House convened at 8:00 a.m.  Mr. Speaker presiding.  Invocation by Representative B. Brown.  Pledge of Allegiance to the Flag.

Roll Call.  All members present, except Representatives Hopkins, Mortensen, and Woods, excused.  Quorum present.

BILLS (Ricci, Chair):

Correctly printed: HB 404, HB 500, HB 525, HB 693, HB 694, HB 695, HJR 10, HJR 33, HJR 34, SB 36, SB 46, SB 72, SB 82, SB 84, SB 85, SB 108, SB 144, SB 207, SB 217.

Correctly engrossed: HB 500, HB 597, HB 652, SB 12.

Correctly enrolled: HB 299, HB 368.

Transmitted to the Senate: HB 389, HB 525, HJR 10, SB 46, SB 72, SB 144, SB 207.

Signed by the Speaker at 8:30 a.m., March 19, 2019: HB 334.

Signed by the Chief Clerk of the House at 10:30 a.m., March 19, 2019: HB 334.

Signed by the President at 4:00 p.m., March 19, 2019: HB 334.

Delivered to the Governor for approval at 10:39 a.m., March 19, 2019: HB 30, HB 33, HB 44, HB 55, HB 58, HB 70, HB 86, HB 112, HB 142, HB 151, HB 154, HB 198, HB 247, HB 259, HB 283.

Delivered to the Secretary of State at 11:24 a.m., March 19, 2019: HJR 4.

REPORTS OF STANDING COMMITTEES

EDUCATION (Berglee, Chair):

SB 8, be concurred in.  Report adopted.

SB 9, be concurred in.  Report adopted.

SB 12, be amended as follows:

1. Title, page 1, line 7.
   Following: "ACCOUNTS;"
   Insert: "PROVIDING AN APPROPRIATION;"

2. Title, page 1, line 8.
   Following: "2013;"
   Strike: "AND"
   Following: "MCA"
   Insert: "; AND PROVIDING EFFECTIVE DATES"

3. Page 1, line 20.
   Insert: "NEW SECTION. Section 3. Appropriation. (1) There is appropriated $62,073.94"
from the state school oil and natural gas distribution account established in 20-9-520 and $0.06 from the state school oil and natural gas impact account established in 20-9-517 to the department of revenue for the fiscal year beginning July 1, 2019.

(2) The department of revenue shall distribute the money appropriated in subsection (1) on or before August 1, 2019, to school districts that received distributions of 2016 4th quarter excess oil and natural gas production taxes in fiscal year 2017 as zone 1 and 2 school districts under ARM 10.11.101. The department shall distribute the money proportionally based on the formula distributions of 2016 4th quarter excess oil and natural gas production tax to zone 1 and 2 school districts, not including distributions for infrastructure grants. This money may not be counted against a district’s limit of retained oil and natural gas production taxes pursuant to 20-9-310. The trustees of a district receiving a distribution under this section may deposit the money in any budgeted fund of the district."

Insert:  "NEW SECTION. Section 4. Effective dates. (1) Except as provided in subsection (2), [this act] is effective October 1, 2019.

(2) [Section 3] and this section are effective July 1, 2019."

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

SB 292, be concurred in. Report adopted.

ENERGY, TECHNOLOGY AND FEDERAL RELATIONS (Zolnikov, Chair): 3/18/2019

HB 597, introduced bill, be amended as follows:

1. Title, page 1, line 11.
Strike: "REQUIRING"
Insert: "ALLOWING"

2. Title, page 1, line 21.
Strike: "REQUIRING AN INDEPENDENT"
Insert: "ALLOWING FOR A"

3. Title, page 1, line 22 through line 24.
Strike: "ESTABLISHING" on line 22 through "EVIDENCE;" on line 24
Insert: "ESTABLISHING A PROCESS FOR USE OF A HEARINGS EXAMINER; GRANTING THE PUBLIC SERVICE COMMISSION RULEMAKING AUTHORITY;"

