

**HOUSE JOURNAL  
67TH LEGISLATURE  
TWENTY-FIFTH LEGISLATIVE DAY**

Helena, Montana  
February 5, 2021

House Chambers  
State Capitol

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

Roll Call. All members present, except Representatives Hawk, Stafman, excused. Quorum present.

**BILLS** (J. Hinkle, Chair): 2/5/2021

Correctly printed: **HB 25, HB 98, HB 173, HB 176, HB 184, HB 232, HB 249, HB 256, HB 270, HB 306, HB 307, HB 308, HB 309, HB 310, HB 311, HB 312, HB 313, HB 314, HB 315, HB 316, HJR 4, HJR 7, SB 3, SB 6, SB 23, SB 24, SB 25, SB 30, SB 31, SB 34, SB 35, SB 47.**

Transmitted to the Senate: **HB 98, HB 173, HB 176, HB 184, HB 229, HB 256, SB 3, SB 6, SB 30, SB 34, SB 35.**

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Kassmier, Chair): 2/4/2021

**SB 27**, be concurred in. Report adopted.

**BUSINESS AND LABOR** (Noland, Chair): 2/5/2021

**HB 157**, introduced bill, be amended as follows:

1. Title, line 6.

Following: the first "BREWERY"

Insert: "OR WINERY"

2. Title, line 6.

Strike: "SHARE A LOCATION WITH A"

Insert: "BE LOCATED ADJACENT TO AN ON-PREMISES"

3. Title, line 6 through line 7.

Strike: the second "BREWERY" on line 6 through "MAINTAINS" on line 7

Insert: "LICENSEES MAINTAIN"

4. Title, line 8 through line 9.

Strike: "IS" on line 8 through "BEVERAGES" on line 9

Insert: "HAS AN OWNERSHIP INTEREST IN ONE OR MORE MANUFACTURER LICENSES"

5. Page 1, line 15 through line 22.

Strike: section 1 in its entirety

Renumber: subsequent sections

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

6. Page 1, line 27.

Strike: "[section 1]"

Insert: "subsection (3)"

7. Page 2.

Following: line 6

Insert: "(3) An on-premises consumption retailer may be located adjacent to a brewery or winery if the licensees are able to maintain control of their respective premises through adequate physical separation.

(4) (a) For the purposes of this section, "adequate physical separation" means:

(i) the premises of the retailer and the premises of the brewery or winery are secured after business hours from each other and from any other business, including but not limited to prohibiting a customer from accessing a brewery sample room and purchasing alcohol after the brewery tasting room hours of operation as specified in 16-3-213(2)(b); and

(ii) the separation may include doors, gates, or windows that may be left open during business hours.

(b) The term does not require permanent floor-to-ceiling walls."

8. Page 2, line 22.

Strike: "a manufacturer license"

Insert: "one or more manufacturer licenses"

9. Page 7, line 25 through line 26.

Strike: section 4 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

**HB 198**, introduced bill, be amended as follows:

1. Title, line 6 through line 7.

Strike: "PROVIDING" on line 6 through "BENEFIT;" on line 7

2. Page 1, line 13.

Following: "**expense**"

Strike: "-- **rulemaking**"

3. Page 1, line 13.

Strike: "(1) ~~There~~ Subject to subsection (2), there"

Insert: "There"

4. Page 1, line 18 through line 21.

Strike: subsection (2) in its entirety

And, as amended, do pass. Report adopted.

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

**HB 217**, introduced bill, be amended as follows:

1. Page 4, line 10.

Following: "**practice.**"

Insert: "(1)"

2. Page 4, line 11.

Strike: "(1)"

Insert: "(a)"

**Renumber:** subsequent subsections

3. Page 4, line 15.

Following: "tests"

Strike: "and other diagnostic studies"

4. Page 4, line 17.

Following: "results"

Strike: "and other diagnostic studies"

5. Page 4, line 19.

Following: "tests"

Strike: "and other diagnostic studies"

6. Page 4.

Following: line 26

Insert: "(2) Nothing in [sections 1 through 6] authorizes a genetic counselor to practice medicine, including treatment or medical management of a patient. If, in the course of providing genetic counseling to a client, a genetic counselor finds any indication of a disease or condition that requires medical assessment or treatment, the genetic counselor shall refer the client to a provider licensed to practice medicine."

And, as amended, do pass. Report adopted.

**HB 226**, introduced bill, be amended as follows:

1. Page 4, line 10.

Following: "includes"

Insert: "but is not limited to"

And, as amended, do pass. Report adopted.

**HB 254**, introduced bill, be amended as follows:

1. Title, page 1, line 5.

**Following:** "DISCHARGE"

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

**Insert:** "AND THE EMPLOYMENT RELATIONSHIP"

2. Page 2, line 13.  
Strike: "personnel"

And, as amended, do pass. Report adopted.

