

**HOUSE JOURNAL
67TH LEGISLATURE
THIRTY-NINTH LEGISLATIVE DAY**

Helena, Montana
February 24, 2021

House Chambers
State Capitol

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

Roll Call. All members present, except Representative R. Knudsen, excused. Quorum present.

BILLS (J. Hinkle, Chair):

2/24/2021

Correctly printed: **HB 115, HB 188, HB 201, HB 231, HB 233, HB 280, HB 285, HB 291, HB 318, HB 329, HB 341, HB 353, HB 368, HB 379, HB 386, HB 398, HB 415, HB 426, HB 428, HB 463, HB 483, HB 504, HB 509, HB 548, HB 549, HB 550, HB 551, HB 552, HB 553, HB 554, HB 555, HB 556, HB 557, HB 558, HB 559, HB 560, HB 561, HB 562, HB 563, HB 564, HB 565, HB 566, HB 567, HB 568, HB 569, HB 570, HB 571, HB 572, HB 573, HB 574, HB 575, HB 576, HB 577, HB 578, HB 580, HB 581, HB 582, HB 583, HB 584, HB 585, HB 586, HB 587, HB 588, HB 589, HB 590, HB 591, HB 592, HB 593, HB 594, HB 595, HB 596, HB 597, HB 598, HB 599, HB 600, HJR 7, HJR 16, HJR 17, SB 118.**

Correctly engrossed: **HB 90, HB 258, HB 302, HB 307, HB 328, HB 374, HB 580, HJR 6.**

Transmitted to the Senate: **HB 115, HB 188, HB 201, HB 231, HB 280, HB 285, HB 318, HB 341, HB 353, HB 368, HB 379, HB 386, HB 398, HB 426, HJR 7.**

Signed by the Speaker at 9:05 a.m., February 24, 2021: **HB 15.**

Signed by the Chief Clerk of the House at 9:10 a.m., February 24, 2021: **HB 15.**

Signed by the President at 9:45 a.m., February 24, 2021: **HB 15.**

Delivered to the Governor for approval at 10:12 a.m., February 24, 2021: **HB 15.**

COMMUNICATIONS AND PETITIONS

Mr. Speaker:

We, your committee on Legislative Administration, having examined the daily journals for the sixteenth, seventeenth, eighteenth, nineteenth, and twentieth legislative days, find the same to be correct.

Representative J. Hinkle, Chair

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Kassmier, Chair):

2/23/2021

HB 302, introduced bill, be amended as follows:

1. Title, line 7.
Following: "7-1-111,"

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Strike: "76-1-605,"

2. Page 1, line 19.

Following: "brucellosis-free;"

Insert: "and"

3. Page 1, line 21 through line 23.

Strike: "; and" on line 21 through "chapter 1" on line 23

4. Page 4, line 8 through line 21.

Strike: section 3 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HUMAN SERVICES (Lenz, Chair):

2/22/2021

HB 328, introduced bill, be amended as follows:

1. Page 1, line 16.

Strike: "select one or more"

Insert: "provide a list of"

And, as amended, do pass. Report adopted.

JUDICIARY (Usher, Chair):

2/24/2021

HB 258, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "ANY"

Insert: "A"

2. Title, line 6.

Following: "DATE"

Insert: "AND A RETROACTIVE APPLICABILITY DATE"

3. Page 1, line 19.

Following: "regulation"

Insert: "that is enacted, adopted, or becomes effective on or after January 1, 2021"

4. Page 1, line 20.

Strike: "an existing"

Insert: "a"

5. Page 1, line 20.

Following: "law"

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Insert: "that existed on January 1, 2021,"

6. Page 2, line 9 through line 17.

Strike: subsection (3) in its entirety

Renumber: subsequent subsections

7. Page 2, line 19.

Strike: "in an action that does not have the"

Insert: ", communicating, or collaborating with a federal agency if the primary"

8. Page 2, line 20.

Strike: "of enforcing"

Insert: "is not:

(a) law enforcement activity related to a federal ban; or

(b) the investigation of a violation of"

9. Page 3.

Following: line 2

Insert: "NEW SECTION. Section 8. Retroactive applicability. [This act] applies retroactively, within the meaning of 1-2-109, to a federal law, executive order, rule, or regulation adopted or enacted on or after January 1, 2021, or a new and more restrictive interpretation of a law that existed on January 1, 2021."

