

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

Helena, Montana
February 25, 2021

House Chambers
State Capitol

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

Roll Call. All members present, except Representative Weatherwax, excused. Quorum present.

BILLS (J. Hinkle, Chair):

2/25/2021

Correctly printed: **HB 50, HB 244, HB 255, HB 277, HB 362, HB 380, HB 391, HB 393, HB 401, HB 405, HB 406, HB 407, HB 416, HB 425, HB 427, HB 429, HB 430, HB 435, HB 436, HB 439, HB 441, HB 444, HB 451, HB 459, HB 469, HB 472, HB 480, HB 491, HB 516, HB 539, HB 541, HB 578, HB 601, HB 602, HB 603, HB 604, HB 605, HB 606, HB 607, HB 608, HB 609, HB 610, HB 611, HJR 9, HJR 18, HJR 19, HJR 20, HR 3, SB 80, SB 123, SB 125.**

Correctly engrossed: **HB 92.**

Correctly enrolled: **HB 85, HB 94, HB 142.**

Transmitted to the Senate: **HB 50, HB 244, HB 255, HB 277, HB 362, HB 380, HB 393, HB 401, HB 407, HB 416, HB 427, HB 429, HB 430, HB 436, HB 439, HB 451, HJR 9.**

REPORTS OF STANDING COMMITTEES

ENERGY, TECHNOLOGY AND FEDERAL RELATIONS (Skees, Chair):

2/24/2021

HB 442, do pass. Report adopted.

HB 448, introduced bill, be amended as follows:

1. Page 3, line 27.

Strike: "use"

Insert: "customers"

2. Page 3, line 28.

Strike: "use"

Insert: "customers"

And, as amended, do pass. Report adopted.

HB 475, introduced bill, be amended as follows:

1. Page 3.

Following: line 8

Insert: "(v) nuclear power;"

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

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HB 538, do pass. Report adopted.

HJR 14, do pass. Report adopted.

JUDICIARY (Usher, Chair):

2/22/2021

HB 503, do pass. Report adopted.

HB 515, do pass. Report adopted.

HB 555, do pass. Report adopted.

NATURAL RESOURCES (Gunderson, Chair):

2/24/2021

HB 418, introduced bill, be amended as follows:

1. Title, line 9.

Following: "ACTION;"

Insert: "AND"

Following: "DEFINITION"

Strike: "; AND PROVIDING AN APPROPRIATION"

2. Page 5, line 18 through line 23.

Strike: sections 7 and 8 in their entirety

And, as amended, do pass. Report adopted.

HB 498, do pass. Report adopted.

HJR 15, do pass. Report adopted.

TRANSPORTATION (Loge, Chair):

2/24/2021

HB 247, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "REDUCING"

Insert: "REQUIRING THE DEPARTMENT OF JUSTICE TO DEFINE"

2. Title, line 6.

Following: "AFFIXED;"

Insert: "PROVIDING RULEMAKING AUTHORITY;"

3. Title, line 7.

Following: "SECTIONS"

Insert: "61-3-318,"

4. Title, line 7.

Following: "61-3-323,"

Insert: ", 61-3-324,"

Strike: "AND"

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5. Title, line 7.

Following: "61-3-325,"

Insert: "AND 61-14-101,"

6. Page 1.

Following: line 10

Insert: "**Section 1.** Section 61-3-318, MCA, is amended to read:

"61-3-318. Fleet registration period. (1) (a) Notwithstanding any other provisions of this title regarding the registration of motor vehicles, a person owning or leasing a fleet may register its fleet for a 6-month or a 9-month period, commencing from the date of original registration.

(b) A motor vehicle remaining in the fleet at the end of a 6-month or a 9-month period must be reregistered for a minimum of 12 months.

(2) As used in this section, "fleet" means ~~more than 25~~ automobiles or trucks having a rated capacity of three-quarters of a ton or less that are rented or offered for rental without drivers and that are designated by a rental owner as a rental fleet in a quantity set by the department pursuant to 61-14-101."

Renumber: subsequent sections

7. Page 1, line 16.

Following: "means"

Strike: "~~400~~ 10 or more"

8. Page 1, line 17.

Following: "state"

Insert: "in a quantity set by the department pursuant to 61-14-101"

9. Page 1.

Following: line 18

Insert: "**Section 3.** Section 61-3-324, MCA, is amended to read:

"61-3-324. Fleet registration -- application -- additions to and deletions from fleet. (1)

A person owning or leasing a fleet may register the fleet annually through the department in lieu of registering each motor vehicle, trailer, semitrailer, or pole trailer in its domicile.

