

**HOUSE JOURNAL  
67TH LEGISLATURE  
EIGHTIETH LEGISLATIVE DAY**

Helena, Montana  
April 29, 2021

House Chambers  
State Capitol

House convened at 10:00 a.m. Mr. Speaker presiding. Invocation by Representative Skees. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**BILLS** (J. Hinkle, Chair): 4/29/2021

Examined by the sponsor and found to be correct: **HB 7, HB 66, HB 247, HB 257, HB 426, HB 449, HB 602, HB 610, HB 624, , HB 644 HB 696.**

Signed by the Speaker at 7:45 a.m., April 29, 2021: **HB 257.**

Signed by the Chief Clerk of the House at 7:50 a.m., April 29, 2021: **HB 257.**

Signed by the President at 7:55 a.m., April 29, 2021: **HB 257.**

Delivered to the Governor for approval at 8:53 a.m., April 29, 2021: **HB 206, HB 273, HB 423, HB 478, HB 641.**

Delivered to the Governor for approval at 8:01 a.m., April 29, 2021: **HB 257.**

Delivered to the Secretary of State at 8:57 a.m., April 29, 2021: **HB 167.**

**MESSAGES FROM THE SENATE**

**House joint resolutions** concurred in and returned to the House: 4/28/2021

**HJR 27**, introduced by K. Holmlund

**HJR 29**, introduced by N. Duram

**HJR 35**, introduced by J. Carlson

**HJR 37**, introduced by S. Gunderson

**HJR 39**, introduced by D. Tenenbaum

**HJR 44**, introduced by D. Lenz

**HJR 45**, introduced by D. Lenz

**HJR 47**, introduced by K. Seekins-Crowe

**HJR 48**, introduced by K. Sullivan

**HJR 49**, introduced by J. Gillette

**House bill** concurred in as amended and returned to the House for concurrence in Senate amendments:

4/28/2021

**HB 656**, introduced by J. Read

**Free Conference Committee Report No.4** adopted:

4/28/2021

**HB 2**, introduced by L. Jones

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Free Conference Committee Report No.1 adopted: 4/28/2021

**HB 5**, introduced by L. Jones  
**HB 632**, introduced by F. Garner  
**HB 637**, introduced by S. Berglee  
**HB 663**, introduced by B. Ler  
**HB 693**, introduced by B. Mercer  
**SB 191**, introduced by R. Osmundson  
**SB 231**, introduced by M. Blasdel  
**SB 278**, introduced by G. Hertz  
**SB 319**, introduced by G. Hertz  
**SB 388**, introduced by G. Hertz  
**SJR 1**, introduced by C. Smith

Conference Committee Report No.1 adopted: 4/28/2021

**HB 188**, introduced by D. Loge

**Governor's amendments to Senate bills** concurred in and transmitted to the House for concurrence in the Governor's amendments:

4/28/2021

**SB 47**, introduced by R. Lynch  
**SB 98**, introduced by B. Gillespie

**HB 435**, introduced by B. Mercer, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, **failed** the Senate and was transmitted to the House with the following vote:

4/28/2021

Yeas - 31  
Nays - 19

**MESSAGES FROM THE GOVERNOR**

April 28, 2021

The Honorable Wylie Galt  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Galt:

On Tuesday, April 20, 2021, I signed the following bills:

**House Bill 480** - Mercer

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**House Bill 589** - Mercer

The bills have been delivered to the Secretary of State's office.

Sincerely,

GREG GIANFORTE  
Governor

April 29, 2021

The Honorable Wylie Galt  
Speaker of the House  
State Capitol  
Helena, Montana 59620

Dear Speaker Galt:

On Wednesday, April 28, 2021, I signed the following bills:

**House Bill 170** - Welch  
**House Bill 300** - Schillinger  
**House Bill 331** - C. Knudsen  
**House Bill 334** - Carlson  
**House Bill 391** - Fleming  
**House Bill 586** - Galloway

The bills have been delivered to the Secretary of State's office.

Sincerely,

GREG GIANFORTE  
Governor

April 29, 2021

The Honorable Wylie Galt  
Speaker of the House  
State Capitol  
Helena, Montana 59620

The Honorable Mark Blasdel  
President of the Senate  
State Capitol  
Helena, Montana 59620

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Dear Speaker Galt and President Blasdel:

The last year has brought serious challenges to Montanans, and we have responded as Montanans do, neighbors helping neighbors. No Montanan has been untouched by the pandemic, whether risks to their health or threats to their livelihood with government-mandated shutdowns and regulations.

Facing uncharted territory with a new virus we didn't understand, our local health officials responded as best they could, particularly in the early days of the pandemic when there was great uncertainty. They have promoted the safety, health, and well-being of residents in our communities. Because of their success, many operated largely anonymously until the pandemic struck. I am grateful to them for their efforts before and during this pandemic.

There are, however, isolated examples of officials who have overreached. We saw it in the Flathead, after the previous administration sought to shut down local businesses for allegedly violating state mask mandates. The judge in the case ruled against the state, saying it didn't have enough evidence and that the businesses made reasonable efforts. The previous administration overstepped its bounds. That's why my administration sought to end the litigation and reached settlement agreements with these businesses.

