SPECIAL ORDERS OF THE DAY

Speaker Hertz moved the House revert to Order of Business #11, Special Orders of the Day, for the purpose of receiving a proclamation.

Sergeant-at-Arms Murfitt escorted the 2019 Youth of the Year into the Chamber.

Speaker Hertz addressed the House:

I am honored today to present a joint proclamation of the Montana Legislature honoring the Boys and Girls Club 2019 Youth of the Year:

A JOINT PROCLAMATION OF THE MONTANA LEGISLATURE

Whereas, There are Boys & Girls Clubs in 17 communities in the State of Montana providing services to over 13,000 youth each year, including Malmstrom Air Force Base and Native American Reservations; and

Whereas, Since opening doors for the first time on February 4, 1971, the Boys and Girls Clubs of Montana strive to enable all young people, especially those in the most need, to realize their full potential as productive, caring and responsible citizens; and

Whereas, Since 1947, Youth of the Year has been Boys and Girls Clubs of America’s premier recognition program, celebrating the achievements of club members. Each year, one exceptional club member is selected to be the National Youth of the Year. The National Youth of the Year serves as both an exemplary ambassador for Boys and Girls Club youth, and as a strong voice for all our nation’s young people; and

Whereas, Being named Youth of the Year is the highest honor a Boys and Girls Club member can receive. The journey to being named National Youth of the Year begins locally and progresses to the state, regional and national levels. To achieve the title of Youth of the Year on any level, club members must embody the values of: leadership and service, academic excellence, and healthy lifestyles. They should exemplify the critical impact that Boys and Girls Clubs have on the lives of young people.
Whereas, It is fitting that our outstanding young people and the organizations that support them are recognized for making Montana a better place. In 2019, we honor the following young persons who have made an indelible impression on their communities, Montana Youths of the Year:

**Madison Affolder**  
Boys & Girls Club of Lewistown, Lewistown, MT

**Mikaela Choriki**  
Boys & Girls Club of Yellowstone County, Billings, MT

**Ayden Diaz**  
Boys & Girls Club of the Flathead Reservation and Lake County, Pablo, MT

**Anthony Harris**  
Malmstrom AFB Youth Program, Great Falls, MT

**Shelby Jones**  
Boys & Girls Club of the Hi-Line, Malta, MT

**Melani Morales**  
Boys & Girls Club of Richland County, Sidney, MT

Therefore, be it resolved that the Legislature of the State of Montana recognizes and commends the Boys and Girls Clubs of Montana, and congratulates the young people who have been named Youths of the Year. We thank all the people involved who have contributed selflessly to their communities, served as role models, and committed themselves to doing more for our state. We extend to the awardees our best wishes for success, and hope the Boys and Girls Clubs continue their fine work shaping the lives of thousands of young Montanans every day.

Sergeant-at-Arms Murfitt escorted the honored guests from the House Chamber.

Speaker Hertz introduced Katie Ross, Montana’s representative for Children’s Miracle Network hospitals and ambassador for the 18 million children treated each year.

Representative Redfield escorted Ms. Ross into the Chamber and addressed the House.

**A Proclamation of the Montana Legislature Commending and Recognizing Katie Ross**

Katie Ross, a 17 year-old Gardiner girl, has been treated at Shodair Children’s Hospital. Her enthusiasm, determination, and spirit have sustained her and her family throughout significant health challenges resulting from a rare genetic condition.

**Whereas**, Shodair Children’s Hospital is Montana’s Children’s Miracle Network Hospital. The Children’s Miracle Network Hospitals, the international alliance of premier children’s hospitals in the United States and abroad, spotlights the heroic battles of children like Katie with varied
illnesses and health challenges; and

Whereas, Katie Ross will represent Montana in the Children’s Miracle Network Hospital’s program honoring remarkable children who have encountered severe medical conditions and have endured to inspire others; and

Whereas, Katie has a rare genetic condition, only experienced by less than 100 people worldwide, yet even rarer is her determination and indomitable spirit to live as an active and vibrant 17-year-old Montanan despite her health challenges;

Whereas, Katie has been selected for her courage, tenacity and perseverance as the sole representative of children’s genetic conditions in Montana, and an ambassador for the 18 million children treated each year at Children’s Miracle Network Hospitals.

