insert: "NEW SECTION. Section 3. Transition instructions and reporting. (1) The staff of the board of crime control, the department of justice, and the department of corrections shall develop a transition plan to allow for the least impactful transition of the board to the department of corrections. The plan must be presented to the legislative finance committee no later than June 30, 2017.

(2) From July 1, 2017, to December 31, 2017, the staff of the board of crime control, in collaboration with the department of corrections, shall implement the plan to fully transition the board to the department of corrections by January 1, 2018, in a manner that ensures the least amount of:

- (a) delay in grant recipients receiving funds;
- (b) impact in reporting for affected grant recipients; and
- (c) impact for transitioning grants between DUNS numbers with the federal government.

(3) To the extent transferring a grant from the department of justice to the department of corrections jeopardizes the grant, the grant may not be transferred to the department of corrections.

(4) The department of corrections shall report at least three times to each of the following committees during the biennium beginning July 1, 2017, on the progress of the transition implementation:

- (a) the legislative finance committee;
- (b) the legislative audit committee;
- (c) the law and justice interim committee; and
- (d) the local government interim committee."

Insert: "NEW SECTION. Section 4. State lands reimbursement block grant. (1) (a) For each fiscal year of the biennium beginning July 1, 2017, the office of public instruction shall provide a state lands reimbursement block grant of \$100,000 to each school district in a county with greater than 20% of the county's land area composed of state school trust lands.

(b) The electronic reporting system that is used by the office of public instruction and school districts must be used to allocate the block grant amount into each district's general fund budget as an anticipated revenue source.

(2) Each year, 70% of each district's block grant must be distributed in November and 30% of each district's block grant must be distributed in May at the same time that guaranteed tax base aid is distributed."

Insert: "NEW SECTION. Section 5. Codification instruction. (1) [Section 2] is intended to be codified as an integral part of Title 2, chapter 15, part 23, and the provisions of Title 2, chapter 15, part 23, apply to [section 2].

(2) [Section 4] is intended to be codified as an integral part of Title 20, chapter 9, part 6, and the provisions of Title 20, chapter 9, part 6, apply to [section 4]."

Insert: "COORDINATION SECTION. Section 6. Coordination instruction. If both [this act] and House Bill No. 650 are passed and approved and House Bill No. 650 amends 61-3-321, then the section amending 61-3-321 in House Bill No. 650 is void and 61-3-321 must be amended as follows:

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

"61-3-321. Registration fees of vehicles and vessels -- certain vehicles exempt from registration fees -- disposition of fees.(1) Except as otherwise provided in this section, registration fees must be paid upon registration or, if applicable, renewal of registration of motor vehicles, snowmobiles, watercraft, trailers, semitrailers, and pole trailers as provided in subsections (2) through (20).

(2) ~~Unless (a)~~ Except as provided in subsection (2)(b), unless a light vehicle is permanently registered under 61-3-562, the annual registration fee for light vehicles, trucks and buses under 1 ton, and logging trucks less than 1 ton is as follows:

- ~~(a)~~(i) if the vehicle is 4 or less years old, \$217;
- ~~(b)~~(ii) if the vehicle is 5 through 10 years old, \$87; and
- ~~(c)~~(iii) if the vehicle is 11 or more years old, \$28.

(b) For a light vehicle with a manufacturer's suggested retail price of more than \$150,000 that is 10 years old or less, the annual registration fee is the amount provided for in subsection (2)(a) plus \$825.

(3) Except as provided in subsection (15), the one-time registration fee based on the declared weight of a trailer, semitrailer, or pole trailer is as follows:

- (a) if the declared weight is less than 6,000 pounds, \$61.25; or
- (b) if the declared weight is 6,000 pounds or more, \$148.25.

(4) Except as provided in subsection (15), the one-time registration fee for motor vehicles owned and operated solely as collector's items pursuant to 61-3-411, based on the weight of the vehicle, is as follows:

- (a) 2,850 pounds and over, \$10; and
- (b) under 2,850 pounds, \$5.

(5) Except as provided in subsection (15), the one-time registration fee for off-highway vehicles other than a quadricycle or motorcycle is \$61.25.

(6) The annual registration fee for heavy trucks, buses, and logging trucks in excess of 1 ton is \$22.75.

(7) (a) ~~The~~ Except as provided in subsection (7)(c), the annual registration fee for a motor home, based on the age of the motor home, is as follows:

- (i) less than 2 years old, \$282.50;
- (ii) 2 years old and less than 5 years old, \$224.25;
- (iii) 5 years old and less than 8 years old, \$132.50; and
- (iv) 8 years old and older, \$97.50.

(b) The owner of a motor home that is 11 years old or older and that is subject to the registration fee under this section may permanently register the motor home upon payment of:

- (i) a one-time registration fee of \$237.50;
- (ii) unless a new set of license plates is being issued, an insurance verification fee of \$5, which must be deposited in the account established under 61-6-158;
- (iii) if applicable, five times the renewal fees for personalized license plates under 61-3-406;

and

(iv) if applicable, the donation fee for a generic specialty license plate under 61-3-480 or a collegiate license plate under 61-3-465.

(c) For a motor home with a manufacturer's suggested retail price of more than \$300,000 that is 10 years old or less, the annual registration fee is the amount provided in subsection (7)(a) plus \$800.

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

(8) (a) Except as provided in subsection (15), the one-time registration fee for motorcycles and quadricycles registered for use on public highways is \$53.25, and the one-time registration fee for motorcycles and quadricycles registered for both off-road use and for use on the public highways is \$114.50.

(b) An additional fee of \$16 must be collected for the registration of each motorcycle or quadricycle as a safety fee, which must be deposited in the state motorcycle safety account provided for in 20-25-1002.

(9) Except as provided in subsection (15), the one-time registration fee for travel trailers, based on the length of the travel trailer, is as follows:

(a) under 16 feet in length, \$72; and

(b) 16 feet in length or longer, \$152.

(10) Except as provided in subsection (15), the one-time registration fee for a motorboat, sailboat, personal watercraft, or motorized pontoon required to be numbered under 23-2-512 is as follows:

(a) for a personal watercraft or a motorboat, sailboat, or motorized pontoon less than 16 feet in length, \$65.50;

(b) for a motorboat, sailboat, or motorized pontoon at least 16 feet in length but less than 19 feet in length, \$125.50; and

(c) for a motorboat, sailboat, or motorized pontoon 19 feet in length or longer, \$295.50.

(11) (a) Except as provided in subsections (11)(b) and (15), the one-time registration fee for a snowmobile is \$60.50.

(b) (i) A snowmobile that is licensed by a Montana business and is owned exclusively for the purpose of daily rental to customers is assessed:

(A) a fee of \$40.50 in the first year of registration; and

(B) if the business reregisters the snowmobile for a second year, a fee of \$20.

(ii) If the business reregisters the snowmobile for a third year, the snowmobile must be permanently registered and the business is assessed the registration fee imposed in subsection (11)(a).

(12) (a) The one-time registration fee for a low-speed electric vehicle is \$25.

(b) The one-time registration fee for a golf cart that is owned by a person who has or is applying for a low-speed restricted driver's license is \$25.

(c) The one-time registration fee for golf carts authorized to operate on certain public streets and highways pursuant to 61-8-391 is \$25. Upon receipt of the fee, the department shall issue the owner a decal, which must be displayed visibly on the golf cart.

(13) (a) Except as provided in subsection (13)(b), a fee of \$10 must be collected when a new set of standard license plates, a new single standard license plate, or a replacement set of special license plates required under 61-3-332 is issued. The \$10 fee imposed under this subsection does not apply when previously issued license plates are transferred under 61-3-335. All registration fees imposed under this section must be paid if the vehicle to which the plates are transferred is not currently registered.

(b) An additional fee of \$15 must be collected if a vehicle owner elects to keep the same license plate number from license plates issued before January 1, 2010, when replacement of those plates is required under 61-3-332(3).

(c) The fees imposed in this subsection (13) must be deposited in the account established under 61-6-158, except that \$2 of the fee imposed in subsection (13)(a) must be deposited in the state general fund.

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

(14) The provisions of this part with respect to the payment of registration fees do not apply to and are not binding upon motor vehicles, trailers, semitrailers, snowmobiles, watercraft, or tractors owned or controlled by the United States of America or any state, county, city, or special district, as defined in 18-8-202, or to a vehicle or vessel that meets the description of property exempt from taxation under 15-6-201(1)(a), (1)(d), (1)(e), (1)(g), (1)(h), (1)(i), (1)(k), (1)(l), (1)(n), or (1)(o), 15-6-203, or 15-6-215, except as provided in 61-3-520.

(15) Whenever ownership of a trailer, semitrailer, pole trailer, off-highway vehicle, motorcycle, quadricycle, travel trailer, motor home, motorboat, sailboat, personal watercraft, motorized pontoon, snowmobile, motor vehicle owned and operated solely as a collector's item pursuant to 61-3-411, or low-speed electric vehicle is transferred, the new owner shall title and register the vehicle or vessel as required by this chapter and pay the fees imposed under this section.

(16) A person eligible for a waiver under 61-3-460 is exempt from the fees required under this section.

(17) Except as otherwise provided in this section, revenue collected under this section must be deposited in the state general fund.

(18) The fees imposed by subsections (2) through (12) are not required to be paid by a dealer for the enumerated vehicles or vessels that constitute inventory of the dealership.

(19) (a) Unless a person exercises the option in either subsection (19)(b) or (19)(c), an additional fee of \$6 must be collected for each light vehicle registered under this part. This fee must be accounted for and transmitted separately from the registration fee. The fee must be deposited in an account in the state special revenue fund to be used for state parks, for fishing access sites, and for the operation of state-owned facilities. Of the \$6 fee, the department of fish, wildlife, and parks shall use \$5.37 for state parks, 25 cents for fishing access sites, and 38 cents for the operation of state-owned facilities at Virginia City and Nevada City.

(b) A person who registers a light vehicle may, at the time of annual registration, certify that the person does not intend to use the vehicle to visit state parks and fishing access sites and may make a written election not to pay the additional \$6 fee provided for in subsection (19)(a). If a written election is made, the fee may not be collected.

(c) (i) A person who registers one or more light vehicles may, at the time of annual registration, certify that the person does not intend to use any of the vehicles to visit state parks and fishing access sites and may make a written election not to pay the additional \$6 fee provided for in subsection (19)(a). If a written election is made, the fee may not be collected at any subsequent annual registration unless the person makes the written election to pay the additional fee on one or more of the light vehicles.

(ii) The written election not to pay the additional fee on a light vehicle expires if the vehicle is registered to a different person.

(20) For each light vehicle, trailer, semitrailer, pole trailer, heavy truck, motor home, motorcycle, quadricycle, and travel trailer subject to a registration fee under this section, an additional fee of \$5 must be collected and forwarded to the state for deposit in the account established in 44-1-504.

(21) This section does not apply to a motor vehicle, trailer, semitrailer, or pole trailer that is governed by 61-3-721.

(22) (a) The \$800 and \$825 amounts collected based on the manufacturer's suggested retail price in subsections (2) and (7) are exempt from the provisions of 15-1-122 and must be deposited in the motor vehicle division administration account established in [section 4 of House

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

Bill No. 650].

(b) By August 15 of each year, beginning in the fiscal year beginning July 1, 2019, the department of justice shall deposit into the general fund an amount equal to the fiscal yearend balance minus 25% of the current fiscal year appropriation for the motor vehicle division administration account established in [section 4 of House Bill No. 650]."

Insert: "COORDINATION SECTION. Section 7. Coordination instruction. If both [this act] and House Bill No. 2 are passed and approved, then the following language must be inserted in Section C of House Bill No. 2:

(1) under "DEPARTMENT OF FISH, WILDLIFE, AND PARKS": "If sufficient federal funds are not received by the department for aquatic invasive species response, then the state special revenue appropriation for aquatic invasive species response may be increased and the federal special revenue decreased by like amounts."

(2) Under "DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION": "If sufficient federal funds are not received by the department for aquatic invasive species response, then the state special revenue appropriation for aquatic invasive species response may be increased and the federal special revenue decreased by like amounts.""

Insert: "COORDINATION SECTION. Section 8. Coordination instruction. If both [this act] and House Bill No. 650 are passed and approved and House Bill No. 650 amends 2-15-2006, then the section amending 2-15-2006 in House Bill No. 650 is void and 2-15-2006 must be amended as follows:

"2-15-2006. Board of crime control -- composition -- allocation. (1) There is a board of crime control.

(2) The board is allocated to the department ~~for administrative purposes only as prescribed in 2-15-121. However, the board may hire its own personnel, and 2-15-121(2)(d) does not apply of corrections.~~

(3) The board is composed of 18 members appointed by the governor in accordance with 2-15-124 and any special requirements of Title I of the Omnibus Crime Control and Safe Streets Act, as amended. The board shall be representative of state and local law enforcement and criminal justice agencies, including agencies directly related to the prevention and control of juvenile delinquency, units of general local government, and public agencies maintaining programs to reduce and control crime and shall include representatives of citizens and professional and community organizations, including organizations directly related to delinquency prevention."