Like you, I understand the frustration small business owners have in response to isolated instances like this. Just as my administration settled with the businesses in the Flathead, the Legislature has responded with a series of bills that put guardrails on the response of local public health officials. I signed House Bill 121 into law, because it provides greater accountability by empowering local elected officials with greater oversight of local public health actions.

Another measure, House Bill 257, has the best intentions to address overreach as we have seen in a few isolated cases, and I want to fully support it. As drafted I cannot support it. However, with amendments that protect taxpayers from costly lawsuits and clarify that provisions of the bill do not restrict public health officials from enforcing all lawfully adopted regulations, directives, and orders, I will support it and sign it into law.

Therefore, in accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments **House Bill 257**: "AN ACT GENERALLY REVISING LAWS RELATED TO PROHIBITING ACTIONS THAT IMPEDE A PRIVATE BUSINESS'S ABILITY TO CONDUCT BUSINESS; PROHIBITING CERTAIN TYPES OF LOCAL GOVERNMENT ORDINANCES AND RESOLUTIONS; PROHIBITING AN EMERGENCY PLAN OR PROGRAM THAT RESTRICTS THE ABILITY OF A PRIVATE BUSINESS TO CONDUCT BUSINESS; PROHIBITING A LOCAL BOARD OF HEALTH AND LOCAL HEALTH OFFICER FROM CERTAIN ACTIONS THAT RESTRICT THE ABILITY OF A PRIVATE BUSINESS TO CONDUCT BUSINESS; AMENDING SECTIONS 7-1-111, 7-1-2103, 7-1-4124, 7-5-103, 7-5-121, 7-5-4201, 10-3-301, 50-2-116, 50-2-118, 50-2-123, AND 50-2-124, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

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HB 257 is worthwhile legislation that would gain my full support if amended. Specifically, I believe that the bill must be adjusted to better reflect the sponsor's true intent and address valid concerns regarding its implementation. After reaching an agreement in principle late yesterday with the bill's sponsor, my team and I worked diligently through the night to strengthen and improve the legislation.

It's critical that we continue to safely reopen Montana and get back to a normal life. Despite Montanans' resiliency in the face of adversity, the pandemic has burdened our people, health care systems, and businesses. At the outset of the pandemic, our local public health officials reacted swiftly to safeguard Montana's communities. I'm grateful for their dedicated response and recognize that many local public health decisions have been instrumental to our successful fight against the virus.

It's also critical that we avoid fundamentally reshaping Montana's local public health system as a consequence of actions taken in response to the current pandemic - but rather consider proposals that address the ongoing issues created by "one size fits all" regulations, orders, directives, or mandates while allowing local public health officials to do their jobs. Although it may not be evidenced in the sponsor's bill as currently drafted, I am confident that Representative Hinkle shares this intent for HB 257.

Accordingly, my amendments clarify that provisions of HB 257 do not restrict local boards of health and local health officers from enforcing and ensuring compliance by private businesses with all lawfully adopted regulations, directives, and orders - including those related to routine activities such as restaurant safety inspections. The amendments are also designed to prevent an onslaught of costly litigation associated with retroactive applicability against the State of Montana.

For these reasons, I respectfully ask for your support of this amendment.

Finally, as we prepare to gavel out, I want to let you know I appreciate working with the Legislature on efforts to get our economy going again, return to normal, and end government overreach. Together, we have ended the statewide mask mandate. We have protected businesses from frivolous lawsuits related to the pandemic. We have ended arbitrary restrictions on businesses, like limits on hours of operation and capacity limits. We have increased local elected officials' oversight of public health actions in their communities. We have prohibited so-called vaccine passports in Montana and prevented discrimination against those who choose not to receive a vaccine.

I am grateful to work together with you to rein in government overreach, and I look forward to continuing to work with you during the interim.

Sincerely,

GREG GIANFORTE  
Governor

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GOVERNOR'S AMENDMENTS  
TO HOUSE BILL 257

Governor's recommendations for amendments to House Bill 257 are as follows:

1. Page 11, line 20.

**Following:** the first "REGULATION"

**Strike:** ", INCLUDING BUT NOT LIMITED TO A REGULATION"

2. Page 11, line 21.

**Following:** "(2)(C)(VI)"

**Strike:** ", "

3. Page 12.

**Following:** line 8

**Insert:** "(6) The prohibitions provided for in subsection (4) do not restrict a local board of health from exercising its authority under this section to enforce and ensure compliance by private businesses with all lawfully adopted regulations, directives, and orders."

Renumber: subsequent subsection

4. Page 13.

**Following:** line 1

**Insert:** "(3) The prohibitions provided for in 50-2-116(4) do not restrict a local health officer from exercising the health officer's authority under this section or 50-2-123 to enforce and ensure compliance by private businesses with all lawfully adopted regulations, directives, and orders."

5. Page 17, line 5.

**Following:** the first "regulation"

**Strike:** ", including but not limited to a regulation"

6. Page 17, line 6.

**Following:** "(2)(c)(vi)"

**Strike:** ", "

7. Page 17.

**Following:** line 21

**Insert:** "(7) The prohibitions provided for in subsection (5) do not restrict a local board of health from exercising its authority under this section to enforce and ensure compliance by private businesses with all lawfully adopted regulations, directives, and orders."