Therefore, be it resolved by the 66th Montana legislature that the members of this body honor Katie Ross for her spirit and inspiration in the face of significant medical challenges, and convey to her their sincere wishes for memorable experiences during her year as Montana’s Champion.

Representative Redfield escorted Ms. Ross from the Chamber.

BILLS (Ricci, Chair):

Correctly printed: HB 177, HB 192, HB 238, HB 262, HB 298, HB 325, HB 335, HB 340, HB 368, HB 382, HB 386, HB 422, HB 436, HB 450, HB 481, HB 491, HB 559, HB 560, HB 561, HJR 23, SB 39, SB 54, SB 63, SB 75, SB 77, SB 94, SB 175, SB 196.

Correctly engrossed: HB 344, HB 370, SB 58.

Examined by the sponsor and found to be correct: HB 47.

Transmitted to the Senate: HB 21, HB 41, HB 318, HB 319.

Signed by the Chief Clerk of the House at 7:45 a.m., February 19, 2019: HB 83, HB 103, HB 104, HB 119.

Signed by the Speaker at 10:17 a.m., February 19, 2019: HB 47.

Signed by the Chief Clerk of the House at 10:30 a.m., February 19, 2019: HB 47.

Signed by the President at 12:45 p.m., February 19, 2019: HB 47, HB 83, HB 103, HB 104, HB 119.

Delivered to the Governor for approval at 3:28 p.m., February 19, 2019: HB 47, HB 83, HB 103, HB 104, HB 119.

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Noland, Chair):

HB 344, introduced bill, be amended as follows:

1. Page 1, line 29.
   Strike: "and for each health benefit plan"
   Insert: "in this state"
2. Page 2, line 1.
Strike: "and each health benefit plan"
Insert: "in this state"

3. Page 2, line 3.
Following: "issuers;"
Insert: "and"

4. Page 2, line 4 through line 6.
Strike: "calculated as provided" on line 4 through "benefit manager" on line 6

5. Page 2, line 11 through line 13.
Strike: subsection (4) in its entirety
Renumber: subsequent subsection

6. Page 2, line 17 through line 25.
Strike: section 2 in its entirety
Renumber: subsequent sections

Strike: "[sections 1 and 2]"
Insert: "[section 1]"

8. Page 3, line 2 through line 3.
Strike: "issuer's covered person" on line 2 through "[section 2]" on line 3
Insert: "issuer"

Strike: subsection (2) through subsection (3) in their entirety
Renumber: subsequent subsections

Strike: "a self-insurance plan,"

Strike: " self-insurance plan,"

Strike: "all price" on line 25 through "contract" on line 28
Insert: "any retroactive, volume-based discount paid by a pharmaceutical manufacturer, developer, or labeler"

Strike: "[Sections 1 and 2] are"
Insert: "[Section 1] is"
Strike: "[sections 1 and 2]"
Insert: "[section 1]"


SB 63, be concurred in. Report adopted.
SB 77, be concurred in. Report adopted.

EDUCATION (Berglee, Chair):

JUDICIARY (Doane, Chair):

TRANSPORTATION (Loge, Chair):
SB 175, be concurred in. Report adopted.
SB 196, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:
SB 108, introduced by J. Sesso
SB 165, introduced by M. MacDonald
SB 168, introduced by B. Hoven

House bills concurred in and returned to the House:
HB 64, introduced by B. Grubbs
HB 66, introduced by T. Moore
HB 67, introduced by T. Winter
HB 71, introduced by K. Dudik
HB 91, introduced by V. Ricci
HB 108, introduced by G. Pierson
HB 159, introduced by B. Grubbs
House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

HB 74, introduced by S. Vinton
HB 107, introduced by S. Morigeau

Senate bills passed and transmitted to the House for concurrence:

SB 167, introduced by B. Gillespie
SB 191, introduced by D. Ankney
SB 205, introduced by S. Fitzpatrick

House bills concurred in and returned to the House:

HB 72, introduced by M. Marler
HB 84, introduced by K. Sullivan
HB 88, introduced by K. Abbott
HB 110, introduced by R. Lynch
HB 136, introduced by K. Dudik

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

HB 175, introduced by J. Dooling

MESSAGES FROM THE GOVERNOR

February 19, 2019

The Honorable Greg Hertz
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Hertz:

On Tuesday, February 19, 2019, I signed the following bills:

