Senate convened at 1:00 p.m. President Sales presiding. Invocation by Senator Hinebaugh. Pledge of Allegiance to the Flag.

Roll Call. Forty-nine members present, Senator Fielder excused. Quorum present.

BILLS AND JOURNALS (Keenan, Chair):

Correctly printed: HB 316, HB 579, HB 590, HB 612.
Correctly engrossed: HB 433, HB 553.
Correctly enrolled: SB 71, SB 90, SB 192, SB 220, SB 231, SB 285.
Signed by the Speaker at 6:30 p.m., April 5, 2019: SB 1, SB 3, SB 9, SB 14, SB 36, SB 46, SB 52, SB 61, SB 82, SB 89, SB 98, SB 119, SB 157, SB 163, SB 182, SB 217, SB 223, SB 226, SB 243, SB 275, SB 288, SB 292, SB 295, SB 310.
Delivered to the Governor at 11:40 a.m., April 8, 2019: SB 1, SB 3, SB 9, SB 14, SB 36, SB 46, SB 52, SB 61, SB 82, SB 89, SB 98, SB 119, SB 157, SB 163, SB 182, SB 217, SB 223, SB 226, SB 243, SB 275, SB 288, SB 292, SB 295, SB 310.

Sergeant-at-Arms Spencer escorted Bella Nyman, who represents Montana in the Children's Miracle Network Hospitals' program, into the Senate chamber. Senator Ellis read the following proclamation:

A PROCLAMATION OF THE MONTANA LEGISLATURE
COMMENDING AND RECOGNIZING
BELLA NYMAN
April 8, 2019

BELLA NYMAN, A 16-YEAR-OLD HELENA GIRL, HAS BEEN TREATED BY SHODAIR CHILDREN'S HOSPITAL. HER DETERMINATION, STRENGTH AND COURAGE HAVE HELPED HER TO ADDRESS SERIOUS MENTAL HEALTH CHALLENGES.

WHEREAS, Children's Miracle Network Hospitals, the international alliance of premier children's hospitals in the United States and abroad, spotlights the heroic battles of children like Bella with varied illnesses and health challenges; and
WHEREAS, Shodair Children's Hospital is Montana's Children's Miracle Network Hospital and the only hospital in the Children's Miracle Network that serves mental health needs of children and teenagers; and

WHEREAS, Bella will represent Montana in the Children's Miracle Network Hospitals' program honoring remarkable children who have encountered severe medical conditions and have endured medical obstacles, all while inspiring others; and

WHEREAS, Bella has encountered serious mental health challenges since early in her childhood, including serious anxiety and depression. She credits the staff at Shodair Children's Hospital as a key to her success today, and she looks forward to a bright future with support of family, friends and healthcare professionals.

NOW THEREFORE BE IT RESOLVED by the 66th Montana Legislature that the members of this body honor Bella Nyman for her spirit and inspiration in the face of significant medical challenges, and convey to her their sincere wishes for memorable experiences during her year as Montana's Champion.

Signed by: Scott Sales, President of the Senate
Greg Hertz, Speaker of the House

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on Senate Amendments to House Bill 268
Report No. 001, April 8, 2019

Mr. President and Mr. Speaker:
We, your Conference Committee met and considered Senate amendments to House Bill 268 (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that House Bill 268 (reference copy -- salmon) be amended as follows:

1. Page 1, line 27.
   Following: "The"
   Strike: "(1)" through "(2), THE"
   Insert: "The"

2. Page 2, line 1 through line 3.
   Strike: subsection (2) in its entirety
For the Senate:  K. Regier, Chair
Esp
MacDonald

For the House:  Greef, Vice Chair
Doane
Farris-Olsen

Without objection, the select committee report was adopted.

FIRST READING AND COMMITMENT OF BILLS

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

SJ 26, introduced by D. Sands, N. McConnell, referred to Judiciary.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Majority Leader Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator R. Webb in the chair.

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

SB 38 - House Amendments - Senator MacDonald moved House amendments to SB 38 be concurred in. Motion carried as follows:

Total  49

Nays: None.
Total  0

Paired:  None.

