We, your committee on Legislative Administration recommend employment of the following pages of the House cease as of 11:00 a.m., Saturday, March 23, 2019:
and recommend that the following pages of the House employed as of 1:00 p.m.,
Monday, March 25, 2019:

Spencer Bruggeman, Great Falls
Tess Davis, Dillon
Alan Hepner, Rexford
Jessica Nunez, Helena
Charles Rehbein, Plains
Mallerie Stromswold, Billings

Report Adopted.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ballance, Chair):

HB 111, introduced bill, be amended as follows:

1. Title, page 1, line 11.
   Following: "HEARING;"
   Insert: "PROVIDING FOR AN APPROPRIATION;"

2. Page 36.
   Following: line 24
   Insert: "NEW SECTION. Section 34. Appropriation. For the biennium beginning July 1,
   2019, there is appropriated $10 from the general fund to the department of justice to implement
   the provisions of [this act]."

   Following: "facility"
   Insert: ", in a residential placement approved by the department, or on parole and under
   community supervision"
   Renumber: subsequent sections

HB 385, introduced bill, be amended as follows:

1. Title, page 1, line 11.
   **Strike:** "AND"

2. Title, page 1, line 12.
   **Following:** "MCA"
   **Insert:** "; AND PROVIDING A DELAYED EFFECTIVE DATE AND A TERMINATION DATE"

3. Page 2, line 12.
   **Following:** "(7)"
   **Strike:** remainder of line 12
   **Insert:** "The"

   **Following:** "(A)"
   **Insert:** "the first"

   **Following:** line 27
   **Insert:** "NEW SECTION. Section 13. Effective date. [This act] is effective January 1, 2020."
   **Insert:** "NEW SECTION. Section 14. Termination. [This act] terminates December 31, 2029."


HB 684, introduced bill, be amended as follows:

1. Title, page 1, line 11.
   **Following:** "COMMITTEE;"
   **Insert:** "AMENDING THE DEFINITION OF "TELEWORK";"

2. Title, page 1, line 12 through line 13.
   **Strike:** "MAKING THE CHILD ABUSE COURT DIVERSION PROGRAM PERMANENT;"

3. Title, page 1, line 13.
   **Following:** "2-15-2029;"
   **Insert:** "2-18-101, 3-1-710, 3-1-711;"

4. Title, page 1, line 14 through line 15.
   **Strike:** "AMENDING SECTION 8, CHAPTER 241, LAWS OF 2017;"

5. Title, page 1, line 15.
   **Following:** "2015;"
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Insert: "REPEALING SECTION 3-1-712, MCA;
Following: "DATES"
Insert: "AND A TERMINATION DATE"

Following: "justice"
Strike: ","
Following: "2-15-2001"
Insert: ","

Following: line 19
Insert: "(d) The council shall supervise the bureau chief."

Following: line 23
Insert: "Section 5. Section 2-18-101, MCA, is amended to read:
"2-18-101. Definitions. As used in parts 1 through 3 and part 10 of this chapter, the following definitions apply:
(1) "Agency" means a department, board, commission, office, bureau, institution, or unit of state government recognized in the state budget.
(2) "Base salary" means the base hourly pay rate annualized paid to an employee, excluding overtime and longevity.
(3) "Benchmark" means a representative position in a specific occupation that is used to illustrate the application of the job evaluation factor used to classify the occupation.
(4) "Blue-collar pay plan" means a strictly negotiated classification and pay plan consisting of unskilled or skilled labor, trades, and crafts occupations.
(5) "Board" means the board of personnel appeals established in 2-15-1705.
(6) "Broadband classification plan" means a job evaluation method that measures the difficulty of the work and the knowledge or skills required to perform the work.
(7) "Broadband pay plan" means a pay plan using a pay hierarchy of broad pay bands based on a classification plan, including market midpoint and occupational wage ranges.
(8) "Compensation" means the annual or hourly wage or salary and includes the longevity allowance provided in 2-18-304 and leave and holiday benefits provided in part 6 of this chapter.
(9) "Competencies" means sets of measurable and observable knowledge, skills, and behaviors that contribute to success in a position.
(10) "Department" means the department of administration created in 2-15-1001.
(11) (a) Except in 2-18-306, "employee" means any state employee other than an employee excepted under 2-18-103 or 2-18-104.
(b) The term does not include a student intern.
(12) "Job evaluation factor" means a measure of the complexities of the predominant duties of a position.
(13) "Job sharing" means the sharing by two or more persons of a position.
(14) "Market midpoint" means the median base salary that other employers pay to employees in comparable occupations as determined by the department’s salary survey of the
relevant labor market.

(15) "Occupation" means a generalized family of positions having substantially similar duties and requiring similar qualifications, education, and experience.

(16) "Occupational wage range" means a range of pay, including a minimum, market midpoint, and maximum salary, for a specific occupation that is most consistent with the pay being offered by competing employers for fully competent employees within that occupation. The salary for an employee may be less than the minimum salary.