Insert: "COORDINATION SECTION. Section 9. Coordination instruction. If [this act], House Bill No. 650, and Senate Bill No. 59 are all passed and approved, then:

(1) [section 36 of House Bill No. 650] is void; and

(2) [section 3(1)(f) of Senate Bill No. 59] is void and [section 3(1)(d) of Senate Bill No. 59] must read as follows:

"(d) two employees of the department of corrections selected by the director, one of whom must have expertise in data collection and reporting.""

Insert: "COORDINATION SECTION. Section 10. Coordination instruction. If both [this act] and House Bill No. 648 are passed and approved then [section 16 of House Bill No. 648] must

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

be amended to read:

" **Section 16. Reductions to appropriations for fiscal year 2017.** The following appropriations for fiscal year 2017, as enacted in House Bill No. 2 in Ch. 400, Laws of 2015, are reduced as follows:

Department of Justice

Agency Legal Services Division from \$6,995,799 in general fund to \$6,870,799.

Office of Public Instruction

School Facility Reimbursement from \$8,586,000 in state special revenue to \$0."

Insert: "COORDINATION SECTION. Section 11. Coordination instruction. If [this act], House Bill No. 473, and House Bill No. 650 are passed and approved then:

(1) [section 35 of House Bill No. 650] is void; and

(2) the reference to 15-70-403(8) and 60-3-201(1)(e) in [section 5(2) of House Bill No. 650] must read "15-70-403(2)(b) and (3)(b)"."

Insert: "COORDINATION SECTION. Section 12. Coordination instruction. If [this act], House Bill No. 473, and House Bill No. 650 are passed and approved, then [section 34 of House Bill No. 650] is void."

Insert: "COORDINATION SECTION. Section 13. Coordination instruction. If both [this act] and House Bill No. 2 are passed and approved, then the state special revenue appropriations to the department of commerce under "Office of Tourism and Business Development" in Section A of House Bill No. 2 must be increased by \$200,000 in fiscal year 2018 and 2019."

Insert: "COORDINATION SECTION. Section 14. Coordination instruction. If House Bill No. 2 and [this act] are passed and approved, then the general fund appropriation for the department of natural resources and conservation under "Water Resources Division" in Section C of House Bill No. 2 must be reduced by \$200,000 in the fiscal year beginning July 1, 2017, and \$200,000 in the fiscal year beginning July 1, 2018. This reduction is intended to apply to the funding for the operation of the Montana reserved water rights compact commission."

Insert: "COORDINATION SECTION. Section 15. Coordination instruction. If House Bill No. 2 and [this act] are passed and approved, then the state special revenue fund appropriations for the department of commerce under "Office of Tourism and Business Development" in Section A of House Bill No. 2 must be increased by \$100,000 in the fiscal year beginning July 1, 2017, and by \$100,000 in the fiscal year beginning July 1, 2018. This increase may only be used to provide grants to entities that address employment barriers through coaching and advocacy, develop skills in managing personal finances, or develop a skilled workforce within the community."

Insert: "COORDINATION SECTION. Section 16. Coordination instruction. If House Bill No. 2 and [this act] are both passed and approved, then:

(1) the general fund appropriation for reimbursement block grants in House Bill No. 2 must be increased by \$100,000 in each fiscal year of the biennium beginning July 1, 2017, for the purpose of distributing state lands reimbursement block grants as provided in [section 4]; and

(2) the general fund appropriation for BASE aid in House Bill No. 2 must be reduced by

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

\$34,000 in fiscal year 2018 and by \$42,000 in fiscal year 2019 for the purpose of guaranteed tax base reduction related to the distribution of state lands reimbursement block grants as provided in [section 4]."

Insert: "COORDINATION SECTION. Section 17. Coordination instruction. If House Bill No. 2, Senate Bill No. 309, and [this act] are all passed and approved, then the state special revenue appropriation for Office of Tourism and Business Development in House Bill No. 2 must be increased by \$110,000 in the year beginning July 1, 2017, and \$120,000 in the year beginning July 1, 2018. The funding is restricted to the state-tribal economic development commission for the purposes of Senate Bill No. 309."

Insert: "NEW SECTION. Section 18. 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'."

Insert: "NEW SECTION. Section 19. Effective dates. (1) Except as provided in subsections (2) and (3), [this act] is effective July 1, 2017.
(2) [Sections 9 and 10] and this section are effective on passage and approval.
(3) [Section 2, 5(1), 6, and 8] are effective January 1, 2018."

Insert: "NEW SECTION. Section 20. Termination. [Section 4] terminates June 30, 2019."

For the Senate:

L. Jones, Chair
Moore

For the House:

Ballance, Vice Chair
Brodehl
Eck

FREE CONFERENCE COMMITTEE
on **Senate Bill 261**
Report No. 001, April 26, 2017

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 261** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 261** (reference copy -- salmon) be amended as follows:

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

Strike: "AUTHORIZING" on line 10 through "CONDITIONS;" on line 11

2. Title, page 1, line 12 through line 13.

Strike: "PLACING" on line 12 through "ISSUED;" on line 13

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

3. Title, page 1, line 14.

Strike: "PROVIDING AN APPROPRIATION;"

Insert: "PROVIDING LEGISLATIVE INTENT; PROVIDING FOR ELIMINATION AND REDUCTIONS TO VARIOUS APPROPRIATIONS AND EXPENDITURES BASED ON GENERAL FUND REVENUE RECEIVED IN FISCAL YEARS 2017 AND 2018; IMPOSING NOTIFICATION DUTIES ON THE STATE TREASURER;"

4. Title, page 1, line 15.

Strike: "17-7-205, 17-7-212,"

5. Title, page 1, line 16.

Strike: "AN"

Strike: "DATE"

Insert: "DATES AND A TERMINATION DATE"

6. Page 1, line 20.

Following: "FUND"

Insert: " -- rules for deposits and transfers -- purpose"

7. Page 1, line 22 through page 2, line 15.

Strike: subsections (2) through (5) in their entirety

Insert: "(2) The purpose of the budget stabilization reserve fund is:

(a) to mitigate budget reductions when there is a revenue shortfall; and

(b) when there are funds in excess of the operating reserve level, to:

(i) pay down the debt service on bonds for capital projects previously authorized by the legislature if allowed without penalty by the terms of the bond issuance;

(ii) delay, forego, or reduce the amount of an issuance of bonds authorized by the legislature; and

(iii) allow the funds to remain in the account.

(3) By August 1 of each year, the department of administration shall certify to the legislative fiscal analyst and the budget director the following:

(a) the unaudited, unassigned ending fund balance of the general fund for the prior fiscal year; and

(b) the amount of unaudited general fund revenue and transfers into the general fund received in the prior fiscal year recorded when that fiscal year's statewide accounting, budgeting, and human resource system records are closed. General fund revenue and transfers into the general fund are those recorded in the statewide accounting, budgeting, and human resource system using generally accepted accounting principles in accordance with 17-1-102.

(4) For the fiscal years beginning July 1, 2016, through July 1, 2020, if actual general fund revenue exceeds the revenue estimate established pursuant to 5-5-227 for that fiscal year, excess revenue over the amount of revenue that exceeds the revenue estimate by \$15 million is allocated as follows:

(a) 50% remains in the general fund; and

(b) 50% is transferred into the budget stabilization reserve fund on or before August 15 of the following fiscal year.

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

(5) Starting in the fiscal year beginning July 1, 2021, the state treasurer shall transfer, by August 15 of the following fiscal year:

(a) if there is not an operating reserve differential, from the general fund to the budget stabilization reserve fund an amount equal to 50% of the excess revenue for the fiscal year;

(b) if there is an operating reserve differential for the fiscal year, from the general fund to the budget stabilization reserve fund an amount equal to 50% of the excess revenue for the fiscal year less the operating reserve differential; and

(c) if the ending fund balance of the general fund for the prior year is less than 6.8% of the amount of all general fund appropriations in the second year of the biennium, from the budget stabilization reserve fund to the general fund up to one-half of the amount in the budget stabilization reserve fund in excess of the amount of 2% of all general fund appropriations in the second year of the biennium in the subsequent fiscal year."

8. Page 2, line 19.

Following: "REVENUE"

Insert: ", including transfers in,"

9. Page 2, line 23.

Following: "FOR THE"

Insert: "most recently completed"

10. Page 2, line 24.

Strike: "PRIOR TO THE MOST RECENTLY COMPLETED FISCAL YEAR AND THE PRIOR FISCAL YEAR"

11. Page 2.

Following: line 24

Insert: "(e) "Operating reserve differential" means a nonnegative difference from 8.3% of all general fund appropriations in the second year of the biennium minus the sum of the ending fund balance for the prior year and 50% of excess revenue of the prior year."

12. Page 3, line 23 through line 25.

Strike: subsection (7) in its entirety

Renumber: subsequent subsections

13. Page 5, line 20 through line 22.

Strike: subsection (7) in its entirety

Renumber: subsequent subsections

14. Page 10, line 25.

Strike: "-- conditional transfer authority"

15. Page 10, line 30 through page 11, line 9.

Strike: subsection (i) through subsection (v) in their entirety

Insert: "(i) 6% of the general fund appropriations for the second fiscal year of the biennium prior

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

to October of the year preceding a legislative session;
(ii) 3% of the general fund appropriations for the second fiscal year of the biennium in October of the year preceding a legislative session;
(iii) 2% of the general fund appropriations for the second fiscal year of the biennium in January of the year in which a legislative session is convened; and
(iv) 1% of the general fund appropriations for the second fiscal year of the biennium in March of the year in which a legislative session is convened."

16. Page 12, line 15.

Strike: "4%"

Insert: "5%"

17. Page 12, line 24 through line 28.

Strike: subsection (c) in its entirety

18. Page 13, line 7.

Strike: "OR conditional transfers"

19. Page 13, line 8.

Strike: "through" through "(10)"

Insert: "(7)"

20. Page 13, line 9 through page 15, line 4.

Strike: subsections (6) through (10) in their entirety

Insert: "(6) The governor may authorize transfers from the budget stabilization reserve fund provided for in [section 1]. The governor may authorize \$2 of transfers from the fund for each \$1 of reductions in spending.

(7) If the budget director certifies a projected general fund budget deficit, the governor may authorize transfers to the general fund from the fire suppression account established in 76-13-150. The amount of funds available for a transfer from this account is up to the sum of the fund balance of the account, plus expected current year revenue, minus the sum of 1% of the general fund appropriations for the second fiscal year of the biennium, plus estimated expenditures from the account for the fiscal year. The governor may authorize \$1 of transfers from the fire suppression account established in 76-13-150 for each \$1 of reductions in spending."

21. Page 15, line 11 through page 16, line 12.

Strike: sections 6 and 7 in their entirety

Renumber: subsequent sections

22. Page 16, line 23 through line 24.

Strike: "except as provided in 17-7-140(8)"

23. Page 17, line 4.

Following: line 3

Insert: "(9) For the fiscal year ending June 30, 2017, the state treasurer may not transfer from the

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

general fund to the fire suppression account."

Renumber: subsequent subsections

24. Page 17, line 9.

Strike: "**CONTINGENT**"

Insert: "**Levels 1 through 4 budget reductions -- contingent**"

25. Page 17, line 9 through line 22.

Strike: subsection (1) through subsection (3) in their entirety

Insert: "(1) (a) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is less than \$2,216,000,000 but greater than or equal to \$2,204,000,000, as determined by the state treasurer on or before August 15, 2017, then the state treasurer shall transfer the amount provided for in subsection (1)(b) from the fire suppression account provided for in 76-13-150 to the general fund.

(b) The amount of the fund transfer provided for in subsection (1)(a) is equal to \$2,216,000,000 minus the amount of certified unaudited state general fund revenue and transfers into the general fund at the end of fiscal year 2017, not to exceed \$12 million.

(2) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is less than \$2,204,000,000 but greater than or equal to \$2,192,000,000, as determined by the state treasurer on or before August 15, 2017, then the state treasurer shall transfer \$24 million from the fire suppression account provided for in 76-13-150 to the general fund.

(3) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is less than \$2,192,000,000, as determined by the state treasurer on or before August 15, 2017, then the state treasurer shall transfer \$30 million from the fire suppression account provided for in 76-13-150 to the general fund.

(4)(a) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2018 is less than the 2018 general fund revenue trigger amount provided for in [section 10(2)], then the state treasurer shall transfer the amount provided for in subsection (4)(b) from the fire suppression account provided for in 76-13-150 to the general fund.

(b) Subject to the transfer limit in subsection (5), the amount of the fund transfer provided for in subsection (4)(a) is equal to:

(i) the 2018 general fund revenue trigger amount provided for in [section 10(2)] minus the amount of certified unaudited state general fund revenue and transfers into the general fund at the end of fiscal year 2018; minus

(ii) the amount of any transfers from the fire suppression account to the general fund during fiscal year 2017 under the provisions of subsections (1) through (3).

(5) The total amount of fund transfers under this section may not exceed \$30 million."

26. Page 17, line 24 through line 27.

Strike: section 10 in its entirety

Insert: "**NEW SECTION. Section 8. Legislative intent.** (1) The legislature acknowledges that it is likely that the executive will need to issue notes in anticipation of revenue pursuant to 17-1-

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

201 during the biennium beginning July 1, 2017, in order to provide the state general fund with sufficient cash resources to meet its obligations.