Renumber: subsequent subsection

8. Page 18.

**Following:** line 23

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**Insert:** "(4) The prohibitions provided for in 50-2-116(5) do not restrict a local health officer from exercising the local health officer's authority under this section or 50-2-123 to enforce and ensure compliance by private businesses with all lawfully adopted regulations, directives, and orders."

9. Page 20, line 7.

**Following:** "TO"

**Insert:** "local"

10. Page 20, line 8.

**Following:** "ENACTED"

**Insert:** ", "

**Strike:** "OR"

11. Page 20, line 8.

**Following:** "ADOPTED"

**Insert:** ", or in force"

12. Page 20, line 8.

**Strike:** "JANUARY 1, 2020"

**Insert:** "May 1, 2021"

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Vinton moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Tschida in the chair.

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

**HB 2 - Free Conference Committee Report No. 1** - Representative Jones moved the Free Conference Committee report to **HB 2** be adopted. Motion carried as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 67

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Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Novak, Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.  
Total 33

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 5 - Free Conference Committee Report No. 1** - Representative Jones moved the Free Conference Committee report to **HB 5** be adopted. Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.  
Total 99

Nays: Olsen.  
Total 1

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 632 - Free Conference Committee Report No. 1** - Representative Garner moved the Free Conference Committee report to **HB 632** be adopted. Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Duram, Farris-Olsen, Fern, Fielder,



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Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hill, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 90

Nays: Beard, Dunwell, Hayman, Hinkle C, Hinkle J, Kortum, Moore, Olsen, Stafman, Stewart Peregoy.

Total 10

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 663 - Free Conference Committee Report No. 1** - Representative Ler moved the Free Conference Committee report to **HB 663** be adopted. Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted absentee: None.

Excused: None.

Total 0

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Absent or not voting: Fielder, Kassmier, Lenz.

Total 3

**HB 689 - Conference Committee Report No. 1** - Representative Dooling moved the Conference Committee report to **HB 689** be adopted. Motion carried as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Custer, Dooling, Duram, Fielder, Fleming, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 66

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Novak, Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 32

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Fitzgerald, Gunderson.

Total 2

**SB 191 - Free Conference Committee Report No. 1** - Representative Holmlund moved the Free Conference Committee report to **SB 191** be adopted. Motion carried as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Keane, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 67

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hawk, Hayman, Karjala, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Novak,

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Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.  
Total 32

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: Trebas.  
Total 1

**SB 388 - Free Conference Committee Report No. 1** - Representative Welch moved the Free Conference Committee report to **SB 388** be adopted. Motion carried as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Dooling, Duram, Fern, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Welch, Whitman, Zolnikov, Mr. Speaker.  
Total 67

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Custer, Dunwell, Farris-Olsen, France, Funk, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Novak, Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Walsh, Weatherwax, Whiteman Pena, Windy Boy.  
Total 33

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 402 - Free Conference Committee Report No. 1** - Representative Ler moved the Free Conference Committee report to **SB 402** be adopted. Motion carried as follows:

Yeas: Bartel, Beard, Berglee, Bertoglio, Binkley, Brewster, Carlson, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Gillette, Gist, Gunderson, Hill, Hinkle C, Hinkle J, Hopkins, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Read, Regier A, Regier M, Reksten, Ricci,

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Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Whitman, Zolnikov, Mr. Speaker.

Total 57

Nays: Abbott, Anderson, Bedey, Bishop, Buckley, Buttrey, Caferro, Curdy, Custer, Dunwell, Farris-Olsen, Fern, France, Funk, Garner, Greef, Hamilton, Harvey, Hawk, Hayman, Holmlund, Jones, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Novak, Olsen, Putnam, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Welch, Whiteman Pena, Windy Boy.

Total 43

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vinton moved the Committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Tschida moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Bertoglio, Binkley, Brewster, Buttrey, Curdy, Custer, Dooling, Duram, Fern, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Holmlund, Hopkins, Jones, Kassmier, Kelker, Keogh, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mitchell, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stromswold, Sullivan, Trebas, Usher, Vinton, Walsh, Weatherwax, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 69

Nays: Abbott, Bishop, Buckley, Caferro, Dunwell, Farris-Olsen, France, Funk, Hamilton, Harvey, Hawk, Karjala, Keane, Kerr-Carpenter, Kortum, Marler, Olsen, Running Wolf, Stafman, Stewart Peregoy, Thane, Whiteman Pena, Windy Boy.

Total 23

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Berglee, Carlson, Hayman, Hinkle J, Mercer, Moore, Tenenbaum, Tschida.

Total 8

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**MOTIONS**

Majority Leader Vinton moved to reconsider action on **HB 2** and that **HB 2** be placed on second reading on this same day.

Motion **passed** as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mitchell, Moore, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 92

Nays: Olsen, Whiteman Pena, Windy Boy.

Total 3

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Carlson, Hinkle J, Mercer, Reksten, Tenenbaum.

