

**HOUSE JOURNAL  
66TH LEGISLATURE  
SIXTY-NINTH LEGISLATIVE DAY**

Helena, Montana  
April 3, 2019

House Chambers  
State Capitol

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

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

**BILLS** (Ricci, Chair): 4/3/2019

Correctly printed: **HJR 35, HJR 42, SB 38, SB 41, SB 48, SB 60, SB 78, SB 81, SB 90, SB 133, SB 140, SB 151, SB 154, SB 177, SB 191, SB 192, SB 197, SB 220, SB 231, SB 264, SB 268, SB 270, SB 276, SB 285, SB 305.**

Correctly engrossed: **SB 51, SB 53, SB 67, SB 132, SB 160, SB 171, SB 178, SB 200, SB 240, SB 267, SB 269, SB 291, SJR 9.**

Correctly enrolled: **HB 35, HB 318, HB 351, HB 387, HB 601.**

Transmitted to the Senate: **SB 38, SB 133, SB 154, SB 177, SB 191, SB 197, SB 264, SB 268, SB 270, SB 276, SB 305.**

**COMMUNICATIONS AND PETITIONS**

Mr. Speaker:

We, your committee on Legislative Administration, having examined the daily journals for the thirty-second, thirty-fourth, thirty-fifth, thirty-sixth, and thirty-seventh legislative days, find the same to be correct.

Representative Ricci, Chair

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Shaw, Chair): 4/2/2019  
**SB 51**, be amended as follows:

1. Title, page 1, line 9.

**Strike:** "60-3-219,"

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

**Strike:** "60-7-103," on line 10 through "60-7-204," on line 11

3. Page 14, line 7 through line 11.

**Strike:** section 19 in its entirety

**Renumber:** subsequent sections

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4. Page 18, line 14 through page 20, line 15.  
**Strike:** section 28 through section 31 in their entirety  
**Renumber:** subsequent sections

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

**SJR 16**, be concurred in. Report adopted.

**BUSINESS AND LABOR** (Noland, Chair):  
**SB 171**, be amended as follows:

4/3/2019

1. Title, page 1, line 5.  
**Strike:** "JANUARY 1, 2020"  
**Insert:** "JULY 1, 2019"

2. Title, page 1, line 9.  
**Strike:** "AND"

3. Title, page 1, line 10.  
**Following:** "MCA"  
**Insert:** "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

4. Page 1, line 20.  
**Strike:** "January 1, 2020"  
**Insert:** "July 1, 2019"

5. Page 1, line 23.  
**Strike:** "January 1, 2020"  
**Insert:** "July 1, 2019"

6. Page 1, line 26.  
**Strike:** "January 1, 2020"  
**Insert:** "July 1, 2019"

7. Page 3.  
**Following:** line 9  
**Insert:** "NEW SECTION. Section 8. Effective date. [This act] is effective on passage and approval."

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

**SB 183**, be concurred in. Report adopted.

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**SB 240**, be amended as follows:

1. Title, page 1, line 6.

**Following:** "~~ACT;~~"

**Insert:** "PROVIDING THAT RESCISSION MAY BE DETERMINED UNDER THE UNIFORM DECLARATORY JUDGMENTS ACT;"

2. Page 1, line 25 through line 26.

**Strike:** "THE REPRESENTATIONS ARE"

3. Page 1, line 27.

**Following:** "(a)"

**Insert:** "the representations are"

4. Page 1, line 28.

**Following:** "(b)"

**Insert:** "the representations are"

5. Page 2, line 2.

**Following:** "otherwise"

**Insert:** "; and"

(d) the questions in the application are sufficiently specific that a reasonable person would understand the requirement to provide the particular facts and that the applicant's response was material to the insurer's decision to provide coverage or to determine the premium or rate to be charged for the coverage

6. Page 2.

**Following:** line 11

**Insert:** "(4) If the parties to an insurance policy disagree regarding the propriety of rescission of a policy or a contract under this section, the district courts of this state have jurisdiction to determine the relative rights of the parties under the Uniform Declaratory Judgments Act in Title 27, chapter 8.

(5) This section may not be construed to limit or impair the powers and authority of the commissioner under this title."

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

**SB 269**, be amended as follows:

1. Page 3, line 1.

**Following:** "(3)"

**Insert:** "(a)"

2. Page 3.

**Following:** line 5

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**Insert:** "(b) The term does not mean a physical examination of a residential dwelling when the owner or a representative of the owner requests the examination by an individual who is licensed, certified, or registered in this state and who is acting within the scope of practice of the individual's profession or occupation."