4. Title, page 1, line 24.
Following: "DISCOVERY"
Insert: "OR CROSS-EXAMINATION"

5. Title, page 1, line 26.
Strike: "69-1-110,"

6. Title, page 1, line 27.
Strike: "69-2-102," through "69-3-328,"
7. Title, page 1, line 28.
Strike: "69-3-1502,"
Insert: "AND"

8. Title, page 1, line 29 through line 30.
Strike: "69-11-412," on line 29 through "69-14-607," on line 30

Strike: "Independent hearings"
Insert: "Hearings"
Following: "examiner"
Insert: "-- discovery -- rulemaking"

Strike: "Except" on line 28 through "The" on line 30
Insert: "Except as provided in subsections (1)(b) and (1)(c), if requested by the applicant, the"

Strike: "an independent"
Insert: "a"

Following: line 30
Insert: "(b) If four public service commissioners determine that a hearings examiner is not required for a proceeding, the commission is not required to appoint a hearings examiner.

(c) If three public service commissioners determine that a hearings examiner is necessary for a proceeding, the commission shall appoint a hearings examiner.

(d) The determinations in this subsection (1) must be made by a vote of the commission during a public meeting.

(e) Commission staff may serve as a hearings examiner."

13. Page 5, line 1 through line 4.
Strike: "A" on line 1 through "case." on line 4
Insert: "(f)"

Strike: line 7 through line 24 in their entirety

15. Page 5, line 25.
Strike: "(b) Commission"
Insert: "(2) A commission"
Following: "staff"
Insert: "member who is not serving as the hearings examiner"
Strike: "and"
Insert: " or"
Following: "process"
Strike: "."
Insert: ", or both. A commission staff member who is neither a hearings examiner nor a party to the hearings examiner process can advise the hearings examiners, the commission, or both. Commissioners may not conduct discovery during the hearings examiner process or engage in cross-examination during a hearings examiner process."

16. Page 5, line 26 through page 6, line 10.
Strike: line 26 on page 5 through line 10 on page 6 in their entirety

17. Page 6, line 11.
Strike: "(8)"
Insert: "(3)"

Following: line 13
Insert: "(4) The commission may adopt rules necessary to implement the utilization of a hearings examiner in accordance with this section."

19. Page 6, line 14 through line 17.
Strike: line 14 through line 17 in their entirety

20. Page 6, line 19 through line 26.
Strike: section 5 in its entirety
Renumber: subsequent sections

21. Page 7, line 6 through page 11, line 5.
Strike: section 7 through section 17 in their entirety
Renumber: subsequent sections

22. Page 16, line 12.
Strike: "shall"
Insert: "may"
Strike: "in a public utility's rates:

Strike: "(a)"

Strike: "; and"
Insert: "in a public utility's rates."

Strike: "(b)"
Insert: "(3) The commission shall include"

Follow: 
Strik: 
Inser: "in a public utility's rates. Costs include"
Follow: "but"
Inser: "are"

27. Page 16, line 17.
Strik: "(i)"
Inser: "(a)"

Strik: "(ii)"
Inser: "(b)"

Strik: "(iii)"
Inser: "(c)"

Strik: "(3)"
Inser: "(4)"

31. Page 16, line 23 through page 17, line 8.
Strik: section 27 in its entirety
Renumber: subsequent sections

32. Page 19, line 26 through page 27, line 1.
Strik: section 29 through section 41 in their entirety
Renumber: subsequent sections


MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 3/15/2019

SB 200, introduced by R. Webb
SB 302, introduced by J. Esp
HB 85, introduced by G. DeVries
HB 299, introduced by J. Krotkov
HB 320, introduced by B. Mercer
HB 368, introduced by R. Lynch

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 389 passed as follows:

Total 90

Nays: Galloway, Krotkov, Mandeville, Olsen, Vinton.
Total 5

Voted absentee: None.

Excused: Mortensen, Woods.
Total 2

Absent or not voting: Bahr, Karjala, Windy Boy.
Total 3

HB 525 passed as follows:

Total 63

Total 32

Voted absentee: None.

Excused: Mortensen, Woods.
Total 2

Absent or not voting: Bahr, Karjala, Windy Boy.
Total 3

**HJR 10** passed as follows:

Total 90

Nays: Burnett, DeVries, Dudik, Fuller, Peppers.
Total 5

Voted absentee: None.