**SB 28**, be concurred in. Report adopted.  
**SB 66**, be concurred in. Report adopted.  
**SB 70**, be concurred in. Report adopted.  
**SB 97**, be concurred in. Report adopted.  
**SB 112**, be concurred in. Report adopted.

**FISH, WILDLIFE AND PARKS** (Fitzgerald, Chair):  
**HB 202**, introduced bill, be amended as follows:

2/4/2021

1. Page 1, line 22.  
Following: "sheep"  
Insert: "taken with a limited mountain sheep license"

2. Page 1, line 26.  
Following: "~~(a)~~"  
Insert: "(a)"

3. Page 2, line 2.  
Following: "~~(4)~~(a)"  
Insert: "(4)(a)"

4. Page 2.  
Following: line 9  
Insert: "(b) Except as provided in 87-2-815, a person who takes a legal ram mountain sheep with at least one horn that is equal to or greater than a three-fourths curl using an unlimited mountain sheep license issued pursuant to 87-2-701 or a population management license is not eligible to receive another special license for that species for the next 7 years. For the purposes of this subsection (4)(b), "unlimited mountain sheep license" means a license that is valid for an area in which the number of licenses issued is not restricted."

And, as amended, do pass. Report adopted.

**HB 224**, do pass. Report adopted.  
**HB 225**, do pass. Report adopted.

**HB 242**, introduced bill, be amended as follows:

1. Title, line 5.

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

Following: "EQUIPMENT;"  
Insert: "REVISING RULEMAKING AUTHORITY;"

2. Page 8, line 9.  
Following: "this season"  
Insert: ", "  
**Strike:** "and"

3. Page 8, line 10.  
Following: "87-6-401(1)(i)"  
Insert: "and rules adopted by the commission"

4. Page 8, line 11.  
Following: "with"  
Insert: "loose"  
Following: "powder,"  
Insert: "loose"  
Following: "equivalent"  
Insert: "loose black powder substitute"

5. Page 8, line 12.  
Following: "mechanism"  
Insert: "using a percussion or musket cap"

6. Page 9, line 14.  
Following: "cartridges"  
Insert: ", "  
**Strike:** "or"

7. Page 9, line 14.  
Following: "sabots"  
Insert: ", gas checks,"

And, as amended, do pass. Report adopted.

**HB 260**, do pass. Report adopted.

**SB 61**, be concurred in. Report adopted.

**SB 62**, be concurred in. Report adopted.

**JUDICIARY** (Usher, Chair):

**HB 218**, do pass. Report adopted.

**HB 223**, do pass. Report adopted.

2/5/2021

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

**HB 243**, introduced bill, be amended as follows:

1. Title, line 8.

Following: "OFFICERS;"

Strike: "AND"

2. Title, line 9.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 2.

Following: line 27

Insert: "NEW SECTION. Section 4. {standard} Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

**HB 261**, do pass. Report adopted.

**HB 262**, do pass. Report adopted.

**HB 263**, do pass. Report adopted.

**SB 104**, be concurred in. Report adopted.

**HUMAN SERVICES** (Lenz, Chair):

2/4/2021

**HB 43**, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "TELEMEDICINE"

Insert: "TELEHEALTH"

2. Title, line 6.

Following: line 5

Insert: "PROHIBITING CERTAIN CONTRACT PROVISIONS THAT IMPOSE SITE RESTRICTIONS ON TELEHEALTH;"

3. Title, line 7.

Strike: "TELEMEDICINE"

Insert: "TELEHEALTH"

4. Title, line 10.

Following: "33-22-138,"

Strike: "AND"

Following: "37-3-102,"

Insert: "37-11-101, 37-11-105, AND 50-46-302,"

5. Page 3, line 25.

Strike: "telemedicine"

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

Insert: "telehealth"

6. Page 7, line 4.

Strike: "telemedicine"

Insert: "telehealth"

7. Page 8, line 7.

Strike: "telemedicine"

Insert: "telehealth"

8. Page 8, line 10.

Strike: "**telemedicine**"

Insert: "**telehealth**"

9. Page 8, line 13.

Strike: "telemedicine"

Insert: "telehealth"

10. Page 8.

Following: line 14

Insert: "(2) A policy, certificate, contract, or agreement may not:

(a) impose restrictions involving:

(i) the site at which the patient is physically located and receiving health care services by means of telehealth; or

(ii) the site at which the health care provider is physically located and providing the services by means of telehealth; or

(b) distinguish between telehealth services provided to patients in rural locations and telehealth services provided to patients in urban locations."