(2) (a) The legislature directs the staff of the legislative fiscal division and the office of budget and program planning to study, analyze, and make recommendations regarding the budget stabilization policies to the legislative finance committee by May 1, 2018. The study should address:

- (i) trigger levels in 17-7-140;
- (ii) legislative and executive access to the budget stabilization reserve fund;
- (iii) deposit rules into the budget stabilization reserve fund; and
- (iv) the level of operating reserve.

(b) The legislative fiscal division and the office of budget and program planning shall work jointly toward development of a set of best practices for the fund by September 1, 2018."

Renumber: subsequent sections

27. Page 18, line 1.

Insert: "NEW SECTION. **Section 10. State treasurer notification for budget reductions and fund transfers.** (1) For the purpose of implementing [sections 7 and 11 through 32], the state treasurer shall notify the budget director, the legislative fiscal analyst, and the code commissioner on or before August 15, 2017, if the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is:

- (a) equal to or greater than \$2,216,000,000;
- (b) less than \$2,216,000,000 but greater than or equal to \$2,204,000,000 (level 1 budget reduction);
- (c) less than \$2,210,000,000 but greater than or equal to \$2,204,000,000 (level 1.5 budget reduction);
- (d) less than \$2,204,000,000 but greater than or equal to \$2,192,000,000 (level 2 budget reduction);
- (e) less than \$2,192,000,000 but greater than or equal to \$2,180,000,000 (level 3 budget reduction); or
- (f) less than \$2,180,000,000 (level 4 budget reduction).

(2) (a) For the purpose of implementing [sections 7 and 11 through 32], the state treasurer shall notify the budget director, the legislative fiscal analyst, and the code commissioner on or before August 15, 2018, if the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2018 is less than the 2018 general fund revenue trigger amount provided for in subsection (2)(b).

(b) The 2018 general fund revenue trigger amount provided for in subsection (2)(a) is calculated based on the certification by the state treasurer in subsection (1) for fiscal year 2017. If the unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is:

- (i) equal to or greater than \$2,216,000,000, as provided in subsection (1)(a), then the 2018 general fund revenue trigger amount is \$2,372,000,000;
- (ii) less than \$2,216,000,000 but greater than or equal to \$2,204,000,000, as provided in subsection (1)(b), then the 2018 general fund revenue trigger amount is:
 - (A) \$2,372,000,000; minus
 - (B) the amount of the fire suppression account transfer to the general fund under [section

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

7(1)], not to exceed \$12 million;

(iii) less than \$2,204,000,000 but greater than or equal to \$2,192,000,000, as provided in subsection (1)(d), then the 2018 general fund revenue trigger amount is \$2,348,000,000; or

(iv) less than \$2,192,000,000, as provided in subsection (1)(e) and (1)(f), then the 2018 general fund revenue trigger amount is \$2,336,000,000.

(3) For the purposes [sections 12 through 32], the following definitions apply:

(a) "Level 2 or below" means a calculation that results in a 2018 general fund revenue trigger amount that is less than or equal to \$2,348,000,000.

(b) "Level 3 or below" means a calculation that results in a 2018 general fund revenue trigger amount that is less than or equal to \$2,336,000,000.

(c) "Level 4 or below" means a calculation that results in a 2018 general fund revenue trigger amount that is less than or equal to \$2,336,000,000.

(4) For the purpose of [sections 7 and 11 through 32] and this section:

(a) general fund collections are those recorded in the statewide accounting, budgeting, and human resource system using generally accepted accounting principles in accordance with 17-1-102 and include transfers into the general fund; and

(b) transfers from the fire suppression account to the general fund under [section 7] are not considered general fund revenue."

Insert: "COORDINATION SECTION. Section 11. Coordination instruction -- level 1.5 budget reduction -- House Bill No. 17. (1) If House Bill No. 17 is passed and approved, then [section 2 of House Bill No. 17] must be amended as follows:

"**Section 2. Effective date.** [This act] is effective ~~July 1,~~ August 15, 2017."

(2) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is less than \$2,210,000,000, as determined by the state treasurer on or before August 15, 2017, and if House Bill No. 17 is passed and approved, then [section 1 of House Bill No. 17] must be amended as follows:

"**Section 1. Appropriation void -- report.** (1) (a) ~~The following amounts are appropriated to the department of public health and human services to increase the number of basic and adult residential service slots under the home and community-based medicaid services waiver administered by the senior and long-term care division for elderly and physically disabled individuals:~~

~~_____ Fiscal year 2018 _____ \$1,083,686 federal special revenue~~

~~_____ \$585,064 general fund~~

~~_____ Fiscal year 2019 _____ \$2,528,601 federal special revenue~~

~~_____ \$1,365,149 general fund~~

~~(b) The department of public health and human services shall increase may consider increasing the number of basic and adult residential services slots by 200 slots over the biennium beginning July 1, 2019, phasing in 50 slots every 6 months of the biennium beginning July 1, 2019.~~

~~(2)(b) (a) The following amounts are appropriated to the The department of public health and human services to increase may consider increasing the reimbursement rate for adult residential service slots in the home and community-based services waiver administered by the senior and long-term care division for elderly and physically disabled individuals:~~

~~_____ Fiscal year 2018 _____ \$2,185,989 federal special revenue~~

~~_____ \$1,180,178 general fund~~

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

~~_____ Fiscal year 2019 _____ \$3,990,608 federal special revenue
_____ \$2,154,461 general fund~~

~~_____ (b) The appropriation provided for in this subsection (2) must be used to:~~

~~_____ (i) If an increase is considered, the base daily reimbursement rate for:~~

~~_____ (i) 85% of the adult residential slots may be increased by up to \$5.80 starting July 1, 2017
2019, and then every 6 months thereafter of the 2019 2021 biennium; and~~

~~_____ (ii) increase the base daily reimbursement rate for up to 15% of the adult residential slots
may be increased by up to \$44.90 effective July 1, 2017 2019, to pay for memory care for
individuals with Alzheimer's disease or other dementias.~~

~~(3)(2) The department shall report to the children, families, health, and human services
interim committee by September 15, 2018 2020, and to the 66th 67th legislature, as provided in
5-11-210, on the any decisions to increase waiver slots and enhance reimbursement rates and the
effectiveness of the increased waiver slots and enhanced reimbursement rates. The If a decision
was made to increase waiver slots and enhance reimbursement rates, the report must include
information on:~~

~~_____ (a) the use of the new waiver slots;~~

~~_____ (b) whether the increased reimbursement rates led to an increase in the number of
providers accepting medicaid clients;~~

~~_____ (c) whether the percentage of slots designated for memory care was adequate to address
the need for that care; and~~

~~_____ (d) whether fewer patients with Alzheimer's disease or other dementias were admitted to
state facilities, including the Montana state hospital and the Montana mental health nursing care
center. If fewer patients were admitted to state facilities, the department must estimate the amount
of money saved by placing fewer individuals with Alzheimer's disease or other dementias in the
facilities.~~

~~(4) The legislature intends that the appropriations in this section be considered a part of
the ongoing base for the next legislative session."~~

**Insert: "COORDINATION SECTION. Section 12. Coordination instruction -- level 2
budget reduction -- across-the-board reduction in general fund appropriations. (1) If the
amount of the certified unaudited state general fund revenue and transfers into the general fund
received at the end of fiscal year 2017 is less than \$2,204,000,000, as determined by the state
treasurer on or before August 15, 2017, and if House Bill No. 2 is passed and approved [section
11 of House Bill No. 2] must be amended as follows:**

**"Section 11. Appropriations -- reduced appropriations for certain fiscal year 2018 and
2019 general fund appropriations. The (1) All general fund appropriations in this section for fiscal
years 2018 and 2019, excluding the appropriations for K-12 BASE Aid, Reimbursement Block
Grants, State Tuition Payments, Transportation, Natural Resource Development K-12 School
Facilities Payment, and the Coal-Fired Generating Unit Closure Mitigation Block Grant are reduced
by 0.5%.**

**(2) Subject to subsection (1), the following money is appropriated for the respective fiscal
years:"**

**(2) If the amount of the certified unaudited state general fund revenue and transfers into
the general fund received at the end of fiscal year 2018 is at level 2 or below as provided in [section
10(3)], and if prior general fund collections for fiscal year 2017 were high enough to prevent**

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

implementation of subsection (1), then if House Bill No. 2 is passed and approved [section 11 of House Bill No. 2] must be amended as follows:

"Section 11. Appropriations -- reduced appropriations for certain fiscal year 2019 general fund appropriations. ~~The~~ (1) All general fund appropriations in this section for fiscal year 2019, excluding the appropriations for K-12 BASE Aid, Reimbursement Block Grants, State Tuition Payments, Transportation, Natural Resource Development K-12 School Facilities Payment, Special Education, and the Coal-Fired Generating Unit Closure Mitigation Block Grant are reduced by 0.5%.

(2) Subject to subsection (1), the following money is appropriated for the respective fiscal years:"

Insert: "COORDINATION SECTION. Section 13. Coordination instruction -- level 2 budget reduction -- reduction in state fund claims administration. (1) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is less than \$2,204,000,000, as determined by the state treasurer on or before August 15, 2017, then 39-71-2352 must be amended as follows:

"39-71-2352. Separate payment structure and sources for claims for injuries resulting from accidents that occurred before July 1, 1990, and on or after July 1, 1990 -- spending limit -- authorizing transfer of money. (1) Premiums paid to the state fund based upon wages payable before July 1, 1990, may be used only to administer and pay claims for injuries resulting from accidents that occurred before July 1, 1990. Premiums paid to the state fund based upon wages payable on or after July 1, 1990, may be used only to administer and pay claims for injuries resulting from accidents that occur on or after July 1, 1990.

(2) The state fund shall:

(a) determine the cost of administering and paying claims for injuries resulting from accidents that occurred before July 1, 1990, and separately determine the cost of administering and paying claims for injuries resulting from accidents that occur on or after July 1, 1990;

(b) keep adequate and separate accounts of the costs determined under subsection (2)(a);
and

(c) fund administrative expenses and benefit payments for claims for injuries resulting from accidents that occurred before July 1, 1990, and claims for injuries resulting from accidents that occur on or after July 1, 1990, separately from the sources provided by law.

(3) The state fund may not spend more than ~~\$1.25 million~~ \$625,000 a year to administer claims for injuries resulting from accidents that occurred before July 1, 1990.

(4) As used in this section, "adequately funded" means the present value of:

(a) the total cost of future benefits remaining to be paid; and

(b) the cost of administering the claims.

(5) An amount of funds in excess of the adequate funding amount established in subsection (4), based on audited financial statements adjusted for unrealized gains and losses, must be transferred to the general fund.

(6) If in any fiscal year after the old fund liability tax is terminated claims for injuries resulting from accidents that occurred before July 1, 1990, are not adequately funded, any amount necessary to pay claims for injuries resulting from accidents that occurred before July 1, 1990, must be transferred from the general fund to the account provided for in 39-71-2321.

(7) The independent actuary engaged by the state fund pursuant to 39-71-2330 shall

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

project the unpaid claims liability for claims for injuries resulting from accidents that occurred before July 1, 1990, each fiscal year until all claims are paid.""

(2) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2018 is at level 2 or below as provided in [section 10(3)], and if prior general fund collections for fiscal year 2017 were high enough to prevent implementation of subsection (1), then 39-71-2352 must be amended as follows:

"39-71-2352. Separate payment structure and sources for claims for injuries resulting from accidents that occurred before July 1, 1990, and on or after July 1, 1990 -- spending limit -- authorizing transfer of money. (1) Premiums paid to the state fund based upon wages payable before July 1, 1990, may be used only to administer and pay claims for injuries resulting from accidents that occurred before July 1, 1990. Premiums paid to the state fund based upon wages payable on or after July 1, 1990, may be used only to administer and pay claims for injuries resulting from accidents that occur on or after July 1, 1990.

(2) The state fund shall:

(a) determine the cost of administering and paying claims for injuries resulting from accidents that occurred before July 1, 1990, and separately determine the cost of administering and paying claims for injuries resulting from accidents that occur on or after July 1, 1990;

(b) keep adequate and separate accounts of the costs determined under subsection (2)(a);
and

(c) fund administrative expenses and benefit payments for claims for injuries resulting from accidents that occurred before July 1, 1990, and claims for injuries resulting from accidents that occur on or after July 1, 1990, separately from the sources provided by law.

(3) The state fund may not spend more than ~~\$1.25 million~~ \$625,000 a year to administer claims for injuries resulting from accidents that occurred before July 1, 1990.

(4) As used in this section, "adequately funded" means the present value of:

(a) the total cost of future benefits remaining to be paid; and

(b) the cost of administering the claims.

(5) An amount of funds in excess of the adequate funding amount established in subsection (4), based on audited financial statements adjusted for unrealized gains and losses, must be transferred to the general fund.

(6) If in any fiscal year after the old fund liability tax is terminated claims for injuries resulting from accidents that occurred before July 1, 1990, are not adequately funded, any amount necessary to pay claims for injuries resulting from accidents that occurred before July 1, 1990, must be transferred from the general fund to the account provided for in 39-71-2321.

(7) The independent actuary engaged by the state fund pursuant to 39-71-2330 shall project the unpaid claims liability for claims for injuries resulting from accidents that occurred before July 1, 1990, each fiscal year until all claims are paid.""