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

**SB 271**, be concurred in. Report adopted.

**SB 307**, be concurred in. Report adopted.

**SB 311**, be concurred in. Report adopted.

**FISH, WILDLIFE AND PARKS** (Brown, Chair):

4/2/2019

**SB 70**, be concurred in. Report adopted.

**SB 79**, be concurred in. Report adopted.

**SB 222**, be concurred in. Report adopted.

**SJR 6**, be concurred in. Report adopted.

**LOCAL GOVERNMENT** (Custer, Chair):

4/2/2019

**SB 200**, be amended as follows:

1. Title, page 1, line 5 through line 6.

**Strike:** "HOUSETRAILER," on line 5 through "OR" on line 6

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

**SB 302**, be concurred in. Report adopted.

**STATE ADMINISTRATION** (Mandeville, Chair):

4/3/2019

**HJR 39**, do pass. Report adopted.

**SB 53**, be amended as follows:

1. Page 1, line 28.

**Strike:** "60%"

**Insert:** "65%, rounded to the nearest 50 cents,"

2. Page 3, line 13.

**Strike:** "2020"

**Insert:** "2021"

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

**SB 236**, be concurred in. Report adopted.

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**SB 291**, be amended as follows:

1. Page 2, line 10.

**Strike:** "MUST"

**Insert:** "may"

2. Page 2, line 11.

**Strike:** "in secret"

3. Page 2, line 13.

**Strike:** "MAY"

**Insert:** "must"

4. Page 2, line 15.

**Following:** the second "conducted"

**Insert:** the second "in secret"

5. Page 11, line 5.

**Strike:** "the device"

6. Page 11, line 6.

**Following:** "(a)"

**Insert:** "the device"

7. Page 11, line 7.

**Following:** "(b)"

**Insert:** "the device"

8. Page 11, line 9.

**Following:** "(c)"

**Insert:** "the device"

**Strike:** "AND"

9. Page 11, line 10.

**Following:** "(D)"

**Insert:** "the device"

10. Page 11, line 11.

**Following:** "STATE"

**Strike:** " . "

**Insert:** "; and

(e) disabled electors have been able to participate in the process of determining whether the system meets accessibility standards."

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

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**SJR 9**, be amended as follows:

1. Page 1, line 9.

**Following:** "Taiwan"

**Insert:** ", formally known as the Republic of China,"

2. Page 2, line 28.

**Strike:** "KUO-SHU"

**Insert:** "Kuo-shu"

3. Page 2, line 29.

**Strike:** "ING-WEN TSAI"

**Insert:** "Tsai Ing-wen"

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

**TAXATION** (Redfield, Chair):

4/3/2019

**SB 111**, be concurred in. Report adopted.

**SB 165**, be concurred in. Report adopted.

**SB 178**, be amended as follows:

1. Page 1, line 28 through line 29.

**Strike:** "THAT:" on line 28 through "(A) HAS" on line 29

**Insert:** "and"

2. Page 2, line 1 through line 2.

**Strike:** "; AND" on line 1 through "CAPACITY" on line 2

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

**FIRST READING AND COMMITMENT OF BILLS**

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

**HJR 43**, introduced by G. Pierson, referred to Judiciary.

**HJR 44**, introduced by B. Hamlett, D. Bedey, B. Brown, Z. Brown, W. Curdy, D. Fern, J. Hamilton, S. Hinebauch, M. Hopkins, T. Jacobson, J. Keane, M. Lang, D. Loge, T. Welch, referred to Natural Resources.

**HJR 45**, introduced by D. Loge, D. Fern, referred to Transportation.

**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 Woods in the chair.

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

**HB 15 - Senate Amendments** - Representative Curdy moved Senate amendments to **HB 15** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Berglee, Bessette, Bishop, Brown Z, Buttrey, Caferro, Curdy, Custer, Doane, Dooling, Dudik, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fuller, Funk, Galt, Garner, Greef, Grubbs, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Marler, McKamey, Mercer, Moore E, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Welch, Windy Boy, Winter, Woods.  
Total 70

Nays: Bartel, Beard, Bedey, Brown B, Burnett, DeVries, Dunn, Fleming, Galloway, Glimm, Gunderson, Hopkins, Knudsen R, Manzella, Moore T, Mortensen, Noland, Read, Redfield, Regier, Ricci, Skees, Tschida, Usher, Vinton, Webb, White, Mr. Speaker.  
Total 28

Voted absentee: Runningwolf, Aye.

Excused: Runningwolf.  
Total 1

Absent or not voting: Garcia, Zolnikov.  
Total 2

**SB 41** - Representative B. Brown moved **SB 41** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Krautter, Krotkov, Loge, Lynch, Mandeville, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov.  
Total 93

Nays: DeVries, Knudsen R, Manzella, Mortensen, Tschida, Mr. Speaker.  
Total 6

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Voted absentee: Runningwolf, Aye.

Excused: Runningwolf.

Total 1

Absent or not voting: Lenz.