Total 3

Absent or not voting: Bahr, Karjala.
Total 2
SB 46 concurred in as follows:

Total 76

Total 20

Voted absentee: None.

Total 3

Absent or not voting: Karjala.
Total 1

SB 72 concurred in as follows:

Total 89

Nays: Fuller, Kerr-Carpenter, Mandeville, Redfield, Ricci, Tschida, White.
Total 7

Voted absentee: None.

Total 3
Absent or not voting: Karjala.
Total 1

SB 108 failed as follows:

Total 21

Total 75

Voted absentee: None.

Total 3

Absent or not voting: Karjala.
Total 1

SB 144 concurred in as follows:

Total 83

Total 13
Voted absentee: None.

Total 3

Absent or not voting: Karjala.
Total 1

**SB 207** concurred in as follows:

Total 89

Total 7

Voted absentee: None.

Total 3

Absent or not voting: Karjala.
Total 1

**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 Skees in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:
HB 2 - Representative Ballance moved HB 2 do pass.

HB 2 - Representative Ballance moved HB 2, second reading copy, be amended as follows:

1. Page D-3, line 17: 
   Strike: "14,236,352 13,349,797" [General Fund FY 20 FY 21]
   Insert: "14,370,548 13,483,669" [General Fund FY 20 FY 21]

2. Page D-3, line 29: 
   Strike: "1,929,795 1,929,514" [General Fund FY 20 FY 21]
   Insert: "1,795,599 1,795,642" [General Fund FY 20 FY 21]

3. Page R-2, item 4: 
   Strike: "$28,464,650"
   Insert: "$28,475,128"
   Strike: "$28,407,977"
   Insert: "$28,418,455"

Amendment adopted as follows:

Total  98

Nays: None.
Total  0


Total  5

Absent or not voting: Brown Z, Burnett.
Total  2
HB 2 - Representative Kelker moved HB 2, second reading copy, be further amended as follows:

1. Page B-1, line 10: Department of Public Health and Human Services.

Strike: "1,158,792 1,158,451" [State Special Fund FY20 FY21]
Insert: "1,658,792 1,658,451" [State Special Fund FY20 FY21]

Amendment not adopted as follows:

Total  42

Total  58


Total  5

Absent or not voting: None.
Total  0

HB 2 - Representative Ryan moved HB 2, second reading copy, be further amended as follows:

1. Page B-1, line 26: Department of Public Health and Human Services.

Strike: "172,284,694 185,178,912" [General Fund FY20 FY21]
Insert: "175,156,367 191,896,403" [General Fund FY20 FY21]

Strike: "469,637,176 488,932,654" [Federal Special Fund FY20 FY21]
Insert: "474,993,793 501,353,314" [Federal Special Fund FY20 FY21]
Amendment not adopted as follows:

Total 42

Total 58


Total 6

Absent or not voting: None.
Total 0

HB 2 - Representative E. Moore moved HB 2, second reading copy, be further amended as follows:

1. Page B-1, line 26: Department of Public Health and Human Services.
Strike: "64,205,104 62,894,372" [State Special Fund FY20 FY21]
Insert: "62,463,999 60,700,246" [State Special Fund FY20 FY21]

Amendment adopted as follows:

Total 61

Total 39


Total 6

Absent or not voting: None.
Total 0

HB 2 - Representative Caferro moved HB 2, second reading copy, be further amended as follows:

1. Page B-2, line 1: Department of Public Health and Human Services.

Strike: "33,836,377 36,212,434" [General Fund FY20 FY21]
Insert: "33,886,377 36,262,434" [General Fund FY20 FY21]

Amendment not adopted as follows:

Total 43

Total 57


Total 6

Absent or not voting: None.
Total 0
HB 2 - Representative Caferro moved HB 2, second reading copy, be further amended as follows:

1. Page B-1, line 24: .

Strike: "88,087,786 91,996,092" [General Fund FY20 FY21]
Insert: "88,187,786 92,096,092" [General Fund FY20 FY21]

Amendment not adopted as follows:
Total 42

Total 58

Voted absentee: Woods, Aye; DeVries, Moore E, Mortensen, Usher, No.