(17) "Pay band" means a wide salary range covering a number of different occupations. Pay bands are used for reporting and analysis purposes only.

(18) "Pay progression" means a process by which an employee's compensation may be increased, based on documented factors determined by the department, to bring the employee's compensation to a higher rate within the occupational wage range of the employee.

(19) "Permanent employee" means an employee who is designated by an agency as permanent, who was hired through a competitive selection process unless excepted from the competitive process by law, and who has attained or is eligible to attain permanent status.

(20) "Permanent status" means the state an employee attains after satisfactorily completing an appropriate probationary period.

(21) "Personal staff" means those positions occupied by employees appointed by the elected officials enumerated in Article VI, section 1, of the Montana constitution or by the public service commission as a whole.

(22) "Position" means a collection of duties and responsibilities currently assigned or delegated by competent authority, requiring the full-time, part-time, or intermittent employment of one person.

(23) "Program" means a combination of planned efforts to provide a service.

(24) "Seasonal employee" means a permanent employee who is designated by an agency as seasonal, who performs duties interrupted by the seasons, and who may be recalled without the loss of rights or benefits accrued during the preceding season.

(25) "Short-term worker" means a person who:

(a) may be hired by an agency without using a competitive hiring process for an hourly wage established by the agency;
(b) may not work for the agency for more than 90 days in a continuous 12-month period;
(c) is not eligible for permanent status;
(d) may not be hired into a permanent position by the agency without a competitive selection process;
(e) is not eligible to earn the leave and holiday benefits provided in part 6 of this chapter; and
(f) may be discharged without cause.

(26) "Student intern" means a person who:

(a) has been accepted in or is currently enrolled in an accredited school, college, or university and may be hired by an agency in a student intern position without using a competitive selection process;
(b) is not eligible for permanent status;
(c) is not eligible to become a permanent employee without a competitive selection process;
(d) must be covered by the hiring agency's workers' compensation insurance;
(e) is not eligible to earn the leave and holiday benefits provided for in part 6 of this
 chapter; and
(f) may be discharged without cause.

(27) (a) "Telework" means a flexible work arrangement where a designated employee may work from:
(i) home within the state of Montana or an alternative worksite within the state of Montana 1 or more days a week instead of physically traveling to a central workplace; or
(ii) an alternative worksite outside the state of Montana limited to:
(A) employees who are mental health professionals as defined in 27-1-1101 involved in psychological or psychiatric evaluations and treatment; or
(B) employees engaged in providing services related to information technology as defined in 2-17-506.

(b) The office of budget and program planning must approve a designated employee's alternative worksite outside the state of Montana before the employee begins work.

(28) "Temporary employee" means an employee who:
(a) is designated as temporary by an agency for a definite period of time not to exceed 12 months;
(b) performs duties on a temporary basis;
(c) is not eligible for permanent status;
(d) is terminated at the end of the employment period; and
(e) is not eligible to become a permanent employee without a competitive selection process."

Insert: "Section 6. Section 3-1-710, MCA, is amended to read:

"3-1-710. (Temporary) Working interdisciplinary network of guardianship stakeholders. (1) There is a working interdisciplinary network of guardianship stakeholders to provide ongoing evaluation of Montana laws, services, and practices related to adult guardianship and conservatorship.

(2) The network consists of nine members appointed by the chief justice of the Montana supreme court as follows, in a manner that reflects a geographic balance:
(a) a representative of a district court;
(b) a representative of the department of public health and human services who works in the area of adult protective services;
(c) a representative of an advocacy group for individuals with developmental disabilities;
(d) a representative of an advocacy group for senior citizens;
(e) a professional guardian or conservator;
(f) an unpaid guardian or conservator;
(g) a member of a volunteer guardianship council;
(h) a member of the Montana state bar association; and
(i) a health care provider with experience in working with patients in need of a guardianship.

(3) The chief justice shall appoint the presiding officer.

(4) After the initial appointments, members shall may serve staggered 4-year terms and may be reappointed. Initial appointments must be for terms of at least 2 years.

(5) The network shall meet at least four times a year. Members may be reimbursed for travel expenses as provided for in 2-18-501 through 2-18-503. (Terminates June 30, 2023--sec. 8, Ch. 241, L. 2017.)""
Insert: "Section 7. Section 3-1-711, MCA, is amended to read:

"3-1-711. (Temporary) Duties of working interdisciplinary network of guardianship stakeholders. The working interdisciplinary network of guardianship stakeholders shall:
   (1) identify strengths and weaknesses in the state's current system of adult guardianship and conservatorship;
   (2) identify less restrictive decisionmaking options for incapacitated persons;
   (3) review national standards on guardianship and conservatorship practices and recommend standards for adoption in Montana;
   (4) propose methods of training guardians and conservators in best practices or adopted standards;
   (5) recommend or conduct other outreach, education, and training as needed; and
   (6) serve as an ongoing problem-solving mechanism to enhance the quality of care and quality of life for adults who are or may soon be in the guardianship or conservatorship system. (Terminates June 30, 2023--sec. 8, Ch. 241, L. 2017.)"