Total 5

**ANNOUNCEMENTS**

Representative Windy Boy arose on a **Point of Personal Privilege** to state his disagreement with the determination of the chair during Second Reading earlier this day.

Representative Olsen arose on a **Point of Personal Privilege** to show respect for the members of the Judicial branch in Montana.

Representative Dunwell arose on a **Point of Personal Privilege** for reflections on the years she served in the House..

House recessed.

House reconvened.

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**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Vinton moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Tschida in the chair.

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

**HB 2 - Conference Committee Report No. 4** - Representative Jones moved the Conference Committee report to **HB 2** be adopted. Motion carried as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kelker, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 68

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Keogh, Kerr-Carpenter, Kortum, Marler, Novak, Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 32

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vinton moved the Committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Tschida moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buckley, Buttrey, Carlson, Custer, Dooling, Duram, Fern, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kelker, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway,

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Skees, Smith, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.  
Total 77

Nays: Abbott, Bishop, Caferro, Curdy, Dunwell, Farris-Olsen, France, Funk, Hawk, Hayman, Karjala, Keane, Keogh, Kortum, Marler, Olsen, Running Wolf, Stewart Peregoy, Tschida, Weatherwax, Whiteman Pena, Windy Boy.  
Total 22

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: Stafman.  
Total 1

House recessed.  
House reconvened.

**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** passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Jones, Kassmier, Kerns, Knudsen C, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.  
Total 65

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Novak, Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.  
Total 33

Voted absentee: None.

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Excused: None.

Total 0

Absent or not voting: Hopkins, Knudsen R.

Total 2

**HB 5** passed as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Hopkins, Knudsen R.

Total 2

**HB 632** passed as follows:

Yeas: Abbott, Anderson, Bartel, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hill, Holmlund, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stafman, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 86



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Nays: Beard, Dunwell, Hayman, Hinkle C, Hinkle J, Kortum, Moore, Olsen, Smith, Stewart Peregoy, Weatherwax, Whiteman Pena.  
Total 12

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: Hopkins, Knudsen R.  
Total 2

**HB 663** passed as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Zolnikov, Mr. Speaker.  
Total 97

Nays: Windy Boy.  
Total 1

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: Hopkins, Knudsen R.  
Total 2

**HB 689** passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Jones, Kassmier, Kerns, Knudsen C, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis,

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Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 65

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Novak, Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 33

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Hopkins, Knudsen R.

Total 2

**SB 191** concurred in as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Jones, Kassmier, Kerns, Knudsen C, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 65

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Novak, Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 33

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Hopkins, Knudsen R.

Total 2

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**SB 388** concurred in as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Jones, Kassmier, Kerns, Knudsen C, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 64

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Custer, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Novak, Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 34

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Hopkins, Knudsen R.

Total 2

**SB 402** concurred in as follows:

Yeas: Beard, Berglee, Bertoglio, Binkley, Brewster, Carlson, Duram, Fielder, Fitzgerald, Fleming, Fuller, Galloway, Gillette, Gist, Gunderson, Hill, Hinkle C, Hinkle J, Kassmier, Kerns, Knudsen C, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Whitman, Zolnikov, Mr. Speaker.

Total 52

Nays: Abbott, Anderson, Bedey, Bishop, Buckley, Buttrey, Caferro, Curdy, Custer, Dooling, Dunwell, Farris-Olsen, Fern, France, Frazer, Funk, Garner, Greef, Hamilton, Harvey, Hawk, Hayman, Holmlund, Jones, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Novak, Olsen, Putnam, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Welch, Whiteman Pena, Windy Boy.

Total 45

Voted absentee: None.

Excused: None.

Total 0

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Absent or not voting: Bartel, Hopkins, Knudsen R.

Total 3

**MOTIONS**

Representative Bishop moved that **SB 315** and that **SB 315** be placed on second reading on this same day.

Motion **failed** as follows:

Yeas: Abbott, Bishop, Buckley, Buttrey, Caferro, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, France, Funk, Garner, Hamilton, Harvey, Hawk, Hayman, Holmlund, Jones, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Kortum, Ler, Marler, Novak, Olsen, Patelis, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Thane, Vinton, Weatherwax, Whiteman Pena, Windy Boy, Zolnikov, Mr. Speaker.

Total 46

Nays: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Carlson, Fielder, Fleming, Frazer, Fuller, Galloway, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Kassmier, Kerns, Lenz, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Tenenbaum, Trebas, Tschida, Usher, Walsh, Welch, Whitman.

Total 51

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Hopkins, Knudsen R, Stromswold.

Total 3

House recessed.

House reconvened.

**REPORTS OF SELECT COMMITTEES**

**FREE CONFERENCE COMMITTEE**

on **House Bill 640**

Report No. 001, April 29, 2021

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **House Bill 640** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

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And, recommend that **House Bill 640** (reference copy -- salmon) be amended as follows:

1. Page 5.

**Following:** line 4

**Insert:** "COORDINATION SECTION. Section 3. Coordination instruction. If House Bill No. 701 is passed and approved, then the section amending 16-12-111 in House Bill No. 701 is void and 16-12-111 must be amended as follows:

**"16-12-111. (Effective October 1, 2021) Marijuana compensation state special revenue account -- operating reserve -- transfer of excess funds.** (1) There is a dedicated marijuana compensation state special revenue account within the state special revenue fund established in 17-2-102, to be administered by the department.