(2) ~~(a) Except as provided in subsection (2)(b), fleet registration information, as prescribed by the department, must be submitted to the department prior to November 1 of each year.~~

~~(b) The fleet owner or lessor and the department may enter into an agreement to change the registration period for the fleet in a manner that comports with the requirements of 61-3-311(3).~~

(3) A motor vehicle, trailer, semitrailer, or pole trailer may be added to the fleet at any time during the registration period. If a certificate of title for a vehicle to be added to the fleet has not been issued by the department, the fleet owner or lessor may submit the application for certificate of title directly to the department.

(4) A motor vehicle, trailer, semitrailer, or pole trailer may be removed from a fleet if the fleet owner or lessor notifies the department of its removal. Upon receipt of the notice, the department shall cancel the vehicle's registration."

Renumber: subsequent sections

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10. Page 1, line 20.

Following: "department"

Insert: "or an authorized agent"

11. Page 1, line 25 through line 26.

Strike: "or" on line 25 through "vehicles." on line 26

Insert: "that do not require a registration decal to be affixed. Fleet series license plates may have the same background as standard license plates issued under 61-3-332 but may have a separate numbering system determined by the department pursuant to 61-14-101."

12. Page 2, line 1.

Following: the first "vehicle"

Strike: "with a permanent fleet registration decal"

13. Page 2.

Following: line 1

Insert: "**Section 5.** Section 61-14-101, MCA, is amended to read:

61-14-101. Rulemaking authority -- vehicle services. (1) The department shall adopt rules for the registration of motor vehicles, including:

(a) (i) simultaneous registration of multiple motor vehicles that have common ownership;

(ii) defining the term "fleet" as used in 61-3-318 and 61-3-323; and

(iii) the issuance of fleet series license plates provided for in 61-3-325;

(b) verification of compliance with 61-6-301 before registering or renewing a registration of a vehicle or issuing new license plates required by 61-3-332(3);

(c) devising a method to place license plates on the 5-year reissuance cycle to minimize production peaks and valleys;

(d) early registration renewals when an owner of a motor vehicle presents extenuating circumstances; and

(e) automated mailing of license plates by the department or its authorized agent, including an agent under contract with the department pursuant to 61-3-338.

(2) The department shall adopt rules to procure compliance with all of the laws of the state regulating the issuance of motor vehicle, trailer, semitrailer, or pole trailer licenses relating to the use and operation of motor vehicles, trailers, semitrailers, or pole trailers before issuing the lettered license plates pursuant to 61-3-423.

(3) The department may adopt rules to establish vehicle brands or carried-forward brands according to 61-3-202.

(4) The department may adopt rules governing affidavit and bond for certificate of title pursuant to 61-3-208.

(5) The department may adopt rules for the implementation and administration of temporary registration permits, pursuant to 61-3-224, including issuance to:

(a) a Montana resident who acquires a new or used motor vehicle, trailer, semitrailer, pole trailer, motorboat, sailboat that is 12 feet or longer, snowmobile, or off-highway vehicle for operation of the vehicle or vessel prior to titling and registration of the vehicle or vessel under Title 61, chapter 3;

(b) the owner of a salvage vehicle or a vehicle requiring a state-assigned vehicle

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identification number to move the vehicle to and from a designated inspection site prior to applying for a new certificate of title under 61-3-107 or 61-3-212;

(c) the owner of a motor vehicle, trailer, semitrailer, or pole trailer registered in this state for operation of the vehicle while awaiting production and receipt of special or duplicate license plates ordered for a vehicle under Title 61, chapter 3;

(d) a nonresident of this state who acquires a motor vehicle, trailer, semitrailer, or pole trailer in this state for operation of the vehicle prior to its titling and registration under the laws of the nonresident's jurisdiction of residence;

(e) a dealer licensed in another state who brings a motor vehicle or trailer designed and used to apply fertilizer to agricultural lands into the state for special demonstration in this state;

(f) a financial institution located in Montana for a prospective purchaser to demonstrate a motor vehicle that the financial institution has obtained following repossession;

(g) an insurer or its agent to move a motor vehicle or trailer to auction following acquisition of the vehicle by the insurer as a result of the settlement of an insurance claim;

(h) a nonresident owner to temporarily operate a quadricycle or motorcycle designed for off-road recreational use on the highways of this state when the quadricycle or motorcycle designed for off-road recreational use is equipped for use on the highways as prescribed in Title 61, chapter 9, but the quadricycle or motorcycle designated for off-road recreational use is not registered or is only registered for off-road use in the nonresident's home state; or

(i) a new owner of a motor vehicle, trailer, semitrailer, pole trailer, motorboat, sailboat that is 12 feet in length or longer, snowmobile, or off-highway vehicle for which the new owner cannot, due to circumstances beyond the new owner's control, surrender a previously assigned certification of title.

