

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

Helena, Montana  
January 29, 2021

House Chambers  
State Capitol

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

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

**BILLS** (J. Hinkle, Chair): 1/29/2021

Correctly printed: **HB 13, HB 27, HB 66, HB 143, HB 144, HB 264, HB 265, HB 266, HB 267, HB 268, HB 269, SB 1, SB 21.**

Examined by the sponsor and found to be correct: **HR 2.**

Signed by the Speaker at 9:20 a.m., January 29, 2021: **HR 2.**

Signed by the Chief Clerk of the House at 9:20 a.m., January 29, 2021: **HR 2.**

Delivered to the Secretary of State at 11:08 a.m., January 29, 2021: **HR 2.**

**UNFINISHED BUSINESS**

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 226**. Motion carried.

**HB 226** (K. Zolnikov, Chief Sponsor)  
C. Hinkle.

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 230**. Motion carried.

**HB 230** (M. Regier, Chief Sponsor)  
J. Carlson, J. Gillette, C. Hinkle, J. Hinkle, M. Hopkins, L. Jones, S. Kerns, C. Knudsen, R. Knudsen, B. Ler, R. Marshall, B. Mitchell, J. Read, A. Regier, D. Skees, J. Trebas, S. Vinton, M. Blasdel, K. Bogner, B. Brown, J. Ellsworth, G. Hertz, S. Hinebauch, B. Keenan, T. Manzella, T. McGillvray, R. Osmundson, K. Regier, C. Smith.

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 236**. Motion carried.

**HB 236** (M. Regier, Chief Sponsor)  
J. Carlson, J. Gillette, C. Hinkle, J. Hinkle, M. Hopkins, L. Jones, S. Kerns, C. Knudsen, R. Knudsen, B. Ler, R. Marshall, B. Mitchell, J. Read, A. Regier, D. Skees, J. Trebas, S. Vinton, M. Blasdel, K. Bogner, B. Brown, C. Friedel, J. Ellsworth, G. Hertz, S. Hinebauch, B. Keenan, T. Manzella, T. McGillvray, R. Osmundson, K. Regier, C. Smith.

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**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Kassmier, Chair): 1/28/2021  
**SB 26**, be concurred in. Report adopted.

**APPROPRIATIONS** (Jones, Chair): 1/28/2021  
**HB 73**, do pass. Report adopted.

**LOCAL GOVERNMENT** (Custer, Chair): 1/28/2021  
**HB 121**, introduced bill, be amended as follows:

1. Title, line 10.

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 2, line 16.

**Following:** "health;"

**Insert:** "or"

3. Page 2, line 17 through line 20.

Strike: "(c)" on line 17 through "health" on line 20

Insert: "(c) the entity identified as the governing body as established in the bylaws, interlocal agreement, or memorandum of understanding creating a city-county local board of health or a local district board of health"

4. Page 3, line 21.

Following: "(a)"

Strike: "appoint and fix the salary"

Insert: "recommend to the governing body the appointment"

5. Page 3, line 26.

Strike: subsection (c) in its entirety

Renumber: subsequent subsections

6. Page 6, line 4.

Following: "until"

Insert: "the governing body holds a public meeting and allows public comment and"

7. Page 6, line 23.

Following: "until"

Insert: "the governing body holds a public meeting and allows public comment and"

8. Page 8.

Following: line 10

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Insert: "NEW SECTION. Section 6. {standard} Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

**TAXATION** (Beard, Chair): 1/29/2021  
**SB 35**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

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

1/28/2021

**HB 3**, introduced by D. Bedey

**Senate bills** passed and transmitted to the House for concurrence: 1/27/2021

**SB 39**, introduced by K. Regier  
**SB 56**, introduced by J. Ellsworth  
**SB 96**, introduced by S. Webber  
**SB 112**, introduced by S. Fitzpatrick

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 270**, introduced by E. Buttrey, D. Bedey, A. Buckley, J. Carlson, J. Dooling, R. Fitzgerald, F. Garner, D. Harvey, referred to Transportation.