Excused: Fielder.
Total  1

Absent or not voting: None.
Total  0
SB 73 - House Amendments - Senator Hinebauch moved House amendments to SB 73 be concurred in. Motion carried as follows:

Total 49

Nays: None.
Total 0

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

SB 116 - House Amendments - Senator Salomon moved House amendments to SB 116 be concurred in. Motion carried as follows:

Total 49

Nays: None.
Total 0

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

SB 133 - House Amendments - Senator Gillespie moved House amendments to SB 133 be
concurred in. Motion carried as follows:

Total 49

Nays: None.
Total 0

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

**SB 268 - House Amendments** - Senator Bogner moved House amendments to **SB 268** be concurred in. Motion carried as follows:

Total 48

Nays: Kary.
Total 1

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

**SB 276** - Senator Thomas moved consideration of **SB 276** be placed at the bottom of the second reading board. Without objection, so ordered.
SB 305 - House Amendments - Senator Gauthier moved House amendments to SB 305 be concurred in. Motion carried as follows:

Total 47

Nays: Boland, Cohenour.
Total 2

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

HB 172 - Senator Ellsworth moved HB 172 be concurred in.

HB 172 - Senator D. Brown moved HB 172, second reading copy, be amended as follows:

Strike: "2021"
Insert: "2023"

Amendment adopted as follows:

Total 45

Nays: Fitzpatrick, Gillespie, Hinebauch, Mr President.
Total 4

Paired: None.

Excused: Fielder.
Total 1
Absent or not voting: None.
Total 0

**HB 172** - As amended, **HB 172** was concurred in as follows:

Total 37

Total 12

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

Senator Sesso excused at this time.

**HB 416** - Senator Lang moved **HB 416** be concurred in. Motion carried as follows:

Total 33

Nays: Bogner, Brown, Cuffe, Ellsworth, Esp, Hinebauch, Hoven, Howard, Kary, Olszewski, Osmundson, Smith C, Thomas, Vance, Mr President.
Total 15

Paired: None.

Excused: Fielder, Sesso.
Total 2

Absent or not voting: None.
Total 0
HB 376 - Senator Lang moved HB 376 be concurred in. Motion carried as follows:
Total 42
Nays: Brown, Ellsworth, Hinebauch, Howard, Vance, Mr President.
Total 6
Paired: None.
Excused: Fielder, Sesso.
Total 2
Absent or not voting: None.
Total 0
Senator Sesso present at this time.

HB 566 - Senator Boland moved HB 566 be concurred in. Motion carried as follows:
Total 25
Total 24
Paired: None.
Excused: Fielder.
Total 1
Absent or not voting: None.
Total 0

HB 6 - Senator Cuffe moved HB 6 be concurred in. Motion carried as follows:
Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis,
Total  49

Nays: None.
Total  0

Paired: None.

Excused: Fielder.
Total  1

Absent or not voting: None.
Total  0

HB 7 - Senator Sesso moved HB 7 be concurred in. Motion carried as follows:

Total  49

Nays: None.
Total  0

Paired: None.

Excused: Fielder.
Total  1

Absent or not voting: None.
Total  0

HB 9 - Senator Cuffe moved HB 9 be concurred in. Motion carried as follows:

Total  37

Total  12

Paired:  None.

Excused: Fielder.
Total  1

Absent or not voting: None.
Total  0

HB 11 - Senator Ankney moved HB 11 be concurred in. Motion carried as follows:

Total  49

Nays: None.
Total  0

Paired:  None.

Excused: Fielder.
Total  1

Absent or not voting: None.
Total  0

HB 669 - Senator Olszewski moved HB 669 be concurred in. Motion carried as follows:

Total  46

Nays: Keenan, Vance, Mr President.
Total 3

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

**HB 39** - Senator D. Brown moved **HB 39** be concurred in. Motion carried as follows:

Total 39

Nays: Bogner, Cuffe, Ellsworth, Hinebauch, Hoven, Kary, Lang, Osmundson, Salomon, Smith F.
Total 10

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

**HB 111** - Senator Sands moved **HB 111** be concurred in. Motion carried as follows:

Total 43

Nays: Brown, Esp, Hinebauch, Kary, Keenan, Olszewski.
Total 6

Paired: None.
Excused: Fielder.
Total  1

Absent or not voting: None.
Total  0

HB 302 - Senator K. Regier moved HB 302 be concurred in. Motion carried as follows:

Total  29

Total  20

Paired:  None.

Excused: Fielder.
Total  1

Absent or not voting: None.
Total  0

HB 393 - Senator Welborn moved HB 393 be concurred in. Motion carried as follows:

Total  40

Nays: Barrett, Boland, Ellis, Flowers, Malek, McClafferty, McNally, Phillips, Pomnichowski.
Total  9

Paired:  None.

Excused: Fielder.
Total  1

Absent or not voting: None.
Total  0
President Sales assumed the chair.