(6) The department may adopt rules for the assessment and collection of registration fees on light vehicles under 61-3-321 and 61-3-562, including the proration of fees under 61-3-520 and criteria for determining the motor vehicle's age.

(7) The department may adopt rules for imposing and collecting fees in lieu of tax, including:

(a) the proration of fees in lieu of tax under 61-3-520 on buses, trucks having a manufacturer's rated capacity of more than 1 ton, and truck tractors;

(b) criteria for determining the motor vehicle's age; and

(c) criteria for determining the manufacturer's rated capacity.

(8) The department may adopt rules, pursuant to Title 61, chapter 3, for the administration of fees for trailers, semitrailers, and pole trailers, including criteria for determining a trailer's age and weight.

(9) The department shall adopt rules for generic specialty license plates issued pursuant to 61-3-472 through 61-3-481, including:

(a) the minimum and maximum number of characters that a generic specialty license plate may display;

(b) the general placement of the sponsor's name, identifying phrase, and graphic; and

(c) any specifications or limitations on the use or choice of color or detail in the sponsor's graphic design.

(10) The department may adopt rules governing dealers pursuant to the provisions of Title 61, chapter 4, including:

(a) the application and issuance of dealer licenses, including the qualifications of dealers, and the staggering of expiration dates pursuant to 61-4-101;

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(b) the issuance of dealer, demonstrator, courtesy, and transit plates pursuant to 61-4-102, 61-4-128 through 61-4-130, 61-4-301, 61-4-307, and 61-4-308;

(c) the application and process for renewing a dealer license pursuant to 61-4-124; and

(d) governing the regulation of persons required to be licensed pursuant to Title 61, chapter 4, part 2.

(11) The department may adopt rules for local option tax appeals pursuant to 15-15-201.

(12) The department may adopt rules to implement any other provision of this title."

And, as amended, do pass. Report adopted.

HB 264, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "POLICE"

Insert: "LAW ENFORCEMENT"

2. Page 1, line 15.

Strike: "**police**"

Insert: "**law enforcement**"

3. Page 1, line 16.

Strike: "**police**"

Insert: "**law enforcement**"

4. Page 1, line 18.

Strike: "police"

Insert: "law enforcement"

5. Page 1, line 22.

Strike: the first "police"

Insert: "law enforcement"

6. Page 1, line 24.

Strike: "police"

Insert: "law enforcement"

7. Page 1, line 27.

Strike: "police"

Insert: "law enforcement"

8. Page 2, line 2 through line 4.

Strike: "reduce" on line 2 through "posted" on line 4

Insert: "cautiously and in a careful manner reduce the vehicle's speed to a reasonably lower and safe speed appropriate to the road and visual conditions or to the temporarily posted speed limit, but to a careful and prudent speed if a temporarily posted speed has not been posted"

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9. Page 2, line 7.

Strike: "police"

Insert: "law enforcement"

10. Page 2, line 9.

Strike: "police"

Insert: "law enforcement"

11. Page 2, line 28.

Strike: "\$25"

Insert: "\$100"

12. Page 2, line 28.

Strike: "\$300"

Insert: "\$500"

13. Page 3, line 2.

Strike: "\$50"

Insert: "\$500"

14. Page 3, line 2.

Strike: "\$500"

Insert: "\$1,000"

And, as amended, do pass. Report adopted.

HB 350, introduced bill, be amended as follows:

1. Title, line 5.

Following: "DISTRICT"

Insert: "OR SCHOOL BUS CONTRACTOR"

2. Page 3, line 20.

Following: "district"

Insert: "or a school bus contractor"

3. Page 4, line 10.

Following: "fine"

Insert: "or penalty"

And, as amended, do pass. Report adopted.

HB 438, do pass. Report adopted.

HB 462, do pass. Report adopted.

HB 476, do pass. Report adopted.