And, as amended, do pass. Report adopted.

HB 391, do pass. Report adopted.

HB 406, do pass. Report adopted.

HB 459, do pass. Report adopted.

HB 472, do pass. Report adopted.

HB 480, do pass. Report adopted.

HB 539, do pass. Report adopted.

HB 541, do pass. Report adopted.

HB 578, do pass. Report adopted.

LOCAL GOVERNMENT (Custer, Chair):

2/23/2021

HB 444, do pass. Report adopted.

SB 80, be concurred in. Report adopted.

SB 123, be concurred in. Report adopted.

SB 125, be concurred in. Report adopted.

STATE ADMINISTRATION (McKamey, Chair):

2/22/2021

HB 405, do pass. Report adopted.

TAXATION (Beard, Chair):

2/24/2021

HB 516, do pass. Report adopted.

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HJR 6, introduced joint resolution, be amended as follows:

1. Page 1, line 25.

Following: "(2) determine"

Insert: ":

(a)"

2. Page 1.

Following: line 26

Insert: "(b) market and export opportunities; and

(c) long-term interest rates and future investment strategies;"

3. Page 2, line 3 through line 4.

Strike: ", " on line 3 through "principal" on line 4

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

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

2/22/2021

HB 103, introduced by W. Curdy

Senate bill passed and transmitted to the House for concurrence:

2/22/2021

SB 7, introduced by J. Cohenour

SB 60, introduced by P. Flowers

SB 136, introduced by S. Fitzpatrick

SB 207, introduced by J. Pomnichowski

Senate joint resolution passed and transmitted to the House for concurrence:

2/22/2021

SJR 5, introduced by S. Webber

MESSAGES FROM THE GOVERNOR

February 23, 2021

The Honorable Wylie Galt

Speaker of the House

State Capitol

Helena, Montana 59620

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Dear Speaker Galt:

On Tuesday, February 23, 2021, I signed the following bills:

House Bill 23 – Beard
House Bill 26 – Funk
House Bill 60 – Lenz
House Bill 68 – Bertoglio
House Bill 74 – Gillette
House Bill 153 – Fitzgerald

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

Sincerely,

GREG GIANFORTE
Governor

FIRST READING AND COMMITMENT OF BILLS

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

HB 601, introduced by D. Fern, D. Skees, referred to Human Services.
HB 602, introduced by M. Stromswold, C. Knudsen, referred to Judiciary.
HB 603, introduced by J. Trebas, referred to Judiciary.
HB 604, introduced by S. Novak, F. Garner, referred to State Administration.
HB 605, introduced by N. Duram, referred to Transportation.
HB 606, introduced by P. Fielder, S. Galloway, S. Gist, J. Schillinger, referred to Energy, Technology and Federal Relations.
HB 607, introduced by A. Olsen, referred to Energy, Technology and Federal Relations.
HB 608, introduced by S. Galloway, referred to Transportation.

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

HJR 18, introduced by R. Farris-Olsen, referred to Fish, Wildlife and Parks.
HJR 19, introduced by M. Bertoglio, A. Buckley, E. Buttrey, G. Custer, D. Fern, S. Gist, S. Greef, E. Hill, B. Mercer, J. Schillinger, S. Vinton, K. Whitman, B. Gillespie, B. Molnar, referred to Human Services.
HJR 20, introduced by M. Noland, D. Bartel, D. Bedey, S. Berglee, M. Bertoglio, L. Brewster, E. Buttrey, J. Carlson, N. Duram, P. Fielder, R. Fitzgerald, F. Fleming, G. Frazer, J. Fuller, S. Galloway, F. Garner, J. Gillette, S. Greef, E. Hill, C. Hinkle, J. Hinkle, K. Holmlund, L. Jones, S. Kerns, R. Knudsen, D. Lenz, B. Ler, D. Loge, M. Malone, B. Mercer, B. Mitchell, F. Nave, J. Patelis, B. Phalen, B. Putnam, J. Read, A. Regier, M. Regier, L. Reksten, V. Ricci, J. Schillinger,

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K. Seekins-Crowe, L. Sheldon-Galloway, D. Skees, M. Stromswold, J. Trebas, B. Tschida, B. Usher, T. Welch, B. Brown, S. Fitzpatrick, C. Friedel, B. Gillespie, C. Glimm, S. Hinebauch, D. Kary, B. Keenan, T. Manzella, B. Molnar, K. Regier, referred to Business and Labor.