Total 1

**SB 48** - Representative Z. Brown moved **SB 48** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bedey, Berglee, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Custer, DeVries, Doane, Dudik, Dunn, Duram, Fern, Fitzgerald, Fuller, Funk, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Kassmier, Keane, Kelker, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Sullivan, Sweeney, Vinton, Welch, White, Woods, Zolnikov, Mr. Speaker.

Total 76

Nays: Bahr, Bartel, Beard, Bessette, Curdy, Dooling, Dunwell, Farris-Olsen, Fleming, Galloway, Karjala, Keogh, Krotkov, Olsen, Peppers, Skees, Stewart Peregoy, Tschida, Usher, Weatherwax, Webb, Windy Boy, Winter.

Total 23

Voted absentee: Runningwolf, Aye.

Excused: Runningwolf.

Total 1

Absent or not voting: Noland.

Total 1

**SB 60** - Representative Anderson moved **SB 60** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bedey, Berglee, Bessette, Bishop, Brown Z, Buttrey, Caferro, Curdy, Custer, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Vinton, Weatherwax, Welch, White, Windy Boy, Winter, Woods, Mr. Speaker.

Total 84

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Nays: Bartel, Beard, Brown B, Burnett, DeVries, Doane, Holmlund, Mortensen, Noland, Regier, Skees, Tschida, Usher, Webb, Zolnikov.  
Total 15

Voted absentee: Runningwolf, Aye.

Excused: Runningwolf.  
Total 1

Absent or not voting: Knudsen R.  
Total 1

**SB 67** - Representative Redfield moved **SB 67** be concurred in.

**SB 67** - Representative Skees moved **SB 67**, second reading copy, be amended as follows:

1. Page 1, line 16.

**Following:** "system."

**Insert:** "The department may not use more than \$2,500 in fees collected for administrative expenses."

**Strike:** "in excess of these"

**Insert:** "collected in excess of \$2,500 for"

Amendment adopted as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Bedey, Berglee, Brown B, Burnett, DeVries, Doane, Dooling, Dunn, Duram, Fern, Fleming, Fuller, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Holmlund, Hopkins, Jones, Kassmier, Keane, Knudsen C, Knudsen R, Krautter, Lenz, Loge, Lynch, Mandeville, Manzella, Mercer, Moore E, Moore T, Mortensen, Noland, Pierson, Read, Redfield, Regier, Ricci, Sales, Skees, Smith, Sweeney, Tschida, Usher, Vinton, Webb, Welch, White, Zolnikov, Mr. Speaker.  
Total 62

Nays: Abbott, Bachmeier, Bahr, Bessette, Bishop, Brown Z, Buttrey, Caferro, Curdy, Custer, Dudik, Dunwell, Farris-Olsen, Fitzgerald, Funk, Hayman, Karjala, Kelker, Keogh, Kerr-Carpenter, Krotkov, Marler, McKamey, Morigeau, Olsen, Peppers, Perry, Pope, Runningwolf, Ryan, Schreiner, Shaw, Stewart Peregoy, Sullivan, Weatherwax, Windy Boy, Winter, Woods.  
Total 38

Voted absentee: Runningwolf, No.

Excused: Runningwolf.  
Total 1

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Absent or not voting: None.

Total 0

**SB 67** - Representative Redfield moved **SB 67**, as amended, be concurred in. Motion carried as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Bedey, Berglee, Brown B, Brown Z, Burnett, Buttrey, Curdy, Custer, DeVries, Doane, Dooling, Dunn, Duram, Fern, Fitzgerald, Fleming, Fuller, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harvey, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Mortensen, Noland, Peppers, Perry, Pierson, Read, Redfield, Regier, Ricci, Sales, Schreiner, Shaw, Skees, Sullivan, Sweeney, Tschida, Usher, Vinton, Webb, Welch, White, Woods, Zolnikov, Mr. Speaker.

Total 76

Nays: Abbott, Bachmeier, Bahr, Bessette, Bishop, Caferro, Dudik, Dunwell, Farris-Olsen, Funk, Hamilton, Hayman, Kelker, Krotkov, Morigeau, Olsen, Pope, Runningwolf, Ryan, Smith, Stewart Peregoy, Weatherwax, Windy Boy, Winter.

Total 24

Voted absentee: Runningwolf, No.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

**SB 71** - Representative Pierson moved **SB 71** be concurred in.

**SB 71** - Representative Lynch moved **SB 71**, second reading copy, be amended as follows:

1. Title, page 1, line 11.

**Following:** "DATE"

**Insert:** "AND A TERMINATION DATE"

2. Page 8, line 21.

**Insert:** "NEW SECTION. **Section 15. Termination.** [This act] terminates December 31, 2024."

Amendment **not** adopted as follows:

Yeas: Abbott, Bachmeier, Bahr, Bartel, Bishop, Brown Z, Caferro, Curdy, Custer, Dudik, Dunwell, Farris-Olsen, Fern, Garner, Hamilton, Hamlett, Harvey, Hayman, Jones, Karjala,

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Keane, Kelker, Keogh, Kerr-Carpenter, Krautter, Krotkov, Lynch, Morigeau, Olsen, Peppers, Perry, Pope, Runningwolf, Schreiner, Smith, Sullivan, Sweeney, Welch, Windy Boy, Winter, Woods.