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HB 482, do pass. Report adopted.

HB 488, do pass. Report adopted.

HB 586, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/23/2021

SB 99, introduced by C. Smith

SB 128, introduced by S. Fitzpatrick

SB 162, introduced by D. Howard

SB 186, introduced by C. Friedel

SB 191, introduced by R. Osmundson

SB 203, introduced by K. Bogner, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted to the House with the following vote:

2/23/2021

Yeas - 50

Nays - 0

MESSAGES FROM THE GOVERNOR

February 25, 2021

The Honorable Wylie Galt
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Galt:

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

House Bill 45 – Putnam

House Bill 79 – Noland

On Thursday, February 25, 2021, I signed the following bill:

House Bill 15 – Anderson

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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 612, introduced by E. Buttrey, referred to Education.

HB 613, introduced by S. Stewart Peregoy, referred to State Administration.

HB 614, introduced by M. Caferro, referred to Business and Labor.

HB 615, introduced by M. Hopkins, B. Tschida, referred to Taxation.

HB 616, introduced by M. Hopkins, B. Tschida, referred to Taxation.

HB 617, introduced by B. Ler, referred to Judiciary.

HB 618, introduced by W. McKamey, R. Fitzgerald, K. Holmlund, D. Skees, S. Vinton, referred to State Administration.

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

HJR 21, introduced by L. Bishop, D. Bedey, S. Berglee, M. Bertoglio, G. Frazer, J. Fuller, F. Garner, S. Kerns, F. Smith, B. Usher, M. Weatherwax, referred to State Administration.

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

SB 99, introduced by C. Smith, referred to Education.

SB 128, introduced by S. Fitzpatrick, referred to Legislative Administration.

SB 162, introduced by D. Howard, D. Salomon, J. Read, R. Osmundson, D. Kary, T. McGillvray, C. Smith, M. Blasdel, B. Brown, T. Manzella, B. Tschida, S. Hinebauch, L. Sheldon-Galloway, J. Patelis, J. Small, M. Hopkins, F. Nave, B. Mitchell, A. Regier, S. Galloway, C. Hinkle, referred to State Administration.

SB 186, introduced by C. Friedel, referred to Business and Labor.

SB 191, introduced by R. Osmundson, referred to Appropriations.

SB 203, introduced by K. Bogner, B. Bennett, C. Knudsen, K. Sullivan, B. Ler, K. Zolnikov, referred to Judiciary.

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

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

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

HB 483 - Majority Leader Vinton moved consideration of **HB 483** be passed for the day. Without objection, so ordered.

HB 57 - Representative Lenz moved **HB 57** do pass. Motion carried as follows:

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

Total 100

Nays: None.

Total 0

Voted absentee: Weatherwax, Aye.

Excused: Weatherwax.

Total 1

Absent or not voting: None.

Total 0

HB 90 - Representative Lenz moved **HB 90** 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,

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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: Weatherwax, Aye.

Excused: Weatherwax.

Total 1

Absent or not voting: None.

Total 0

HB 185 - Representative Kerns moved **HB 185** do pass.

HB 185 - Representative Windy Boy moved **HB 185**, second reading copy, be amended as follows:

1. Title, line 7.

Following: "PROGRAMMING"

Insert: "AND INDIAN LANGUAGE IMMERSION"

2. Page 1, line 20.

Following: the second "courses"

Insert: "that may be taken in lieu of foreign language courses to meet the requirements"

Following: "in"

Insert: ":

(i)"

3. Page 1, line 21.

Strike: "that may be taken in lieu of foreign language courses to meet the requirements"

Insert: "; or

(ii) Indian language immersion programs"

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Amendment adopted as follows:

Yeas: Abbott, Bartel, Bedey, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Farris-Olsen, Fern, Fitzgerald, France, Funk, Garner, Greef, Hamilton, Harvey, Hawk, Hayman, Holmlund, Hopkins, Jones, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Loge, Marler, Marshall, McKamey, Novak, Olsen, Patelis, Putnam, Running Wolf, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 61

Nays: Anderson, Beard, Berglee, Bertoglio, Binkley, Duram, Fielder, Fleming, Frazer, Fuller, Galloway, Gillette, Gist, Gunderson, Hill, Hinkle C, Hinkle J, Kassmier, Kerns, Lenz, Ler, Malone, Mercer, Mitchell, Moore, Nave, Noland, Phalen, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Tschida, Usher.