Renumber: subsequent sections

Following: "offenses,"
Insert: "except as provided in subsection (1)(d),"

Strike: "subsections"
Insert: "subsection"
Strike: "or (1)(d)"
Insert: "(1)(d), or (1)(e)"

Following: "30"
Insert: "business"

Following: "If"
Insert: "a presentence investigation report has been"

Following: line 21
Insert: "(d) If the defendant is convicted of a violent offense, as defined in 46-23-502, or if the defendant is convicted of a crime for which a victim or entity may be entitled to restitution, and the amount of restitution is not contained in a plea agreement, the court shall order a presentence investigation."

Renumber: subsequent subsection

**Following:** line 25

**Insert:** "(2) The following information pertaining to the defendant may also be included or considered in the report:
   (a) prior criminal history;
   (b) probation or parole history;
   (c) official version of the offense or offenses;
   (d) custody status;
   (e) pending cases or charges against the defendant;
   (f) probation officer recommendations;
   (g) gang affiliation;
   (h) background and ties to the community;
   (i) history of substance use disorder;
   (j) physical and mental health;
   (k) employment history and status;
   (l) education history; and
   (m) prescreening and placement options."

**Renumber:** subsequent subsections

15. Page 7, line 28 through line 29.

**Strike:** section 11 in its entirety

**Renumber:** subsequent sections


**Following:** line 4

**Insert:** "NEW SECTION. Section 15. Repealer. The following section of the Montana Code Annotated is repealed:
3-1-712. Grants for public guardianship programs."

**Renumber:** subsequent sections

17. Page 8, line 20.

**Strike:** "[Sections 11 through 15]"

**Insert:** "[Sections 14 and 16 through 18]"


**Following:** line 20

**Insert:** "NEW SECTION. Section 19. Termination. [Sections 3 and 4] terminate June 30, 2021."

HB 477, introduced bill, be amended as follows:

1. Title, page 1, line 5 through line 8.
   **Strike:** "CREATING THE" on line 5 through "PENALTY;" on line 8
   **Insert:** "ALLOWING THE OFFICE TO CHARGE A FEE FOR PROVISION OF CERTAIN RESOURCES; AND"

2. Title, page 1, line 8 through line 9.
   **Following:** "MCA"
   **Strike:** "; AND PROVIDING" on line 8 through "DATE" on line 9

3. Page 1, line 14.
   **Following:** "(1)"
   **Insert:** "(a)"

4. Page 1, following line 17.
   **Insert:** "(b) The office of public instruction may charge a district a fee of up to $5 for resources made available pursuant to subsection (1)(a)."

5. Page 1, line 25 through page 3, line 1.
   **Strike:** section 2 through section 5 in their entirety


HB 645, introduced bill, be amended as follows:

1. Page 1, line 18.
   **Following:** "biologic"
   **Strike:** ","
   **Insert:** "or"
   **Following:** "physical"
   **Strike:** ", or behavioral"
   **Following:** "that"
   **Strike:** "identifies or"

2. Page 1, line 19.
   **Following:** "enables"
   **Insert:** "the automated"

3. Page 1, line 21.
   **Following:** "biologic"
   **Strike:** ""
   **Insert:** "or"
Following: "physical"
Strike: ", or behavioral"

4. Page 4, line 7 through line 8.
Strike: subsection (4) in its entirety
Insert: 
"(4) to third-party providers, including internet, wireless, and telecommunications services providers, data storage providers, or cable and video service providers in their capacity of providing services such as hosting, security, transmission, or processing data on behalf of a private entity;"

5. Page 4, line 11.
Following: "network"
Insert: 
"; or
(6) to a financial institution or an affiliate of a financial institution that is subject to Title V of the Gramm-Leach-Bliley Act, 15 U.S.C. 6801 through 6809, or a health care provider or other covered entity subject to the Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. 1320d, et seq"


MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/22/2019

HB 229, introduced by B. Hamlett
HB 388, introduced by M. Caferro
HB 619, introduced by D. Zolnikov

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 3/22/2019

HB 132, introduced by K. Holmlund

FIRST READING AND COMMITMENT OF BILLS

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

HB 747, introduced by T. Woods, M. Regier, referred to Business and Labor.
HB 755, introduced by E. Moore, C. Schreiner, referred to Education.
HB 756, introduced by B. Smith, referred to Transportation.
HB 757, introduced by D. Harvey, referred to Business and Labor.
HB 758, introduced by T. Woods, referred to Energy, Technology and Federal Relations.
HB 759, introduced by E. Kerr-Carpenter, referred to Education.
HB 760, introduced by Z. Brown, referred to Natural Resources.
HB 761, introduced by B. Mercer, referred to Business and Labor.
HB 762, introduced by J. Hamilton, referred to Business and Labor.

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 R. Knudsen in the chair.

