Helena, Montana  House Chambers  March 20, 2019  State Capitol

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

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

Representative Skees rose on a Point of Personal Privilege and apologized for his error in ruling on decorum the previous day.

BILLS (Ricci, Chair): 3/20/2019

Correctly printed: HB 385, HB 403, HB 507, HB 629, HB 696, HB 697, HB 698, HB 699, HB 700, HB 701, HB 702, HB 703, HB 704, HB 705, HB 706, HB 707, HJR 35, HJR 36, SB 1, SB 8, SB 9, SB 36, SB 59, SB 61, SB 78, SB 82, SB 84, SB 85, SB 126, SB 182, SB 248, SB 260, SB 292.


Examined by the sponsor and found to be correct: HB 299, HB 368.

Signed by the Speaker at 3:15 p.m., March 20, 2019: HB 299, HB 368.

Signed by the Chief Clerk of the House at 3:20 p.m., March 20, 2019: HB 299, HB 368.

Delivered to the Governor for approval at 3:15 p.m., March 20, 2019: HB 334.

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Noland, Chair): 3/20/2019

HB 405, introduced bill, be amended as follows:

1. Page 5, line 11.
   Following: "years"
   Insert: "following the award of the grant"


HB 626, introduced bill, be amended as follows:

1. Page 1, line 28 through line 29.
   Strike: "licensed clinical social" on line 28 through "professional counselors," on line 29
   Insert: "professionals licensed by the board"

2. Page 2, line 6 through line 9.
   Strike: "If an applicant" on line 6 through "deny the license." on line 9
   Insert: "The board may require a criminal background check of applicants and determine the
suitability for licensure as provided in 37-1-201 through 37-1-205 and 37-1-307."

3. Page 3, line 1 through line 2.
*Strike:* "licensed clinical social workers" on line 1 through "professional counselors," on line 2
*Insert:* "professionals licensed by the board"

4. Page 3, line 9 through line 12.
*Strike:* "If an applicant has" on line 9 through "may deny the license." on line 12
*Insert:* "The board may require a criminal background check of applicants and determine the suitability for licensure as provided in 37-1-201 through 37-1-205 and 37-1-307."

5. Page 5, line 5 through line 6.
*Strike:* "licensed clinical social workers," on line 5 through "counselors," on line 6
*Insert:* "professionals licensed by the board"

*Following:* "37-1-307."
*Insert:* "The board may require a criminal background check of applicants and determine the suitability for licensure as provided in 37-1-201 through 37-1-205 and 37-1-307."

7. Page 5, line 25 through line 27.
*Strike:* subsection (6) in its entirety
*Renumber:* subsequent subsection

8. Page 6, line 26 through line 28.
*Strike:* subsection (7)(b) in its entirety
*Insert:* "(b) determine the suitability for licensure as provided in 37-1-201 through 37-1-205 and 37-1-307."


HB 631, introduced bill, be amended as follows:

1. Page 3.
*Following:* line 2
*Insert:* "(2) In addition to searching out new funding resources for grants as provided in [section 7(3)], the department shall minimize program expenses by coordinating with the governor's office and the departments listed in subsection (1) of this section to use existing resources to implement the Montana EARN program."
*Renumber:* subsequent subsection

2. Page 5, line 17.
*Strike:* "State special"
*Insert:* "Special"

   **Strike:** "(2)"

4. Page 5, line 22.
   **Following:** "state"
   **Strike:** ","
   **Insert:** "or"
   **Following:** "private"
   **Strike:** ", or federal"

5. Page 5.
   **Following:** line 23
   **Insert:** "(2) There is a federal special revenue account consisting of all funds received from federal entities for the department of labor and industry to use in carrying out the purposes of [sections 1 through 7]."

6. Page 6, line 2.
   **Strike:** "implementing"
   **Insert:** "providing grants under"


**HB 632**, introduced bill, be amended as follows:

1. Title, page 1, line 5.
   **Following:** "CONTRIBUTIONS"
   **Insert:** "AND IMPACTS"

2. Page 1, line 27.
   **Following:** "contributions"
   **Insert:** "and impacts"
   **Following:** "reservations"
   **Strike:** "to"
   **Insert:** "in"

3. Page 1, line 28.
   **Following:** "Montana"
   **Insert:** "based on federal, state, local, tribal, and private inputs"


**SB 1**, be concurred in. Report adopted.
**SB 55**, be amended as follows:

1. Page 15, line 16.
Strike: "Twenty"
Insert: "Ten"

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

SB 78, be concurred in. Report adopted.
SB 119, be amended as follows:

1. Title, page 1, line 5.
   Strike: "APPROVED"

2. Title, page 1, line 7.
   Strike: "AND"

3. Title, page 1, line 8.
   Following: "DATE"
   Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

4. Page 1, line 20 through line 26.
   Following: "must" on line 20
   Strike: "SHALL" on line 20 through "approval" on line 26
   Insert: "implementing an access control system shall notify the department and local law
   enforcement prior to the date the licensee begins using an access control system"
   Following: "SHALL" on line 26
   Insert: "also"
   Following: "department"
   Strike: "if"
   Insert: "and local law enforcement when"

5. Page 1, line 28 through page 2, line 3.
   Strike: subsection (2)(b) through subsection (2)(c) in their entirety
   Renumber: subsequent subsection

6. Page 2, line 11 through line 12.
   Strike: subsection (3) in its entirety
   Renumber: subsequent subsection

   Following: line 22
   Insert: "NEW SECTION. Section 3. Effective date. [This act] is effective on passage and
   approval."

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

SB 126, be concurred in. Report adopted.
SB 168, be amended as follows:

1. Page 1, line 20 through line 21.
   Strike: subsection (C) in its entirety
   Renumber: subsequent subsections

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

SB 182, be concurred in. Report adopted.

LEGISLATIVE ADMINISTRATION (Ricci, Chair): 3/20/2019

SB 226, be amended as follows:

1. Page 10, line 19.
   Strike: "revenue"
   Insert: "transportation"

2. Page 11, line 18.
   Strike: "revenue"
   Insert: "transportation"

3. Page 17, line 3.
   Insert: "NEW SECTION. Section 20. Name change -- directions to code commissioner. Wherever a reference to the revenue and transportation interim committee appears in legislation enacted by the 2019 legislature, the code commissioner is directed to change it to an appropriate reference to the revenue interim committee or the transportation interim committee dependent on the duties provided in or 5-5-227 [section 1], respectively."
   Renumber: subsequent section

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

SB 310, be amended as follows:

1. Title, line 8.
   Following: "PROCESSES;"
   Insert: "PROVIDING AN APPROPRIATION;"

2. Title, line 9.
   Strike: "5-2-103,"

3. Page 2, line 10 through line 15.
   Strike: section 2 in its entirety
   Renumber: subsequent sections
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Strike: "each"
Strike: "year"
Insert: "the year preceding the regular session"

5. Page 4, line 23.
Insert:  "NEW SECTION. Section 5. Appropriation. There is appropriated $5,000 from the general fund to the legislative services division for the biennium beginning July 1, 2019, for the purposes of funding the study in [section 1]."

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

MESSAGES FROM THE SENATE

Senate bill passed and transmitted to the House for concurrence: 3/18/2019
SB 247, introduced by J. Cohenour

House bills concurred in and returned to the House: 3/18/2019
HB 29, introduced by T. Manzella
HB 239, introduced by M. Marler
HB 348, introduced by M. Noland
HB 370, introduced by B. Beard
HB 373, introduced by D. Dunn

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/18/2019
HB 205, introduced by R. Shaw
HB 326, introduced by A. Redfield

Governor's amendments to House bill concurred in and returned to the House: 3/18/2019
HB 90, introduced by S. Gunderson

MESSAGES FROM THE GOVERNOR

March 19, 2019

The Honorable Greg Hertz, Speaker
Montana House of Representatives
Capitol Building
Helena, Montana 59620

STATE INTERNET/BBS COPY
Dear Speaker Hertz:

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

House Bill 92—Dooling
House Bill 94—Brown, Z
House Bill 102—Pierson
House Bill 107—Morigeau
House Bill 127—Custer
House Bill 160—Tschida
House Bill 162—Welch
House Bill 176—Bedey
House Bill 201—Dunwell
House Bill 213—Jones
House Bill 220—Sales

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

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

HB 700, introduced by D. Lenz, referred to Human Services.
HB 701, introduced by S. Morigeau, referred to Judiciary.
HB 703, introduced by C. Pope, referred to Taxation.
HB 705, introduced by T. Winter, referred to Taxation.

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

HJR 35, introduced by A. Redfield, referred to Taxation.
The following Senate bill was introduced, read first time, and referred to committee:

**SB 247**, introduced by J. Cohenour, referred to Natural Resources.

**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 Sheldon-Galloway in the chair.

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

**HB 205 - Senate Amendments** - Representative Shaw moved Senate amendments to **HB 205** be not concurred in. Motion carried as follows:

Total  99

Nays: DeVries.
Total  1

Voted absentee: Mortensen, Aye.