Insert: "COORDINATION SECTION. Section 14. Coordination instruction -- level 2 budget reduction -- HELP Act third-party administrator. (1) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is less than \$2,204,000,000, as determined by the state treasurer on or before August 15, 2017, then notwithstanding 53-6-1305, for the biennium beginning July 1, 2017, the department of public health and humans services:

(a) may not enter into a new contract with one or more insurance companies or third-party

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

administrators to assist in administering the Montana Health and Economic Livelihood Partnership (HELP) Act provided for in 53-6-1301; and

(b) must terminate any existing contract with an insurance company or third-party administrator related to the Montana Health and Economic Livelihood Partnership (HELP) Act.

(2) It is the intent of the legislature that the department of public health and human services refrain from contracting with one or more insurance companies or third-party administrators in administering the Montana Health and Economic Livelihood Partnership (HELP) Act until a determination is made by the state treasurer that revenue for fiscal year 2017 is equal to or greater than \$2,204,000,000.

(3) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2018 is at level 2 or below as provided in [section 10(3)], and if prior general fund collections for fiscal year 2017 were high enough to prevent implementation of subsection (1), then the provisions of subsection (1) apply to fiscal year 2019."

Insert: "COORDINATION SECTION. Section 15. Coordination instruction -- level 3 budget reduction -- reduction in appropriation -- governor's office. (1) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is less than \$2,192,000,000, as determined by the state treasurer on or before August 15, 2017, and if House Bill No. 2 is passed and approved, then the governor's office general fund appropriation for "Mental Disabilities Board of Visitors" in House Bill No. 2 is reduced by \$90,000 in fiscal year 2018 and \$90,000 in fiscal year 2019.

(2) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2018 is at level 3 or below as provided in [section 10(3)], and if prior general fund collections for fiscal year 2017 were high enough to prevent implementation of subsection (1), then the governor's office general fund appropriation for "Mental Disabilities Board of Visitors" in House Bill No. 2 is reduced by \$90,000 in fiscal year 2019.

(3) The governor's office may allocate the appropriation reductions in subsections (1) and (2) among programs when developing 2019 biennium operating plans.

(4) The appropriation reductions in subsections (1) and (2) are in addition to the across-the-board reduction in general fund appropriations in [section 12]."

Insert: "COORDINATION SECTION. Section 16. Coordination instruction -- level 3 budget reduction -- reduction in appropriation -- legislative branch. (1) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is less than \$2,192,000,000, as determined by the state treasurer on or before August 15, 2017, and if House Bill No. 2 is passed and approved, then the legislative branch general fund appropriation for "Legislative Services" in House Bill No. 2 is reduced by \$133,883 in fiscal year 2018 and \$133,851 in fiscal year 2019.

(2) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2018 is at level 3 or below as provided in [section 10(3)], and if prior general fund collections for fiscal year 2017 were high enough to prevent implementation of subsection (1), then the legislative branch general fund appropriation for "Legislative Services" in House Bill No. 2 is reduced by \$133,851 in fiscal year 2019.

(3) The legislative branch may allocate the appropriation reductions in subsections (1) and (2) among programs when developing 2019 biennium operating plans.

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

(4) The appropriation reductions in subsections (1) and (2) are in addition to the across-the-board reduction in general fund appropriations in [section 12]."

Insert: "COORDINATION SECTION. Section 17. Coordination instruction -- level 3 budget reduction -- reduction in appropriation -- Montana state library commission. (1) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is less than \$2,192,000,000, as determined by the state treasurer on or before August 15, 2017, and if House Bill No. 2 is passed and approved, then the Montana state library commission general fund appropriation for "Statewide Library Resources" in House Bill No. 2 is reduced by \$666,527 in fiscal year 2018 and \$669,513 in fiscal year 2019 and the following language is inserted under "MONTANA STATE LIBRARY COMMISSION":

"Statewide Library Resources is appropriated up to \$666,527 of propriety funding in fiscal year 2018 and \$669,513 of propriety funding in fiscal year 2019 to offset the general fund appropriation reduction in Senate Bill No. 261."

(2) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2018 is at level 3 or below as provided in [section 10(3)], and if prior general fund collections for fiscal year 2017 were high enough to prevent implementation of subsection (1), then the Montana state library commission general fund appropriation for "Statewide Library Resources" in House Bill No. 2 is reduced by \$669,513 in fiscal year 2019 and the following language is inserted under "MONTANA STATE LIBRARY COMMISSION":

"Statewide Library Resources is appropriated up to \$669,513 of propriety funding in fiscal year 2019 to offset the general fund appropriation reduction in Senate Bill No. 261."

(3) The legislature intends that the appropriation reduction in subsections (1) and (2) be used to reduce general fund appropriations in support of the Montana digital library program by 50%.

(4) The Montana state library commission may allocate the appropriation reductions in subsections (1) and (2) among programs when developing 2019 biennium operating plans.

(5) The appropriation reductions in subsections (1) and (2) are in addition to the across-the-board reduction in general fund appropriations in [section 12]."

Insert: "COORDINATION SECTION. Section 18. Coordination instruction -- level 3 budget reduction -- reduction in appropriation -- Montana historical society -- increase in state special revenue fund authority. (1) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is less than \$2,192,000,000, as determined by the state treasurer on or before August 15, 2017, and if House Bill No. 2 is passed and approved, then the Montana historical society general fund appropriation for "Research Center" in House Bill No. 2 is reduced by \$608,710 in fiscal year 2018 and \$609,786 in fiscal year 2019 and the following language is inserted under "MONTANA HISTORICAL SOCIETY":

"Research Center is appropriated up to \$608,710 of propriety funding in fiscal year 2018 and \$609,786 of propriety funding in fiscal year 2019 to offset the general fund appropriation reduction in Senate Bill No. 261."

(2) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2018 is at level 3 or below as provided in [section

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

10(3)], and if prior general fund collections for fiscal year 2017 were high enough to prevent implementation of subsection (1), then the Montana historical society general fund appropriation for "Research Center" in House Bill No. 2 is reduced by \$609,786 in fiscal year 2019 and the following language is inserted under "MONTANA HISTORICAL SOCIETY":

"Research Center is appropriated up to \$609,786 of propriety funding in fiscal year 2019 to offset the general fund appropriation reduction in Senate Bill No. 261."

(3) The legislature intends that the appropriation reduction in subsections (1) and (2) be used to reduce general fund appropriations in support of the research center program by 50%.

(4) The Montana historical society may allocate the appropriation reductions in subsections (1) and (2) among programs when developing 2019 biennium operating plans.

(5) The appropriation reductions in subsections (1) and (2) are in addition to the across-the-board reduction in general fund appropriations in [section 12].

(6) If House Bill No. 2 is passed and approved, then the Montana historical society state special revenue fund appropriation for "Museum Program" in House Bill No. 2 is increased by \$97,115 in fiscal year 2018 and \$91,695 in fiscal year 2019. The increase in this subsection (6) is not contingent on revenue projections."

Insert: "COORDINATION SECTION. Section 19. Coordination instruction -- level 3 budget reduction -- fund transfer from lodging facility use tax account. (1) (a) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is less than \$2,192,000,000, as determined by the state treasurer on or before August 15, 2017, then notwithstanding 15-65-121(5), the state treasurer shall transfer the amount provided for in subsection (1)(b) from the state special revenue account provided for in 15-65-121(5) to the general fund during the biennium beginning July 1, 2017. The distributions under 15-65-121(2)(d) must be reduced by the amount that is transferred to the general fund.

(b) The amount of the fund transfer provided for in subsection (1)(a) is equal to 8.1% of the 64.9% that is distributed during the biennium beginning July 1, 2017, under 15-65-121(2)(d). The state treasurer may deposit the amount to the credit of the state general fund periodically during the biennium at the same time as the other distributions, as long as the total amount of the distribution at the end of each fiscal year is equal to 8.1% of the 64.9% of the tax proceeds distributed under 15-65-121(2)(d).

(2)(a) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2018 is at level 3 or below as provided in [section 10(3)], and if prior general fund collections for fiscal year 2017 were high enough to prevent implementation of subsection (1), then notwithstanding 15-65-121(5), the state treasurer shall transfer the amount provided for in subsection (2)(b) from the state special revenue account provided for in 15-65-121(5) to the general fund during the fiscal year beginning July 1, 2018. The distributions under 15-65-121(2)(d) must be reduced by the amount that is transferred to the general fund.

(b) The amount of the fund transfer provided for in subsection (2)(a) is equal to 8.1% of the 64.9% that is distributed during the fiscal year beginning July 1, 2018, under 15-65-121(2)(d). The state treasurer may deposit the amount to the credit of the state general fund periodically during fiscal year 2019 at the same time as the other distributions, as long as the total amount of the distribution at the end of fiscal year 2019 is equal to 8.1% of the 64.9% of the tax proceeds distributed under 15-65-121(2)(d)."

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

Insert: "COORDINATION SECTION. Section 20. Coordination instruction -- level 3 budget reduction -- reduction in appropriation -- department of agriculture. (1) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is less than \$2,192,000,000, as determined by the state treasurer on or before August 15, 2017, and if House Bill No. 2 is passed and approved, then the department of agriculture general fund appropriation for "Agricultural Development Division" in House Bill No. 2 is reduced by \$128,244 in fiscal year 2018 and \$128,383 in fiscal year 2019.

(2) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2018 is at level 3 or below as provided in [section 10(3)], and if prior general fund collections for fiscal year 2017 were high enough to prevent implementation of subsection (1), then the department of agriculture general fund appropriation for "Agricultural Development Division" in House Bill No. 2 is reduced by \$128,383 in fiscal year 2019.

(3) The legislature intends that the appropriation reduction in subsections (1) and (2) be used to reduce House Bill No. 2 general fund appropriations in support of the agricultural marketing program by 50%.

(4) The appropriation reductions in subsections (1) and (2) are in addition to the across-the-board reduction in general fund appropriations in [section 12]."

Insert: "COORDINATION SECTION. Section 21. Coordination instruction -- level 3 budget reduction -- reduction in appropriation -- department of public health and human services. (1) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is less than \$2,192,000,000, as determined by the state treasurer on or before August 15, 2017, and if House Bill No. 2 is passed and approved, then the department of public health and human services general fund appropriation for "Health Resources Division" in House Bill No. 2 is reduced by \$3,500,000 in fiscal year 2018 and \$3,500,000 in fiscal year 2019.

(2) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2018 is at level 3 or below as provided in [section 10(3)], and if prior general fund collections for fiscal year 2017 were high enough to prevent implementation of subsection (1), then the department of public health and human services general fund appropriation for "Health Resources Division" in House Bill No. 2 is reduced by \$3,500,000 in fiscal year 2019.

(3) The legislature intends that the appropriation reduction in subsections (1) and (2) be used to reduce medicaid provider rates over the 2019 biennium. For the purpose of this subsection (3), the rate reduction must be calculated to provide for percentage based equivalency between all single providers and provider types to ensure that all single provider or provider types are subject to the same reduction percentage.

(4) The appropriation reductions in subsections (1) and (2) are in addition to the across-the-board reduction in general fund appropriations in [section 12]."

Insert: "COORDINATION SECTION. Section 22. Coordination instruction -- level 3 budget reduction -- mental health targeted case management services. (1) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is less than \$2,192,000,000, as determined by the state treasurer on or before August 15, 2017, then for the biennium beginning July 1, 2017, the department of public

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

health and human services general fund appropriation in House Bill No. 2 for the:

(a) "Addictive and Mental Disorder Division" is reduced by \$965,000 in fiscal year 2018 and \$965,000 in fiscal year 2019; and

(b) "Developmental Services Division" is reduced by \$965,000 in fiscal year 2018 and \$965,000 in fiscal year 2019.

(2) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2018 is at level 3 or below as provided in [section 10(3)], and if prior general fund collections for fiscal year 2017 were high enough to prevent implementation of subsection (1), then the department of public health and human services general fund appropriation in House Bill No. 2 for the:

(a) "Addictive and Mental Disorder Division" is reduced by \$965,000 in fiscal year 2019; and

(b) "Developmental Services Division" is reduced by \$965,000 in fiscal year 2019.

(3) The department of public health and human services shall reduce reimbursements for targeted case management services for adult and children's mental health by the amount of the reductions in subsections (1) and (2).

(4) The department of public health and human services may allocate the appropriation reductions in subsections (1) and (2) among the addictive and mental disorder division and the developmental services division when developing 2019 biennium operating plans."

Insert: "COORDINATION SECTION. Section 23. Coordination instruction -- level 4 -- broadband pay plan -- appropriation void. (1) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is less than \$2,180,000,000, as determined by the state treasurer on or before August 15, 2017, and if Senate Bill No. 294 is passed and approved, then the general fund appropriations in [section 12 of Senate Bill No. 294] for:

(a) fiscal year 2018 for "Legislative Branch", "Judicial Branch", "Executive Branch", and "Montana University System" are void; and

(b) fiscal year 2019 for "Legislative Branch" is reduced from \$124,184 to \$35,180, "Judicial Branch" is reduced from \$297,576 to \$84,299, "Executive Branch" is reduced from \$3,756,611 to \$1,064,196, and "Montana University System" is reduced from \$3,493,577 to \$1,142,646.