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

SB 7, introduced by J. Cohenour (by request of the Revenue Interim Committee), referred to Taxation.

SB 60, introduced by P. Flowers (by request of the Environmental Quality Council), referred to Fish, Wildlife and Parks.

SB 136, introduced by S. Fitzpatrick, referred to Natural Resources.

SB 207, introduced by J. Pomnichowski, E. Buttrey, E. McClafferty, B. Bennett, M. Blasdel, J. Cohenour, G. Hertz, T. Jacobson, W. Galt, C. Pope, S. Webber, E. Boldman, S. Morigeau, J. Gross, R. Farris-Olsen, M. Sweeney, P. Flowers, referred to Business and Labor.

The following Senate joint resolution was introduced, read first time, and referred to committee:

SJR 5, introduced by S. Webber, referred to Transportation.

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

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

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

HB 255 - Representative Brewster moved **HB 255** do pass. Motion carried as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hill, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Kerns, Knudsen C, 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, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 90

Nays: Abbott, Curdy, France, Hayman, Hinkle C, Keogh, Kerr-Carpenter, Olsen, Sullivan.

Total 9

Voted absentee: None.

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Excused: Knudsen R.

Total 1

Absent or not voting: None.

Total 0

HB 307 - Representative Gillette moved **HB 307** do pass.

HB 307 - Representative Gillette moved **HB 307**, second reading copy, be amended as follows:

1. Page 1, line 11 through line 12.

Strike: "**Duty**" on line 11 through "**child**" on line 12

Insert: "**Duties of parents to maintain children**"

2. Page 1, line 12.

Strike: "parent"

Insert: "father and the mother"

3. Page 1, line 12.

Strike: "adult child"

Insert: "person"

4. Page 1, line 13.

Strike: "adult child"

Insert: "person"

Amendment 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, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 98

Nays: Nave.

Total 1

Voted absentee: None.

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Excused: Knudsen R.

Total 1

Absent or not voting: None.

Total 0

HB 307 - Representative Gillette moved **HB 307**, as amended, 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, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 95

Nays: Hayman, Nave, Olsen, Smith.

Total 4

Voted absentee: None.

Excused: Knudsen R.

Total 1

Absent or not voting: None.

Total 0

HB 362 - Representative Fitzgerald moved **HB 362** 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, 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

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Nays: None.

Total 0

Voted absentee: None.

Excused: Knudsen R.

Total 1

Absent or not voting: None.

Total 0

HB 380 - Representative Seekins-Crowe moved **HB 380** 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, 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 65

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

Total 34

Voted absentee: None.

Excused: Knudsen R.

Total 1

Absent or not voting: None.

Total 0

HB 393 - Representative Gillette moved **HB 393** 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, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Harvey, Hawk, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees,

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

Total 92

Nays: Farris-Olsen, Hamilton, Hayman, Karjala, Kortum, Nave, Olsen.

Total 7

Voted absentee: None.

Excused: Knudsen R.

Total 1

Absent or not voting: None.

Total 0

HB 401 - Representative Galloway moved **HB 401** 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, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 66

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, 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: Knudsen R.

Total 1

Absent or not voting: None.

Total 0

HB 407 - Representative Noland moved **HB 407** 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,

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Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Read, Regier A, Regier M, 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, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Novak, Olsen, Putnam, Reksten, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.
Total 35

Voted absentee: None.