**SB 276 - House Amendments** - Senator R. Webb moved House amendments to **SB 276** be concurred in. Motion carried as follows:

Total 43

Nays: Bennett, McConnell, Pominchowski, Sands, Smith F, Webber.
Total 6

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

Majority Leader Thomas moved the committee **rise and report**. Motion carried. Committee arose. Senate resumed. President Sales presiding.

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

Total 45

Nays: Bennett, Gross, Sands, Smith F.
Total 4

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
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 2 concurred in as follows:


Nays: Barrett, Bennett, Boland, Brown, Cohenour, Cuffe, Ellsworth, Esp, Hinebauch, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, Regier, Smith C, Vance, Webb, Mr President. Total 21

Paired: None.

Excused: Fielder. Total 1

Absent or not voting: None. Total 0

HB 19 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Boland, Cohenour, Ellis, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Richmond, Sands, Sesso, Small, Smith F, Vuckovich, Webber. Total 26


Paired: None.

Excused: Fielder. Total 1

Absent or not voting: None.
HB 181 concurred in as follows:

Total 49

Nays: None.
Total 0

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

HB 205 concurred in as follows:

Total 49

Nays: None.
Total 0

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

HB 211 concurred in as follows:
Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, Kary, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Thomas, Vuckovich, Webber, Welborn, Mr President.
Total 39

Total 10

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

**HB 224** concurred in as follows:

Total 44

Nays: Esp, Hinebauch, Keenan, Olszewski, Smith C.
Total 5

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

**HB 265** concurred in as follows:

Total 26
Total 23

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

**HB 286** concurred in as follows:

Total 42

Nays: Barrett, Boland, Gross, Pomnichowski, Sands, Smith F, Webber.
Total 7

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

**HB 316** concurred in as follows:

Total 46

Nays: Malek, Sesso, Welborn.
Total 3
Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

**HB 332** concurred in as follows:

Total 29

Total 20

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

**HB 356** concurred in as follows:

Total 45

Nays: Brown, Howard, Vance, Mr President.
Total 4

Paired: None.

Excused: Fielder.
Total 1
Absent or not voting: None.
Total 0

**HB 369** concurred in as follows:

Total 33

Total 16

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

**HB 397** concurred in as follows:

Total 48

Nays: Smith F.
Total 1

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

**HB 456** concurred in as follows:
Total 30

Total 19

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

**HB 473** concurred in as follows:

Total 30

Total 19

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

**HB 482** concurred in as follows:

Total 31
Nays: Barrett, Bennett, Boland, Cohenour, Flowers, Gross, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Webber. Total 18

Paired: None.

Excused: Fielder. Total 1

Absent or not voting: None. Total 0

HB 524 concurred in as follows:


Nays: None. Total 0

Paired: None.

Excused: Fielder. Total 1

Absent or not voting: None. Total 0

HB 535 concurred in as follows:


Nays: None. Total 0
Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

HB 543 concurred in as follows:

Total 35

Total 14

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

HB 549 concurred in as follows:

Total 40

Total 9

Paired: None.

Excused: Fielder.
Total 1
Absent or not voting: None.
Total 0

**HB 558** concurred in as follows:

Total 49

Nays: None.
Total 0

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

**HB 578** concurred in as follows:

Total 49

Nays: None.
Total 0

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0
HB 579 concurred in as follows:

Yeas: Barrett, Bennett, Blasdel, Bogner, Cuffe, Ellsworth, Esp, Fitzpatrick, Gauthier, Gillespie, Gross, Hinebauch, Kary, Lang, McNally, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith F, Thomas, Vance, Vuckovich, Welborn, Mr President.
Total 27

Total 22

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

HB 583 concurred in as follows:

Total 49

Nays: None.
Total 0

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

HB 585 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard,
Total  49

Nays: None.
Total  0

Paired: None.

Excused: Fielder.
Total  1

Absent or not voting: None.
Total  0

HB 590 concurred in as follows:

Total  49

Nays: None.
Total  0

Paired: None.

Excused: Fielder.
Total  1

Absent or not voting: None.
Total  0

HB 591 concurred in as follows:

President.
Total 49

Nays: None.
Total 0

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

HB 612 concurred in as follows:

Total 45

Nays: Esp, Jacobson, Keenan, Olszewski.
Total 4

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

HB 615 concurred in as follows:

Total 36

Nays: Blasdel, Ellsworth, Esp, Hinebauch, Howard, Kary, Keenan, Lang, Osmundson, Smith C, Vance, Webb, Mr President.
Total 13
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Paired:  None.

Excused: Fielder.
Total  1

Absent or not voting: None.
Total  0

HB 662 concurred in as follows:

Total  37

Nays: Blasdel, Brown, Ellsworth, Esp, Hinebauch, Howard, Keenan, Lang, Olszewski, Smith C, Vance, Mr President.
Total  12

Paired:  None.