(2) The account consists of:

(a) money deposited into the account pursuant to this chapter;

(b) the taxes collected pursuant to Title 15, chapter 64, part 1;

(c) license and registered cardholder fees deposited into the account pursuant to this chapter;  
and

(d) civil penalties collected under this chapter.

(3) Except as provided in subsection (4), money in the account must be used by the department for the purpose of administering the provisions of this chapter.

(4) At the end of each fiscal year, the department shall transfer funds in excess of a 3-month operating reserve necessary to fund operating costs at the beginning of the next fiscal year in the following order:

(a) 60% of the revenue calculated pursuant to subsection (5) to the marijuana revenue trust fund provided for in [the new section created by section 4];

(b) 40% of the revenue calculated pursuant to subsection (5) to the marijuana local government distribution account provided for in [the new section created by section 5];

(c) an amount not to exceed \$6 million must be transferred to the marijuana healing and ending addiction through recovery and treatment (HEART) fund account established in [section 100]; and

(d) the net balance remaining after the distributions made under subsections (4)(a) through (4)(c) must be distributed as follows:

(i) 20% to the credit of the department of fish, wildlife, and parks to be used solely as funding for wildlife habitat in the same manner as funding generated under 87-1-242(3) and used pursuant to 87-1-209;

(ii) 4% to the state park account established in 23-1-105(1);

(iii) 4% to the trails and recreational facilities account established in 23-2-108;

(iv) 4% to the nongame wildlife account established in 87-5-121;

(v) 3% or \$200,000, whichever is less, to the veterans and surviving spouses state special revenue account provided for in [section 93];

(vi) for the biennium beginning July 1, 2021, \$300,000 to the department of justice to administer grant funding to local and state law enforcement agencies for the purpose of purchasing and training drug-detection canines and canine handlers, including canines owned by local law enforcement agencies to replace canines who were trained to detect marijuana;

(vii) \$150,000 to the board of crime control to fund crisis intervention team training as provided

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- in 44-7-110; and  
(viii) the remainder to the general fund.
- (5) (a) At the end of fiscal years 2023, 2024, and 2025, the department of revenue shall determine the revenue to be distributed pursuant to subsections (4)(a) and (4)(b) by:
- (i) first subtracting the sales subject to the tax provided for in 15-64-102(1) in the previous 4 quarters from the sales subject to the tax provided for in 15-64-102(1) in fiscal year 2021;
- (ii) then dividing by the sales subject to the tax provided for in 15-64-102(2) in the 4 most recently completed quarters; and
- (iii) multiplying that percentage by 80% of the tax revenue collected under 15-64-102(2) in the 4 most recently completed quarters.
- (b) For fiscal years 2026 and thereafter, the revenue to be distributed pursuant to subsections (4)(a) and (4)(b) is the amount determined for fiscal year 2025.
- ~~(2) Marijuana sales taxes collected under the provisions of part 4 of this chapter must, in accordance with the provisions of 17-2-124, be deposited into the account along with any interest and income earned on the account.~~
- ~~(3) Funds deposited into the account must be transferred in the following amounts to provide funding as set out below:~~
- ~~(a) 4.125% of the funds to be deposited into the nongame wildlife account established in 87-5-121;~~
- ~~(b) 4.125% of the funds to be deposited into the state park account established in 23-1-105(1);~~
- ~~(c) 4.125% of the funds to be deposited into the trails and recreational facilities account established in 23-2-108;~~
- ~~(d) 37.125% of the funds to be deposited to the credit of the department of fish, wildlife, and parks to be used solely as funding for wildlife habitat in the same manner as funding generated under 87-1-242(3) and used pursuant to 87-1-209;~~
- ~~(e) 10.5% to the state general fund; and~~
- ~~(f) the remainder in the subaccounts provided for in this subsection (3)(f). There are subaccounts in the marijuana compensation special revenue account established by subsection (1). Funding deposited into this account under subsection (2) is further deposited into subaccounts to be used only as follows:~~
- ~~(i) 10% of the funds to be deposited into a subaccount to be administered by the department of public health and human services to provide grants to existing agencies and not-for-profit organizations, whether government or community-based, to increase access to evidence-based low-barrier drug addiction treatment, prioritizing medically proven treatment and overdose prevention and reversal methods and public or private treatment options with an emphasis on reintegrating recipients into their local communities, to support overdose prevention education, and to support job placement, housing, and counseling for those with substance use disorders;~~
- ~~(ii) 10% of the funds to be deposited into a subaccount to be administered by the department of commerce for distribution to the local government representing the locality where the retail sales occurred;~~
- ~~(iii) 10% of the funds to be deposited into a subaccount to be administered by the veterans' affairs division of the department of military affairs to provide services and assistance for all Montana veterans and surviving spouses and dependents; and~~
- ~~(iv) 10% of the funds to be deposited into a subaccount to be administered by the Montana~~