**HB 271**, introduced by R. Marshall, referred to Transportation.

**HB 272**, introduced by M. Stromswold, B. Beard, S. Berglee, M. Binkley, L. Brewster, A. Buckley, F. Fleming, W. Galt, D. Harvey, J. Hinkle, M. Hopkins, C. Knudsen, R. Knudsen, T. McGillvray, B. Mercer, B. Mitchell, T. Moore, M. Noland, J. Read, A. Regier, V. Ricci, K. Seekins-Crowe, D. Skees, D. Tenenbaum, J. Trebas, B. Usher, K. Zolnikov, referred to Transportation.

**HB 273**, introduced by D. Skees, referred to Energy, Technology and Federal Relations.

**HB 274**, introduced by M. Caferro, referred to Human Services.

**HB 275**, introduced by M. Caferro, referred to Human Services.

**HB 276**, introduced by M. Caferro, referred to Human Services.

**HB 277**, introduced by B. Mercer, D. Bartel, D. Bedey, J. Gillette, L. Jones, T. Moore, M. Regier, B. Usher, S. Vinton, referred to State Administration.

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

**HJR 4**, introduced by M. Caferro, referred to Judiciary.

**HJR 5**, introduced by B. Tschida, M. Blasdel, J. Fuller, C. Hinkle, D. Howard, B. Mitchell, V. Ricci, J. Schillinger, referred to Taxation.

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

**SB 39**, introduced by K. Regier (by request of the Law and Justice Interim Committee), referred to Judiciary.

**SB 56**, introduced by J. Ellsworth (by request of the Department of Labor and Industry), referred to State Administration.

**SB 96**, introduced by S. Webber, referred to Transportation.

**SB 112**, introduced by S. Fitzpatrick, referred to Business and Labor.

**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 13** passed as follows:

Yeas: Abbott, Anderson, Bartel, Bedey, Bertoglio, Bishop, Brewster, Buckley, Buttrey, Caferro, Curdy, Custer, Dooling, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fleming, France, Frazer, Funk, Garner, Greef, Hamilton, Harvey, Hawk, Hayman, Holmlund, Hopkins, Jones, Keane, Keogh, Kerr-Carpenter, Knudsen C, Kortum, Marler, McKamey, Moore, Noland, Novak, Olsen, Patelis, Putnam, Regier A, Regier M, Reksten, Ricci, Running Wolf, Seekins-Crowe, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Mr. Speaker.

Total 62

Nays: Beard, Berglee, Binkley, Carlson, Duram, Fielder, Fuller, Galloway, Gillette, Gist, Gunderson, Hill, Hinkle C, Hinkle J, Karjala, Kassmier, Kerns, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, Mercer, Mitchell, Nave, Phalen, Read, Schillinger, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Zolnikov.

Total 37

Voted absentee: None.

Excused: Kelker.

Total 1

Absent or not voting: None.

Total 0

**HB 66** 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, Hopkins, Jones,

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Karjala, Kassmier, Keane, 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 99

Nays: None.

Total 0

Voted absentee: None.

Excused: Kelker.

Total 1

Absent or not voting: None.

Total 0

**HB 144** passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Custer, Dooling, Duram, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Harvey, Hawk, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, 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, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 73

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

Total 26

Voted absentee: None.

Excused: Kelker.

Total 1

Absent or not voting: None.

Total 0

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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 Buttrey in the chair.

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

**HB 151** - Majority Leader Vinton moved consideration of **HB 151** be passed for the day. Without objection, so ordered.

**SB 50** - Majority Leader Vinton moved consideration of **SB 50** be passed for the day. Without objection, so ordered.

**HB 87** - Representative McKamey moved **HB 87** 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, 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: Kelker, Aye.

Excused: Kelker.

Total 1

Absent or not voting: None.