**Renumber:** subsequent subsections

11. Page 8, line 20.

Following: line 19

Insert: "(b) coverage of an otherwise noncovered benefit;"

**Renumber:** subsequent subsections

12. Page 8, line 21.

Strike: "telemedicine"

Insert: "telehealth"

13. Page 8, line 23.

Following: "50-46-310"

Insert: "or as provided in Title 37 and related administrative rules"

14. Page 8, line 25.

Strike: "telemedicine"

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

Insert: "telehealth"

15. Page 9, line 1.  
Strike: "telemedicine"  
Insert: "telehealth"

16. Page 9, line 10.  
Following: "25,"  
Insert: "26,"

17. Page 9, line 15 through line 19.  
Strike: subsection (c) in its entirety  
Re-number: subsequent subsections

18. Page 9, line 19.  
Strike: "Telemedicine"  
Insert: "Telehealth"

19. Page 9, line 20.  
Following: "communication,"  
Strike: "e-mail, and facsimile transmission,"

20. Page 9, line 21 through line 22.  
Strike: "in" on line 21 through "located" on line 22

21. Page 9, line 23.  
Following: "connection"  
Strike: "or in a manner"

22. Page 9, line 23 through line 24.  
Strike: "the requirements" on line 23 through "et seq" on line 24  
Insert: "state and federal privacy laws"

23. Page 9.  
Following: line 26  
Insert: "(ii) The term does not include delivery of health care services by means of facsimile machines or electronic messaging alone. The use of facsimile and electronic message is not precluded if used in conjunction with other audio, video, or telecommunications technology or media."  
Re-number: subsequent subsections

24. Page 11.  
Following: line 10  
Insert: "(14) "Store-and-forward technology" means electronic information, imaging, and communication that is transferred, recorded, or otherwise stored in order to be reviewed at a later date by a health care provider or health care facility at a distant site without the



HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

patient present in real time. The term includes interactive audio, video, and data communication."

25. Page 11, line 11 through line 14.

Strike: line 11 through line 14 in their entirety

26. Page 11, line 16.

Following: "transmission."

Insert: "(15) (a) "Telemedicine" means the practice of medicine using interactive electronic communications, information technology, audio-only conversations, or other means between a licensee in one location and a patient in another location with or without an intervening health care provider. Telemedicine includes the application of secure videoconferencing or store-and-forward technology.

(b) The term does not mean an e-mail or instant messaging conversation or a message sent by facsimile transmission.

(c) For physicians providing written certification of a debilitating medical condition pursuant to 50-46-310, the term does not include audio-only communication unless the physician has previously established a physician-patient relationship through an in-person encounter."

27. Page 11.

Following: line 17

Insert: "**Section 6.** Section 37-11-101, MCA, is amended to read:

**"37-11-101. Definitions.** Unless the context requires otherwise, in this chapter, the following definitions apply:

(1) "Board" means the board of physical therapy examiners provided for in 2-15-1748.

(2) "Department" means the department of labor and industry provided for in Title 2, chapter 15, part 17.

(3) "Hearing" means the adjudicative proceeding concerning the issuance, denial, suspension, or revocation of a license, after which the appropriate action toward an applicant or licensee is to be determined by the board.

(4) "Physical therapist" or "physiotherapist" means a person who practices physical therapy.

(5) "Physical therapist assistant" or "assistant" means a person who:

(a) is a graduate of an accredited physical therapist assistant curriculum approved by the board;

(b) assists a physical therapist in the practice of physical therapy but who may not make evaluations or design treatment plans; and

(c) is supervised by a licensed physical therapist as described in 37-11-105.

(6) "Physical therapist assistant student" means a person who is enrolled in an accredited physical therapist assistant curriculum and who as part of the clinical and educational training is practicing under the supervision of a licensed physical therapist as described in 37-11-105.

(7) "Physical therapy" means the evaluation, treatment, and instruction of human beings, in person or through telemedicine, to detect, assess, prevent, correct, alleviate, and limit physical disability, bodily malfunction and pain, injury, and any bodily or mental conditions by the use of therapeutic exercise, prescribed topical medications, and rehabilitative procedures for the purpose of preventing, correcting, or alleviating a physical or mental disability.

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

(8) "Physical therapy aide" or "aide" means a person who aids in the practice of physical therapy, whose activities require on-the-job training, and who is supervised by a licensed physical therapist or a licensed physical therapist assistant as described in 37-11-105.

(9) "Physical therapy practitioner", "physical therapy specialist", "physiotherapy practitioner", or "manual therapists" are equivalent terms, and any derivation of the phrases or any letters implying the phrases are equivalent terms. Any reference to any one of the terms in this chapter includes the others but does not include certified corrective therapists or massage therapists.

(10) "Physical therapy student" or "physical therapy intern" means an individual who is enrolled in an accredited physical therapy curriculum, who, as part of the individual's professional, educational, and clinical training, is practicing in a physical therapy setting, and who is supervised by a licensed physical therapist as described in 37-11-105.

(11) "~~Telemedicine~~Telehealth" has the meaning provided in 33-22-138.

