

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

Helena, Montana
January 12, 2021

House Chambers
State Capitol

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

Roll Call. All members present, except Representatives Hayman and Running Wolf, excused. Quorum present.

BILLS (Hinkle, Chair): 1/12/2021
Correctly printed: **HB 19, HB 41, HB 45, HB 48, HB 52, HB 54, HB 55, HB 141, HB 142, HB 143, HB 144, HB 145, HB 146, HB 147, HB 148.**
Correctly engrossed: **HB 102.**
Transmitted to the Senate: **HB 19, HB 41, HB 45, HB 48, HB 52, HB 54.**

Representative Fuller arose on a **Point of Personal Privilege** to commemorate Donald Jack Ruhl from Columbus, Montana. On January 12, 1947, Private First Class Ruhl was posthumously awarded the Medal of Honor for extraordinary valor that sacrificed his life on February 19, 1945 on Iwo Jima. Donald Jack Ruhl exemplified the patriotism and willingness to defend freedom of all Montanans.

REPORTS OF STANDING COMMITTEES

JUDICIARY (Usher, Chair): 1/12/2021
HB 28, do pass. Report adopted.
HB 102, introduced bill, be amended as follows:

1. Page 2, line 1.

Following: "The"

Strike: "schools and the"

2. Page 2, line 1.

Strike: "were"

Insert: "was"

3. Page 2, line 1.

Strike: "are"

Insert: "is"

4. Page 2, line 2.

Following: "by"

Strike: "schools and"

5. Page 2, line 20.

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Following: "corrections"

Insert: "or a secure treatment facility operated by the department of public health and human services"

6. Page 2, line 25.

Following: "States;"

Strike: "or"

7. Page 2, line 26.

Following: the second "property"

Insert: "or the person who possesses or is in control of the property, including a tenant or lessee of the property,"

Following: "firearms"

Insert: ";

(7) within a courtroom pursuant to an order of a justice of the peace or judge; or

(8) in a school building as determined by a school board pursuant to 45-8-361"

8. Page 3, line 10.

Following: "law"

Insert: "and meeting the minimum safety and training requirements in 45-8-321(3)"

9. Page 4, line 1.

Following: "through 7]"

Strike: "that"

10. Page 4, line 1.

Strike: "intentionally"

Insert: "wrongfully"

11. Page 4, line 1 through line 2.

Strike: "has" on line 1 through "entity," on line 2

Insert: "by"

12. Page 4, line 4 through line 5.

Strike: ", who" on line 4 through "delay" on line 5

Insert: "has a cause of action"

13. Page 4, line 6.

Strike: "intentional"

Insert: "wrongful"

And, as amended, do pass. Report adopted.

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FIRST READING AND COMMITMENT OF BILLS

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

HB 149, introduced by V. Ricci, referred to Business and Labor.

HB 150, introduced by M. Dunwell, referred to Taxation.

HB 151, introduced by E. Buttrey, R. Fitzgerald, D. Loge, referred to Business and Labor.

HB 152, introduced by N. Duram, M. Cuffe, J. Ellis, D. Fern, referred to Natural Resources.

HB 153, introduced by R. Fitzgerald, referred to Business and Labor.

HB 154, introduced by D. Fern, referred to Taxation.

**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 Duram in the chair.

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

HB 79 - Representative Noland moved **HB 79** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, 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, Holmlund, Hopkins, Jones, Karjala, Kassmier, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Olsen, Patelis, Putnam, Read, Regier A, Regier M, Reksten, Ricci, 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 94

Nays: Caferro, Hinkle J, Keane, Phalen, Windy Boy.

Total 5

Voted absentee: Hayman, Aye.

Excused: Hayman, Running Wolf.

Total 2

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 Duram moved the Committee of the Whole report be adopted. Report adopted 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, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, 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, 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 96

Nays: None.

Total 0

Voted absentee: None.

Excused: Hayman, Running Wolf.

Total 2

Absent or not voting: Farris-Olsen, Olsen.

Total 2

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 19 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, 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, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, 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

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Nays: Windy Boy.

Total 1

Voted absentee: None.

Excused: Hayman, Running Wolf.

Total 2

Absent or not voting: None.

Total 0

HB 41 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, 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, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, 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: Hayman, Running Wolf.

Total 2

Absent or not voting: None.

Total 0

HB 45 passed as follows:

Yeas: Abbott, Anderson, Bartel, Bedey, Berglee, Bertoglio, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith,

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Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.
Total 90

Nays: Beard, Binkley, Fuller, Lenz, Ler, Nave, Noland, Tschida.
Total 8

Voted absentee: None.

Excused: Hayman, Running Wolf.
Total 2

Absent or not voting: None.
Total 0

HB 48 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, 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, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, 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: Hayman, Running Wolf.
Total 2

Absent or not voting: None.
Total 0

HB 52 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,

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Gunderson, Hamilton, Harvey, Hawk, 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, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, 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: Hayman, Running Wolf.

Total 2

Absent or not voting: None.

Total 0

HB 54 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, 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, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, 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: Hayman, Running Wolf.

Total 2

Absent or not voting: None.

Total 0

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UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 140**.
Motion carried.

HB 140 (A. Regier, Chief Sponsor)
J. Hinkle, L. Reksten, D. Skees, B. Tschida.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vinton moved the House adjourn until 1:00 p.m., Wednesday, January 13, 2021.
Motion carried.

House adjourned at 1:17 p.m.

CAROLYN TSCHIDA
Chief Clerk of the House

WYLIE GALT
Speaker of the House