Total 41

Nays: Anderson, Ballance, Beard, Bedey, Berglee, Bessette, Brown B, Burnett, Buttrey, DeVries, Doane, Dooling, Dunn, Duram, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Glimm, Greef, Grubbs, Gunderson, Holmlund, Kassmier, Knudsen C, Knudsen R, Lenz, Loge, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Mortensen, Noland, Pierson, Read, Redfield, Regier, Ricci, Ryan, Sales, Shaw, Skees, Stewart Peregoy, Tschida, Vinton, Weatherwax, Webb, White, Zolnikov, Mr. Speaker.

Total 57

Voted absentee: Runningwolf, Aye.

Excused: Runningwolf.

Total 1

Absent or not voting: Hopkins, Usher.

Total 2

**SB 71** - Representative Pierson moved **SB 71** be concurred in. Motion carried as follows:

Yeas: Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Brown B, Brown Z, Burnett, Buttrey, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Fern, Fitzgerald, Fleming, Fuller, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamlett, Harvey, Holmlund, Hopkins, Jones, Kassmier, Knudsen C, Knudsen R, Krautter, Lenz, Loge, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Ryan, Sales, Shaw, Skees, Smith, Stewart Peregoy, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 82

Nays: Abbott, Bishop, Caferro, Farris-Olsen, Funk, Hamilton, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Krotkov, Lynch, Morigeau, Runningwolf, Schreiner, Sullivan.

Total 18

Voted absentee: Runningwolf, No.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

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**SB 81** - Representative White moved **SB 81** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted absentee: Runningwolf, Aye.

Excused: Runningwolf.

Total 1

Absent or not voting: Dunn, Mortensen.

Total 2

**SB 140** - Representative Fuller moved **SB 140** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Buttrey, Caferro, Curdy, Custer, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Burnett, DeVries, Knudsen R, Regier.

Total 4

Voted absentee: Runningwolf, Aye.

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Excused: Runningwolf.

Total 1

Absent or not voting: Jones.

Total 1

**SB 151** - Representative B. Brown moved **SB 151** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Bedey, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen R, Krautter, Krotkov, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 89

Nays: Beard, Berglee, DeVries, Galt, Knudsen C, Lenz, Mortensen, Redfield, Skees, Tschida.

Total 10

Voted absentee: Runningwolf, Aye.

Excused: Runningwolf.

Total 1

Absent or not voting: Galloway.

Total 1

**SB 176** - Representative Redfield moved **SB 176** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Duram, Glimm.

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Total 2

Voted absentee: Runningwolf, Aye.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

**SB 126** - Representative Grubbs moved **SB 126** be concurred in.

**SB 126** - Representative Grubbs moved **SB 126**, second reading copy, be amended as follows:

1. Title, page 1, line 7.

**Following:** "REQUIREMENTS;"

**Insert:** "PROVIDING AN OPTION FOR CERTAIN PUBLIC ENTITIES TO USE A MILL LEVY TO PAY FOR AN INCREASE IN WORKERS' COMPENSATION PREMIUM RELATED TO PRESUMPTIVE DISEASE;"

2. Title, page 1, line 7.

**Following:** "SECTIONS"

**Insert:** "15-10-420,"

**Following:** "39-71-2102"

**Insert:** ", "

3. Page 1.

**Following:** line 10

**Insert:** "NEW SECTION. Section 1. Optional levy for certain workers' compensation -- hearing -- definition. (1) A political subdivision that provides workers' compensation for firefighters under plan No. 1 may impose a mill levy to fund only the amount for the contribution due for payment for presumptive disease coverage that is in excess of the political subdivision's base contribution for workers' compensation for firefighters. The mill levy is not subject to 15-10-420(1) and is not subject to approval at an election under 15-10-425.

(2) The political subdivision shall provide notice of a public hearing and hold a public hearing prior to implementing a levy under this section.

(3) If a levy pursuant to this section is decreased or ceases to be levied, the revenue may not be combined with the revenue determined in 15-10-420(1)(a).

(4) For the purposes of this section, "political subdivision" means a county government, a municipal government, a consolidated government, or a local governmental fire agency under Title 7, chapter 33."