Total 39

Voted absentee: Weatherwax, Aye.

Excused: Weatherwax.

Total 1

Absent or not voting: None.

Total 0

HB 185 - Representative Kerns moved **HB 185**, as amended, do pass. Motion **failed** as follows:

Yeas: Berglee, Brewster, Buckley, Carlson, Hinkle C, Hinkle J, Holmlund, Hopkins, Kerr-Carpenter, Knudsen C, Knudsen R, Malone, McKamey, Mitchell, Olsen, Smith, Trebas, Mr. Speaker.

Total 18

Nays: Abbott, Anderson, Bartel, Beard, Bedey, Bertoglio, Binkley, Bishop, Buttrey, Caferro, 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, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kortum, Lenz, Ler, Loge, Marler, Marshall, Mercer, Moore, Nave, 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, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov.

Total 82

Voted absentee: Weatherwax, No.

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Excused: Weatherwax.

Total 1

Absent or not voting: None.

Total 0

HB 233 - Representative Anderson moved **HB 233** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Beard, Bedey, 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, Kerr-Carpenter, Knudsen C, Knudsen R, 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, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 95

Nays: Bartel, Berglee, Binkley, Kerns, Lenz.

Total 5

Voted absentee: Weatherwax, Aye.

Excused: Weatherwax.

Total 1

Absent or not voting:None.

Total 0

HB 291 - Representative Funk moved **HB 291** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Beard, Bedey, 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, Mitchell, Mercer, Nave, Noland, Novak, Olsen, Patelis, Putnam, Regier A, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees,

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Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Tschida, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.
Total 91

Nays: Bartel, Berglee, Binkley, Moore, Phalen, Read, Regier M, Trebas, Usher.
Total 9

Voted absentee: Weatherwax, Aye.

Excused: Weatherwax.
Total 1

Absent or not voting: None.
Total 0

HB 300 - Representative Schillinger moved **HB 300** 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, 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, 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 98

Nays: Harvey.
Total 1

Voted absentee: Weatherwax, Aye.

Excused: Weatherwax.
Total 1

Absent or not voting: Mercer.
Total 1

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HB 332 - Representative Hill moved **HB 332** do pass. Motion **failed** as follows:

Yeas: Bartel, Beard, Berglee, Binkley, Brewster, Carlson, Duram, Fuller, Galloway, Gist, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Marshall, McKamey, Mitchell, Moore, Nave, Noland, Phalen, Read, Regier A, Regier M, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Zolnikov, Mr. Speaker.

Total 43

Nays: Abbott, Anderson, Bedey, Bertoglio, Bishop, Buckley, Buttrey, Caferro, Curdy, Custer, Dooling, Dunwell, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Funk, Garner, Gillette, Greef, Hamilton, Harvey, Hawk, Hayman, Hopkins, Jones, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Loge, Malone, Marler, Mercer, Novak, Olsen, Patelis, Putnam, Reksten, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy.

Total 57

Voted absentee: Weatherwax, No.

Excused: Weatherwax.

Total 1

Absent or not voting: None.

Total 0

HB 334 - Representative Carlson moved **HB 334** do pass.

HB 334 - Representative Carlson moved **HB 334**, second reading copy, be amended as follows:

1. Title, line 5.

Strike: "ESTABLISHING"

Insert: "REVISING"

2. Title, line 5 through line 6.

Strike: "MEDICAL" on line 5 through "EXEMPTION" on line 6

Insert: "IMMUNIZATION"

3. Page 2, line 1.

Following: "part"

Insert: ", subject to the exemptions provided for in 20-5-405"

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4. Page 4, line 8 through line 9.

Strike: "on" on line 8 through "department" on line 9

5. Page 4, line 16.

Strike: "Each"

Insert: "The"

6. Page 4, line 16 through line 18.

Strike: "file" on line 16 through "must" on line 18

7. Page 4, line 20 through line 23.

Strike: subsection 3 in its entirety

Insert: "(3) A student's health records, including information related to immunizations received and immunization exemptions, are considered part of the student's education record and are protected from disclosure as provided in the Family Educational Rights and Privacy Act of 1974."

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, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, 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: Smith.

Total 1

Voted absentee: Weatherwax, Aye.

Excused: Weatherwax.

Total 1

Absent or not voting: Olsen.

Total 1

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HB 334 - Representative Carlson moved **HB 334**, as amended, do pass. Motion carried as follows:

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

Total 65

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

Total 35

Voted absentee: Weatherwax, No.