(12) "Topical medications" means medications applied locally to the skin and includes only medications listed in 37-11-106(2) for which a prescription is required under state or federal law." "

Insert: "**Section 7.** Section 37-11-105, MCA, is amended to read:

**"37-11-105. Supervision of physical therapist assistant, physical therapy aide, physical therapy student, or physical therapist assistant student.** (1) A physical therapist assistant shall practice under the supervision of a licensed physical therapist who is responsible for and participates in a patient's care. This supervision requires the licensed physical therapist to make an onsite visit or a visit by means of ~~telemedicine-telehealth~~ to the client at least once for every six visits made by the assistant or once every 2 weeks, whichever occurs first.

(2) A licensed physical therapist may not concurrently supervise more than two full-time assistants or the equivalent. This supervision does not require the presence of the assistant.

(3) A physical therapy aide shall practice under the onsite supervision of a licensed physical therapist or a licensed assistant. A licensed assistant may not concurrently supervise more than one full-time aide or the equivalent. A licensed physical therapist may not concurrently supervise more than four aides or the equivalent or two assistants and two aides or the equivalent.

(4) A physical therapy student or physical therapist assistant student shall practice with the onsite supervision of a licensed physical therapist.""

Insert: "**Section 8.** Section 50-46-302, MCA, is amended to read:

**"50-46-302. Definitions.** As used in this part, the following definitions apply:

(1) "Canopy" means the total amount of square footage dedicated to live plant production at a registered premises consisting of the area of the floor, platform, or means of support or suspension of the plant.

(2) "Chemical manufacturing" means the production of marijuana concentrate.

(3) "Correctional facility or program" means a facility or program that is described in 53-1-202 and to which an individual may be ordered by any court of competent jurisdiction.

(4) "Debilitating medical condition" means:

(a) cancer, glaucoma, positive status for human immunodeficiency virus, or acquired immune deficiency syndrome when the condition or disease results in symptoms that seriously and adversely affect the patient's health status;

(b) cachexia or wasting syndrome;

(c) severe chronic pain that is persistent pain of severe intensity that significantly interferes with daily activities as documented by the patient's treating physician;

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

- (d) intractable nausea or vomiting;
  - (e) epilepsy or an intractable seizure disorder;
  - (f) multiple sclerosis;
  - (g) Crohn's disease;
  - (h) painful peripheral neuropathy;
  - (i) a central nervous system disorder resulting in chronic, painful spasticity or muscle spasms;
  - (j) admittance into hospice care in accordance with rules adopted by the department; or
  - (k) posttraumatic stress disorder.
- (5) "Department" means the department of public health and human services provided for in 2-15-2201.
- (6) "Dispensary" means a registered premises from which a provider or marijuana-infused products provider is approved by the department to dispense marijuana or marijuana-infused products to a registered cardholder.
- (7) (a) "Employee" means an individual employed to do something for the benefit of an employer.
- (b) The term includes a manager, agent, or director of a partnership, association, company, corporation, limited liability company, or organization.
- (c) The term does not include a third party with whom a licensee has a contractual relationship.
- (8) "Financial interest" means a legal or beneficial interest that entitles the holder, directly or indirectly through a business, an investment, or a spouse, parent, or child relationship, to 1% or more of the net profits or net worth of the entity in which the interest is held.
- (9) "Local government" means a county, a consolidated government, or an incorporated city or town.
- (10) "Marijuana" has the meaning provided in 50-32-101.
- (11) "Marijuana concentrate" means any type of marijuana product consisting wholly or in part of the resin extracted from any part of the marijuana plant.
- (12) "Marijuana derivative" means any mixture or preparation of the dried leaves, flowers, resin, and byproducts of the marijuana plant, including but not limited to marijuana concentrates and marijuana-infused products.
- (13) (a) "Marijuana-infused product" means a product that contains marijuana and is intended for use by a registered cardholder by a means other than smoking.
- (b) The term includes but is not limited to edible products, ointments, and tinctures.
- (14) (a) "Marijuana-infused products provider" means a person licensed by the department to manufacture and provide marijuana-infused products for a registered cardholder.
- (b) The term does not include the cardholder's treating or referral physician.
- (15) "Mature marijuana plant" means a harvestable female marijuana plant that is flowering.
- (16) "Paraphernalia" has the meaning provided in 45-10-101.
- (17) "Person" means an individual, partnership, association, company, corporation, limited liability company, or organization.
- (18) (a) "Provider" means a person licensed by the department to assist a registered cardholder as allowed under this part.
- (b) The term does not include a cardholder's treating physician or referral physician.
- (19) "Referral physician" means an individual who:
- (a) is licensed under Title 37, chapter 3; and

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

(b) is the physician to whom a patient's treating physician has referred the patient for physical examination and medical assessment.

(20) "Registered cardholder" or "cardholder" means a Montana resident with a debilitating medical condition who has received and maintains a valid registry identification card.