(2) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2018 is at level 4 or below as provided in [section 10(3)], and if prior general fund collections for fiscal year 2017 were high enough to prevent implementation of subsection (1), and if Senate Bill No. 294 is passed and approved, then the general fund appropriations in [section 12 of Senate Bill No. 294] for fiscal year 2019 for "Legislative Branch" is reduced from \$124,184 to \$35,180, "Judicial Branch" is reduced from \$297,576 to \$84,299, "Executive Branch" is reduced from \$3,756,611 to \$1,064,196, and "Montana University System" is reduced from \$3,493,577 to \$1,142,646."

Insert: "COORDINATION SECTION. Section 24. Coordination instruction -- level 4 budget reduction -- secondary vo-ed. (1) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is less than \$2,180,000,000, as determined by the state treasurer on or before August 15, 2017, and if House Bill No. 2 is passed and approved, then the office of superintendent of public instruction general fund appropriation for "Secondary Vo-ed" in House Bill No. 2 must be reduced by \$500,000 in fiscal

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

year 2018 and by \$500,000 in fiscal year 2019.

(2) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2018 is at level 4 or below as provided in [section 10(3)], and if House Bill No. 2 is passed and approved, then the office of superintendent of public instruction general fund appropriation for "Secondary Vo-ed" in House Bill No. 2 must be reduced by \$500,000 in fiscal year 2019."

Insert: "COORDINATION SECTION. Section 25. Coordination instruction -- level 4 budget reduction -- data-for-achievement payment. (1) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is less than \$2,180,000,000, as determined by the state treasurer on or before August 15, 2017, then:

(a) notwithstanding 20-9-306, 20-9-308, 20-9-325, 20-9-326, 20-9-344, and 20-9-366, the office of public instruction shall suspend payment of the data-for-achievement payment for fiscal year 2018 and fiscal year 2019 and reduce BASE aid payments to school districts accordingly; and

(b) if House Bill No. 2 is passed and approved, the office of superintendent of public instruction general fund appropriation for "K-12 BASE Aid" in House Bill No. 2 must be reduced by \$3,109,347 in fiscal year 2018 and by \$3,180,038 in fiscal year 2019 for the purpose of suspending the data-for-achievement payment.

(2) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2018 is at level 4 or below as provided in [section 10(3)], and if prior general fund collections for fiscal year 2017 were high enough to prevent implementation of subsection (1), then:

(a) notwithstanding 20-9-306, 20-9-308, 20-9-325, 20-9-326, 20-9-344, and 20-9-366, the office of public instruction shall suspend payment of the data-for-achievement payment for fiscal year 2019 and reduce BASE aid payments to school districts accordingly; and

(b) if House Bill No. 2 is passed and approved, the office of superintendent of public instruction general fund appropriation for "K-12 BASE Aid" in House Bill No. 2 must be reduced by \$3,180,038 in fiscal year 2019 for the purpose of suspending the data-for-achievement payment."

Insert: "COORDINATION SECTION. Section 26. Coordination instruction -- level 4 budget reduction -- combined fund block grants. (1) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is less than \$2,180,000,000, as determined by the state treasurer on or before August 15, 2017, then:

(a) notwithstanding 20-9-630, the office of public instruction shall reduce the amount of the school district combined fund block grants by 47.68% for both fiscal year 2018 and fiscal year 2019; and

(b) if House Bill No. 2 is passed and approved, the office of superintendent of public instruction general fund appropriation for "Reimbursement Block Grants" in House Bill No. 2 must be reduced by \$2,800,000 in fiscal year 2018 and by \$2,800,000 in fiscal year 2019 for the purpose of reducing school district combined fund block grants.

(2) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2018 is at level 4 or below as provided in [section 10(3)], and if prior general fund collections for fiscal year 2017 were high enough to prevent

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

implementation of subsection (1), then:

(a) notwithstanding 20-9-630, the office of public instruction shall reduce the amount of the school district combined fund block grants by 47.68% for fiscal year 2019; and

(b) if House Bill No. 2 is passed and approved, the office of superintendent of public instruction general fund appropriation for "Reimbursement Block Grants" in House Bill No. 2 must be reduced by \$2,800,000 in fiscal year 2019 for the purpose of reducing school district combined fund block grants."

Insert: "COORDINATION SECTION. Section 27. Coordination instruction -- level 4 budget reduction -- natural resource development payment. (1) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is less than \$2,180,000,000, as determined by the state treasurer on or before August 15, 2017, then:

(a) if House Bill No. 647 is passed and approved, [section 18(2) of House Bill No. 647] must be amended as follows:

"(2) Beginning in fiscal year ~~2019~~ 2020, the superintendent of public instruction shall annually deposit no later than March 31 in the school facility and technology account provided for in 20-9-516 the natural resource development K-12 school facilities payment, which is calculated as the greater of:

(A) ~~\$5.8 million in fiscal year 2019~~; \$6.4 million in fiscal year 2020, \$7.6 million in fiscal year 2021, and \$10 million in fiscal year 2022, increased by an inflationary adjustment calculated as provided in 20-9-326 in each succeeding fiscal year; or

(B) 5% of the oil and natural gas production taxes deposited in the general fund pursuant to 15-36-331(4) for the fiscal year occurring 2 fiscal years prior to the fiscal year of the payment."; and

(b) if House Bill No. 2 is passed and approved, the office of superintendent of public instruction general fund appropriation for the "Natural Resource Development K-12 School Facilities Payment" in House Bill No. 2 for 2019 must be eliminated.

(2) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2018 is at level 4 or below as provided in [section 10(3)], and if prior general fund collections for fiscal year 2017 were high enough to prevent implementation of subsection (1), then:

(a) if House Bill No. 647 is passed and approved, [section 18(2) of House Bill No. 647] must be amended as follows:

"(2) Beginning in fiscal year ~~2019~~ 2020, the superintendent of public instruction shall annually deposit no later than March 31 in the school facility and technology account provided for in 20-9-516 the natural resource development K-12 school facilities payment, which is calculated as the greater of:

(A) ~~\$5.8 million in fiscal year 2019~~; \$6.4 million in fiscal year 2020, \$7.6 million in fiscal year 2021, and \$10 million in fiscal year 2022, increased by an inflationary adjustment calculated as provided in 20-9-326 in each succeeding fiscal year; or

(B) 5% of the oil and natural gas production taxes deposited in the general fund pursuant to 15-36-331(4) for the fiscal year occurring 2 fiscal years prior to the fiscal year of the payment."; and

(b) if House Bill No. 2 is passed and approved, the office of superintendent of public

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

instruction general fund appropriation for the "Natural Resource Development K-12 School Facilities Payment" in House Bill No. 2 for 2019 must be eliminated."

Insert: "COORDINATION SECTION. Section 28. Coordination instruction -- level 4 budget reduction -- native language preservation. (1) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is less than \$2,180,000,000, as determined by the state treasurer on or before August 15, 2017, and if House Bill No. 2 is passed and approved, then the department of commerce general fund appropriation for "Native Language Preservation" in House Bill No. 2 must be reduced by \$125,000 in fiscal year 2018 and by \$125,000 in fiscal year 2019.

(2) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2018 is at level 4 or below as provided in [section 10(3)], and if House Bill No. 2 is passed and approved, then the department of commerce general fund appropriation for "Native Language Preservation" in House Bill No. 2 must be reduced by \$125,000 in fiscal year 2019."

Insert: "COORDINATION SECTION. Section 29. Coordination instruction -- Senate Bill No. 281 and fire suppression account. (1) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is equal to or greater than \$2,209,000,000, as determined by the state treasurer on or before August 15, 2017, and Senate Bill No. 281 and [this act] are passed and approved, and both contain a section that amends 76-13-150, then the sections amending 76-13-150 are void and 76-13-150 must be amended as follows:

"76-13-150. Fire suppression account -- fund transfer. (1) There is a fire suppression account in the state special revenue fund to the credit of the department.

(2) The legislature may transfer money from other funds to the account, and the money in the account is subject to legislative fund transfers.

(3) Funds received for restitution by private parties must be deposited in the account.

(4) Money in the account may be used only for: ~~the purpose of paying expenses for fire prevention, including fuel reduction and mitigation, forest restoration, grants for the purchase of fire suppression equipment for county cooperatives, and~~

(a) fire suppression costs;

(b) fuel reduction and mitigation;

(c) forest restoration;

(d) grants for the purchase of fire suppression equipment for county cooperatives;

(e) forest management projects on federal land;

(f) support for collaborative groups that include at least one representative of an affected county commission that is engaged with a federal forest project and for local governments engaged in litigation related to federal forest projects; and

(g) road maintenance on federal lands.-

(5) Interest earned on the balance of the account is retained in the account.

(6) Except as provided in subsections (7) and (8), by August 15 following the end of each fiscal year, an amount equal to the balance of unexpended and unencumbered general fund money appropriated in excess of 0.5% of the total general fund money appropriated for that fiscal year must be transferred by the state treasurer from the general fund to the fire suppression account.

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

General fund appropriations that continue from a fiscal year to the next fiscal year and any general fund appropriations made pursuant to 10-3-310 or 10-3-312 are excluded from the calculation.

(7) The provisions of subsection (6) do not apply in a fiscal year in which reductions required by 17-7-140 occur or if a transfer pursuant to subsection (6) would require reductions pursuant to 17-7-140.

(8) The fund balance in the account may not exceed \$100 million 4% of all general fund appropriations in the second year of the biennium.

~~(9) Up to \$5 million each biennium may be used for the purpose of fuel reduction and mitigation and forest restoration~~ By August 15 of each even-numbered fiscal year, if the balance in the account at the end of the most recently completed odd-numbered fiscal year exceeds \$40 million, the excess, up to \$5 million, must be used in the biennium for the purposes in subsections (4)(b) through (4)(g). Of that amount, no more than 5% may be used for the purposes of subsection (4)(f).

(10) For the fiscal year ending June 30, 2017, the state treasurer may not transfer from the general fund to the fire suppression account.

~~(10)~~(11) Money in the account is statutorily appropriated, as provided in 17-7-502, to the department for the purposes described in subsection (4)."

(2) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is less than \$2,209,000,000, as determined by the state treasurer on or before August 15, 2017, and Senate Bill No. 281 and [this act] are passed and approved, and both contain a section that amends 76-13-150, then the sections amending 76-13-150 are void and 76-13-150 must be amended as follows:

"76-13-150. Fire suppression account -- fund transfer. (1) There is a fire suppression account in the state special revenue fund to the credit of the department.

(2) The legislature may transfer money from other funds to the account, and the money in the account is subject to legislative fund transfers.

(3) Funds received for restitution by private parties must be deposited in the account.

(4) Money in the account may be used only for: ~~the purpose of paying expenses for fire prevention, including fuel reduction and mitigation, forest restoration, grants for the purchase of fire suppression equipment for county cooperatives, and~~

(a) fire suppression costs;

(b) fuel reduction and mitigation;

(c) forest restoration;

(d) grants for the purchase of fire suppression equipment for county cooperatives;

(e) forest management projects on federal land;

(f) support for collaborative groups that include at least one representative of an affected county commission that is engaged with a federal forest project and for local governments engaged in litigation related to federal forest projects; and

(g) road maintenance on federal lands.-

(5) Interest earned on the balance of the account is retained in the account.

(6) Except as provided in subsections (7) and (8), by August 15 following the end of each fiscal year, an amount equal to the balance of unexpended and unencumbered general fund money appropriated in excess of 0.5% of the total general fund money appropriated for that fiscal year must be transferred by the state treasurer from the general fund to the fire suppression account. General fund appropriations that continue from a fiscal year to the next fiscal year and any general fund appropriations made pursuant to 10-3-310 or 10-3-312 are excluded from the calculation.

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

(7) The provisions of subsection (6) do not apply in a fiscal year in which reductions required by 17-7-140 occur or if a transfer pursuant to subsection (6) would require reductions pursuant to 17-7-140.

(8) The fund balance in the account may not exceed ~~\$100 million~~ 4% of all general fund appropriations in the second year of the biennium.

(9) ~~Up to \$5 million each biennium may be used for the purpose of fuel reduction and mitigation and forest restoration. Beginning on July 1, 2019, by August 15 of each even-numbered fiscal year, if the balance in the account at the end of the most recently completed odd-numbered fiscal year exceeds \$40 million, the excess, up to \$5 million, must be used in the biennium for the purposes in subsections (4)(b) through (4)(g). Of that amount, no more than 5% may be used for the purposes of subsection (4)(f).~~

(10) For the fiscal year ending June 30, 2017, the state treasurer may not transfer from the general fund to the fire suppression account.

~~(10)~~(11) Money in the account is statutorily appropriated, as provided in 17-7-502, to the department for the purposes described in subsection (4).""

Insert: "COORDINATION SECTION. Section 30. Coordination instruction -- fire suppression account -- effective July 1, 2019. If Senate Bill No. 281 and [this act] are passed and approved, and both contain a section that amends 76-13-150, then the sections amending 76-13-150 are void and 76-13-150 must be amended as follows:

"76-13-150. Fire suppression account -- fund transfer. (1) There is a fire suppression account in the state special revenue fund to the credit of the department.

(2) The legislature may transfer money from other funds to the account, and the money in the account is subject to legislative fund transfers.

(3) Funds received for restitution by private parties must be deposited in the account.