**Insert:** "**Section 2.** Section 15-10-420, MCA, is amended to read:

**"15-10-420. Procedure for calculating levy.** (1) (a) Subject to the provisions of this section, a governmental entity that is authorized to impose mills may impose a mill levy sufficient

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to generate the amount of property taxes actually assessed in the prior year plus one-half of the average rate of inflation for the prior 3 years. The maximum number of mills that a governmental entity may impose is established by calculating the number of mills required to generate the amount of property tax actually assessed in the governmental unit in the prior year based on the current year taxable value, less the current year's newly taxable value, plus one-half of the average rate of inflation for the prior 3 years.

(b) A governmental entity that does not impose the maximum number of mills authorized under subsection (1)(a) may carry forward the authority to impose the number of mills equal to the difference between the actual number of mills imposed and the maximum number of mills authorized to be imposed. The mill authority carried forward may be imposed in a subsequent tax year.

(c) For the purposes of subsection (1)(a), the department shall calculate one-half of the average rate of inflation for the prior 3 years by using the consumer price index, U.S. city average, all urban consumers, using the 1982-84 base of 100, as published by the bureau of labor statistics of the United States department of labor.

(2) A governmental entity may apply the levy calculated pursuant to subsection (1)(a) plus any additional levies authorized by the voters, as provided in 15-10-425, to all property in the governmental unit, including newly taxable property.

(3) (a) For purposes of this section, newly taxable property includes:

- (i) annexation of real property and improvements into a taxing unit;
- (ii) construction, expansion, or remodeling of improvements;
- (iii) transfer of property into a taxing unit;
- (iv) subdivision of real property; and
- (v) transfer of property from tax-exempt to taxable status.

(b) Newly taxable property does not include an increase in value that arises because of an increase in the incremental value within a tax increment financing district.

(4) (a) For the purposes of subsection (1), the taxable value of newly taxable property includes the release of taxable value from the incremental taxable value of a tax increment financing district because of:

- (i) a change in the boundary of a tax increment financing district;
- (ii) an increase in the base value of the tax increment financing district pursuant to 7-15-4287; or
- (iii) the termination of a tax increment financing district.

(b) If a tax increment financing district terminates prior to the certification of taxable values as required in 15-10-202, the increment value is reported as newly taxable property in the year in which the tax increment financing district terminates. If a tax increment financing district terminates after the certification of taxable values as required in 15-10-202, the increment value is reported as newly taxable property in the following tax year.

(c) For the purpose of subsection (3)(a)(ii), the value of newly taxable class four property that was constructed, expanded, or remodeled property since the completion of the last reappraisal cycle is the current year market value of that property less the previous year market value of that property.

(d) For the purpose of subsection (3)(a)(iv), the subdivision of real property includes the first sale of real property that results in the property being taxable as class four property under 15-6-134 or as nonqualified agricultural land as described in 15-6-133(1)(c).

(5) Subject to subsection (8), subsection (1)(a) does not apply to:

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- (a) school district levies established in Title 20; or
  - (b) a mill levy imposed for a newly created regional resource authority.
- (6) For purposes of subsection (1)(a), taxes imposed do not include net or gross proceeds taxes received under 15-6-131 and 15-6-132.
- (7) In determining the maximum number of mills in subsection (1)(a), the governmental entity:
- (a) may increase the number of mills to account for a decrease in reimbursements; and
  - (b) may not increase the number of mills to account for a loss of tax base because of legislative action that is reimbursed under the provisions of 15-1-121(7).
- (8) The department shall calculate, on a statewide basis, the number of mills to be imposed for purposes of 15-10-108, 20-9-331, 20-9-333, 20-9-360, and 20-25-439. However, the number of mills calculated by the department may not exceed the mill levy limits established in those sections. The mill calculation must be established in tenths of mills. If the mill levy calculation does not result in an even tenth of a mill, then the calculation must be rounded up to the nearest tenth of a mill.
- (9) (a) The provisions of subsection (1) do not prevent or restrict:
- (i) a judgment levy under 2-9-316, 7-6-4015, or 7-7-2202;
  - (ii) a levy to repay taxes paid under protest as provided in 15-1-402;
  - (iii) an emergency levy authorized under 10-3-405, 20-9-168, or 20-15-326;
  - (iv) a levy for the support of a study commission under 7-3-184;
  - (v) a levy for the support of a newly established regional resource authority;
  - (vi) the portion that is the amount in excess of the base contribution of a governmental entity's property tax levy for contributions for group benefits excluded under 2-9-212 or 2-18-703;
  - (vii) a levy for reimbursing a county for costs incurred in transferring property records to an adjoining county under 7-2-2807 upon relocation of a county boundary; ~~or~~
  - (viii) a levy used to fund the sheriffs' retirement system under 19-7-404(2)(b); or
  - (ix) a levy used to fund the amount for the contribution due for payment for presumptive disease coverage under Title 39, chapter 71, that is in excess of the base workers' compensation contribution.
- (b) A levy authorized under subsection (9)(a) may not be included in the amount of property taxes actually assessed in a subsequent year.
- (10) A governmental entity may levy mills for the support of airports as authorized in 67-10-402, 67-11-301, or 67-11-302 even though the governmental entity has not imposed a levy for the airport or the airport authority in either of the previous 2 years and the airport or airport authority has not been appropriated operating funds by a county or municipality during that time.
- (11) The department may adopt rules to implement this section. The rules may include a method for calculating the percentage of change in valuation for purposes of determining the elimination of property, new improvements, or newly taxable value in a governmental unit. ""