Excused: Mortensen.
Total  1

Absent or not voting: None.
Total  0

**HB 385** - Representative Galt moved **HB 385** do pass. Motion carried as follows:

Krautter, Loge, Mandeville, Manzella, Moore E, Morigeau, Mortensen, Pierson, Pope, Read, Redfield, Runningwolf, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, White, Windy Boy, Zolnikov, Mr. Speaker.
Total  57

Total  43

Voted absentee: Mortensen, Aye.

Excused: Mortensen.
Total  1

Absent or not voting: None.
Total  0

HB 507 - Representative Buttrey moved HB 507 do pass. Motion carried as follows:

Total  71

Total  29

Voted absentee: Mortensen, Aye.

Excused: Mortensen.
Total  1

Absent or not voting: None.
Total  0
HB 629 - Representative Hayman moved HB 629 do pass. Motion carried as follows:

Total  78

Total  22

Voted absentee: Mortensen, No.

Excused: Mortensen.
Total  1

Absent or not voting: None.
Total  0

SB 36 - Representative Doane moved SB 36 be concurred in. Motion carried as follows:

Total  99

Nays: Tschida.
Total  1

Voted absentee: Mortensen, Aye.
Excused: Mortensen.
Total  1

Absent or not voting: None.
Total  0

**SB 59** - Representative Kelker moved **SB 59** be concurred in. Motion carried as follows:

Total  98

Nays: Duram, McKamey.
Total  2

Voted absentee: Mortensen, Aye.

Excused: Mortensen.
Total  1

Absent or not voting: None.
Total  0

**SB 61** - Representative Pierson moved **SB 61** be concurred in. Motion carried as follows:

Total  75
Total 25

Voted absentee: Mortensen, No.

Excused: Mortensen.
Total 1

Absent or not voting: None.
Total 0

SB 82 - Representative T. Moore moved SB 82 be concurred in. Motion carried as follows:

Total 99

Nays: None.
Total 0

Voted absentee: Mortensen, Aye.

Excused: Mortensen.
Total 1

Absent or not voting: Schreiner.
Total 1

SB 84 - Representative Bessette moved SB 84 be concurred in. Motion carried as follows:


Nays: Burnett, Fuller, Glimm, Mandeville, Manzella, Tschida, Usher, Zolnikov. Total 8

Voted absentee: Mortensen, Aye.

Excused: Mortensen. Total 1

Absent or not voting: None. Total 0

**SB 85** - Representative Berglee moved **SB 85** be concurred in. Motion carried as follows:


Nays: Burnett. Total 1

Voted absentee: Mortensen, Aye.

Excused: Mortensen. Total 1

Absent or not voting: None. Total 0

**SB 185** - Majority Leader Tschida moved consideration of **SB 185** be passed for the day. Without objection, so ordered.
SB 248 - Representative Dooling moved SB 248 be concurred in. Motion carried as follows:

Total 90

Total 9

Voted absentee: Mortensen, No.

Excused: Mortensen.
Total 1

Absent or not voting: Lenz.
Total 1

SB 260 - Representative Harvey moved SB 260 be concurred in. Motion carried as follows:

Total 91

Total 9

Voted absentee: Duram, Fuller, Glimm, Gunderson, Mortensen, Noland, Skees, Tschida, Aye.
Excused: Duram, Fuller, Glimm, Gunderson, Mortensen, Noland, Skees, Tschida. Total 8

Absent or not voting: None. Total 0

Speaker Pro Tempore Galt moved the Committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Sheldon-Galloway moved the Committee of the Whole report be adopted. Report adopted as follows:


Nays: None. Total 0

Voted absentee: None.

Excused: Duram, Fuller, Glimm, Gunderson, Mortensen, Skees, Tschida. Total 7

Absent or not voting: None. Total 0

**MOTIONS**

Speaker Pro Tempore Galt moved to re-refer HB 385 to the Appropriations Committee. Without objection, so ordered.

Speaker Pro Tempore Galt moved the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on Senate Amendments on HB 205 and request the Senate to appoint a like committee. Without objection, Speaker Hertz appointed:

Representative Shaw
Representative Perry
Representative Buttrey
ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Speaker Pro Tempore Galt moved the House adjourn until 1:00 p.m., Thursday, March 21, 2019. Motion carried.

House adjourned at 2:14 p.m.