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

HB 144 - Representative Redfield moved HB 144 do pass. Motion carried as follows:

Total 56

Total 44

Voted absentee: Mortensen, Aye; Morigeau, No.

Excused: Morigeau, Mortensen.
Total 2

Absent or not voting: None.
Total 0

HB 339 - Representative E. Moore moved HB 339 do pass. Motion carried as follows:

Total 58

Total 42

Voted absentee: Morigeau, Mortensen, Aye.

Excused: Morigeau, Mortensen.
Total 2

Absent or not voting: None.
Total 0

HB 439 - Representative Loge moved HB 439 do pass. Motion carried as follows:

Total 85

Nays: Bartel, Beard, DeVries, Doane, Dunn, Galt, Gunderson, Knudsen C, Mandeville, Manzella, Moore T, Redfield, White, Zolnikov, Mr. Speaker.
Total 15

Voted absentee: Morigeau, Mortensen, Aye.

Excused: Morigeau, Mortensen.
Total 2

Absent or not voting: None.
Total 0
HB 642 - Representative Hamilton moved HB 642 do pass. Motion failed as follows:

Total  49

Total  51

Voted absentee: Morigeau, Aye; Mortensen, No.

Excused: Morigeau, Mortensen.
Total  2

Absent or not voting: None.
Total  0

HB 688 - Representative Bartel moved HB 688 do pass. Motion carried as follows:

Total  93

Nays: Caferro, DeVries, Mandeville, Manzella, Usher, White, Zolnikov.
Total  7

Voted absentee: Morigeau, Mortensen, Aye.

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

HB 689 - Representative Bartel moved HB 689 do pass. Motion carried as follows:

Total 92

Nays: Berglee, Caferro, DeVries, Mandeville, Manzella, White, Zolnikov.
Total 7

Voted absentee: Morigeau, Mortensen, Aye.

Excused: Morigeau, Mortensen.
Total 2

Absent or not voting: Bartel.
Total 1

HB 690 - Representative Bartel moved HB 690 do pass. Motion carried as follows:

Total 91

Total 9

Voted absentee: Morigeau, Mortensen, Aye.
Excused: Morigeau, Mortensen.
Total  2

Absent or not voting: None.
Total  0

**HJR 11** - Representative Mandeville moved **HJR 11** do pass. Motion **failed** as follows:

Total  40

Total  60

Voted absentee: Mortensen, Aye;  Morigeau, No.

Excused: Morigeau, Mortensen.
Total  2

Absent or not voting: None.
Total  0

**HJR 23** - Representative Dudik moved **HJR 23** do pass. Motion **carried** as follows:

Total  60

Total  39
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Voted absentee: Morigeau, Mortensen, Aye.

Excused: Morigeau, Mortensen.
Total  2

Absent or not voting: White.
Total  1

SB 3 - Representative Bahr moved SB 3 be concurred in. Motion carried as follows:

Total  78

Total  21

Voted absentee: Morigeau, Mortensen, Aye.

Excused: Morigeau, Mortensen.
Total  2

Absent or not voting: Hamlett.
Total  1

SB 14 - Representative Hamlett moved SB 14 be concurred in. Motion carried as follows:

Total  97
Nays: Mercer, Regier, Usher.
Total  3

Voted absentee: Morigeau, Mortensen, Aye.

Excused: Morigeau, Mortensen.
Total  2

Absent or not voting: None.
Total  0

SB 52 - Representative Manzella moved SB 52 be concurred in. Motion carried as follows:
Total  99

Nays: None.
Total  0

Voted absentee: Morigeau, Mortensen, Aye.

Excused: Morigeau, Mortensen.
Total  2

Absent or not voting: Mr. Speaker.
Total  1

SB 89 - Representative Hayman moved SB 89 be concurred in. Motion carried as follows:
Total 100

Nays: None.
Total 0

Voted absentee: Morigeau, Mortensen, Aye.

Excused: Morigeau, Mortensen.
Total 2

Absent or not voting: None.
Total 0

**SB 98** - Representative Bachmeier moved **SB 98** be concurred in. Motion carried as follows:

Total 99

Nays: DeVries.
Total 1

Voted absentee: Morigeau, Mortensen, Aye.

Excused: Morigeau, Mortensen.
Total 2

Absent or not voting: None.
Total 0
SB 158 - Representative Lynch moved SB 158 be concurred in.

SB 158 - Representative Usher moved SB 158, second reading copy, be amended as follows:

1. Title, page 1, line 5.
   Following: "FOR AN AUTOCYCLE"
   Insert: "AND A THREE-WHEELED MOTORCYCLE"

   Following: "an autocycle"
   Insert: "or a three-wheeled motorcycle"

Amendment adopted as follows:

Total 76

Total 24

Voted absentee: Mortensen, Aye; Morigeau, No.

Excused: Morigeau, Mortensen.
Total 2

Absent or not voting: None.
Total 0

SB 158 - Representative Lynch moved SB 158, as amended, be concurred in. Motion carried as follows:


Total  92

Total  8

Voted absentee: Morigeau, Mortensen, Aye.