House Bill 59—Lynch
House Bill 61—Bedey
House Bill 63—Shaw
House Bill 68—Shaw
House Bill 101—C. Knudsen
These bills have been delivered to the Secretary of State's Office.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

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

HB 539, introduced by D. Zolnikov, referred to Energy, Technology and Federal Relations.
HB 540, introduced by D. Fern, B. Smith, S. Stewart Peregoy, referred to Legislative Administration.
HB 541, introduced by K. Kelker, referred to Education.
HB 543, introduced by Z. Brown, referred to Judiciary.
HB 544, introduced by R. Lynch, D. Harvey, J. Keane, referred to Human Services.
HB 545, introduced by G. Pierson, referred to Human Services.
HB 546, introduced by R. Farris-Olsen, D. Kary, referred to Judiciary.
HB 547, introduced by L. Bishop, referred to Business and Labor.
HB 548, introduced by K. Dudik, L. Bishop, referred to Judiciary.
HB 549, introduced by K. Dudik, L. Bishop, referred to Judiciary.
HB 550, introduced by A. Redfield, referred to Judiciary.
HB 551, introduced by B. Brown, D. Loge, referred to Fish, Wildlife and Parks.
HB 552, introduced by B. Brown, D. Loge, referred to Fish, Wildlife and Parks.
HB 554, introduced by M. Regier, referred to Energy, Technology and Federal Relations.
HB 556, introduced by J. Krautter, referred to Natural Resources.

HB 557, introduced by T. Winter, referred to State Administration.
HB 558, introduced by T. Winter, referred to Agriculture.

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

HJR 22, introduced by C. Schreiner, J. Bachmeier, W. McKamey, referred to Energy, Technology and Federal Relations.

The following Senate bills were introduced, read first time, and referred to committees:
SB 108, introduced by J. Sesso, referred to State Administration.
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SB 165, introduced by M. MacDonald, D. Sands, referred to Taxation.
SB 167, introduced by B. Gillespie, referred to Fish, Wildlife and Parks.
SB 168, introduced by B. Hoven, referred to Business and Labor.
SB 205, introduced by S. Fitzpatrick, referred to Judiciary.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

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

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

HB 192 - Representative Ryan moved HB 192 do pass. Motion carried as follows:

Total  76

Total  23

Voted absentee: None.

Excused: None.
Total  0

Absent or not voting: Mortensen.
Total  1

HB 238 - Representative Manzella moved HB 238 do pass. Motion carried as follows:


Total 59


Total 40

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Mortensen.

Total 1

HB 262 - Representative Mercer moved HB 262 do pass. Motion carried as follows:


Total 57


Total 42

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Mortensen.

Total 1
HB 325 - Representative M. Regier moved HB 325 do pass. Motion carried as follows:

Total 58

Total 41

Voted absentee: None.

Excused: None.
Total 0

Absent or not voting: Mortensen.
Total 1

HB 340 - Representative Hopkins moved HB 340 do pass. Motion carried as follows:

Total 93

Total 6

Voted absentee: None.
Excused: None.
Total  0

Absent or not voting: Mortensen.
Total  1

HB 368 - Representative Lynch moved HB 368 do pass. Motion carried as follows:

Total  86

Total  12

Voted absentee: None.

Excused: None.
Total  0

Absent or not voting: Garcia, Mortensen.
Total  2

HB 386 - Representative Hertz moved HB 386 do pass. Motion carried as follows:

Total  98
Nays: None.
Total 0

Voted absentee: None.

Excused: None.
Total 0

Absent or not voting: Mortensen, Shaw.
Total 2

HB 422 - Representative Buttrey moved HB 422 do pass. Motion carried as follows:

Total 91

Nays: Berglee, Burnett, DeVries, Galloway, Keane, Regier, Smith, Tschida.
Total 8

Voted absentee: None.

Excused: None.
Total 0

Absent or not voting: Mortensen.
Total 1

HB 436 - Representative Hamlett moved HB 436 do pass. Motion carried as follows:

SB 39 - Representative Grubbs moved SB 39 be concurred in. Motion carried as follows:


Total 96

Nays: Karjala, White.

Total 2

Absent or not voting: Mortensen, Windy Boy.

Total 2

SB 54 - Representative Gunderson moved SB 54 be concurred in. Motion carried as follows:

Total  57

Total  42

Voted absentee: None.