Excused: DeVries, Moore E, Mortensen, Usher, Woods.
Total 5

Absent or not voting: None.
Total 0

SECTION E

HB 2 - Representative Funk moved HB 2, second reading copy, be further amended as follows:


Strike: "747,495,579 "768,804,316" [General Fund FY20 FY21]
Insert: "747,561,702 "769,011,046" [General Fund FY20 FY21]


Strike: "43,509,471" "43,509,471" [General Fund FY20 FY21]
Insert: "43,903,068" "44,702,880" [General Fund FY20 FY21]
Amendment not adopted as follows:

Total 42

Total 58

Voted absentee: Woods, Aye; DeVries, Jones, Mortensen, Usher, No.

Excused: DeVries, Jones, Mortensen, Usher, Woods.
Total 5

Absent or not voting: None.
Total 0

HB 2 - Representative Schreiner moved HB 2, second reading copy, be further amended as follows:

1. Page E-1, line 4: .
   Strike: "8,207,321" "8,213,618" [General Fund FY20 FY21]
   Insert: "8,357,321" "8,363,618" [General Fund FY20 FY21]

   Strike: "747,495,579" "768,804,316" [General Fund FY20 FY21]
   Insert: "755,983,775" "780,185,140" [General Fund FY20 FY21]

   Following: line 5
   Insert: "q. Preschool Start-Up Costs (Restricted/OTO)"
   Insert: "800,000" "1,000,000" [General Fund FY20 FY21]

Amendment not adopted as follows:

Yeas: Abbott, Bachmeier, Bahr, Bessette, Bishop, Brown Z, Caferro, Curdy, Dudik, Dunwell, Farris-Olsen, Fern, Funk, Hamilton, Hamlett, Harvey, Hayman, Karjala, Keane, Kelker, Keogh,
Total 42

Total 58

Voted absentee: Woods, Aye; DeVries, Jones, Mortensen, Usher, No.

Excused: DeVries, Jones, Mortensen, Usher, Woods.
Total 5

Absent or not voting: None.
Total 0

HB 2 - Representative Morigeau moved HB 2, second reading copy, be further amended as follows:

1. Page E-2, line 29: Commissioner of Higher Education.
   Strike: "900,000 1,100,000" [General Fund FY20 FY21]
   Insert: "2,500,000 2,500,000" [General Fund FY20 FY21]

Amendment not adopted as follows:

Total 43

Total 57

STATE INTERNET/BBS COPY 17
Voted absentee: Woods, Aye; DeVries, Jones, Mortensen, Usher, No.

Excused: DeVries, Jones, Mortensen, Usher, Woods.
Total 5

Absent or not voting: None.
Total 0

HB 2 - Representative Bahr moved HB 2, second reading copy, be further amended as follows:

1. Page E-1, line 8: 
   Strike: "2,000,500 2,000,500" [General Fund FY20 FY21]
   Insert: "2,013,000 2,013,000" [General Fund FY20 FY21]

Amendment not adopted as follows:

Total 43

Total 57

Voted absentee: Woods, Aye; DeVries, Jones, Mortensen, Usher, No.

Excused: DeVries, Jones, Mortensen, Usher, Woods.
Total 5

Absent or not voting: None.
Total 0

SECTION C

HB 2 - Representative Hamlett moved HB 2, second reading copy, be further amended as follows:

1. Page C-4, line 27: Department of Natural Resources & Conservation.
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Strike: "10,507,101 10,530,033" [General Fund FY20 FY21]
Insert: "12,007,101 12,030,033" [General Fund FY20 FY21]

Amendment not adopted as follows:

Total 41

Total 59

Voted absentee: Woods, Aye; DeVries, Holmlund, Mortensen, No.