Total 0

**HB 129** - Representative Bedey moved **HB 129** do pass. Motion carried as follows:

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

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Marshall, McKamey, Mercer, Moore, Nave, Noland, Patelis, Read, Regier A, Regier M, Reksten, Ricci, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Vinton, Walsh, Weatherwax, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 57

Nays: Abbott, Beard, Bertoglio, Bishop, Buckley, Caferro, Curdy, Dooling, Dunwell, Farris-Olsen, Fern, Fielder, France, Funk, Gunderson, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Ler, Marler, Mitchell, Novak, Olsen, Phalen, Putnam, Running Wolf, Schillinger, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Usher, Whiteman Pena, Windy Boy.

Total 43

Voted absentee: Kelker, No.

Excused: Kelker.

Total 1

Absent or not voting: None.

Total 0

**HB 137** - Representative Buttrey moved consideration of **HB 137** be placed at the bottom of the second reading board. Without objection, so ordered.

**HB 138** - Representative Fielder moved **HB 138** do pass. Motion carried as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Curdy, Custer, Duram, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, 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, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stewart Peregoy, Stromswold, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 78

Nays: Abbott, Bishop, Buckley, Caferro, Dooling, Dunwell, Farris-Olsen, Funk, Hawk, Hayman, Karjala, Keane, Keogh, Kerr-Carpenter, Kortum, Marler, Olsen, Stafman, Sullivan, Tenenbaum, Whiteman Pena, Windy Boy.

Total 22

Voted absentee: Kelker, Aye.

Excused: Kelker.

Total 1

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Absent or not voting: None.

Total 0

**HB 154** - Representative Fern moved **HB 154** do pass. Motion **failed** as follows:

Yeas: Bedey, Bishop, Brewster, Buckley, Curdy, Custer, Dunwell, Farris-Olsen, Fern, Garner, Hamilton, Harvey, Hawk, Hayman, Karjala, Kelker, Keogh, Kerr-Carpenter, Marler, Mitchell, Putnam, Running Wolf, Seekins-Crowe, Stafman, Stewart Peregoy, Sullivan, Thane, Trebas, Walsh, Weatherwax, Welch, Whiteman Pena, Windy Boy.

Total 33

Nays: Abbott, Anderson, Bartel, Beard, Berglee, Bertoglio, Binkley, Buttrey, Caferro, Carlson, Dooling, Duram, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Keane, Kerns, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Sheldon-Galloway, Skees, Smith, Stromswold, Tenenbaum, Tschida, Usher, Vinton, Whitman, Zolnikov, Mr. Speaker.

Total 67

Voted absentee: Kelker, Aye.

Excused: Kelker.

Total 1

Absent or not voting: None.

Total 0

**SB 5** - Representative Welch moved **SB 5** 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, 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: None.

Total 0



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Voted absentee: Kelker, Aye.

Excused: Kelker.

Total 1

Absent or not voting: Olsen.

Total 1

**HB 137** - Representative Marshall moved **HB 137** do pass.

**HB 137** - Representative Karjala moved **HB 137**, second reading copy, be amended as follows:

1. Title, line 11.

**Strike:** "AND A RETROACTIVE APPLICABILITY DATE"

2. Page 1, line 22.

**Following:** "establish"

**Strike:** "or continue in effect"

3. Page 1, line 28.

**Following:** "establishing"

**Strike:** "or continuing in effect"

4. Page 4, line 5 through line 8.

**Strike:** section 7 in its entirety

Amendment **not** adopted as follows:

Yeas: 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

Nays: 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, 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

Voted absentee: Kelker, Aye.

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Excused: Kelker.

Total 1

Absent or not voting: None.

Total 0

**HB 137** - Representative Marshall moved **HB 137** do pass. Motion carried as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, 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, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 65

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Custer, Dunwell, Farris-Olsen, Fern, France, Funk, 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, Whiteman Pena, Windy Boy.

Total 35

Voted absentee: Kelker, No.