Excused: Knudsen R.
Total 1

Absent or not voting: None.
Total 0

HB 416 - Representative Lenz moved **HB 416** do pass. Motion carried as follows:

Yeas: Anderson, Beard, Bedey, Berglee, Bertoglio, Brewster, Buttrey, Carlson, Custer, Dooling, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mitchell, Nave, Noland, Patelis, Phalen, Read, Regier A, Reksten, Ricci, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Tenenbaum, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.
Total 59

Nays: Abbott, Bartel, Binkley, Bishop, Buckley, Caferro, Curdy, Dunwell, Duram, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Mercer, Moore, Novak, Olsen, Putnam, Regier M, Running Wolf, Schillinger, Smith, Stafman, Stewart Peregoy, Sullivan, Thane, Weatherwax, Whiteman Pena, Windy Boy.
Total 40

Voted absentee: None.

Excused: Knudsen R.
Total 1

Absent or not voting: None.
Total 0

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HB 427 - Representative Fuller moved **HB 427** do pass. Motion carried as follows:

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

Total 59

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

Total 40

Voted absentee: None.

Excused: Knudsen R.

Total 1

Absent or not voting: None.

Total 0

HB 429 - Representative Jones moved **HB 429** do pass. Motion carried as follows:

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

Total 71

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

Total 28

Voted absentee: None.

Excused: Knudsen R.

Total 1

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Absent or not voting: None.

Total 0

HB 430 - Representative Whitman moved **HB 430** 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, 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, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 67

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

Total 30

Voted absentee: None.

Excused: Knudsen R.

Total 1

Absent or not voting: Farris-Olsen, Stafman.

Total 2

HB 436 - Representative Kerns moved **HB 436** 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, Lenz, Ler, Loge, Malone, Marshall, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 65

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

Total 34

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Voted absentee: None.

Excused: Knudsen R.

Total 1

Absent or not voting: None.

Total 0

HB 439 - Representative Galloway moved **HB 439** 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, Jones, Kassmier, Kerns, Knudsen C, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 65

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

Total 34

Voted absentee: None.

Excused: Knudsen R.

Total 1

Absent or not voting: None.

Total 0

HB 451 - Representative Farris-Olsen moved **HB 451** do pass. Motion carried as follows:

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

Total 83

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Nays: Beard, Fielder, Galloway, Hill, Hopkins, Kassmier, Kerns, Ler, Mitchell, Nave, Read, Ricci, Schillinger, Sheldon-Galloway, Smith, Tschida.
Total 16

Voted absentee: None.

Excused: Knudsen R.
Total 1

Absent or not voting: None.
Total 0

HJR 9 - Representative Marshall moved **HJR 9** 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, Harvey, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, 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, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.
Total 96

Nays: Hamilton, Mercer, Stewart Peregoy.
Total 3

Voted absentee: None.

Excused: Knudsen R.
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 Tschida 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, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Kortum, Lenz, Ler, Loge,

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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, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 96

Nays: Karjala, Olsen, Tschida.

Total 3

Voted absentee: None.

Excused: Knudsen R.

Total 1

Absent or not voting: None.

Total 0

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 115 passed as follows:

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

Total 74

Nays: Abbott, Bishop, Buckley, Caferro, Dunwell, Farris-Olsen, Funk, Hamilton, Hayman, Hinkle C, Hopkins, Karjala, Keogh, Kerr-Carpenter, Kortum, Olsen, Running Wolf, Smith, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 25

Voted absentee: None.

Excused: Knudsen R.

Total 1

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Absent or not voting: None.

Total 0

HB 188 passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Duram, Fern, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hawk, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Keane, Kerns, Kerr-Carpenter, Knudsen C, 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, Smith, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Mr. Speaker.

Total 78

Nays: Abbott, Bishop, Dunwell, Farris-Olsen, Fielder, Hamilton, Harvey, Hayman, Karjala, Kelker, Keogh, Kortum, Olsen, Sheldon-Galloway, Skees, Stafman, Stewart Peregoy, Sullivan, Thane, Zolnikov.

Total 20

Voted absentee: None.

Excused: Knudsen R.

Total 1

Absent or not voting: Tenenbaum.

Total 1

HB 201 passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, 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, 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, Brewster, 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, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 33

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Voted absentee: None.