Excused: Fielder.
Total  1

Absent or not voting: None.
Total  0

HB 688 concurred in as follows:

Total  39

Nays: Blasdel, Brown, Ellsworth, Esp, Hinebauch, Howard, Keenan, Smith C, Vance, Mr President.
Total  10

Paired:  None.

Excused: Fielder.
Total  1
Absent or not voting: None.
Total 0

**HJ 17** concurred in as follows:

Total 47

Nays: Esp, Mr President.
Total 2

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

**HJ 20** concurred in as follows:

Total 27

Total 22

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

**HJ 26** concurred in as follows:
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Total 29

Total 20

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

HJ 28 concurred in as follows:

Total 30

Total 19

Paired: None.

Excused: Fielder.
Total 1

Absent or not voting: None.
Total 0

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Osmundson, Chair): 4/8/2019
HB 292, be concurred in.
HB 658, be amended as follows:

1. Title, page 1, line 14 through line 15.
Strike: "APPLYING THE" on line 14 through "FUND;" on line 15

STATE INTERNET/BBS COPY 29
2. Title, page 1, line 19.
   Strike: "39-71-2375,"
   Strike: "53-4-1115,"

   Strike: "FINANCE"
   Insert: "audit"

   Strike: "FINANCE COMMITTEE" on line 27
   Insert: "auditor"
   Strike: "A STATISTICALLY" on page 27 through "RELEVANT" on line 28
   Insert: "an"
   Following: "SUSPENSION"
   Insert: "using statistically valid methods"

5. Page 5, line 30.
   Strike: "FINANCE"
   Insert: "audit"

6. Page 6, line 2.
   Strike: "FINANCE"
   Insert: "audit"

   Following: line 8
   Insert: "(e) The cost of any audit under this section performed at the direction of the legislative
   auditor must be paid by the department."

   Strike: subsection (c) in its entirety
   Renumber: subsequent subsections

   Strike: "0.825%"
   Insert: "0.90%"

    Strike: "50%"
    Insert: "54%"

11. Page 19, line 3 through page 24, line 8.
    Strike: section 18 through section 20 in their entirety
    Renumber: subsequent sections
Strike: section 24 in its entirety
Renumber: subsequent sections

13. Page 28, line 15 through page 29, line 3.
Strike: section 26 in its entirety
Renumber: subsequent sections

Strike: "$678,185,000"
Insert: "$562,447,343"

15. Page 45, line 27.
Strike: "$29,510,000"
Insert: "$31,657,493"

Strike: "$30,000,000"
Insert: "$33,165,464"

17. Page 45, line 29.
Strike: "$685,606,000"
Insert: "$571,658,286"

Strike: "$36,667,000"
Insert: "$40,174,374"

Strike: "$30,000,000"
Insert: "$35,200,535"

Strike: "$110,000,000"
Insert: "$217,278,228"

Strike: "$25,000,000"
Insert: "$25,776,425"

Strike: "$110,000,000"
Insert: "$216,176,522"
Strike: "$25,000,000"
Insert: "$26,613,993"

Following: "line 9"
Insert: "(4) There is appropriated, as a one-time-only appropriation, $550,000 from the general fund to the department of revenue for the purposes of updating the department's integrated tax processing software to process the taxpayer integrity fees required under 15-30-2660."
Renumber: subsequent subsection

Strike: "36(1)"
Insert: "31(1)"

Strike: "36(1)"
Insert: "31(1)"

27. Page 48, line 19.
Strike: "31," through "41"
Insert: "26, 27, 30, 31, 32, and 36"

28. Page 48, line 21 through line 22.
Strike: "38 THROUGH" on line 21 through "50" on line 22
Insert: "33 through 35 and 38 through 45"

And, as amended, be concurred in.

HB 695, be concurred in.

SPECIAL ORDERS OF THE DAY

Senator Fitzpatrick introduced the Pages for the coming week:

Amelie Salter from Bozeman, sponsored by Senator Phillips
Weston Sharpe from Billings, sponsored by Senator C. Smith
Sawyer Smith from Bozeman, sponsored by Senator Phillips
Hayden Tillinger from Helena, sponsored by Senator Ellis
Ryan Young from Clancy, sponsored by Senator McConnell
ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved the Senate adjourn until 1:00 p.m., Tuesday, April 9, 2019, the seventy-fourth legislative day. Motion carried.

Senate adjourned at 2:50 p.m.

Marilyn Miller Scott Sales
Secretary of the Senate President of the Senate