**Renumber:** subsequent sections

4. Page 3.

**Following:** line 5

**"NEW SECTION. Section 5. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 7, chapter 33, part 45, and the provisions of Title 7, chapter 33, part 45, apply to [section 1].

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Amendment **not** adopted as follows:

Yeas: Abbott, Bachmeier, Bessette, Bishop, Brown Z, Caferro, Curdy, Custer, Dudik, Dunwell, Farris-Olsen, Fern, Funk, Grubbs, Hamilton, Hamlett, Harvey, Hayman, Hopkins, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Krautter, Krotkov, Loge, Lynch, Marler, Morigeau, Olsen, Perry, Pierson, Pope, Runningwolf, Ryan, Schreiner, Smith, Stewart Peregoy, Sullivan, Sweeney, Windy Boy, Winter, Woods.

Total 44

Nays: Anderson, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Brown B, Burnett, Buttrey, DeVries, Doane, Dooling, Dunn, Duram, Fitzgerald, Fleming, Fuller, Galloway, Galt, Garcia, Garner, Glimm, Greef, Gunderson, Holmlund, Jones, Kassmier, Knudsen C, Knudsen R, Lenz, Mandeville, Manzella, McKamey, Mercer, Moore E, Moore T, Mortensen, Noland, Peppers, Read, Redfield, Regier, Ricci, Sales, Shaw, Skees, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Zolnikov, Mr. Speaker.

Total 56

Voted absentee: Runningwolf, Aye.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

**SB 126** - Representative Grubbs moved **SB 126** be concurred in. Motion **failed** as follows:

Yeas: Anderson, Bahr, Ballance, Bedey, Berglee, Burnett, Buttrey, Custer, DeVries, Fitzgerald, Galloway, Garcia, Garner, Glimm, Greef, Grubbs, Holmlund, Hopkins, Jones, Karjala, Kassmier, Knudsen R, Krautter, Krotkov, Loge, Mandeville, McKamey, Mercer, Moore E, Mortensen, Read, Runningwolf, Sales, Shaw, Skees, Smith, Tschida, Webb, Woods, Zolnikov, Mr. Speaker.

Total 41

Nays: Abbott, Bachmeier, Bartel, Beard, Bessette, Bishop, Brown B, Brown Z, Caferro, Curdy, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fleming, Fuller, Funk, Galt, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Lenz, Lynch, Manzella, Marler, Moore T, Morigeau, Noland, Olsen, Peppers, Perry, Pierson, Pope, Redfield, Regier, Ricci, Ryan, Schreiner, Stewart Peregoy, Sullivan, Sweeney, Usher, Vinton, Weatherwax, Welch, White, Windy Boy, Winter.

Total 59

Voted absentee: Runningwolf, Aye.

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Excused: Runningwolf.

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

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Curdy, Garner.

Total 2

Voted absentee: None.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

**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 238** passed as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Bedey, Berglee, Brown B, Burnett, Buttrey, Custer, DeVries, Doane, Dooling, Dunn, Duram, Fleming, Fuller, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Jones, Kassmier, Knudsen C, Knudsen R, Krautter, Lenz, Loge, Mandeville, Manzella, McKamey, Mercer, Moore E, Moore T, Morigeau,

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Mortensen, Noland, Read, Redfield, Regier, Ricci, Sales, Shaw, Skees, Tschida, Usher, Vinton, Webb, Welch, White, Zolnikov, Mr. Speaker.

Total 57

Nays: Abbott, Bachmeier, Bahr, Bessette, Bishop, Brown Z, Caferro, Curdy, Dudik, Dunwell, Farris-Olsen, Fern, Fitzgerald, Funk, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Krotkov, Lynch, Marler, Olsen, Peppers, Perry, Pierson, Pope, Ryan, Schreiner, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Windy Boy, Winter, Woods.

Total 42

Voted absentee: None.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

**HB 586** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: DeVries, Regier.

Total 2

Voted absentee: None.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

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**SB 38** concurred in as follows:

Yeas: Abbott, Bachmeier, Bahr, Bedey, Bessette, Bishop, Brown Z, Buttrey, Caferro, Curdy, Custer, Dooling, Dudik, Dunn, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fleming, Funk, Garcia, Garner, Greef, Grubbs, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Krautter, Krotkov, Loge, Mandeville, Marler, Mercer, Moore E, Moore T, Morigeau, Mortensen, Olsen, Peppers, Perry, Pierson, Pope, Read, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Vinton, Weatherwax, Welch, White, Windy Boy, Winter, Woods.