Excused: Knudsen R.

Total 1

Absent or not voting: Tenenbaum.

Total 1

HB 231 passed as follows:

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

Total 66

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

Total 31

Voted absentee: None.

Excused: Knudsen R.

Total 1

Absent or not voting: Karjala, Tenenbaum.

Total 2

HB 280 passed as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Carlson, Curdy, Custer, Dooling, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Hawk, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, 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, Stafman, Stromswold, Sullivan, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Zolnikov, Mr. Speaker.

Total 88

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Nays: Caferro, Dunwell, Harvey, Hayman, Karjala, Keane, Olsen, Smith, Stewart Peregoy,
Windy Boy.
Total 10

Voted absentee: None.

Excused: Knudsen R.
Total 1

Absent or not voting: Tenenbaum.
Total 1

HB 285 passed as follows:

Yeas: Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Dooling,
Duram, Fielder, Fleming, Frazer, Fuller, Gillette, Gist, Gunderson, Hawk, Hill, Hinkle C, Hinkle J,
Holmlund, Hopkins, Jones, Kassmier, Kerns, Kerr-Carpenter, Knudsen C, Lenz, Ler, Loge, Malone,
Marshall, McKamey, Mercer, Mitchell, Nave, Patelis, Phalen, Read, Regier A, Regier M, Ricci,
Schillinger, Seekins-Crowe, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Zolnikov,
Mr. Speaker.
Total 55

Nays: Abbott, Anderson, Bishop, Buckley, Caferro, Curdy, Custer, Dunwell, Farris-Olsen, Fern,
Fitzgerald, France, Funk, Galloway, Garner, Greef, Hamilton, Harvey, Hayman, Karjala, Keane,
Kelker, Keogh, Kortum, Marler, Moore, Noland, Novak, Olsen, Putnam, Reksten, Running Wolf,
Sheldon-Galloway, Smith, Stafman, Stewart Peregoy, Sullivan, Thane, Weatherwax, Welch,
Whiteman Pena, Whitman, Windy Boy.
Total 43

Voted absentee: None.

Excused: Knudsen R.
Total 1

Absent or not voting: Tenenbaum.
Total 1

HB 318 passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, 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, Lenz,
Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen,

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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, Brewster, 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, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 33

Voted absentee: None.

Excused: Knudsen R.

Total 1

Absent or not voting: Tenenbaum.

Total 1

HB 341 passed as follows:

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

Total 76

Nays: Abbott, Bishop, Buckley, Farris-Olsen, France, Hamilton, Harvey, Hawk, Hayman, Kelker, Kerr-Carpenter, Kortum, Marler, Olsen, Putnam, Running Wolf, Smith, Stafman, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 22

Voted absentee: None.

Excused: Knudsen R.

Total 1

Absent or not voting: Tenenbaum.

Total 1

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HB 353 passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Kortum, 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, Smith, Stafman, Stromswold, Sullivan, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 86

Nays: Abbott, Bishop, Farris-Olsen, Hayman, Kelker, Marler, Olsen, Running Wolf, Stewart Peregoy, Weatherwax, Whiteman Pena, Windy Boy.

Total 12

Voted absentee: None.

Excused: Knudsen R.

Total 1

Absent or not voting: Tenenbaum.

Total 1

HB 368 passed 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, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Kortum, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stromswold, Sullivan, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 92

Nays: Binkley, Harvey, Hawk, Lenz, Stewart Peregoy, Weatherwax.

Total 6

Voted absentee: None.

Excused: Knudsen R.

Total 1

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Absent or not voting: Tenenbaum.

Total 1

HB 379 passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buckley, Buttrey, Carlson, Curdy, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, 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 70

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

Total 28

Voted absentee: None.

Excused: Knudsen R.

Total 1

Absent or not voting: Tenenbaum.

Total 1

HB 386 passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, 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, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Kelker, Kerns, Knudsen C, 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, Stafman, Stromswold, Sullivan, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 85

Nays: Abbott, Bishop, Dunwell, Farris-Olsen, Hamilton, Hayman, Keane, Keogh, Kerr-Carpenter, Olsen, Smith, Stewart Peregoy, Whiteman Pena.