(21) "Registered premises" means the location at which a provider or marijuana-infused products provider:

(a) has indicated that marijuana will be cultivated, chemical manufacturing will occur, or marijuana-infused products will be manufactured for registered cardholders; or

(b) has established a dispensary for sale of marijuana or marijuana-infused products to registered cardholders.

(22) "Registry identification card" means a document issued by the department pursuant to 50-46-303 that identifies an individual as a registered cardholder.

(23) (a) "Resident" means an individual who meets the requirements of 1-1-215.

(b) An individual is not considered a resident for the purposes of this part if the individual:

(i) claims residence in another state or country for any purpose; or

(ii) is an absentee property owner paying property tax on property in Montana.

(24) "Second degree of kinship by blood or marriage" means a mother, father, brother, sister, son, daughter, spouse, grandparent, grandchild, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent-in-law, grandchild-in-law, stepfather, stepmother, stepbrother, stepsister, stepson, stepdaughter, stepgrandparent, or stepgrandchild.

(25) "Seedling" means a marijuana plant that has no flowers and is less than 12 inches in height and 12 inches in diameter.

(26) "Standard of care" means, at a minimum, the following activities when undertaken in person or through the use of telemedicine by a patient's treating physician or referral physician if the treating physician or referral physician is providing written certification for a patient with a debilitating medical condition:

(a) obtaining the patient's medical history;

(b) performing a relevant and necessary physical examination;

(c) reviewing prior treatment and treatment response for the debilitating medical condition;

(d) obtaining and reviewing any relevant and necessary diagnostic test results related to the debilitating medical condition;

(e) discussing with the patient and ensuring that the patient understands the advantages, disadvantages, alternatives, potential adverse effects, and expected response to the recommended treatment;

(f) monitoring the response to treatment and possible adverse effects; and

(g) creating and maintaining patient records that remain with the physician.

(27) "State laboratory" means the laboratory operated by the department to conduct environmental analyses.

(28) "Telemedicine" has the meaning provided in ~~33-22-138~~ 37-3-102.

(29) "Testing laboratory" means a qualified person, licensed by the department, who meets the requirements of 50-46-311 and:

(a) provides testing of representative samples of marijuana and marijuana-infused products; and

(b) provides information regarding the chemical composition, the potency of a sample, and the presence of molds, pesticides, or other contaminants in a sample.

(30) "Treating physician" means an individual who:

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

(a) is licensed under Title 37, chapter 3; and  
(b) has a bona fide professional relationship with the individual applying to be a registered cardholder.

(31) (a) "Usable marijuana" means the dried leaves and flowers of the marijuana plant and any marijuana derivatives that are appropriate for the use of marijuana by an individual with a debilitating medical condition.

(b) The term does not include the seeds, stalks, and roots of the plant.

(32) "Written certification" means a statement signed by a treating physician or referral physician that meets the requirements of 50-46-310 and is provided in a manner that meets the standard of care.""

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**HB 208**, introduced bill, be amended as follows:

1. Page 1, line 20.

Strike: "informed consent counseling"

Insert: "adoptive decision support services"

2. Page 2, line 13.

Strike: "**Informed consent counseling requirements**"

Insert: "**Adoptive decision support services**"

3. Page 2, line 15.

Strike: "informed consent counseling"

Insert: "adoptive decision support services"

4. Page 2, line 16.

Following: "placement,"

Strike: "informed consent counseling of that parent is"

Insert: "adoptive decision support services are"

Following: "encouraged"

Insert: "for that parent"

5. Page 2, line 17.

Strike: "Informed consent counseling"

Insert: "Adoptive decision support services"

6. Page 2, line 17.

Strike: "performed"

Insert: "provided"

7. Page 2, line 19.

Strike: the first "counseling"

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

Insert: "services"

Strike: the second "counseling"

8. Page 2, line 20.

Strike: "informed consent counseling"

Insert: "adoptive decision support services"

9. Page 2, line 20.

Strike: "completed"

Insert: "provided"

10. Page 2, line 21.

Strike: "completion"

Insert: "provision"

11. Page 2, line 21.

Following: "of"

Insert: "the"

12. Page 2, line 21.

Strike: "counseling"

Insert: "services"

13. Page 2, line 23.

Strike: "informed consent counseling"

Insert: "adoptive decision support services"

14. Page 3, line 18.

Strike: "informed consent counseling"

Insert: "adoptive decision support services"

15. Page 4, line 28.

Strike: "informed consent counseling"

Insert: "adoptive decision support"

16. Page 6, line 13.

Strike: "informed consent counseling"

Insert: "adoptive decision support services"

17. Page 6, line 21.

Strike: "informed consent counseling"

Insert: "adoptive decision support services"

18. Page 7, line 14.

Strike: "informed consent and"

Insert: "adoptive decision support services,"

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

19. Page 7, line 15.

Following: "counseling"