Excused: None.
Total  0

Absent or not voting: Mortensen.
Total  1

SB 75 - Representative Pierson moved SB 75 be concurred in. Motion carried as follows:

Total  81

Total  18

Voted absentee: None.

Excused: None.
Total  0

Absent or not voting: Mortensen.
Total  1
SB 94 - Representative Pierson moved SB 94 be concurred in.  Motion carried as follows:

Total  99

Nays: None.  
Total  0

Voted absentee: None.

Excused: None.  
Total  0

Absent or not voting: Mortensen.  
Total  1

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

Total  97

Nays: Mandeville, Ricci.  
Total  2

Voted absentee: None.
Excused: None.
Total 0

Absent or not voting: Mortensen.
Total 1

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Noland, Chair):

SB 58, be amended as follows:

1. Title, page 1, line 15.
   Following: "APPROVAL AUTHORITY;"
   Insert: "REVISING THE DEPOSIT CAP FOR BANK MERGERS AND INTERSTATE BANK MERGERS;"

2. Title, page 1, line 27.
   Following: "32-1-325,"
   Insert: "32-1-370, 32-1-371,"

3. Page 4, line 5.
   Strike: "22%"
   Insert: "30%"

4. Page 10, line 16.
   Following: "(26)"
   Insert: "(a)"

5. Page 10, line 18.
   Strike: "(a)"
   Insert: "(i)"
   Renumber: subsequent subsections

6. Page 10, line 22 through line 25.
   Strike: "BUT NOT INCLUDING" on line 22 through "BANKING" on line 25

   Following: line 26
   Insert: "(b) The term does not include:
           (i) an individual or person that provides telecommunications service, internet access service, internet transport services, voice over internet protocol service, or other internet protocol-enabled service; or
           (ii) a general audience internet or communications platform."
Following: line 23

Insert: "Section 17. Section 32-1-370, MCA, is amended to read:

"32-1-370. Interstate merger of banks -- interstate agreements. (1) A bank located in this state that has been in existence at least 5 years may enter into a merger transaction with a bank not located in this state. Prior approval of the department is required if any merger party is a bank organized under the laws of this state.

(2) Upon merger:
   (a) each bank merger party merges into the resulting bank and the separate existence of every merger party except the resulting bank ceases;
   (b) title to all real, personal, and mixed property owned by each merger party is vested in the resulting bank without reversion or impairment and without the necessity of any instrument of transfer;
   (c) the resulting bank has all of the liabilities, duties, and obligations of each merger party, including obligations as fiduciary, personal representative, administrator, trustee, or guardian; and
   (d) the resulting bank has all of the rights, powers, and privileges of each merger party, including appointment to the office of personal representative, administrator, trustee, or guardian under any will or other instrument made prior to the merger and in which a merger party was nominated to the office by the maker of the will or other instrument.

(3) Upon merger, a resulting bank that is organized under the laws of this state:
   (a) shall designate and operate one of the prior main banking houses of the merger parties as its main banking house and may maintain and continue to operate the main banking houses of each of the other merger parties as a branch bank;
   (b) may maintain the branch banks and other offices previously maintained by the merger parties; and
   (c) may establish, acquire, or operate additional branch banks at any location where any bank that is a party to the merger could have established, acquired, or operated a branch bank under applicable federal or state law as if that bank had not been a party to the merger.

(4) A resulting bank organized under the laws of this state that intends to establish, acquire, or operate a branch bank under subsection (3)(c) must receive prior approval from the department as provided for in 32-1-372, whether or not the branch bank is to be located within or outside of this state.

(5) A resulting bank organized under federal law or the laws of another state shall simultaneously provide the department with copies of all applications or notices filed with any federal or other state regulatory agency, including applications seeking to establish, acquire, or operate additional branch banks within this state based on circumstances applicable to banks organized under the laws of this state included in subsection (3)(c).

(6) With respect to interstate banking authorized in subsection (1), the department may enter into agreements with other states establishing the division of supervisory responsibilities between the state in which a bank is organized and the state or states in which branch banks may be located.

(7) Upon merger, the resulting bank, including all depository institutions that are affiliates of the resulting bank, may not directly or indirectly control more than 22% 30% of the total amount of deposits of insured depository institutions and credit unions located in this state."