(4) Money in the account may be used only for: the purpose of paying expenses for fire prevention, including fuel reduction and mitigation, forest restoration, grants for the purchase of fire suppression equipment for county cooperatives, and

(a) fire suppression costs;

(b) fuel reduction and mitigation;

(c) forest restoration;

(d) grants for the purchase of fire suppression equipment for county cooperatives;

(e) forest management projects on federal land;

(f) support for collaborative groups that include at least one representative of an affected county commission that is engaged with a federal forest project and for local governments engaged in litigation related to federal forest projects; and

(g) road maintenance on federal lands.-

(5) Interest earned on the balance of the account is retained in the account.

(6) Except as provided in subsections (7) and (8), by August 15 following the end of each fiscal year, an amount equal to the balance of unexpended and unencumbered general fund money appropriated in excess of 0.5% of the total general fund money appropriated for that fiscal year must be transferred by the state treasurer from the general fund to the fire suppression account. General fund appropriations that continue from a fiscal year to the next fiscal year and any general fund appropriations made pursuant to 10-3-310 or 10-3-312 are excluded from the calculation.

(7) The provisions of subsection (6) do not apply in a fiscal year in which reductions

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

required by 17-7-140 occur or if a transfer pursuant to subsection (6) would require reductions pursuant to 17-7-140.

(8) The fund balance in the account may not exceed ~~\$100 million~~ 4% of all general fund appropriations in the second year of the biennium.

(9) ~~Up to \$5 million each biennium may be used for the purpose of fuel reduction and mitigation and forest restoration~~ By August 15 of each even-numbered fiscal year, if the balance in the account at the end of the most recently completed odd-numbered fiscal year exceeds \$40 million, the excess, up to \$5 million, must be used in the biennium for the purposes in subsections (4)(b) through (4)(g). Of that amount, no more than 5% may be used for the purposes of subsection (4)(f).

(10) Money in the account is statutorily appropriated, as provided in 17-7-502, to the department for the purposes described in subsection (4)."

Insert: "COORDINATION SECTION. Section 31. Coordination instruction -- House Bill No. 638. (1) If House Bill No. 638 is passed and approved, then:

(a) [section 9 of House Bill No. 638] must be amended as follows:

"Section 9. Effective date dates -- contingency. ~~[This act]~~ (1) Except as provided in subsection (2), [this act] is effective ~~July 1~~ August 15, 2017.

(2) [Sections 2 through 8] are effective only if on:

(a) August 15, 2017, the state treasurer certifies that unaudited general fund revenue and transfers into the general fund received at the end of fiscal year 2017 are equal to or greater than \$2,220,000,000; or

(b) August 15, 2018, the state treasurer certifies that unaudited general fund revenue and transfers into the general fund received at the end of fiscal year 2018 are equal to or greater than \$2,375,000,000."

(2) If the amount of the certified unaudited state general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is less than \$2,220,000,000, as determined by the state treasurer on or before August 15, 2017, then:

(a) [section 1 of House Bill No. 638] must be amended as follows:

"Section 1. Appropriation for direct care worker wages. (1) The following amounts are appropriated to the department of public health and human services for the biennium beginning July 1, ~~2017~~ 2018, for a rate increase for developmental disability services providers to be phased in and used as provided in this section:

Fiscal Year ~~2018~~ 2019 \$5,277,977 federal special revenue

 \$2,789,240 state special revenue fund

Fiscal Year 2019 ~~\$12,326,129~~ federal special revenue

~~\$6,526,928 state special revenue fund~~

(2) Providers must use the appropriation to increase wages only for workers who:

(a) provide direct care;

(b) are employed in community services established pursuant to 53-20-205; and

(c) are not state employees.

(3) Except as provided in subsection (4), the department shall phase in the appropriation ~~on July 1 and January 1 of each year of the biennium~~ in a manner that provides the equivalent of an increase in wages of at least 75 cents an hour per employee.

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

(4) (a) If the appropriation is insufficient to provide the equivalent of a biannual increase of 75 cents an hour per employee, the department shall provide the maximum provider rate increase possible from the appropriation.

(b) If the appropriation allows for the equivalent of ~~a biannual~~ an increase of more than 75 cents an hour per employee, the department shall use the full amount of the appropriation to provide the greater increase.

(5) The appropriation in this section is intended to increase medicaid services and not to supplant the general fund in the trended traditional level of appropriation for medicaid services and medicaid provider rates. The appropriation in this section may not be used to provide wages to program managers, administrative staff, management staff, schedulers, nurse supervisors, licensed practical nurses, registered nurses, or case managers.

(6) The legislature intends that the appropriation in this section be considered a part of the ongoing base for the next legislative session.";

(b) [section 2 of House Bill No. 638] must be amended as follows:

"Section 2. Appropriation for direct care worker wages. (1) The following amounts are appropriated to the department of public health and human services for the ~~biennium~~ fiscal year beginning July 1, ~~2017~~ 2018, for a rate increase for home and community-based services waiver direct care workers and for community services personal care assistants to be administered by the senior and long-term care division for elderly and physically disabled individuals, to be phased in and used as provided in this section:

Fiscal Year 2018 <u>2019</u>	\$808,268	federal special revenue
	\$427,144	state special revenue fund
Fiscal Year 2019	\$1,211,568	federal special revenue
	\$641,549	state special revenue fund

(2) Providers may use the appropriation to increase wages only for workers who:

- (a) provide direct care;
- (b) are employed in community services; and
- (c) are not state employees.

(3) The department shall use the appropriation ~~starting on:~~

- ~~(a) July 1, 2017, to increase wages by at least \$1.50 an hour per employee; and~~
- ~~(b) July 1, 2018, to increase wages by at least \$2.25 an hour per employee.~~

(4) The appropriation in this section is intended to increase medicaid services and not to supplant the general fund in the trended traditional level of appropriation for medicaid services and medicaid provider rates. The appropriation in this section may not be used to provide wages to program managers, administrative staff, management staff, schedulers, nurse supervisors, licensed practical nurses, registered nurses, or case managers.

(5) The legislature intends that the appropriation in this section be considered a part of the ongoing base for the next legislative session."; and

(c) [section 5 of House Bill No. 638] must be amended as follows:

"Section 5. Transfer of funds to direct care worker wage account. By ~~July 1, 2017~~ August 15, 2018, the state treasurer shall transfer ~~\$1,068,693~~ \$427,144 from the older Montanans trust fund, provided for in 52-3-115, to the direct care worker wage account provided in [section 3] for the ~~biennium beginning~~ fiscal year beginning July 1, ~~2017~~ 2018."

Insert: "COORDINATION SECTION. Section 32. Coordination instruction -- House Bill

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

No. 261. (1) If House Bill No. 261 is passed and approved, then [section 2 of House Bill No. 261] must be amended as follows:

"Section 2. Contingent voidness. ~~(1) If the certified unaudited general fund revenue and transfers into the general fund received in fiscal year 2017 are less than \$2,213,000,000 \$2,217,000,000, as determined by the state treasurer on or before August 15, 2017, the statutory appropriation appropriations in 22-1-327 for fiscal year years 2018 is and 2019 are void.~~

~~(2) If the certified unaudited general fund revenue and transfers into the general fund received in fiscal year 2018 are less than \$2,360,000,000, the statutory appropriation in 22-1-327 for fiscal year 2019 is void."~~

(2) The state treasurer shall notify the budget director, the legislative fiscal analyst, and the code commissioner on or before August 15, 2017, regarding whether amount of the certified general fund revenue and transfers into the general fund received at the end of fiscal year 2017 is less than the amount provided in [section 2 of House Bill No. 261], as amended by subsection (1)."

Insert: "NEW SECTION. Section 33. 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

28. Page 18, line 2.

Strike: "[This act]"

Insert: "(1) Except as provided in subsections (2) and (3), [this act]"

Following: line 2

Insert: "(2) [Section 30] is effective July 1, 2019.

(3) [Sections 32 and 33] and this section are effective on passage and approval."

29. Page 18, line 3.

Following: line 2

Insert: "NEW SECTION. Section 35. Termination. [Sections 13, 27, and 29] terminate June 30, 2019."

For the Senate:

L. Jones, Chair
Moore
Sesso

For the House:

Ballance, Vice Chair
Eck

CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 374**
Report No. 001, April 26, 2017

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 374**

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

(reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 374** (reference copy -- salmon) be amended as follows:

1. Page 2, line 30 through page 3, line 5.

Strike: "MAY:" on page 2, line 30 through "ACCESS." on page 3, line 5

Insert: "and the electric utility may negotiate ownership and maintenance of the extension."

For the Senate:

Ankney, Chair
Connell
Wolken

For the House:

Zolnikov, Vice Chair
Bishop
O'Hara

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House: 4/25/2017

HB 294, introduced by Price

Governor's amendments to Senate bill concurred in: 4/26/2017

SB 314, introduced by Vincent

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

4/26/2017

HB 376, introduced by Windy Boy

This amended bill is being returned after the deadline for General Bills. Joint rule 40-200 requires a 2/3 vote for the bill to be considered by the receiving house.

HB 586, introduced by Lenz

This amended bill is being returned after the deadline for Appropriation Bills. Joint rule 40-200 requires a 2/3 vote for the bill to be considered by the receiving house.

House bill concurred in and returned to the House: 4/26/2017

HB 226, introduced by Perry

House amendments to Senate joint resolution concurred in: 4/26/2017

SJR 5, introduced by Phillips

Conference Committee Report No.1 adopted: 4/26/2017

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

HB 639, introduced by Cook
SB 359, introduced by Blasdel
SB 368, introduced by Richmond

MESSAGES FROM THE GOVERNOR

April 25, 2017

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

Dear Speaker Knudsen:

On Tuesday, April 25, 2017, I signed the following bills:

HB 37- J. Windy Boy
HB 118 - J. Windy Boy
HB 185 - S. Morigeau
HB 303 - K. Kelker
HB 415 - S. Morigeau

Sincerely,

STEVE BULLOCK
Governor

**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 McKamey in the chair.

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

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

SB 314 - Governor's Amendments - Representative Mortensen moved Governor's Amendments to **SB 314** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Cuffe, Curdy, Curtis, Custer, Doane, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Manzella, McCarthy, McKamey, Mortensen, Noland, O'Hara, Patelis, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Sales, Schreiner, Shaw, Skees, Staffanson, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.
Total 87

Nays: Bennett, Court, Dudik, Dunwell, Hayman, Hill-Smith, Mandeville, McConnell, Morigeau, Olsen, Peppers, Ryan, Smith.
Total 13

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 31 - Representative Zolnikov moved **SJR 31** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Bennett, Berglee, Bishop, Z. Brown, Burnett, Cook, Court, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Garner, Greef, Grubbs, Hamilton, Hamlett, Harris, Hayman, Hill-Smith, Holmlund, Hopkins, Jacobson, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lenz, Loge, Lynch, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Rosendale, Ryan, Sales, Shaw, Skees, Smith, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Webb, Webber, Welch, Windy Boy, Woods, Zolnikov, Mr. Speaker.
Total 78

Nays: Beard, Brodehl, B. Brown, Cuffe, Flynn, Galloway, Galt, Glimm, Gunderson, A Hertz, G Hertz, Jones, Lavin, Mandeville, Noland, Redfield, Regier, Ricci, Schreiner, Staffanson, Wagoner, White.
Total 22

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

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

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bennett, Berglee, Bishop, Brodehl, B. Brown, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, 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: McKamey.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative White moved the House adjourn Sine Die.

Motion **failed** as follows:

Yeas: Bartel, Beard, Berglee, B. Brown, Burnett, Doane, Flynn, Galloway, Galt, Glimm, Gunderson, Harris, C Knudsen, Lavin, Lenz, Mandeville, Manzella, Mortensen, Noland, O'Hara, Redfield, Regier, Rosendale, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, White, Zolnikov, Mr. Speaker.

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

Total 34

Nays: Abbott, Anderson, Bachmeier, Ballance, Bennett, Bishop, Brodehl, Z. Brown, Cook, Court, Cuffe, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Garner, Greef, Grubbs, Hamilton, Hamlett, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, Loge, Lynch, McCarthy, McConnell, McKamey, Morigeau, Olsen, Patelis, Peppers, Perry, Pierson, Price, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Stewart-Per, Swanson, Webber, Welch, Windy Boy, Woods.

Total 66

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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

Motion **failed** as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Brodehl, B. Brown, Burnett, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fitzgerald, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, A Hertz, G Hertz, Holmlund, Hopkins, Jones, Knokey, C Knudsen, Lavin, Lenz, Loge, Mandeville, McKamey, Mortensen, Noland, Patelis, Regier, Ricci, Rosendale, Sales, Shaw, Staffanson, Stewart-Per, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Welch, Zolnikov, Mr. Speaker.

Total 52

Nays: Abbott, Bachmeier, Bennett, Berglee, Bishop, Z. Brown, Court, Curdy, Curtis, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Flynn, Funk, Galloway, Hamilton, Harris, Hayman, Hill-Smith, Jacobson, Karjala, Keane, Kelker, Kipp III, Lynch, Manzella, McCarthy, McConnell, Morigeau, O'Hara, Olsen, Peppers, Perry, Pierson, Price, Redfield, Ryan, Schreiner, Skees, Smith, Swanson, Webber, White, Windy Boy, Woods.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Tschida moved to reconsider action on **HB 639** and that **HB 639** be placed on second reading on the second agenda on the 86th legislative day.