Total 69

Nays: Anderson, Ballance, Bartel, Beard, Berglee, Brown B, Burnett, DeVries, Doane, Duram, Fuller, Galloway, Galt, Glimm, Gunderson, Knudsen C, Knudsen R, Lenz, Lynch, Manzella, McKamey, Noland, Redfield, Regier, Skees, Tschida, Usher, Webb, Zolnikov, Mr. Speaker.

Total 30

Voted absentee: None.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

**SB 78 failed** as follows:

Yeas: Abbott, Bachmeier, Bahr, Bessette, Bishop, Brown Z, Caferro, Curdy, Custer, Dudik, Dunwell, Farris-Olsen, Fern, Funk, Garner, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Krotkov, Loge, Lynch, Marler, Moore E, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Ryan, Schreiner, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Windy Boy, Winter, Woods, Zolnikov.

Total 48

Nays: Anderson, Ballance, Bartel, Beard, Bedey, Berglee, Brown B, Burnett, Buttrey, DeVries, Doane, Dooling, Dunn, Duram, Fitzgerald, Fleming, Fuller, Galloway, Galt, Garcia, Glimm, Greef, Grubbs, Hopkins, Kassmier, Knudsen C, Knudsen R, Krautter, Lenz, Mandeville, Manzella, McKamey, Mercer, Moore T, Mortensen, Noland, Read, Redfield, Regier, Ricci, Sales, Shaw, Skees, Tschida, Usher, Vinton, Webb, Welch, White, Mr. Speaker.

Total 50

Voted absentee: None.

Excused: Runningwolf.

Total 1

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Absent or not voting: Jones.

Total 1

**SB 133** concurred in as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Bedey, Berglee, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galt, Garcia, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Holmlund, Hopkins, Jones, Karjala, Kassmier, Kelker, Keogh, Kerr-Carpenter, Krautter, Lenz, Loge, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Sullivan, Sweeney, Vinton, Weatherwax, Welch, White, Woods, Zolnikov, Mr. Speaker.

Total 77

Nays: Beard, Bessette, DeVries, Galloway, Glimm, Harvey, Hayman, Keane, Knudsen C, Knudsen R, Krotkov, Lynch, Mortensen, Noland, Olsen, Skees, Stewart Peregoy, Tschida, Usher, Webb, Windy Boy, Winter.

Total 22

Voted absentee: None.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

**SB 154** concurred in as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Custer, DeVries, Doane, Dooling, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Pierson, Pope, Read, Redfield, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Curdy, Dudik, Perry, Sullivan.

Total 4

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Voted absentee: None.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

**SB 177** concurred in as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Duram.

Total 1

Voted absentee: None.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

**SB 191** concurred in as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read,

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Redfield, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Burnett, Garcia, Knudsen R.

Total 3

Voted absentee: None.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

**SB 197** concurred in as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted absentee: None.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

**SB 264** concurred in as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bessette, Bishop, Brown Z, Buttrey, Caferro, Curdy, Custer, Dooling, Dudik, Dunwell, Farris-Olsen, Fern, Fitzgerald,

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Fleming, Funk, Garcia, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Keane, Keogh, Kerr-Carpenter, Krautter, Krotkov, Lynch, Marler, McKamey, Morigeau, Mortensen, Olsen, Peppers, Perry, Pierson, Pope, Redfield, Ricci, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Usher, Weatherwax, Welch, Windy Boy, Winter, Woods, Zolnikov.  
Total 66

Nays: Bedey, Berglee, Brown B, Burnett, DeVries, Doane, Dunn, Duram, Fuller, Galloway, Galt, Glimm, Karjala, Kassmier, Knudsen C, Knudsen R, Lenz, Loge, Mandeville, Manzella, Mercer, Moore E, Moore T, Noland, Read, Regier, Skees, Tschida, Vinton, Webb, White, Mr. Speaker.  
Total 32

Voted absentee: None.

Excused: Runningwolf.  
Total 1

Absent or not voting: Kelker.  
Total 1

**SB 268** concurred in as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: DeVries.  
Total 1

Voted absentee: None.

Excused: Runningwolf.  
Total 1

Absent or not voting: None.  
Total 0

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**SB 270** concurred in as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Beard, Garcia.

Total 2

Voted absentee: None.

Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

**SB 276** concurred in as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted absentee: None.

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Excused: Runningwolf.

Total 1

Absent or not voting: None.