Excused: Morigeau, Mortensen.
Total  2

Absent or not voting: None.
Total  0

SB 163 - Representative Zolnikov moved SB 163 be concurred in. Motion carried as follows:

Total  99

Nays: None.
Total  0

Voted absentee: Morigeau, Mortensen, Aye.

Excused: Morigeau, Mortensen.
Total  2

Absent or not voting: Runningwolf.
Total  1
SB 168 - Representative Anderson moved SB 168 be conurred in. Motion failed as follows:

Total 45

Total 54

Voted absentee: Morigeau, Aye; Mortensen, No.

Excused: Morigeau, Mortensen.  
Total 2

Absent or not voting: Berglee.  
Total 1

SB 223 - Representative T. Moore moved SB 223 be conurred in. Motion carried as follows:

Total 99

Nays: Zolnikov.  
Total 1

Voted absentee: Morigeau, Mortensen, Aye.
SB 243 - Representative Grubbs moved SB 243 be concurred in. Motion carried as follows:


Total 70


Total 30

Voted absentee: Morigeau, Aye; Mortensen, No.

SB 295 - Representative Duram moved SB 295 be concurred in. Motion carried as follows:


Total 100
Nays: None.
Total 0

Voted absentee: Morigeau, Mortensen, Aye.

Excused: Morigeau, Mortensen.
Total 2

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

Total 95

Nays: Brown Z.
Total 1

Voted absentee: None.

Excused: Morigeau, Mortensen.
Total 2

Absent or not voting: Garcia, Hamilton.
Total 2

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Glimm, Chair): 3/25/2019
HB 475, introduced bill, be amended as follows:

1. Title, page 1, line 5.
   Following: "DEFINITIONS"
   Insert: "AND CLARIFYING PARIMUTUEL FANTASY SPORTS"

2. Page 1, line 26.
   Strike: subsection (6) in its entirety
   Renumber: subsequent subsections

   Following: "at which"
   Insert: "parimutuel"
   Following: "and"
   Insert: "parimutuel"

   Following: line 9
   Insert: "(11) "Parimutuel fantasy sports" has the meaning provided for in [section 8]."

5. Page 2, line 11.
   Following: "distribute"
   Insert: "parimutuel"

6. Page 2, line 12.
   Following: "pools on"
   Insert: "parimutuel"

   Following: "administer"
   Insert: "parimutuel"

   Following: line 13
   Insert: "(13) "Parimutuel sports wagering" means a parimutuel form of sports wagering applicable to all professional sports as provided in [section 9]."
   Renumber: subsequent subsections

   Following: "pool for"
   Insert: "parimutuel"
   Following: "and"
   Insert: "parimutuel"
**Strike:** subsection (20) in its entirety 

**Following:** "and"
**Insert:** "parimutuel"
**Following:** "leagues,"
**Insert:** "and parimutuel"

**Following:** "and"
**Insert:** "parimutuel"
**Following:** "leagues, and"
**Insert:** "parimutuel"

**Following:** "conduct" 
**Insert:** "parimutuel"

**Following:** "or" 
**Insert:** "parimutuel"

15. Page 4, line 27. 
**Following:** "conducting" 
**Insert:** "parimutuel"
**Following:** "and" 
**Insert:** "parimutuel"

**Following:** "conducts" 
**Insert:** "parimutuel"
**Following:** "or" 
**Insert:** "parimutuel"

17. Page 6, line 7. 
**Following:** "wagering on" 
**Insert:** "parimutuel"
**Following:** "and" 
**Insert:** "parimutuel"

**Following:** "wager on a" 
**Insert:** "parimutuel"
Following: "or"
Insert: "parimutuel"

Following: "wagering on"
Insert: "parimutuel"
Following: "or"
Insert: "parimutuel"

20. Page 8, line 29.
Following: "conducting"
Insert: "parimutuel"
Following: "wagering and"
Insert: "parimutuel"

Following: "conducting"
Insert: "parimutuel"
Following: "wagering and"
Insert: "parimutuel"

Following: line 11
Insert: "NEW SECTION.  Section 8.  Parimutuel fantasy sports leagues -- payout -- prohibition.  (1) A parimutuel fantasy sports league is a gambling activity conducted through a parimutuel facility, parimutuel network, or a simulcast parimutuel network licensed under 23-4-201.  
(2) A licensed parimutuel network director determines the sporting event, eligible rosters, and appropriate period of play. The parimutuel network director also determines the league rules, including the combination of wagers that may be placed for a sport in any wagering period. The roster of eligible participants prepared by the parimutuel network must be provided to each league member.  
(3) Rules adopted by the board under 23-4-104 to govern the conduct of the fantasy sports league must be provided in writing to each league member.  
(4) The parimutuel network shall distribute all funds wagered on parimutuel fantasy sports leagues in any wagering pool pursuant to the requirements of 23-4-302 and 23-4-304.  
(5) It is unlawful to wager on a parimutuel fantasy sports league by telephone or by the internet."