Motion **failed** as follows:

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

Yeas: Bartel, Berglee, Brodehl, B. Brown, Burnett, Doane, Ehli, Flynn, Galloway, Glimm, Greef, Gunderson, Harris, A Hertz, G Hertz, Holmlund, Hopkins, Jones, Knokey, C Knudsen, Lenz, Mandeville, Manzella, Mortensen, Noland, O'Hara, Patelis, Redfield, Regier, Ricci, Rosendale, Skees, Staffanson, Stewart-Per, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, White, Windy Boy, Zolnikov, Mr. Speaker.

Total 44

Nays: Abbott, Anderson, Bachmeier, Ballance, Beard, Bennett, Bishop, Z. Brown, Cook, Court, Cuffe, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Galt, Garner, Grubbs, Hamilton, Hamlett, Hayman, Hill-Smith, Jacobson, Karjala, Keane, Kelker, Kipp III, Lavin, Loge, Lynch, McCarthy, McConnell, McKamey, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Sales, Schreiner, Shaw, Smith, Swanson, Webber, Welch, Woods.

Total 56

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House in Recess.

House Reconvened.

Representative Ehli announced the Republicans would caucus.

Representative Eck announced the Democrats would caucus.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ballance, Chair):

4/26/2017

SB 367, be amended as follows:

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

Strike: "THE STATE" on line 8 through "GRANTS AND" on line 9

2. Title, page 1, line 11 through line 14.

Strike: "AUTHORIZING" on line 11 through "GRANTS;" on line 14

3. Title, page 1, line 17 through line 18.

Strike: "REDUCING" on line 17 through "DISTRICTS;" on line 18

Insert: "PROVIDING APPROPRIATIONS;"

4. Page 1, line 23.

Strike: "19"

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

Insert: "11"

5. Page 1, line 28.

Strike: "10 through 13"

Insert: "3 through 6"

6. Page 1, line 30 through page 2, line 11.

Strike: subsection (4) through subsection (5) in their entirety

7. Page 2, line 13 through line 15.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

8. Page 2, line 17.

Following: "6"

Strike: "and"

Insert: ", "

Following: "7"

Insert: ", and 586"

9. Page 2, line 20.

Strike: "[section 16]"

Insert: "[section 9]"

10. Page 2, line 22 through page 5, line 15.

Strike: section 3 through section 9 in their entirety

Renumber: subsequent sections

11. Page 5, line 17.

Following: "Authorization of"

Insert: "and appropriations for"

12. Page 5, line 18.

Strike: the second "authorized"

Insert: "appropriated"

13. Page 5, line 23.

Strike: "\$25"

Insert: "\$22"

Strike: "\$3"

Insert: "\$6"

14. Page 5, line 26.

Following: line 25

Insert: "DEPARTMENT OF FISH, WILDLIFE, AND PARKS"

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

Makoshika Park Water Line, Campground, and Other Improvements \$1.5 million (CPA)"

15. Page 6, line 9.

Strike: "[section 10]"

Insert: "[section 3]"

16. Page 6, line 14.

Strike: "[section 10]"

Insert: "[section 3]"

17. Page 6, line 28.

Strike: "\$88.8"

Insert: "\$70.3"

18. Page 6, line 30.

Strike: "\$35.4"

Insert: "\$33.9"

19. Page 7, line 2 through line 3.

Strike: subsection (b) in its entirety

Renumber: subsequent subsections

20. Page 7, line 4.

Strike: "\$9.6"

Insert: "\$11.3"

21. Page 7, line 5.

Strike: "2(2)"

Insert: "2(1)"

Following: "\$8.2"

Strike: "amount"

Insert: "million"

Strike: "authorized"

Insert: "appropriated"

22. Page 7, line 7.

Following: "\$1.4"

Strike: "amount"

Insert: "million"

Strike: "authorized"

Insert: "appropriated"

23. Page 7, line 9.

Strike: "\$38.8"

Insert: "\$25.1"

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

24. Page 7, line 10.

Strike: "2(3)"

Insert: "2(2)"

Strike: "authorized"

Insert: "appropriated"

25. Page 7, line 12.

Strike: "\$30"

Insert: "\$16.3"

Strike: "authorized"

Insert: "appropriated"

26. Page 7, line 13.

Insert: "16"

Strike: "9"

27. Page 7, line 14 through line 19.

Strike: subsection (4) in its entirety

Renumber: subsequent subsections

28. Page 7, line 25.

Strike: "14(3)"

Insert: "7(3)"

29. Page 7, line 30.

Strike: "authorized"

Insert: "appropriated"

30. Page 8, line 10.

Strike: "\$30"

Insert: "\$16.3"

31. Page 8, line 11.

Strike: "2(2)"

Insert: "2(1)"

32. Page 11, line 10.

Strike: "16"

Insert: "9"

33. Page 11, line 13.

Strike: "16(3)"

Insert: "9(3)"

34. Page 11, line 15 through line 17.

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

Strike: section 19 in its entirety
Renumber: subsequent sections

35. Page 12, line 2 through line 10.
Strike: subsection (1) in its entirety
Renumber: subsequent subsections

36. Page 12, line 11 through line 12.
Strike: "[section 14(3) of this act]"
Insert: "[section 7(3) of this act]"
Strike: "[section 14(3)(b) of this act]"
Insert: "[section 7(3)(b) of this act]"

37. Page 12, line 15.
Strike: "[section 2(2)]"
Insert: "[section 2(1)]"
Strike: "authorized"
Insert: "appropriated"

38. Page 12, line 18 through line 19.
Strike: "[section 14(3) of this act]"
Insert: "[section 7(3) of this act]"

39. Page 12, line 19.
Strike: "[section 14(3)(b) of this act]"
Insert: "[section 7(3)(b) of this act]"

40. Page 12, line 22.
Strike: "[section 2(2)]"
Insert: "[section 2(1)]"
Strike: "authorized"
Insert: "appropriated"

41. Page 12, line 26 through line 27.
Strike: the first "[section 14(3) of this act]"
Insert: "[section 7(3) of this act]"
Following: "million"
Strike: "and" on line 26 through "stricken" on line 27

42. Page 12, line 28.
Following: line 27
Insert: " (4)(a) [Section 7(3)(b) of this act] includes an allocation of \$1.7 million of bond proceeds for the purposes of House Bill No. 586, a grant to the city of Laurel for a water intake project.
(b) If House Bill No. 586 is not passed and approved appropriating funds from the state and

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

local infrastructure account administered by the department of natural resources and conservation for the purpose of a grant to the city of Laurel for a water intake project, the total amount of bonding authorized in [section 7(3) of this act] must be reduced by \$1.7 million and the amount of bond proceeds deposited in the state and local infrastructure account in [section 7(3)(b) of this act] must be reduced by \$1.7 million."

Renumber: subsequent subsections

43. Page 12, line 28.

Strike: "[section 14(3) of this act]"

Insert: "[section 7(3) of this act]"

44. Page 12, line 29.

Strike: "[section 14(3)(c) of this act]"

Insert: "[section 7(3)(c) of this act]"

45. Page 13, line 1.

Strike: "\$30"

Insert: "\$16.3"

46. Page 13, line 2.

Strike: "[section 2(3)]"

Insert: "[section 2(2)]"

Strike: "authorized"

Insert: "appropriated"

47. Page 13, line 10 through line 11

Strike: "[sections 14 and 15]"

Insert: "[sections 7 and 8]"

48. Page 13, line 4

Strike: "16"

Insert: "9"

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

MOTIONS

Representative Ehli moved to suspend the rules and accept the late transmittal of **HB 376**.

Motion **failed** as follows:

Yeas: Abbott, Bachmeier, Ballance, Bishop, 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, Knokey,

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

Loge, Lynch, Mandeville, McCarthy, McConnell, McKamey, Morigeau, Olsen, Peppers, Perry, Pierson, Price, Ryan, Sales, Schreiner, Shaw, Smith, Stewart-Per, Swanson, Trebas, Webber, Welch, Windy Boy, Woods.

Total 58

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

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Ehli moved to suspend the rules and accept the late transmittal of **HB 586**.

Motion carried as follows:

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

Total 83

Nays: Beard, Brodehl, B. Brown, Burnett, Cook, Custer, Galloway, Galt, Glimm, A Hertz, Lavin, Manzella, Noland, Regier, Rosendale, Shaw, White.

Total 17

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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

Majority Leader Ehli moved the House resolve itself into a Committee of the Whole for

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

consideration of business on second reading. Motion carried. Representative McKamey in the chair.

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

SB 95 - Free Conference Committee Report - Representative Ballance moved the Free Conference Committee Report to **SB 95** be adopted. Motion carried as follows:

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

Total 72

Nays: Beard, Berglee, B. Brown, Doane, Flynn, Galloway, Galt, Glimm, Gunderson, Harris, A Hertz, Mandeville, Manzella, Morigeau, Mortensen, Noland, O'Hara, Redfield, Regier, Rosendale, Skees, Tschida, Usher, Vinton, Webb, White, Windy Boy, Zolnikov.

Total 28

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 261 - Free Conference Committee Report - Representative Ballance moved the Free Conference Committee Report to **SB 261** be adopted. Motion carried as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Curdy, Curtis, Custer, Doane, Eck, Ehli, Essmann, Fern, Fitzgerald, Fleming, Flynn, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jones, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Noland, O'Hara, Patelis, Peppers, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Staffanson, Stewart-Per, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, Windy Boy, Woods, Mr. Speaker.

Total 78

Nays: Abbott, Bachmeier, Bishop, Z. Brown, Court, Dudik, Dunwell, Ellis, Funk, Galloway, Hamilton, Harris, Hayman, Jacobson, Karjala, Mortensen, Olsen, Perry, Pierson, Swanson,

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

White, Zolnikov.
Total 22

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 55 - Governor's Amendments - Representative Redfield moved Governor's Amendments to **SB 55** 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, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Hayman, Hill-Smith, Holmlund, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Staffanson, Stewart-Per, Swanson, Trebas, Webb, Webber, Welch, Windy Boy, Woods, Mr. Speaker.
Total 84

Nays: Cuffe, Galloway, Harris, A Hertz, G Hertz, Hopkins, Mandeville, Regier, Rosendale, Skees, Tschida, Usher, Vinton, Wagoner, White, Zolnikov.
Total 16

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 586 - Senate Amendments - Representative Lenz moved Senate Amendments to **HB 586** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bennett, Bishop, Z. Brown, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Garner, Greef, Grubbs, Hamilton, Hamlett, Harris, Hayman, Hill-Smith, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Mandeville, McCarthy, McConnell, McKamey, Morigeau, Mortensen, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Staffanson, Stewart-Per, Swanson, Usher, Wagoner, Webb, Webber, Welch, Windy Boy, Woods, Mr. Speaker.
Total 75

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

Nays: Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Ehli, Flynn, Galloway, Galt, Glimm, Gunderson, A Hertz, G Hertz, Holmlund, Manzella, Noland, Regier, Rosendale, Skees, Trebas, Tschida, Vinton, White, Zolnikov.

Total 25

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 374 - Conference Committee Report - Representative O'Hara moved the Conference Committee Report to **SB 374** be adopted. Motion carried as follows:

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

Total 93

Nays: Beard, Galloway, C Knudsen, Mandeville, Manzella, Rosendale, White.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 367 - Representative Cuffe moved **SB 367** be concurred in.

SB 367 - Representative Usher moved **SB 367**, second reading copy, be amended as follows:

1. Page 13.

Following: line 17

Insert: "COORDINATION SECTION. **Section 15. Coordination instruction.** If both [this act] and House Bill No. 473 are passed and approved, then House Bill No. 473 is void."

Renumber: subsequent sections

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

Amendment **not** adopted as follows:

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

Total 43

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

Total 57

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 367 - Representative A. Hertz moved **SB 367**, second reading copy, be amended as follows:

1. Page 5, line 24.

Strike: line 24 in its entirety

Insert: "Retractable Roof for Washington Grizzly Stadium - UM Missoula"

Amendment **not** adopted as follows:

Yeas: Bartel, Berglee, Burnett, Galt, Greef, Gunderson, A Hertz, G Hertz, C Knudsen, Mandeville, Mortensen, Noland, Regier, Rosendale, Skees, Staffanson, Trebas, Tschida, Wagoner, White, Zolnikov.

Total 21

Nays: Abbott, Anderson, Bachmeier, Ballance, Beard, Bennett, Bishop, B. Brown, Z. Brown, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Galloway, Garner, Glimm, Grubbs, Hamilton, Hamlett, Harris, Hayman, Hill-Smith, Holmlund, Hopkins, 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, Redfield, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Stewart-Per, Swanson, Usher, Vinton, Webb, Webber, Welch, Windy Boy, Woods, Mr. Speaker.

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

Total 78

Excused: None.

Total 0

Absent or not voting: Brodehl.