Insert: ", "

Strike: "and for"

20. Page 8, line 9.

Strike: "informed consent counseling"

Insert: "adoptive decision support services"

21. Page 8, line 24.

Strike: "informed consent counseling"

Insert: "adoptive decision support services"

22. Page 9, line 4.

Following: "for"

Strike: "any"

23. Page 9, line 25.

Strike: "**counseling and legal**"

Insert: "**certain**"

24. Page 9, line 26.

Strike: "informed consent counseling"

Insert: "adoptive decision support services"

25. Page 10, line 1 through line 3.

Strike: "the amount," on line 1 through "part 1" on line 3

Insert: "a total of 15 outpatient mental health counseling sessions during the prenatal period and the 5 years following the birth of the child"

26. Page 10, line 26 through line 27.

Strike: "informed" on line 26 through "counseling" on line 27

Insert: "adoptive decision support services"

And, as amended, do pass. Report adopted.

**LOCAL GOVERNMENT** (Custer, Chair):

2/2/2021

**HB 49**, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence:

2/3/2021

**SB 93**, introduced by G. Vance

**SB 110**, introduced by R. Osmundson

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

**SB 115**, introduced by K. Regier  
**SB 116**, introduced by D. Ankney  
**SB 123**, introduced by K. Regier  
**SB 127**, introduced by C. Friedel  
**SB 129**, introduced by G. Hertz

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 317**, introduced by R. Marshall, D. Skees, J. Trebas, referred to State Administration.  
**HB 318**, introduced by K. Holmlund, D. Salomon, D. Bartel, D. Bedey, J. Dooling, K. Whitman, referred to Agriculture.  
**HB 319**, introduced by A. Buckley, G. Custer, referred to State Administration.  
**HB 320**, introduced by S. Gunderson, referred to Natural Resources.  
**HB 321**, introduced by M. Noland, referred to Human Services.  
**HB 322**, introduced by J. Patelis, referred to Judiciary.  
**HB 323**, introduced by T. Moore, D. Fern, F. Garner, B. Mercer, V. Ricci, referred to State Administration.  
**HB 324**, introduced by F. Smith, K. Abbott, A. Buckley, M. Caferro, W. Curdy, D. Fern, D. Harvey, D. Hawk, J. Keane, E. Kerr-Carpenter, M. Marler, S. Novak, J. Read, T. Running Wolf, D. Skees, M. Thane, J. Windy Boy, M. Fox, B. Molnar, J. Small, referred to Agriculture.  
**HB 325**, introduced by B. Usher, D. Bartel, B. Beard, D. Bedey, S. Berglee, M. Binkley, L. Brewster, J. Carlson, J. Dooling, R. Fitzgerald, J. Fuller, W. Galt, J. Gillette, S. Greef, S. Gunderson, C. Hinkle, J. Hinkle, K. Holmlund, M. Hopkins, J. Kassmier, C. Knudsen, R. Knudsen, D. Lenz, B. Ler, D. Loge, M. Malone, W. McKamey, M. Noland, B. Phalen, J. Read, A. Regier, K. Seekins-Crowe, L. Sheldon-Galloway, D. Skees, M. Stromswold, J. Trebas, B. Tschida, S. Vinton, K. Walsh, T. Welch, K. Whitman, K. Zolnikov, M. Bladsl, B. Brown, G. Hertz, K. Regier, C. Smith, referred to Judiciary.  
**HB 326**, introduced by B. Usher, referred to Transportation.  
**HB 327**, introduced by J. Dooling, E. Buttrey, B. Mercer, T. Gauthier, referred to Judiciary.

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

**SB 93**, introduced by G. Vance, referred to State Administration.  
**SB 110**, introduced by R. Osmundson (by request of the Office of Budget and Program Planning), referred to State Administration.  
**SB 115**, introduced by K. Regier, referred to Fish, Wildlife and Parks.  
**SB 116**, introduced by D. Ankney, B. Brown, D. Loge, referred to Fish, Wildlife and Parks.  
**SB 123**, introduced by K. Regier, referred to Local Government.  
**SB 127**, introduced by C. Friedel, J. Read, D. Kary, T. McGillvray, K. Regier, B. Molnar, C. Glimm, G. Hertz, B. Brown, T. Manzella, S. Hinebauch, J. Ellsworth, B. Ler, L. Brewster, K. Zolnikov, K. Seekins-Crowe, referred to Judiciary.



HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

**SB 129**, introduced by G. Hertz, E. Buttrey, S. Fitzpatrick, M. Blasdel, B. Molnar, M. Noland, D. Loge, F. Anderson, D. Bartel, J. Ellsworth, M. Sweeney, 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 Kerns in the chair.

