

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

Helena, Montana
January 13, 2021

House Chambers
State Capitol

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

Roll Call. All members present. Quorum present.

BILLS (Hinkle, Chair): 1/13/2021
Correctly printed: **HB 28, HB 79, HB 149, HB 150, HB 151, HB 152, HB 153, HB 154.**
Transmitted to the Senate: **HB 79.**

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (McKamey, Chair): 1/12/2021
HB 29, do pass. Report adopted.
HB 58, do pass. Report adopted.
HB 81, do pass. Report adopted.
HB 88, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

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

HB 155, introduced by D. Lenz, referred to Human Services.
HB 156, introduced by D. Fern, referred to Transportation.
HB 157, introduced by R. Marshall (by request of the Economic Affairs Interim Committee), referred to Business and Labor.

**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.

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

HB 23 - Representative Beard moved **HB 23** do pass. 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,

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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, 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 100

Nays: None.

Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 55 - Representative Loge moved **HB 55** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, 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, 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: Bartel, Duram, Ler.

Total 3

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 102 - Representative Berglee moved **HB 102** do pass.

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Minority Leader Abbott arose in objection to the ruling of the Chair on the issue of the discussion. Chair Skees ruled the discussion was not acceptable within decorum.

Minority Leader Abbott appealed the ruling of the Chair.

House recessed.
House reconvened.

The motion **to uphold the ruling of the Chair** carried as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Binkley, Brewster, Carlson, Dooling, Duram, Fielder, 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, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Whitman, Zolnikov, Mr. Speaker.

Total 56

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

Total 41

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Bertoglio, Greef, Running Wolf.

Total 3

Representative Keane arose on a **Point of Personal Privilege** to state that he disagreed with the ruling of the chair and believed that his statement was relevant to the discussion on the bill.

HB 102 - Representative Gunderson moved for cloture. Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Carlson, 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, 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, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway,

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Skees, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whiteman Pena, Whitman, Zolnikov, Mr. Speaker.
Total 91

Nays: Caferro, Curdy, Hayman, Karjala, Keane, Running Wolf, Smith, Weatherwax, Windy Boy.
Total 9

Voted absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 102 - Representative Berglee moved **HB 102** do pass. 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

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

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: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Carlson, Custer, Dooling, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming,

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France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Harvey, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kelker, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Seekins-Crowe, Sheldon-Galloway, Stafman, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 81

Nays: Caferro, Curdy, Dunwell, Hamilton, Hayman, Keane, Kerr-Carpenter, Kortum, Olsen, Smith, Stewart Peregoy, Whiteman Pena, Windy Boy.

Total 13

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Hawk, Karjala, Keogh, Nave, Schillinger, Skees.

Total 6

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 79 passed 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, 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, 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 95

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

Total 5

Voted absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 42** Motion carried.

HB 42 (N. Duram, Chief Sponsor)

D. Fern, M. Cuffe, J. Ellis.

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 127** Motion carried.

HB 127 (J. Carlson, Chief Sponsor)

J. Gillette, E. Hill, K. Kelker, D. Tenenbaum, J. Trebas, J. Windy Boy, W. Sales.

MOTIONS

Representative Jones moved to re-refer **HB 55** to the Appropriations Committee. Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vinton moved the House adjourn until 1:00 p.m., Thursday, January 14, 2021. Motion carried.

House adjourned at 2:10 p.m.

CAROLYN TSCHIDA
Chief Clerk of the House

WYLIE GALT
Speaker of the House