Total 1

SB 367 - Representative C. Knudsen moved **SB 367**, second reading copy, be amended as follows:

1. Page 7, line 3.

Strike: "\$70.3"

Insert: "\$210.3"

2. Page 7, line 8.

Strike: "\$11.3"

Insert: "\$151.3"

3. Page 7, line 9 through line 13.

Strike: "\$8.2" on line 9 through "House Bill 7" on line 13

Insert: ", for the biennium beginning July 1, 2017, the following is appropriated from the account to the department of natural resources and conservation:

(i) \$8.2 million for projects listed in House Bill 6;

(ii) \$1.4 million for projects listed in House Bill 7; and

(iii) \$140 million for the St. Mary's diversion and canal rehabilitation project"

4. Page 12, line 18 through line 22.

Strike: "7(3)(B)" on line 18 through "7." on line 22

Insert: "7(3)(b)(i) of this act] is void."

5. Page 12, line 25 through line 29.

Strike: "(7)(3)(B)" on line 25 through "6." on line 29

Insert: "7(3)(b)(ii) of this act] is void."

Amendment **not** adopted as follows:

Yeas: Ballance, Bartel, Beard, Berglee, B. Brown, Doane, Flynn, Galt, Gunderson, Hamlett, C Knudsen, Mandeville, Manzella, Mortensen, Noland, O'Hara, Redfield, Regier, Rosendale, Shaw, Skees, Smith, Staffanson, Tschida, Wagoner, White, Zolnikov, Mr. Speaker.

Total 28

Nays: Abbott, Anderson, Bachmeier, Bennett, Bishop, Brodehl, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Galloway, Garner, Glimm, Greef, Grubbs, Hamilton, Harris, Hayman, A Hertz, G

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, Lavin, Lenz, Loge, Lynch, McCarthy, McConnell, McKamey, Morigeau, Olsen, Patelis, Peppers, Perry, Pierson, Price, Ricci, Ryan, Sales, Schreiner, Stewart-Per, Swanson, Trebas, Usher, Vinton, Webb, Webber, Welch, Windy Boy, Woods.

Total 72

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 367 - Representative Usher moved **SB 367**, second reading copy, be amended as follows:

1. Page 13.

Following: line 17

Insert: "COORDINATION SECTION. Section 15. Coordination instruction. If both [this act] and House Bill No. 639 are passed and approved, then:

(1) [section 4 of House Bill No. 639] is void; and

(2) [section 12 of House Bill No. 639] must be amended as follows:

"COORDINATION SECTION. Section 12. Coordination instruction. If both [this act] and House Bill No. 2 are passed and approved, then the following language must be inserted in Section B of House Bill No. 2 under "Human and Community Services Division":

The increased appropriations provided in [section 11 of House Bill No. 639] to the Stars to Quality Program are one time only and are not to be included in the base in the 2021 budget planning process. The increased appropriations are to expand the program and increase access to preschool for 4- and 5-year-old children. ~~The department shall use the money to create and support pilot programs to test multiple delivery models, including public programs, private programs, and mixed delivery programs through public-private partnerships. The department may use funds to support preschool programs, including startup and training costs. In establishing the pilot programs, the department shall ensure that pilot programs are included in programs in rural and urban areas.~~ The department shall file a report with the 2019 legislature and present the report to the education and local government committee, the legislative finance committee, and the children, families, health, and human services committee by September 1, 2018. The report must:

(1) address the demand for programs and the impact on current providers, with a specific focus on rural communities;

(2) evaluate the benefits and disadvantages of various delivery models;

(3) analyze advancements in kindergarten readiness for children participating in the programs; and

(4) make recommendations for the program."

Renumber: subsequent sections

Amendment **not** adopted as follows:

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

Yeas: Bartel, Beard, Berglee, B. Brown, Burnett, Doane, Essmann, Flynn, Galloway, Galt, Glimm, Gunderson, Harris, A Hertz, G Hertz, Jones, C Knudsen, Lenz, Mandeville, Manzella, Mortensen, Noland, O'Hara, Redfield, Regier, Rosendale, Skees, Staffanson, Trebas, Tschida, Usher, Wagoner, Webb, White, Zolnikov.

Total 35

Nays: Abbott, Anderson, Bachmeier, Ballance, Bennett, Bishop, Brodehl, Z. Brown, Cook, Court, Cuffe, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fern, Fitzgerald, Fleming, Funk, Garner, Greef, Grubbs, Hamilton, Hamlett, Hayman, Hill-Smith, Holmlund, Hopkins, Jacobson, Karjala, Keane, Kelker, Kipp III, Knokey, Lavin, Loge, Lynch, McCarthy, McConnell, McKamey, Morigeau, Olsen, Patelis, Peppers, Perry, Pierson, Price, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Stewart-Per, Swanson, Vinton, Webber, Welch, Windy Boy, Woods, Mr. Speaker.

Total 65

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 367 - Representative Brodehl moved for cloture. 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, Gunderson, Hamilton, Hamlett, Harris, Hayman, A Hertz, G Hertz, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Knokey, C Knudsen, Lavin, Lenz, Loge, Lynch, Manzella, McCarthy, McConnell, McKamey, Morigeau, Mortensen, Noland, O'Hara, Patelis, Peppers, Perry, Price, Redfield, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Stewart-Per, Swanson, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Mr. Speaker.

Total 87

Nays: Cuffe, Kipp III, Mandeville, Olsen, Pierson, Rosendale, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Zolnikov.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 367 - Be concurred in motion for **SB 367** carried as follows:

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

Yeas: Abbott, Anderson, Bachmeier, Bennett, Bishop, Z. Brown, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fern, Fitzgerald, Fleming, Funk, Garner, Grubbs, Hamilton, Hamlett, Harris, Hayman, Hill-Smith, Hopkins, Jacobson, Karjala, Keane, Kelker, Kipp III, Knokey, Lavin, Loge, Lynch, McCarthy, McConnell, McKamey, Morigeau, Olsen, Patelis, Peppers, Perry, Pierson, Price, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Stewart-Per, Swanson, Wagoner, Webber, Welch, Windy Boy, Woods, Zolnikov.
Total 63

Nays: Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Ehli, Flynn, Galloway, Galt, Glimm, Greef, Gunderson, A Hertz, G Hertz, Holmlund, Jones, C Knudsen, Lenz, Mandeville, Manzella, Mortensen, Noland, O'Hara, Redfield, Regier, Rosendale, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Webb, White, Mr. Speaker.
Total 37

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

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Bennett, Bishop, Brodehl, Z. Brown, Burnett, Cook, Court, Cuffe, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzgerald, Fleming, Flynn, Funk, 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, Manzella, McCarthy, McConnell, Morigeau, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Redfield, Regier, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Smith, Stewart-Per, Swanson, Trebas, Vinton, Webb, Webber, Welch, Windy Boy, Woods, Zolnikov, Mr. Speaker.
Total 84

Nays: Beard, Berglee, Fern, Galloway, Gunderson, Mandeville, Mortensen, Skees, Staffanson, Tschida, Usher, Wagoner, White.
Total 13

Excused: None.
Total 0

Absent or not voting: B. Brown, McKamey, Noland.
Total 3

MESSAGES FROM THE GOVERNOR

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

April 26, 2017

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

Dear Speaker Knudsen:

On Wednesday, April 26, 2017, I returned the following bills with amendments.

HB 405 - R. Cook
HB 550 - J. Essmann

Sincerely,

STEVE BULLOCK
Governor

**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. Mr. Speaker in the chair.

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

HB 550 - Governor's Amendments - Representative Essmann moved Governor's Amendments to **HB 550** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Bennett, Bishop, B. Brown, Z. Brown, Burnett, Cook, Court, Curdy, Curtis, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fern, Fitzgerald, Fleming, Flynn, Funk, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harris, Hayman, Hill-Smith, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, 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, Wagoner, Webb, Webber, Welch, Windy Boy, Woods, Mr. Speaker.

Total 86

Nays: Beard, Berglee, Galloway, Galt, A Hertz, G Hertz, C Knudsen, Mandeville, Manzella, Vinton, White, Zolnikov.

Total 12

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

Excused: None.

Total 0

Absent or not voting: Brodehl, Cuffe.

Total 2

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

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

Total 69

Nays: Anderson, Bartel, Beard, Berglee, B. Brown, Burnett, Essmann, Flynn, Galloway, Glimm, Gunderson, Harris, A Hertz, G Hertz, Jones, C Knudsen, Mandeville, McKamey, Noland, Redfield, Regier, Rosendale, Skees, Tschida, Usher, Vinton, Wagoner, Webb, Zolnikov.

Total 29

Excused: None.

Total 0

Absent or not voting: Cuffe, Hopkins.

Total 2

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

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

Total 95

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

Nays: G Hertz, Olsen, Woods.

Total 3

Excused: None.

Total 0

Absent or not voting: Cuffe, Hopkins.

Total 2

THIRD READING OF BILLS

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

HB 308 passed as follows:

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

Total 77

Nays: Beard, Brodehl, B. Brown, Burnett, Flynn, Galt, Glimm, Gunderson, Harris, G Hertz, Jones, C Knudsen, McKamey, Mortensen, Noland, Redfield, Regier, Rosendale, Staffanson, Tschida, Vinton, Zolnikov, Mr. Speaker.

Total 23

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 391 passed as follows:

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

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

Total 61

Nays: Ballance, Beard, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Flynn, Galt, Glimm, Gunderson, Harris, G Hertz, Holmlund, Jones, C Knudsen, Lenz, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Redfield, Regier, Ricci, Rosendale, Skees, Staffanson, Tschida, Vinton, Wagoner, Webb, White, Zolnikov, Mr. Speaker.
Total 39

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 639 passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bennett, Bishop, Brodehl, Z. Brown, Cook, Court, Cuffe, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fern, Fitzgerald, Fleming, Funk, Galt, Garner, Greef, Grubbs, Hamilton, Hamlett, Hayman, Hill-Smith, Holmlund, Jacobson, Karjala, Keane, Kelker, Kipp III, Lavin, Loge, Lynch, McCarthy, McConnell, Morigeau, Olsen, Patelis, Peppers, Perry, Pierson, Price, Ryan, Sales, Schreiner, Shaw, Smith, Stewart-Per, Swanson, Webber, Welch, Windy Boy, Woods, Mr. Speaker.
Total 61

Nays: Bartel, Beard, Berglee, B. Brown, Burnett, Doane, Essmann, Flynn, Galloway, Glimm, Gunderson, Harris, A Hertz, G Hertz, Hopkins, Jones, Knokey, C Knudsen, Lenz, Mandeville, Manzella, McKamey, Mortensen, Noland, O'Hara, Redfield, Regier, Ricci, Rosendale, Skees, Staffanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, White, Zolnikov.
Total 39

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 132 concurred in as follows:

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

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

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

Total 84

Nays: Bachmeier, Bennett, Court, Curtis, Dunwell, Eck, Ellis, Fleming, Hamilton, Hayman, Karjala, McConnell, Morigeau, Olsen, Webber, Woods.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 359 concurred in as follows:

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

Total 91

Nays: Bishop, Curtis, Dunwell, Eck, Galloway, Morigeau, Olsen, Peppers, Woods.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 368 concurred in as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Essmann, Fitzgerald, Flynn, Galloway, Galt, Glimm, Greef, 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, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, White, Mr. Speaker.

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

Total 52

Nays: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Court, Curdy, Curtis, Custer, Dudik, Dunwell, Eck, Ellis, Fern, Fleming, Funk, Garner, Grubbs, 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, Webber, Welch, Windy Boy, Woods, Zolnikov.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 32 concurred in as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Beard, Bennett, Berglee, Bishop, Z. Brown, Burnett, Cook, Court, Cuffe, 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, Holmlund, Hopkins, Jacobson, Jones, Karjala, Keane, Kelker, Kipp III, Knokey, Lavin, Lenz, Loge, Lynch, Mandeville, Manzella, McCarthy, McConnell, McKamey, Morigeau, Noland, O'Hara, Olsen, Patelis, Peppers, Perry, Pierson, Price, Ricci, Rosendale, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart-Per, Swanson, Trebas, Tschida, Usher, Vinton, Wagoner, Webb, Webber, Welch, White, Windy Boy, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: Bartel, Brodehl, B. Brown, Flynn, Galt, Glimm, Gunderson, C Knudsen, Mortensen, Redfield, Regier, Staffanson.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Representative Windy Boy moved to suspend the rules and accept the late transmittal of **HB 376**.

Motion **failed** as follows:

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

Yeas: Abbott, Bachmeier, Bennett, Bishop, Z. Brown, Cook, Court, 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, Knokey, Loge, Lynch, Mandeville, McCarthy, McConnell, McKamey, Morigeau, Olsen, Perry, Pierson, Price, Ryan, Sales, Schreiner, Shaw, Stewart-Per, Swanson, Trebas, Webber, Welch, Windy Boy, Woods.

Total 55

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

Total 45

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Eck moved to suspend the rules and place HB 8 on second reading on the 87th legislative day.

Motion passed as follows:

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

Total 80

Nays: Beard, Brodehl, B. Brown, Burnett, Flynn, Galloway, Gunderson, A Hertz, C Knudsen, Manzella, Noland, O'Hara, Redfield, Regier, Ricci, Rosendale, Skees, Tschida, Wagoner, White.

Total 20

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 26, 2017

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Ehli moved that the House adjourn until 8:00 a.m., Thursday, April 27, 2017.
Motion carried.

House adjourned at 6:16 p.m.

LINDSEY VROEGINDEWEY
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House