Insert: "NEW SECTION.  Section 9.  Parimutuel sports wagering -- payout -- prohibition.  (1) Parimutuel sports wagering is a gambling activity conducted through a parimutuel facility, parimutuel network, or a simulcast parimutuel network licensed under 23-4-201.  
(2) Parimutuel sports wagering is conducted in the following manner:  
(a) Parimutuel sports wagers are placed at a parimutuel facility through a parimutuel network through a totalizer machine with live odds fluctuating during the wagering cycle until the close of the event.  
(b) Morning line odds are set to start the contest and, as sports wagers are made, the odds will
fluctuate until post time, meaning that odds can increase or decrease depending on how the participants are selected.

(c) Current odds must be displayed online or through a mobile application as well as at the parimutuel facility terminal locations.

(3) Parimutuel sports wagering does not include point spreads or money lines. The participant sets the odds line.

(4) A minimum mandatory payout scale is required for parimutuel sports wagering.

(5) Parimutuel sports wagering may include:

(a) head-to-head wagering on live professional sporting events;
(b) advanced future wagering on professional championship events;
(c) win, place, and show wagering on individual events;
(d) over/under wagering on live sporting events;
(e) pick 3, pick 5, and pick 6 wagering on a specific group of games; and
(f) exacta, trifecta, and superfecta wagering that is based on running order.

(6) The parimutuel network shall distribute all funds wagered on parimutuel sports wagering in any wagering pool pursuant to the requirements of 23-4-302 and 23-4-304.

(7) It is unlawful to conduct parimutuel sports wagering by telephone or by the internet."

Renumber: subsequent sections

Following: "including"
Insert: "parimutuel"
Following: "leagues,"
Insert: "parimutuel"

Strike: "-- sports wagering"
Insert: "defined"

Strike: "Except for" through "after"
Insert: "After"

Strike: line 22 through line 23
Renumber: subsequent subsection

27. Page 16.
Following: line 25
Insert: "(2) A fantasy sports league conducted under this chapter is not the same as a parimutuel fantasy sports league conducted under Title 23, chapter 4."

28. Page 16, line 26 through page 17, line 12.
Strike: subsection (2) in its entirety
29. Page 17, line 15.
**Strike:** "and sports wagering"

30. Page 17, line 16 through line 17.
**Strike:** the first "or sports wagering" on line 16 through "chapter 4" on line 17

31. Page 17, line 18.
**Strike:** "or sports wagering"

32. Page 17, line 22.
**Strike:** "and sports wagering participants"

33. Page 17, line 25.
**Strike:** "(a) Except as provided" through "subsection (2)(b), if"
**Insert:** "If"

34. Page 17, line 26.
**Strike:** "or sports wagering"

35. Page 17, line 28 through line 29.
**Strike:** subsection (b) in its entirety

36. Page 18, line 2.
**Strike:** "Applicability"
**Insert:** "Sports betting prohibited -- applicability"

37. Page 18, line 3.
**Following:** "not:"
**Insert:** ":

(1) authorize betting or wagering on the outcomes of an individual sports event; or
(2)"

38. Page 18, line 5 through line 6.
**Following:** "chapter 4,"
**Strike:** "except for" on line 5 through "gambling," on line 6

**Following:** line 7
**Insert:** "NEW SECTION.  Section 15. Codification instruction.  [Sections 8 and 9] are intended to be codified as an integral part of Title 23, chapter 4, part 3, and the provisions of Title 23, chapter 4, part 3, apply to [sections 8 and 9]."

HB 566, introduced bill, be amended as follows:

1. Title, page 1, line 6.
   Following: "CIRCUMSTANCES;"
   Insert: "ALLOWING AN AGENCY FEE FOR BACKGROUND CHECK; REQUIRING RULEMAKING;"

2. Page 1, line 27.
   Strike: "conduct"
   Insert: "request through the department of public health and human services"
   Strike: "applicants for"
   Insert: "individuals who have accepted"

3. Page 1, line 28.
   Strike: "facility"
   Insert: "department"

4. Page 1, line 30.
   Strike: "applicants"
   Insert: "individuals"

5. Page 2, line 1.
   Following: "investigation."
   Insert: "The department of public health and human services shall charge a fee, to be determined by rule, for the background check."

   Insert: "(5) An assisted living facility may provisionally employ an individual pending the results of a background check."
   (6) An individual subject to a fingerprint-based background check under this section may submit fingerprints to the state repository for processing of the state and federal background check. Results of the background check must be provided to the department division responsible for licensing assisted living facilities."

   Strike: "the facility" on line 14 through "in" on line 15
   Insert: "a demonstrated pattern of noncompliance with the employee background check requirements of"


SB 71, be concurred in. Report adopted.
SB 264, be concurred in. Report adopted.
SB 270, be concurred in. Report adopted.