Insert: "Section 18. Section 32-1-371, MCA, is amended to read:
"32-1-371. Merger of banks. (1) (a) Any two or more banks doing business in this state may, with the approval of the department if any merger party is a bank organized under the laws of this state, merge into one bank, on terms and conditions lawfully agreed upon by a majority of the board of directors of each bank proposing to merge. Except as otherwise expressly provided in this chapter, a merger under this subsection (1) is governed by Title 35, chapter 1, if the resulting bank is organized under the laws of this state.

(b) A bank organized under the laws of this state may, with the approval of the department in the case of a resulting bank, merge with a savings association located in this state and may, upon the merger, maintain the branch banks and other offices previously maintained by both the bank and the savings association.

(2) Upon merger:
(a) each bank merger party merges into the resulting bank and the separate existence of every merger party except the resulting bank ceases;
(b) title to all real, personal, and mixed property owned by each merger party is vested in the resulting bank without reversion or impairment and without the necessity of any instrument of transfer;
(c) the resulting bank has all of the liabilities, duties, and obligations of each merger party, including obligations as fiduciary, personal representative, administrator, trustee, or guardian; and
(d) the resulting bank has all of the rights, powers, and privileges of each merger party, including appointment to the office of personal representative, administrator, trustee, or guardian under any will or other instrument made prior to the merger and in which a merger party was nominated to the office by the maker of the will or other instrument.

(3) Upon merger, the resulting bank shall designate and operate one of the prior main banking houses of the merging banks as its main banking house and the bank may maintain and continue to operate the main banking houses of each of the other merging banks as a branch bank.

(4) (a) Upon merger, the resulting bank may:
(i) maintain the branch banks and other offices previously maintained by the merging banks; and
(ii) establish, acquire, or operate additional branch banks at any location where any bank involved in the merger could have established, acquired, or operated a branch bank under applicable federal or state law if that bank had not been a party to the merger.
(b) A resulting bank organized under the laws of this state that intends to establish, acquire, or operate a branch bank under subsection (4)(a)(ii) must receive prior approval from the department as provided for in 32-1-372, whether or not the branch bank is to be located within or outside this state.
(c) A resulting bank organized under federal law or the laws of another state shall simultaneously provide the department with copies of all applications or notices filed with any federal or other state regulatory agency seeking to establish, acquire, or operate a branch bank under subsection (4)(a)(ii) within this state.

(5) Upon merger, the resulting bank, including all depository institutions that are affiliates of the resulting bank, may not directly or indirectly control more than 22% 30% of the total amount of deposits of insured depository institutions and credit unions located in this state.""
FIRST READING AND COMMITMENT OF BILLS

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

HB 559, introduced by R. Fitzgerald, referred to Business and Labor.
HB 560, introduced by K. Kelker, referred to Human Services.
HB 561, introduced by D. Zolnikov, referred to Judiciary.

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

HJR 23, introduced by K. Dudik, referred to State Administration.

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 21 passed as follows:

Total 99

Nays: None.
Total 0

Voted absentee: None.

Excused: None.
Total 0

Absent or not voting: Mortensen.
Total 1

HB 41 passed as follows:
Total  81

Total  18

Voted absentee: None.

Excused: None.
Total  0

Absent or not voting: Mortensen.
Total  1

HB 79 passed as follows:

Total  87

Total  11

Voted absentee: None.

Excused: None.
Total  0
Absent or not voting: Mortensen, Windy Boy.
Total  2

**HB 318** passed as follows:

Total  61

Total  38

Voted absentee: None.

Excused: None.
Total  0

Absent or not voting: Mortensen.
Total  1

**HB 319** passed as follows:

Total  74

Total  25

Voted absentee: None.
MOTIONS

Majority Leader Tschida moved to re-refer HB 532 from the Judiciary Committee to the Joint Select Committee for Settlement Accountability. Without objection, so ordered.

Minority Leader Schreiner moved to re-refer HB 340 to the Appropriations Committee.

Motion passed as follows:

Total  56

Total  43

Voted absentee: None.

Excused: None.
Total  0

Absent or not voting: Mortensen.
Total  1
ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Tschida moved the House adjourn until 1:00 p.m., Wednesday, February 20, 2019. Motion carried.

House adjourned at 2:37 p.m.

LINDSEY VROEGINDEWEY  GREG HERTZ
Chief Clerk of the House  Speaker of the House