Excused: Kelker.

Total 1

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

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

Total 79

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Nays: Curdy, Dunwell, Hamilton, Harvey, Hayman, Karjala, Kortum, Olsen, Running Wolf, Smith.  
Total 10

Voted absentee: None.

Excused: Kelker.  
Total 1

Absent or not voting: Bartel, Buttrey, Caferro, Fern, Keane, Marler, Marshall, Stafman, Whiteman  
Pena, Windy Boy.  
Total 10

**REPORTS OF STANDING COMMITTEES**

**BUSINESS AND LABOR** (Noland, Chair): 1/29/2021  
**HB 130**, introduced bill, be amended as follows:

1. Title, line 5.

Following: "LAWS;"

Insert: "PROVIDING FOR A CONSTRUCTION MANAGER GENERAL CONTRACTOR  
CONTRACTING PROCESS;"

2. Page 1, line 10.

Strike: "**Alternative project delivery process**"

Insert: "**Construction manager general contractor contracting process**"

3. Page 1, line 12.

Strike: "alternative project delivery"

Insert: "construction manager general contractor contracting"

4. Page 1, line 17.

Following: "prospective"

Strike: "alternative project delivery"

5. Page 1, line 17 through line 18.

Strike: ", " on line 17 through "department" on line 18

6. Page 1, line 20.

Following: "prospective"

Strike: "alternative project delivery"

7. Page 1, line 20 through line 21.

Strike: "designing," on line 20 through the first "project" on line 21

Insert: "performing construction management during the preconstruction phase and the  
construction phase"

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8. Page 1, line 21.

Following: the second "the"

Strike: "alternative"

9. Page 1, line 22.

Following: "(4)"

Insert: "(a)"

10. Page 1, line 23.

Following: the third "the"

Strike: "alternative project delivery"

11. Page 1, line 24.

Following: "the"

Insert: "preconstruction phase"

12. Page 1, line 25.

Following: line 24

Insert: "(b) After completion of the preconstruction services contract, the department shall make a written recommendation to the commission regarding award of the construction contract."

13. Page 1, line 25 through line 27.

Strike: subsection (5) in its entirety

14. Page 2, line 4 through line 5.

Strike: "general" on line 4 through "management" on line 5

Insert: "construction manager general contractor"

15. Page 2, line 12.

Following: line 11

Insert: "(3) "Construction manager general contractor contract" means a contract in which the general contractor, in addition to providing the preconstruction, budgeting, and scheduling services, procures necessary construction services, equipment, supplies, and materials through competitive bidding contracts with subcontractors and suppliers to construct the project."

**Renumber:** subsequent subsections

16. Page 2, line 16 through line 19.

Strike: subsection (5) in its entirety

17. Page 3, line 11 through line 12.

Strike: "general" on line 11 through "management" on line 12

Insert: "construction manager general contractor"

18. Page 3, line 17.

Following: line 16

Insert: "(3) "Construction manager general contractor contract" means a contract in which the

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general contractor, in addition to providing the preconstruction, budgeting, and scheduling services, procures necessary construction services, equipment, supplies, and materials through competitive bidding contracts with subcontractors and suppliers to construct the project."

**Renumber:** subsequent subsections

19. Page 3, line 20 through line 24.  
Strike: subsection (5) in its entirety

20. Page 7, line 12.  
Strike: "alternative project delivery"  
Insert: "construction manager general contractor"

And, as amended, do pass. Report adopted.

**HB 177**, do pass. Report adopted.

**HB 180**, do pass. Report adopted.

**HB 193**, introduced bill, be amended as follows:

1. Page 1, line 22.

Following: "\$2,500."

Insert: " If the seller of a sports pool or a sports tab game has unsold squares or tabs or the sporting event is canceled, the seller may cancel the sports pool or sports tab game and return the amount wagered to the purchasers or carry the board to a future sporting event."

And, as amended, do pass. Report adopted.