Excused: Weatherwax.

Total 1

Absent or not voting: None.

Total 0

HB 373 - Representative Holmlund moved **HB 373** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bedey, Bertoglio, Bishop, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, France, Frazer, Funk, Garner, Gillette, Gist, Greef, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Loge, Malone, Marler, McKamey, Mercer, Mitchell, Novak, Olsen, Patelis, Putnam, Read, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Skees, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Trebas, Vinton, Walsh, Weatherwax, Welch, Mr. Speaker.

Total 71

Nays: Bartel, Beard, Berglee, Binkley, Brewster, Fielder, Fuller, Galloway, Gunderson, Hinkle C, Kerns, Lenz, Ler, Marshall, Moore, Nave, Noland, Phalen, Regier A, Regier M, Reksten, Sheldon-Galloway, Stromswold, Tschida, Usher, Whiteman Pena, Whitman, Windy Boy, Zolnikov.

Total 29

Voted absentee: Weatherwax, Aye.

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Excused: Weatherwax.

Total 1

Absent or not voting: None.

Total 0

HB 374 - Representative Holmlund moved **HB 374** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Bertoglio, Bishop, Buckley, Buttrey, Caferro, Curdy, Custer, Dooling, Dunwell, Farris-Olsen, Fern, Fitzgerald, France, Funk, Garner, Greef, Hamilton, Harvey, Hawk, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Loge, Malone, Marler, McKamey, Novak, Olsen, Putnam, Read, Reksten, Ricci, Running Wolf, Schillinger, Sheldon-Galloway, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy.

Total 62

Nays: Berglee, Binkley, Brewster, Carlson, Duram, Fielder, Fleming, Frazer, Fuller, Galloway, Gillette, Gist, Gunderson, Hill, Hinkle C, Hinkle J, Kerns, Lenz, Ler, Marshall, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Regier A, Regier M, Seekins-Crowe, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Zolnikov, Mr. Speaker.

Total 38

Voted absentee: Weatherwax, Aye.

Excused: Weatherwax.

Total 1

Absent or not voting: None.

Total 0

HB 415 - Representative Carlson moved **HB 415** do pass. Motion **failed** as follows:

Yeas: Bartel, Beard, Berglee, Binkley, Brewster, Carlson, Duram, Fielder, Fleming, Fuller, Galloway, Gillette, Gist, Gunderson, Hill, Hinkle C, Hinkle J, Hopkins, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, 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, Zolnikov, Mr. Speaker.

Total 50

Nays: Abbott, Anderson, Bedey, Bertoglio, Bishop, Buckley, Buttrey, Caferro, Curdy, Custer, Dooling, Dunwell, Farris-Olsen, Fern, Fitzgerald, France, Frazer, Funk, Garner, Greef, Hamilton,

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Harvey, Hawk, Hayman, Holmlund, Jones, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Malone, Marler, Novak, Olsen, Putnam, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy.

Total 50

Voted absentee: Weatherwax, No.

Excused: Weatherwax.

Total 1

Absent or not voting: None.

Total 0

HB 428 - Representative Mercer moved **HB 428** do pass. Motion carried as follows:

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

Total 67

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

Total 33

Voted absentee: Weatherwax, No.

Excused: Weatherwax.

Total 1

Absent or not voting: None.

Total 0

HB 463 - Representative Trebas moved **HB 463** 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,

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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, Moore, Nave, Noland, Novak, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 97

Nays: Olsen.

Total 1

Voted absentee: Weatherwax, Aye.

Excused: Weatherwax.

Total 1

Absent or not voting: Mercer, Patelis.

Total 2

HB 478 - Representative Harvey moved **HB 478** 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, 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: Weatherwax, Aye.

Excused: Weatherwax.

Total 1

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Absent or not voting: Mercer.

Total 1

Majority Leader Vinton moved the Committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Hopkins 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, Caferro, Carlson, Curdy, Custer, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Hawk, Hayman, Hill, Hinkle J, Jones, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, McKamey, 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, Usher, Vinton, Walsh, Welch, Whiteman Pena, Windy Boy, Zolnikov, Mr. Speaker.

Total 87

Nays: Hinkle C, Karjala, Marshall, Tschida.

Total 4

Voted absentee: None.

Excused: Weatherwax.

Total 1

Absent or not voting: Buttrey, Dooling, Harvey, Holmlund, Hopkins, Mercer, Mitchell, Whitman.