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~~department of public health and human services to administer medicaid rate increases that provide for a wage increase to health care workers who provide direct medicaid-funded home and community health services for elderly and disabled persons:~~

~~(4) (a) Funds transferred from the accounts and subaccounts provided in subsection (3) may be used only to increase revenue for the purposes specified and may not be used to supplant other sources of revenue used for these purposes:~~

~~(b) Funds deposited into the account provided in subsection (1) may be used only to increase revenue to each special revenue account or subaccount set forth in subsection (3) and may not be used to supplant other sources of revenue for these purposes."~~

**Insert: "COORDINATION SECTION. Section 4. Coordination instruction.** If House Bill No. 701 is passed and approved, then House Bill No. 701 must be amended to include the following section:

**"NEW SECTION. Marijuana revenue trust fund -- interest retention.** (1) There is a marijuana revenue trust fund within the permanent fund type. The trust fund is subject to legislative transfer and appropriation as provided in this section.

(2) Revenue is deposited in the trust fund pursuant to 16-12-111(4)(a).

(3) The money must be used for purposes addressing the economic and social costs of marijuana cultivation, processing, and use as determined by the legislature.

(4) Interest and income earned on money in the trust fund must be retained within the trust fund except as provided in this section. If assets in the trust fund reach the following amounts, money may be appropriated by the legislature and used in the following amounts for the purposes specified in subsection (3):

(a) When the fund balance reaches \$20 million, 50% of the interest earned may be appropriated.

(b) When the fund balance reaches \$50 million, 60% of the interest earned may be appropriated.

(c) When the fund balance reaches \$100 million, 80% of the interest earned may be appropriated.

(d) When the fund balance reaches \$150 million, 90% of the interest earned may be appropriated.

(5) Appropriation of the principal balance of the fund may be authorized by a two-thirds vote of the members of each house of the legislature.

(6) Appropriations of the interest and principal balance must be for one-time-only expenditures."

**Insert: "COORDINATION SECTION. Section 5. Coordination instruction.** If House Bill No. 701 is passed and approved, then House Bill No. 701 must be amended to include the following section:

**"NEW SECTION. Marijuana local government distribution account.** (1) There is a marijuana local government distribution account within the state special revenue fund established in 17-2-102, to be administered by the department.

(2) (a) The revenue distributed to the account pursuant to 16-12-111(4)(b) must be deposited in the account. Subject to subsection (2)(b), the department shall allocate the funds to cities, towns, counties, and consolidated city-county governments in the same proportion and using the same ratios as provided for in 15-70-101(2)(b), (2)(c), and (3).

(b) Cities, towns, counties, and consolidated city-county governments without adult-use

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dispensaries within their corporate boundaries may not receive distributions under this subsection (2).

(3) Funds not distributed pursuant to this section because of the application of subsection (2)(b) must be transferred to the account provide for in [the new section created by section 4].""

**Insert:** "COORDINATION SECTION. Section 6. Coordination instruction. If House Bill No. 701 is passed and approved, then [section 108] of House Bill No. 701 is void and must be replaced with the following:

NEW SECTION. Appropriations. (1) There is appropriated from the marijuana state special revenue account provided for in 16-12-111 to the department of revenue:

(a) \$6,930,492 for fiscal year 2022, which comprises 34 total FTE, of which 22 of the 34 FTE represent positions transferred from the department of public health and human services to the department of revenue.

(b) \$4,136,011 for fiscal year 2022, which comprises 34 total FTE, of which 22 of the 34 FTE represent positions transferred from the department of public health and human services to the department of revenue.

(c) The appropriations described in subsections (1)(a) and (1)(b) must be used by the department of revenue for the operating costs it incurs when administering the provisions of [this act].

(d) The appropriation provided for in this subsection (1) must be considered a part of the base budget for the 2025 biennium.

(2) (a) (i) The following amounts are appropriated for each year of the 2023 biennium to the department of public health and human services for eligible services and programs in accordance with the HEART fund that is set forth in [section 100]:

(A) \$6 million in state special revenue funds; and

(B) \$19 million in federal special revenue funds.

(ii) It is the intent of the legislature that these appropriation amounts be included as part of the base budget for the department of public health and human services for the biennium beginning July 1, 2023.

(b) For the 2023 biennium, \$300,000 is appropriated to the department of justice for the purposes described in 16-12-111.

(c) (i) For each year of the 2023 biennium, \$150,000 is appropriated to the board of crime control for the purposes described in 44-7-110.

(ii) It is the intent of the legislature that this appropriation amount be included as part of the base budget for the board of crime control for the biennium beginning July 1, 2023.

(3) (a) The following amounts are appropriated for fiscal year 2022:

(i) the amount distributed pursuant to 16-12-111(4)(d)(ii) but not to exceed \$650,000 to the department of fish, wildlife, and parks from the state park account established in 23-1-105(1);

(ii) the amount distributed pursuant to 16-12-111(4)(d)(iii) but not to exceed \$650,000 to the department of fish, wildlife, and parks from the trails and recreational facilities account established in 23-2-108;

(iii) the amount distributed pursuant to 16-12-111(4)(d)(iv) but not to exceed \$650,000 to the department of fish, wildlife, and parks from the nongame wildlife account established in 87-5-121; and



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(iv) \$200,000 to the veterans' affairs division of the department of military affairs from the account provided for in [section 93].