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

**HB 131** - Representative Bedey moved **HB 131** do pass. Motion carried as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Duram, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Harvey, Hawk, Hayman, 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, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 86

Nays: Abbott, Dunwell, Farris-Olsen, Hamilton, Karjala, Kortum, Marler, Olsen, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena.

Total 14

Voted absentee: Hawk, Stafman, Aye.

Excused: Hawk, Stafman.

Total 2

Absent or not voting: None.

Total 0

**HB 221** - Representative Buckley moved **HB 221** do pass.

**HB 221** - Representative Skees moved **HB 221**, second reading copy, be amended as follows:

1. Title, line 7.

**Following:** "ACTIVITY;"

**Insert:** "REQUIRING CHILD-CARE EXPENSES BE PROVIDED BY A LICENSED OR REGISTERED DAY-CARE FACILITY; REQUIRING A CONTRIBUTOR AGREE IN WRITING ON

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

A PAPER RECORD TO THE USE OF THE CONTRIBUTION FOR CHILD-CARE EXPENSES;"

2. Page 1, line 15.

**Following:** "contributions"

**Insert:** "as provided in subsection (2) that are"

3. Page 1.

**Following:** line 16

**Insert:** "(2) A candidate may not use contributions for child-care expenses as provided in this section unless the person contributing the funds agrees in writing to the use of those funds for the purpose of child-care expenses. The agreement must be evidenced by the person's signature on a paper record. If the person contributing the funds is not an individual, the agreement may be signed by an individual granted permission by the entity to make the contribution or to sign on behalf of the entity."

**Renumber:** subsequent subsections

4. Page 1.

**Following:** line 21

**Insert:** "(5) Expenditures for child-care expenses authorized under this section must be provided by a day-care facility as defined in 52-2-703 that is licensed or registered in accordance with Title 52, chapter 2, part 7.

(6) Expenditures for child-care expenses under this section are limited to the aggregate amount authorized by contributors under subsection (2)."Amendment **not** adopted as follows:

Yeas: Bartel, Berglee, Binkley, Brewster, Carlson, Dooling, Duram, Fuller, Galloway, Gillette, Gist, Gunderson, Hill, Hinkle C, Hinkle J, Kerns, Knudsen R, Lenz, Marshall, Mitchell, Nave, Noland, Phalen, Read, Regier A, Regier M, Reksten, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Trebas, Tschida, Usher, Vinton, Whiteman Pena.

Total 36

Nays: Abbott, Anderson, Beard, Bedey, Bertoglio, Bishop, Buckley, Buttrey, Caferro, Curdy, Custer, Dunwell, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Funk, Garner, Greef, Hamilton, Harvey, Hawk, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Kortum, Ler, Loge, Malone, Marler, McKamey, Mercer, Moore, Novak, Olsen, Patelis, Putnam, Ricci, Running Wolf, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Walsh, Weatherwax, Welch, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 64

Voted absentee: None.

Excused: None.

Total 0

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

Absent or not voting: None.

Total 0

Representative Windy Boy arose on a **Point of Personal Privilege** to point out that he did not think the comments of the previous speaker were discussion on the bill.

Representative Usher arose on a **Point of Personal Privilege** to clarify that his discrimination statement was referencing people in a stage of their life, not male versus female.

**HB 221** - Representative Buckley moved **HB 221** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bedey, Bishop, Brewster, Buckley, Buttrey, Caferro, Curdy, Custer, Dunwell, Farris-Olsen, Fern, Fielder, Fitzgerald, France, Frazer, Funk, Garner, Hamilton, Harvey, Hawk, Hayman, Hinkle C, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Kortum, Loge, Marler, McKamey, Novak, Olsen, Patelis, Putnam, Running Wolf, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov.

Total 56

Nays: Bartel, Beard, Berglee, Bertoglio, Binkley, Carlson, Dooling, Duram, Fleming, Fuller, Galloway, Gillette, Gist, Greef, Gunderson, Hill, Hinkle J, Kerns, Knudsen R, Lenz, Ler, Malone, Marshall, Mercer, Mitchell, Moore, Nave, Noland, Phalen, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Trebas, Tschida, Usher, Vinton, Walsh, Mr. Speaker.

Total 44

Voted absentee: Hawk, Stafman, Aye.

Excused: Hawk, Stafman.

Total 2

Absent or not voting: None.

Total 0

**HB 239** - Representative Funk moved **HB 239** 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, Mitchell, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Reksten, Ricci, Running Wolf, Schillinger,

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

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: Mercer, Moore, Regier M.

Total 3

Voted absentee: Hawk, Stafman, Aye.

Excused: Hawk, Stafman.

Total 2

Absent or not voting: None.

Total 0

**SB 36** - Representative Walsh moved **SB 36** 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, 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 99

Nays: None.

Total 0

Voted absentee: Hawk, Stafman, Aye.

Excused: Hawk, Stafman.

Total 2

Absent or not voting: Gillette.