Total 13

Voted absentee: None.

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Excused: Knudsen R.

Total 1

Absent or not voting: Tenenbaum.

Total 1

HB 398 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, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Kortum, 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, Sullivan, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 91

Nays: Caferro, Funk, Hayman, Marler, Olsen, Stewart Peregoy, Whiteman Pena.

Total 7

Voted absentee: None.

Excused: Knudsen R.

Total 1

Absent or not voting: Tenenbaum.

Total 1

HB 426 passed as follows:

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

Total 76

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Nays: Abbott, Bishop, Caferro, Dunwell, Farris-Olsen, France, Funk, Harvey, Hayman, Karjala, Keane, Keogh, Kerr-Carpenter, Kortum, Marler, Olsen, Smith, Stewart Peregoy, Sullivan, Thane, Weatherwax, Windy Boy.

Total 22

Voted absentee: None.

Excused: Knudsen R.

Total 1

Absent or not voting: Tenenbaum.

Total 1

HJR 7 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, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, 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: Knudsen R.

Total 1

Absent or not voting: Tenenbaum.

Total 1

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Jones, Chair):
HB 50, do pass. Report adopted.

2/24/2021

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HB 92, introduced bill, be amended as follows:

1. Title, line 9.

Following: "LITIGATION;"

Insert: "CREATING A STATE SPECIAL REVENUE ACCOUNT; PROVIDING A TRANSFER;
PROVIDING AN APPROPRIATION;"

2. Page 1, line 14.

Strike: "6"

Insert: "7"

3. Page 1, line 25.

Following: "originated"

Insert: "to seek the relief provided for in [section 5]"

4. Page 1, line 27.

Following: "claim"

Insert: ", including a proffer establishing actual innocence"

5. Page 2, line 6.

Strike: "6"

Insert: "7"

6. Page 2, line 10.

Strike: "6"

Insert: "7"

7. Page 2.

Following: line 16

Insert: "(5) An individual who has been a prevailing party in a lawsuit in state or federal court that alleged facts which could establish a cognizable claim pursuant to [sections 1 through 7] may not be a claimant.

(6) An individual may not be a claimant if the individual litigated a lawsuit in state or federal court or settled a claim that alleged facts which could establish a cognizable claim pursuant to [sections 1 through 7], but:

(a) did not recover damages at trial;

(b) recovered damages in an amount less than the amount to which the person would be entitled under [section 5]; or

(c) had the case dismissed with prejudice."

8. Page 2, line 20.

Strike: "6"

Insert: "7"

9. Page 2, line 21.

Strike: "6"

Insert: "7"

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10. Page 2, line 22.

Strike: "6"

Insert: "7"

11. Page 2, line 24.

Strike: "6"

Insert: "7"

12. Page 2, line 25.

Strike: "6"

Insert: "7"

13. Page 2, line 26.

Strike: "a preponderance of the"

Insert: "clear and convincing"

14. Page 3, line 19.

Strike: "6"

Insert: "7"

15. Page 3.

Following: line 20

Insert: "(9) If, following the entry of the certificate of innocence and the related judgment, either the supreme court affirms the judgment or the state does not appeal the judgment, the claimant shall move to dismiss with prejudice any complaint pending in state or federal court related to the same subject in the claim filed pursuant to [section 2]."

16. Page 5, line 7.

Strike: "6"

Insert: "7"

17. Page 5, line 9.

Strike: "An individual or political subdivision of the state is not responsible to pay damages, if any, and all"

Insert: "All"

18. Page 5, line 10 through line 11.

Strike: "OUT" on line 10 through "202" on line 11

Insert: "out of the account provided for in [section 7]"

19. Page 6, line 1.

Strike: "6"

Insert: "7"

20. Page 6, line 2.

Following: "\$25,000"

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Strike: ", unless a greater amount is authorized by the court upon a finding of good cause"

21. Page 6, line 3 through line 5.

Strike: subsection (ii) in its entirety

Renumber: subsequent subsections

22. Page 6, line 14.

Strike: "6"