Excused: DeVries, Holmlund, Mortensen, Woods.
Total 4

Absent or not voting: None.
Total 0

SECTION D

HB 2 - Representative Regier moved HB 2, second reading copy, be further amended as follows:

1. Page D-2, line 15: Department of Justice.
Following: "2023 biennium"
Insert: "in the Justice Information Technology Services Division, Division of Criminal Investigation, Forensic Science Division, and Central Services Division"

Amendment adopted as follows:


Total 99

Nays: None.
Total 0

Voted absentee: DeVries, Mortensen, Regier, Aye.

Excused: DeVries, Mortensen, Regier.
Total 3

Absent or not voting: Lenz.
Total 1

HB 2 - Representative Farris-Olsen moved HB 2, second reading copy, be further amended as follows:

   Strike: "21,746,346 21,556,707" [General Fund FY 20 FY 21]
   Insert: "22,346,346 22,156,707 " [General Fund FY 20 FY 21]

   Strike: "2,148,937 2,169,789 " [General Fund FY 20 FY 21]
   Insert: "2,614,767 2,638,411 " [General Fund FY 20 FY 21]

   Strike: "8,807,473 8,843,322 " [General Fund FY 20 FY 21]
   Insert: "9,040,388 9,077,633 " [General Fund FY 20 FY 21]

Amendment not adopted as follows:

Total 42

Total  58

Voted absentee: DeVries, Mortensen, Regier, No.

Excused: DeVries, Mortensen, Regier.
Total  3

Absent or not voting: None.
Total  0

SECTION A

HB 2 - Representative Windy Boy moved HB 2, second reading copy, be further amended as follows:

   Following: "Development"
   Strike: "(OTO)"

   Following: "Biennial"
   Strike:="/OTO"

Amendment not adopted as follows:

Total  43

Total  57

Voted absentee: Bartel, DeVries, Mortensen, No.
Excused: Bartel, DeVries, Mortensen.  
Total  3
Absent or not voting: None.  
Total  0

HB 2 - Representative Abbott moved HB 2, second reading copy, be further amended as follows:

Following: "Training"  
Strike: "(OTO)"

Amendment not adopted as follows:

Total  42

Total  58

Voted absentee: Bartel, DeVries, Mortensen, No.

Excused: Bartel, DeVries, Mortensen.  
Total  3
Absent or not voting: None.  
Total  0

HB 2 - Representative Hamilton moved HB 2, second reading copy, be further amended as follows:

Strike: "13,996,935 13,999,540"  
[General Fund FY 2020 FY 2021]  
Insert: "14,064,562 14,067,167"  
[General Fund FY 2020 FY 2021]

Strike: "125,796 125,785"  
[State Special Fund FY 2020 FY 2021]  
Insert: "126,382 126,371"  
[State Special Fund FY 2020 FY 2021]
Amendment not adopted as follows:

Total 41

Total 58

Voted absentee: Bartel, DeVries, Mortensen, No.

Excused: Bartel, DeVries, Mortensen.
Total 3
Absent or not voting: Windy Boy.
Total 1

**HB 2** - Representative Ballance moved **HB 2**, as amended, do pass. Motion carried as follows:

Total 54

Total 46

Voted absentee: Mortensen, Aye.

Excused: Mortensen.
Total 1

Absent or not voting: None.
Total 0

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

Total 67

Total 32
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Voted absentee: None.

Excused: Mortensen.
Total 1

Absent or not voting: None.
Total 0

FIRST READING AND COMMITMENT OF BILLS

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


HB 697, introduced by J. Hamilton, Z. Brown, D. Fern, referred to Taxation.

HB 698, introduced by L. Sheldon-Galloway, referred to Judiciary.

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

SB 200, introduced by R. Webb, referred to Local Government.


MOTIONS

Majority Leader Tschida moved to reconsider action on HB 403 and that HB 403 remain in third reading process.

Motion passed as follows:

Total 55

Nays: Abbott, Bachmeier, Bahr, Bessette, Bishop, Brown Z, Caferro, Curdy, Dudik, Dunwell, Farris-Olsen, Fern, Funk, Hamilton, Hamlett, Harvey, Hayman, Karjala, Keane, Kelker, Keogh,
Total 43

Voted absentee: None.

Excused: Mortensen.
Total 1

Absent or not voting: Shaw.
Total 1

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

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

House adjourned at 2:21 p.m.