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SB 305, be amended as follows:

1. Page 1, line 16 through line 17.
   Strike: "OR HAS OWNED AN" on line 16 through "THREE" on line 17
   Insert: "or is employed by an entity with more than 10"

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

TAXATION (Redfield, Chair): 3/25/2019


HB 636, introduced bill, be amended as follows:

1. Title, page 1, line 7.
   Following: "LOSSES"
   Insert: "IF THE FINAL ASSESSED VALUE IS 60% OR MORE OF THE ORIGINAL ASSESSED VALUE"

2. Page 1, line 29 through page 2, line 7.
   Strike: subsection (ii) in its entirety
   Insert: "(ii) If subsection (1)(c)(iii) applies, the taxpayer shall pay to the county treasurer, after the final determination of value, 2.5% of the protested taxes in the county. The county treasurer shall deposit the funds to the credit of a special fund to be designated as a protest fund. The funds may be used to mitigate the adverse effects of the protested taxes on the affected taxing jurisdictions.
   (iii) Subsection (1)(c)(ii) applies to a taxpayer whose property is subject to central assessment pursuant to 15-23-101 or is industrial property that is assessed annually by the department if:
       (A) the taxpayer pays under protest more than 40% of its assessed taxes in any county; and
       (B) the final determination of the assessed value is 60% of the original assessed value or more."


HB 654, introduced bill, be amended as follows:

1. Title, page 1, line 5.
   Strike: "PROVIDING" through "OPIOIDS;"

2. Title, page 1, line 6 through line 9.
   Strike: the first "PROVIDING" on line 6 through "ENTITIES;" on line 9

3. Title, page 1, line 11.
Following: "PROCEEDS;"
Insert: "TRANSFERRING FUNDS FROM THE CONSUMER PROTECTION ACCOUNT TO THE TREATMENT COURT SUPPORT ACCOUNT;"

4. Page 1, line 18.
Strike: "through 10"
Insert: "and 2"

5. Page 1, line 24 through line 28.
Strike: subsection (4) through subsection (5) in their entirety

6. Page 1, line 30 through page 3, line 20.
Strike: section 2 in its entirety
Renumber: subsequent sections

7. Page 3, line 22.
Following: "requirements"
Insert: "-- rulemaking"

Strike: "general fund"
Insert: "treatment court support account provided for in [section 3]"

Following: line 28
Insert: "(4) The department may adopt rules to administer and enforce the provisions of [sections 1 and 2]."

10. Page 3, line 30 through page 7, line 22.
Strike: section 4 through section 10 in their entirety
Renumber: subsequent sections

11. Page 8, line 25.
Strike: "11"
Insert: "3"

Strike: "11"
Insert: "3"

Strike: section 14 in its entirety
Renumber: subsequent sections
**Insert:** "NEW SECTION. Section 6. Transfer of funds. By June 30, 2019, the state treasurer shall transfer $2 million from the account established in 30-14-143 to the treatment court support account established in [section 3]."

**Renumber:** subsequent sections

15. Page 10, line 27.
**Strike:** "through 10"
**Insert:** "and 2"

**Strike:** "through 10"
**Insert:** "and 2"

17. Page 10, line 29.
**Strike:** "11"
**Insert:** "3"

**Strike:** "11"
**Insert:** "3"

19. Page 11, line 5.
**Following:** line 4
**Insert:** "NEW SECTION. Section 10. Contingent voidness. If [this act] is passed and approved and does not contain the $2 million transfer provided for in [section 6] from the account established in 30-14-143 to the treatment court support account established in [section 3], [this act] is void."

**Renumber:** subsequent sections

**Strike:** "the sale of"
**Insert:** "a person selling"


**FIRST READING AND COMMITMENT OF BILLS**

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

HB 763, introduced by R. Lynch, referred to Judiciary.

HB 764, introduced by D. Loge, J. Krautter, C. Pope, A. Redfield, referred to Transportation.
The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 40**, introduced by R. Shaw, referred to Agriculture.

**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 301** passed as follows:


Total 77


Mr. Speaker.

Total 21

Voted absentee: None.

Excused: Morigeau, Mortensen.

Total 2

Absent or not voting: None.

Total 0

**HB 341** passed as follows:

Winter, Woods, Mr. Speaker.
Total  95

Nays: Caferro, DeVries, Zolnikov.
Total  3

Voted absentee: None.

Excused: Morigeau, Mortensen.
Total  2

Absent or not voting: None.
Total  0

HB 342 passed as follows:
Total  93

Nays: Burnett, Caferro, DeVries, Doane, Zolnikov.
Total  5

Voted absentee: None.

Excused: Morigeau, Mortensen.
Total  2

Absent or not voting: None.
Total  0

HB 608 passed as follows:
Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Windy Boy, Winter, Woods, Mr. Speaker.
Total  63

Total  35

Voted absentee: None.

Excused: Morigeau, Mortensen.
Total  2

Absent or not voting: None.
Total  0

HB 8 failed (due to 3/4 vote requirement) as follows:

Total  57

Total  41

Voted absentee: None.