(b) The following amounts are appropriated for the fiscal year 2023:

(i) the amount distributed pursuant to 16-12-111(4)(b) but not to exceed \$3,708,000 to the department of revenue from the marijuana local distribution account provided for in [new section created by section 5];

(ii) \$5,412,000 from the marijuana state special revenue account provided for in 16-12-111 to the department of fish, wildlife, and parks to be used solely as funding for permanent easements and maintenance;

(iii) \$1,082,000 to the department of fish, wildlife, and parks from the state park account established in 23-1-105(1);

(iv) \$1,082,000 to the department of fish, wildlife, and parks from the trails and recreational facilities account established in 23-2-108;

(v) \$1,082,000 to the department of fish, wildlife, and parks from the nongame wildlife account established in 87-5-121; and

(vi) \$200,000 to the veterans' affairs division of the department of military affairs from the account provided for in [section 93]."

**Insert:** "COORDINATION SECTION. Section 7. Coordination instruction. If House Bill No. 701 is passed and approved, then House Bill No. 701 must be amended to include the following section:

"NEW SECTION. Codification instruction. [New sections created by sections 4 and 5] are intended to be codified as an integral part of Title 16, chapter 12, part 1, and the provisions of Title 16, chapter 12, part 1, apply to [new sections created by sections 4 and 5]."

**Insert:** "COORDINATION SECTION. Section 8. Coordination instruction. If House Bill No. 701 is passed and approved:

(1) [section 94 through 98] of House Bill No. 701, creating a local-option excise tax, are void; and

(2) [section 111(6)] of House Bill No. 701 must be amended to strike the language "implement the local-option excise tax in accordance with [sections 94 through 98], or both".

**Insert:** "COORDINATION SECTION. Section 9. Coordination instruction. If House Bill No. 701 is passed and approved, then subsections (4)(a), (4)(b), and (5) of 16-12-111 are effective January 1, 2022, and [section 13(2)(d)] of House Bill No. 701, as amended by [section 10 of this act], is effective July 1, 2023."

**Insert:** "COORDINATION SECTION. Section 10. Coordination instruction. If House Bill No. 701 is passed and approved, [section 13] of House Bill No. 701 is void and must be replaced with the following:

"NEW SECTION. Written certification. (1) The written certification provided by a physician must be made on a form prescribed by the department and signed and dated by the physician. The written certification must:

(a) include the physician's name, license number, and office address and telephone number on file with the board of medical examiners and the physician's business e-mail address, if any; and

(b) the name, date of birth, and debilitating medical condition of the patient for whom the physician is providing written certification.

(2) A treating physician or referral physician who is providing written certification for a

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patient shall provide a statement initialed by the physician that must:

- (a) confirm that the physician is:
    - (i) the patient's treating physician and that the patient has been under the physician's ongoing medical care as part of a bona fide professional relationship with the patient; or
    - (ii) the patient's referral physician;
  - (b) confirm that the patient suffers from a debilitating medical condition;
  - (c) describe the debilitating medical condition, why the condition is debilitating, and the extent to which it is debilitating;
  - (d) if the debilitating medical condition is severe chronic pain, confirm that the physician is board-certified in pain medicine;
  - (e) confirm that the physician has assumed primary responsibility for providing management and routine care of the patient's debilitating medical condition after obtaining a comprehensive medical history and conducting a physical examination, whether in person or, in accordance with subsection (4), through the use of telemedicine, that included a personal review of any medical records maintained by other physicians and that may have included the patient's reaction and response to conventional medical therapies;
  - (f) describe the medications, procedures, and other medical options used to treat the condition;
  - (g) confirm that the physician has reviewed all prescription and nonprescription medications and supplements used by the patient and has considered the potential drug interaction with marijuana;
  - (h) state that the physician has a reasonable degree of certainty that the patient's debilitating medical condition would be alleviated by the use of marijuana and that, as a result, the patient would be likely to benefit from the use of marijuana;
  - (i) confirm that the physician has explained the potential risks and benefits of the use of marijuana to the patient;
  - (j) list restrictions on the patient's activities due to the use of marijuana;
  - (k) specify the time period for which the use of marijuana would be appropriate, up to a maximum of 1 year;
  - (l) state that the physician will:
    - (i) continue to serve as the patient's treating physician or referral physician; and
    - (ii) monitor the patient's response to the use of marijuana and evaluate the efficacy of the treatment; and
  - (m) contain an attestation that the information provided in the written certification and accompanying statements is true and correct.
- (3) A physician who is the second physician recommending marijuana for use by a minor shall submit:
- (a) a statement initialed by the physician that the physician conducted a comprehensive review of the minor's medical records as maintained by the treating physician or referral physician;
  - (b) a statement that in the physician's professional opinion, the potential benefits of the use of marijuana would likely outweigh the health risks for the minor; and
  - (c) an attestation that the information provided in the written certification and accompanying statements is true and correct.
- (4) A physician who is providing written certification through the use of telemedicine:
- (a) shall comply with the administrative rules adopted for telemedicine by the board of

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medical examiners provided for in 2-15-1731; and

(b) may not use an audio-only visit unless the physician has first established a physician-patient relationship through an in-person encounter.