Total 8

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 50 passed as follows:

Yeas: Abbott, Anderson, Bedey, Bertoglio, Bishop, Brewster, Buckley, Caferro, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, France, Frazer, Funk, Garner, Gillette, Gist, Greef, Hamilton, Harvey, Hawk, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Kortum, Loge, Malone, Marler, McKamey, Mercer,

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Mitchell, Novak, Olsen, Patelis, Putnam, Read, Reksten, Ricci, Running Wolf, Schillinger, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Walsh, Welch, Whiteman Pena, Whitman, Windy Boy.

Total 63

Nays: Bartel, Beard, Berglee, Binkley, Fielder, Fleming, Fuller, Galloway, Gunderson, Hill, Hinkle C, Hinkle J, Knudsen C, Knudsen R, Lenz, Ler, Marshall, Moore, Nave, Noland, Phalen, Regier A, Regier M, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stromswold, Trebas, Tschida, Usher, Vinton, Zolnikov, Mr. Speaker.

Total 34

Voted absentee: None.

Excused: Weatherwax.

Total 1

Absent or not voting: Buttrey, Carlson.

Total 2

HB 244 passed as follows:

Yeas: Anderson, Bartel, Bedey, Berglee, Binkley, Carlson, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle J, Holmlund, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, 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, Trebas, Tschida, Usher, Vinton, Welch, Whitman, Mr. Speaker.

Total 56

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

Total 42

Voted absentee: None.

Excused: Weatherwax.

Total 1

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Absent or not voting: Buttrey.

Total 1

HB 255 passed as follows:

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

Total 95

Nays: Curdy, Hayman.

Total 2

Voted absentee: None.

Excused: Weatherwax.

Total 1

Absent or not voting: Buttrey, Olsen.

Total 2

HB 277 passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Caferro, Carlson, Custer, Dooling, Duram, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Hawk, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, 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 73

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

Total 25

Voted absentee: None.

Excused: Weatherwax.

Total 1

Absent or not voting: Buttrey.

Total 1

HB 362 passed as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, 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, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted absentee: None.

Excused: Weatherwax.

Total 1

Absent or not voting: Buttrey.

Total 1

HB 380 passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Carlson, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef,

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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, 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, Whiteman Pena, Windy Boy.

Total 34

Voted absentee: None.

Excused: Weatherwax.

Total 1

Absent or not voting: Buttrey.

Total 1

HB 393 passed as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, 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, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, 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, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 92

Nays: Hamilton, Hayman, Karjala, Kortum, Olsen, Stewart Peregoy.

Total 6

Voted absentee: None.

Excused: Weatherwax.

Total 1

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Absent or not voting: Buttrey.

Total 1

HB 401 passed as follows:

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

Total 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, Whiteman Pena, Windy Boy.

Total 32

Voted absentee: None.

Excused: Weatherwax.

Total 1

Absent or not voting: Buttrey.

Total 1

HB 407 passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, 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,

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Novak, Olsen, Putnam, Running Wolf, Seekins-Crowe, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Whiteman Pena, Windy Boy.

Total 34

Voted absentee: None.

Excused: Weatherwax.

Total 1

Absent or not voting: Buttrey.

Total 1

HB 416 passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Brewster, Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, 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 60

Nays: Abbott, Binkley, Bishop, Buckley, Caferro, Curdy, Dunwell, 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, Whiteman Pena, Windy Boy.

Total 37

Voted absentee: None.

Excused: Weatherwax.

Total 1

Absent or not voting: Buttrey, Gunderson.

Total 2

HB 427 passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Carlson, Dooling, Duram, Fielder, Fitzgerald, Fleming, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Read,

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Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Trebas, Tschida, Usher, Vinton, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 60

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

Total 38

Voted absentee: None.

Excused: Weatherwax.

Total 1

Absent or not voting: Buttrey.

Total 1

HB 429 passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buckley, Carlson, Custer, Dooling, Duram, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, 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, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 71

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

Total 27

Voted absentee: None.

Excused: Weatherwax.

Total 1

Absent or not voting: Buttrey.

Total 1

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HB 430 passed as follows:

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

Total 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, Whiteman Pena, Windy Boy.

Total 32

Voted absentee: None.

Excused: Weatherwax.

Total 1

Absent or not voting: Buttrey.