Excused: Morigeau, Mortensen.
Total  2

Absent or not voting: None.
Total  0
HB 35 passed as follows:

Total  87

Nays: Bahr, DeVries, Fuller, Galloway, Kelker, Manzella, Redfield, Skees, White, Zolnikov.
Total  10

Voted absentee: None.

Excused: Morigeau, Mortensen.
Total  2

Absent or not voting: Dunn.
Total  1

HB 166 passed as follows:

Total  63

Total  35

Voted absentee: None.

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

HB 657 passed as follows:

Total  80

Total  18

Voted absentee: None.

Excused: Morigeau, Mortensen.
Total  2

Absent or not voting: None.
Total  0

HB 662 passed as follows:

Total  91

Nays: Caferro, DeVries, Mandeville, Manzella, Tschida, White, Zolnikov.
Total  7

Voted absentee: None.
HB 663 passed as follows:


Total 93

Nays: Caferro, DeVries, Mandeville, Manzella, White.

Total 5

Voted absentee: None.

Excused: Morigeau, Mortensen.

Total 2

Absent or not voting: None.

Total 0

HB 664 passed as follows:


Total 91
Nays: Berglee, Caferro, DeVries, Mandeville, Manzella, White, Zolnikov.
Total 7

Voted absentee: None.

Excused: Morigeau, Mortensen.
Total 2

Absent or not voting: None.
Total 0

HB 669 passed as follows:

Total 91

Nays: DeVries, Galloway, Garcia, Mandeville, Manzella, Tschida, White.
Total 7

Voted absentee: None.

Excused: Morigeau, Mortensen.
Total 2

Absent or not voting: None.
Total 0

HB 670 passed as follows:

Total  90

Total  8

Voted absentee: None.

Excused: Morigeau, Mortensen.
Total  2

Absent or not voting: None.
Total  0

HB 671 passed as follows:

Total  91

Total  7

Voted absentee: None.

Excused: Morigeau, Mortensen.
Total  2

Absent or not voting: None.
Total  0

HB 672 passed as follows:

Total 88

Total 10

Voted absentee: None.

Excused: Morigeau, Mortensen.
Total 2

Absent or not voting: None.
Total 0

**HB 685** passed as follows:

Total 93

Nays: Caferro, DeVries, Mandeville, Manzella, White.
Total 5

Voted absentee: None.

Excused: Morigeau, Mortensen.
Total 2

Absent or not voting: None.
Total 0
HB 686 passed as follows:

Total  91

Nays: Caferro, DeVries, Mandeville, Manzella, Redfield, White, Zolnikov.
Total  7

Voted absentee: None.

Excused: Morigeau, Mortensen.
Total  2

Absent or not voting: None.
Total  0

HB 687 passed as follows:

Total  87

Nays: Berglee, Caferro, DeVries, Dooling, Mandeville, Manzella, Redfield, Regier, Usher, White, Zolnikov.
Total  11

Voted absentee: None.

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

**SB 64** concurred in as follows:

Total 91

Nays: DeVries, Galloway, Redfield, Skees, Tschida, Vinton, White.
Total 7

Voted absentee: None.

Excused: Morigeau, Mortensen.
Total 2

Absent or not voting: None.
Total 0

**SB 88** concurred in as follows:

Total 96

Nays: Beard, Redfield.
Total 2

Voted absentee: None.
SB 119 concurred in as follows:

Total 73

Total 25

Voted absentee: None.

Excused: Morigeau, Mortensen.
Total 2

SB 261 concurred in as follows:

Total 96
Nays: DeVries, Knudsen C.
Total 2

Voted absentee: None.

Excused: Morigeau, Mortensen.
Total 2

Absent or not voting: None.
Total 0

SB 274 concurred in as follows:

Total 98

Nays: None.
Total 0

Voted absentee: None.

Excused: Morigeau, Mortensen.
Total 2

Absent or not voting: None.
Total 0

SB 310 concurred in as follows:


Total 81


Total 17

Voted absentee: None.

Excused: Morigeau, Mortensen.

Total 2

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Tschida moved to re-refer HB 144 to the Appropriations Committee. Without objection, so ordered.

Majority Leader Tschida moved to re-refer HB 339 to the Appropriations Committee. Without objection, so ordered.

Majority Leader Tschida moved to re-refer HB 439 to the Appropriations Committee. Without objection, so ordered.

Representative Keane moved to reconsider action on HB 8 and that HB 8 be placed on third reading on the 67th Legislative Day.

Motion passed as follows:


Total 91
Nays: Burnett, DeVries, Dunn, Regier, Usher, White, Zolnikov.
Total  7

Voted absentee: None.

Excused: Morigeau, Mortensen.
Total  2

Absent or not voting: None.
Total  0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Tschida moved the House adjourn until 1:00 p.m., Tuesday, March 26, 2019. Motion carried.

House adjourned at 3:10 p.m.

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