(5) If the written certification states that marijuana should be used for less than 1 year, the department shall issue a registry identification card that is valid for the period specified in the written certification."''

**Renumber:** subsequent section

For the Senate:

Vance, Chair  
Brown

For the House:

Hopkins, Vice Chair  
M. Regier

**MESSAGES FROM THE SENATE**

**Governor's amendments to House bills** concurred in and returned to the House: 4/29/2021

**HB 92**, introduced by K. Kelker

**HB 257**, introduced by J. Hinkle

**HB 459**, introduced by D. Lenz

**HB 702**, introduced by J. Carlson

**House bill** concurred in and returned to the House: 4/29/2021

**HB 435**, introduced by B. Mercer

**Free** Conference Committee Report No.4 adopted: 4/29/2021

**HB 2**, introduced by L. Jones

**SB 402**, introduced by C. Smith

Conference Committee Report No.1 adopted: 4/29/2021

**HB 689**, introduced by J. Dooling

House recessed.

House reconvened.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Vinton moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Skees in the chair.

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

**HB 656 - Senate Amendments** - Representative Read moved Senate amendments to **HB 656** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Fern, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Keane, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stafman, Stromswold, Sullivan, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 78

Nays: Bishop, Farris-Olsen, France, Hamilton, Hawk, Hayman, Karjala, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Olsen, Running Wolf, Smith, Stewart Peregoy, Tenenbaum, Weatherwax, Whiteman Pena, Windy Boy.

Total 20

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Harvey, Hinkle C.

Total 2

**HB 257 - Governor's Amendments** - Representative J. Hinkle moved Governor's amendments to **HB 257** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Fern, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stafman, Stromswold, Sullivan, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 85

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Nays: Farris-Olsen, France, Hawk, Hayman, Karjala, Kortum, Marler, Olsen, Running Wolf, Smith, Stewart Peregoy, Tenenbaum, Weatherwax, Whiteman Pena, Windy Boy.  
Total 15

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 47 - Governor's Amendments** - Representative Usher moved Governor's amendments to **SB 47** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.  
Total 97

Nays: Karjala, Olsen, Weatherwax.  
Total 3

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 98 - Governor's Amendments** - Representative McKamey moved Governor's amendments to **SB 98** be concurred in. Motion carried as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey,

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Mercer, Mitchell, Moore, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 68

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Nave, Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 32

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 640 - Free Conference Committee Report No. 1** - Representative M. Regier moved the Free Conference Committee report to **HB 640** be adopted. Motion carried as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Gillette, Gist, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Whitman, Zolnikov, Mr. Speaker.

Total 63

Nays: Abbott, Bishop, Buckley, Buttrey, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Garner, Greef, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Novak, Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Welch, Whiteman Pena, Windy Boy.

Total 37

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 69

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Hamilton, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 30

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Harvey.

Total 1

### MOTIONS

Majority Leader Vinton moved the Speaker be authorized to move all bills from second reading today to third reading. Without objection, so ordered.

### 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 656** passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Custer, Dooling, Duram, Fern, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten,

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Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 69

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, France, Funk, Hamilton, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 30

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Harvey.

Total 1

**HB 257** passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Sullivan, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 68

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Novak, Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 31

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Harvey.

Total 1



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**SB 47** concurred in as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 94

Nays: Karjala, Marler, Running Wolf, Smith, Weatherwax.

Total 5

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Harvey.

Total 1

**SB 98** concurred in as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 67

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Nave, Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 32

Voted absentee: None.

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Excused: None.

Total 0

Absent or not voting: Harvey.

Total 1

**HB 640** passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 64

Nays: Abbott, Bishop, Buckley, Buttrey, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Garner, Hamilton, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Novak, Olsen, Ricci, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 35

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Harvey.

Total 1

**MOTIONS**

Representative Garner gave farewell remarks.

Representative Skees gave farewell remarks.

Representative Berglee gave farewell remarks.

Representative Ricci gave farewell remarks.

Representative Lenz gave farewell remarks.

Representative Noland gave farewell remarks.

Representative Tschida gave farewell remarks.

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Representative Tschida moved the House **Adjourn Sine Die**.

Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Gillette, Gist, Greef, Gunderson, Hamilton, Hawk, Hayman, Hill, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Usher, Vinton, Walsh, Weatherwax, Welch, Whitman, Mr. Speaker.

Total 89

Nays: Garner, Hinkle C, Running Wolf, Sheldon-Galloway, Skees, Tschida, Whiteman Pena, Windy Boy, Zolnikov.

Total 9

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Harvey, Olsen.

Total 2

Majority Leader Vinton gave closing remarks.

Minority Leader Abbott gave closing remarks.

Speaker Galt gave closing remarks.

**ANNOUNCEMENTS**

House Adjourned Sine Die for the 67<sup>th</sup> Legislative Session of the House of Representatives at 4:54 p.m.

CAROLYN TSCHIDA  
Chief Clerk of the House

WYLIE GALT  
Speaker of the House