Total 1

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

**SB 41** - Representative Thane moved **SB 41** 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, 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: Hawk, Stafman, Aye.

Excused: Hawk, Stafman.

Total 2

Absent or not voting: None.

Total 0

**SB 45** - Representative Brewster moved **SB 45** 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, 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

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

Voted absentee: Hawk, Stafman, Aye.

Excused: Hawk, Stafman.

Total 2

Absent or not voting: None.

Total 0

**SB 68** - Representative France moved **SB 68** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, 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 99

Nays: Binkley.

Total 1

Voted absentee: Hawk, Stafman, Aye.

Excused: Hawk, Stafman.

Total 2

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 Kerns 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, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Loge, Malone,

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

Marler, Marshall, McKamey, Mercer, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Trebas, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.  
Total 91

Nays: Mitchell, Stromswold, Tschida, Usher.  
Total 4

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: Hawk, Keogh, Lenz, Ler, Stafman.  
Total 5

**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 98** 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, 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, 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.

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

Excused: None.

Total 0

Absent or not voting: Hawk, Stafman.

Total 2

**HB 102** 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, Harvey, 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 68

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

Total 30

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Hawk, Stafman.

Total 2

**HB 173** 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, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, 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, Stewart Peregoy, Stromswold,



HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

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

Absent or not voting: Hawk, Jones, Stafman.

Total 3

**HB 176** passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Dooling, Duram, Fielder, Fitzgerald, Fleming, 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, 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, Frazer, Funk, Hamilton, Harvey, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Novak, Olsen, Putnam, Running Wolf, Smith, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 34

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Hawk, Stafman.

Total 2

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

**HB 184** passed as follows:

Yeas: Abbott, Anderson, Bedey, Bertoglio, Binkley, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, France, Frazer, Funk, Garner, Gillette, Gist, Greef, Hamilton, Harvey, Hayman, Hill, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen R, Loge, Malone, Marshall, McKamey, Mitchell, Nave, Noland, Novak, Patelis, Putnam, Regier A, Reksten, Ricci, Running Wolf, Skees, Smith, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy.

Total 70

Nays: Bartel, Beard, Berglee, Bishop, Fielder, Fuller, Galloway, Gunderson, Hinkle C, Hinkle J, Kerns, Knudsen C, Kortum, Lenz, Ler, Mercer, Moore, Phalen, Read, Regier M, Schillinger, Seekins-Crowe, Sheldon-Galloway, Tschida, Zolnikov, Mr. Speaker.

Total 26

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Hawk, Marler, Olsen, Stafman.

Total 4

**HB 229** passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buckley, Buttrey, Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Gunderson, 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, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 70

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

Total 28

Voted absentee: None.

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

Excused: None.

Total 0

Absent or not voting: Hawk, Stafman.

Total 2

**HB 256** passed as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, 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, Harvey, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Kelker, Keogh, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Patelis, Phalen, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stromswold, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 83

Nays: Bishop, Dunwell, Hamilton, Hayman, Keane, Kerr-Carpenter, Kortum, Olsen, Putnam, Read, Stewart Peregoy, Sullivan, Tenenbaum, Whiteman Pena, Windy Boy.

Total 15

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Hawk, Stafman.

Total 2

**SB 3** 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, Harvey, 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, Stewart Peregoy, Stromswold,

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

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: Hawk, Stafman.

Total 2

**SB 6** 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, Harvey, 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, 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: Hawk, Stafman.

Total 2

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

**SB 30** 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, Harvey, 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, 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, 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

Absent or not voting: Hawk, Marler, Stafman.

Total 3

**SB 34** 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, Harvey, 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, 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

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Hawk, Stafman.

Total 2

**SB 35** 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, Harvey, 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, 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: Hawk, Stafman.

Total 2

**MOTIONS**

Majority Leader Vinton moved to re-refer **HB 131** to the Appropriations Committee. Without objection, so ordered.

Majority Leader Vinton moved to re-refer **HB 239** to the Appropriations Committee. Without objection, so ordered.

HOUSE JOURNAL  
TWENTY-FIFTH LEGISLATIVE DAY - FEBRUARY 5, 2021

**UNFINISHED BUSINESS**

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 277**.  
Motion carried.

**HB 277** (B. Mercer, Chief Sponsor)  
M. Bertoglio, G. Custer, J. Dooling, W. McKamey, L. Reksten.

**ANNOUNCEMENTS**

Representative Skees arose on a **Point of Order** to clarify that pursuant to House rules H40-160, a Point of Personal Privilege is not in order during Order of Business number 7.

Committee meetings were announced by the committee chairs.

Majority Leader Vinton moved the House adjourn until 1:00 p.m., Monday, February 8, 2021.  
Motion carried.

House adjourned at 2:15 p.m.

CAROLYN TSCHIDA  
Chief Clerk of the House

WYLIE GALT  
Speaker of the House