Insert: "7"

23. Page 6, line 16.

Following: "(1)"

Strike: "If,"

Insert: "Except as provided in [section 2(5)], if"

24. Page 6, line 18.

Following: "subject"

Insert: "in the claim filed pursuant to [section 2]"

25. Page 6, line 19.

Following: "subject"

Insert: "as the claim filed pursuant to [section 2]"

26. Page 6, line 22.

Strike: "6"

Insert: "7"

27. Page 6, line 23.

Strike: "entry an award to the state"

Insert: "an entry to deduct this amount from an award pursuant to [section 5] to reflect the net damages owed to the claimant"

28. Page 6, line 24.

Strike: "If"

Insert: "Except as provided in [section 2(5)], if"

Strike: "subsection (1) does not apply and if,"

29. Page 6, line 28.

Following: "award"

Insert: "pursuant to [section 5]"

30. Page 7.

Following: line 4

Insert: "NEW SECTION. Section 7. Exoneree compensation fund. (1) There is an account in the state special revenue fund established in 17-2-102 known as the exoneree compensation fund.

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(2) Money in this account may be used only to pay compensation awarded under [sections 1 through 7].

(3) The money in the account may be invested pursuant to Title 17, chapter 6. The income and earnings on the account must be deposited in the account."

Renumber: subsequent sections

31. Page 7.

Following: line 16

Insert: "NEW SECTION. **Section 9. Transfer of funds.** By August 15, 2021, the state treasurer shall transfer \$700,000 from the general fund to the account established in [section 7]."

Insert: "NEW SECTION. Section 10. Appropriation. For the biennium beginning July 1, 2021, there is appropriated \$700,000 to the department of administration from the account established in [section 7] for the purpose of paying compensation awarded under [sections 1 through 7]."

Renumber: subsequent sections

32. Page 7, line 17.

Strike: "6"

Insert: "7"

33. Page 7, line 18.

Strike: "6"

Insert: "7"

And, as amended, do pass. Report adopted.

HB 244, do pass. Report adopted.

HB 277, do pass. Report adopted.

HB 425, do pass. Report adopted.

JUDICIARY (Usher, Chair):

2/22/2021

HB 435, do pass. Report adopted.

STATE ADMINISTRATION (McKamey, Chair):

2/24/2021

HB 441, do pass. Report adopted.

HB 469, do pass. Report adopted.

HB 491, do pass. Report adopted.

HB 580, introduced bill, be amended as follows:

1. Page 3, line 12.

Following: "committee"

Strike: ", including the outcome or outcomes it desires to effect"

And, as amended, do pass. Report adopted.

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FIRST READING AND COMMITMENT OF BILLS

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

HB 609, introduced by S. Kerns, referred to Business and Labor.

HB 610, introduced by R. Whiteman Pena, M. Binkley, A. Buckley, D. Hawk, J. Hinkle, E. Kerr-Carpenter, M. Marler, R. Marshall, T. Running Wolf, L. Sheldon-Galloway, S. Stewart Peregoy, F. Smith, E. Stafman, J. Trebas, K. Walsh, J. Windy Boy, E. Boldman, S. O'Brien, J. Small, referred to Transportation.

HB 611, introduced by R. Fitzgerald, referred to State Administration.

The following House resolution was introduced, read first time, and referred to committee:

HR 3, introduced by A. Olsen, F. Garner, referred to State Administration.

UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 552**.
Motion carried.

HB 552 (E. Stafman, Chief Sponsor)

D. Hawk, T. Running Wolf, F. Smith, S. Stewart Peregoy, R. Whiteman Pena, J. Windy Boy.

MOTIONS

Majority Leader Vinton moved to re-refer **HJR 17** from the Agriculture Committee to the Natural Resources Committee. Without objection, so ordered.

Majority Leader Vinton moved to re-refer **HB 527** from the Local Government Committee to the Natural Resources 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, February 25, 2021.
Motion carried.

House adjourned at 2:37 p.m.

CAROLYN TSCHIDA
Chief Clerk of the House

WYLIE GALT
Speaker of the House