Total 0

**SB 305** concurred in as follows:

Yeas: Anderson, Ballance, Bartel, Bedey, Berglee, Brown B, Burnett, Buttrey, Custer, DeVries, Dooling, Dunn, Fern, Fitzgerald, Fleming, Galloway, Galt, Garcia, Garner, Glimm, Greef, Gunderson, Hamilton, Holmlund, Hopkins, Jones, Kassmier, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Loge, Mandeville, Manzella, McKamey, Mercer, Moore E, Moore T, Mortensen, Noland, Read, Regier, Sales, Shaw, Skees, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, Zolnikov, Mr. Speaker.

Total 54

Nays: Abbott, Bachmeier, Bahr, Beard, Bessette, Bishop, Brown Z, Caferro, Curdy, Doane, Dudik, Dunwell, Duram, Farris-Olsen, Fuller, Funk, Hamlett, Harvey, Hayman, Karjala, Keane, Kelker, Krotkov, Lenz, Lynch, Marler, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Redfield, Ricci, Ryan, Schreiner, Smith, Stewart Peregoy, Sullivan, Sweeney, White, Windy Boy, Winter, Woods.

Total 44

Voted absentee: None.

Excused: Runningwolf.

Total 1

Absent or not voting: Grubbs.

Total 1

**REPORTS OF STANDING COMMITTEES**

**BUSINESS AND LABOR** (Noland, Chair):

4/3/2019

**SB 160**, be amended as follows:

1. Page 2, line 11.

**Strike:** "cardiovascular disease"

**Insert:** "myocardial infarction"

2. Page 2, line 16.

**Following:** "mesothelioma"

**Insert:** "or asbestosis"

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3. Page 2, line 20.

**Strike:** "pulmonary or respiratory disease"

**Insert:** "lung cancer"

4. Page 2, line 28.

**Strike:** "An"

**Insert:** "Subject to the provisions of subsection (5)(c), an"

5. Page 3, line 2.

**Strike:** "PULMONARY OR RESPIRATORY DISEASES"

**Insert:** "myocardial infarction or lung cancer"

6. Page 3, line 4.

**Following:** "(b)"

**Insert:** "(i)"

7. Page 3, line 8.

**Strike:** "NOTHING IN THIS SECTION LIMITS"

**Insert:** "(ii) An insurer is not liable for the payment of workers' compensation benefits for presumptive occupational disease if the insurer establishes by a preponderance of the evidence that the firefighter was not exposed during the course and scope of the firefighter's duties to smoke or particles in a quantity sufficient to have reasonably caused the disease claimed.

(c) A total claim payment by an insurer under this section is limited to \$5 million for each claim.

(6) This section does not limit"

8. Page 3, line 10.

**Strike:** "(c)"

**Insert:** "(7)"

**Renumber:** subsequent subsections

9. Page 4, line 24.

**Following:** "OBJECTIVE MEDICAL evidence"

**Insert:** "or a family history"

10. Page 10, line 11.

**Strike:** "THE EQUAL PROTECTION CLAUSES"

**Insert:** "any clause"

11. Page 10, line 12.

**Following:** "COURT"

**Insert:** "through any other action or doctrine in law or equity"

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

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**SB 267**, be amended as follows:

1. Page 3, line 16 through line 17.

**Strike:** subsection (a) in its entirety

**Renumber:** subsequent subsections

2. Page 3, line 23.

**Following:** ";"

**Insert:** "and"

3. Page 3, line 25 through line 26.

**Strike:** "; and" on line 25 through "through 11]" on line 26

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

**JUDICIARY** (Doane, Chair):

4/3/2019

**SB 132**, be amended as follows:

1. Page 3, line 7 through line 9.

**Strike:** "AND" on line 7 through "school" on line 9

2. Page 5, line 15 through line 17.

**Strike:** "AND" on line 15 through "school" on line 17

3. Page 6, following line 27.

**Insert:** "COORDINATION SECTION. Section 6. Coordination instruction. If House Bill No. 173 is passed and approved and if it includes a section that amends 45-5-501, then [section 1 of this act] amending 45-5-501 is void."

**Insert:** "COORDINATION SECTION. Section 7. Coordination instruction. If House Bill No. 173 is passed and approved and if it includes a section that amends 45-5-502, then [section 2 of this act] amending 45-5-502 is void."

**Renumber:** subsequent sections

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

**MOTIONS**

Majority Leader Tschida moved to re-refer **SB 60** to the Appropriations Committee. Without objection, so ordered.

Majority Leader Tschida moved to re-refer **SB 176** to the Appropriations Committee. Without objection, so ordered.

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**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Tschida moved the House adjourn until 1:00 p.m., Thursday, April 4, 2019. Motion carried.

House adjourned at 2:15 p.m.

LINDSEY VROEGINDEWEY  
Chief Clerk of the House

GREG HERTZ  
Speaker of the House