**HB 195**, introduced bill, be amended as follows:

1. Page 2, line 27.

Strike: "5"

Insert: "7"

2. Page 5, line 13.

Strike: "5"

Insert: "7"

And, as amended, do pass. Report adopted.

**HB 197**, do pass. Report adopted.

**HB 199**, do pass. Report adopted.

**HB 210**, introduced bill, be amended as follows:

1. Page 4, line 24.

Following: "audiologist"

Insert: ", "

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Strike: "or"

2. Page 4, line 25.

Following: "pathologist"

Insert: ", speech-language pathology assistant, or audiology assistant"

3. Page 4, line 27.

Following: "audiologist"

Insert: ", "

Strike: "or"

4. Page 4, line 27.

Following: "pathologist"

Insert: ", speech-language pathology assistant, or audiology assistant"

5. Page 5, line 2.

Following: "may"

Strike: "not"

6. Page 5, line 3 through line 4.

Strike: ". This" on line 3 through "facilitator." on line 4

Insert: "or provide other services as directed by a speech-language pathologist or audiologist that otherwise comply with board rules for scope of practice by speech-language pathology assistants and audiology assistants."

And, as amended, do pass. Report adopted.

**HB 213**, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "WAGES"

Insert: "WAGE RATES"

2. Page 1, line 17.

Strike: "Apprenticeship wages start"

Insert: "An apprenticeship's rate of wages starts"

And, as amended, do pass. Report adopted.

**HB 214**, do pass. Report adopted.

**JUDICIARY** (Usher, Chair):

1/29/2021

**HB 35**, introduced bill, be amended as follows:

1. Title, line 8.

Following: "DATE"

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Insert: "AND A TERMINATION DATE"

2. Page 3.

Following: line 17

Insert: "NEW SECTION. Section 6. Termination. [This act] terminates June 30, 2023."

And, as amended, do pass. Report adopted.

**HB 116**, introduced bill, be amended as follows:

1. Title, line 6.

Following: "PROPERTY";

Insert: "REVISING WHEN AN OWNER OR OWNER'S AGENT IS IMMUNE FROM CERTAIN ACTIONS;"

2. Page 3, line 10 through line 11.

Strike: subsection (5) in its entirety

And, as amended, do pass. Report adopted.

**HB 200**, do pass. Report adopted.

**HB 211**, do pass. Report adopted.

**HB 215**, do pass. Report adopted.

**HB 229**, do pass. Report adopted.

**HB 230**, do pass. Report adopted.

**HB 234**, introduced bill, be amended as follows:

1. Title, line 5.

Following: "LICENSE;"

Insert: "REVISING THE OFFICIALS WHO MAY DETERMINE COMPLIANCE;"

Following: "...DETERMINE COMPLIANCE; "

Insert: "AMENDING SECTION 37-33-406, MCA"

2. Page 1.

Following: line 9

Insert: "**Section 1.** Section 37-33-406, MCA, is amended to read:

**"37-33-406. (Temporary) Massage therapy businesses -- requirements.** (1) A massage therapy business shall conspicuously display on the premises the license of each massage therapist working at the business or, for a mobile practice, make the license readily available.

(2) (a) The department or a local designee, a local government official having jurisdiction, or a local law enforcement officer may enter a massage therapy business at any time during business hours to determine compliance with subsection (1).

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(b) The action taken under subsection (2)(a) may not interrupt a treatment session that is in progress, except that a treatment session lasting 2 hours or more may be interrupted.~~(Terminates June 30, 2023--sec. 6, Ch. 419, L. 2019.)"~~

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

**HB 236**, do pass. Report adopted.

**SB 4**, be concurred in. Report adopted.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Vinton moved the House adjourn until 1:00 p.m., Monday, February 1, 2021.  
Motion carried.

House adjourned at 2:55 p.m.

CAROLYN TSCHIDA  
Chief Clerk of the House

WYLIE GALT  
Speaker of the House