Total 1

HB 436 passed as follows:

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

Total 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, Whiteman Pena, Windy Boy.

Total 32

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Voted absentee: None.

Excused: Weatherwax.

Total 1

Absent or not voting: Buttrey.

Total 1

HB 439 passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, 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, 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, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 66

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, Running Wolf, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Whiteman Pena, Windy Boy.

Total 32

Voted absentee: None.

Excused: Weatherwax.

Total 1

Absent or not voting: Buttrey.

Total 1

HB 451 passed as follows:

Yeas: Abbott, Anderson, Bartel, Bedey, Bertoglio, Binkley, Bishop, Brewster, Buckley, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, France, Frazer, Funk, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hinkle J, Holmlund, Jones, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Loge, Malone, Marler, McKamey, Mercer, Moore, Noland, Novak, Olsen, Patelis, Putnam, Regier A, Regier M, Reksten, Running Wolf, Smith, Stafman, Stewart Peregoy,

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Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Vinton, Walsh, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 75

Nays: Beard, Berglee, Fielder, Fuller, Galloway, Hill, Hinkle C, Hopkins, Kassmier, Kerns, Ler, Marshall, Mitchell, Nave, Phalen, Read, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Tschida, Usher.

Total 23

Voted absentee: None.

Excused: Weatherwax.

Total 1

Absent or not voting: Buttrey.

Total 1

HJR 9 passed as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, 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, Knudsen R, 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, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whiteman Pena, Whitman, Zolnikov, Mr. Speaker.

Total 95

Nays: Hamilton, Mercer, Windy Boy.

Total 3

Voted absentee: None.

Excused: Weatherwax.

Total 1

Absent or not voting: Buttrey.

Total 1

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REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Noland, Chair):

2/25/2021

HB 121, introduced bill, be amended as follows:

1. Title, line 6.

Following: "BODY;"

Insert: "ALLOWING A LOCAL BOARD OF HEALTH TO ADOPT RULES TO IMPLEMENT A REGULATION ADOPTED BY A LOCAL GOVERNING BODY;"

2. Title, line 9.

Following: "DISASTER;"

Insert: "PROVIDING FOR RELIGIOUS FREEDOM; REVISING PENALTIES ALLOWED FOR THE VIOLATION OF A LOCAL BOARD RULE; REVISING AND"

3. Title, line 9.

Strike: "A DEFINITION"

Insert: "DEFINITIONS"

4. Page 2, line 10.

Following: the first "infected"

Strike: "or reasonably believed to be infected"

5. Page 2, line 10 through line 11.

Strike: "or possibly" on line 10 through the first "disease" on line 11

6. Page 3, line 14.

Following: "who"

Strike: "are or may"

Following: the first "disease"

Strike: "or possibly communicable disease"

7. Page 3, line 23.

Following: "(1)"

Insert: "It is a purpose of this chapter to address ongoing issues or conditions created during a declared state of emergency as a result of orders, directives, or mandates issued by the governor as allowed under Title 10, chapter 3, for a state of emergency acting longer than 7 days. It is not a purpose of this chapter to hinder, slow, or remove nonemergency-related powers granted to a local board of health.

(2)"

Renumber: subsequent subsections

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8. Page 5, line 28.

Following: "laws;"

Insert: "(d) adopt rules necessary to implement and enforce regulations adopted by the local governing body;"

9. Page 6, line 1.

Strike: "(d)"

Insert: "(e)"

10. Page 6, line 8.

Strike: "and/or"

Insert: "or"

11. Page 6, line 9.

Following: "10-3-403"

Insert: ":"

(a)"

12. Page 6, line 9.

Following: "effect"

Insert: "only during the declared state of emergency or disaster or"

13. Page 6, line 11.

Following: "order"

Insert: "; and

(b) may not interfere with or otherwise limit, modify, or abridge a person's physical attendance at or operation of a religious facility, church, synagogue, or other place of worship"

14. Page 6, line 16.

Following: "representatives"

Insert: ", without objection from the majority of the governing body,"

15. Page 6, line 28.

Strike: "and/or"

Insert: "or"

16. Page 7, line 1.

Following: "10-3-403"

Insert: ":"

(a)"

Following: "effect"

Insert: "only during the declared state of emergency or disaster or"

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17. Page 7, line 3.

Following: "order"

Insert: "; and

(b) may not interfere with or otherwise limit, modify, or abridge a person's physical attendance at or operation of a religious facility, church, synagogue, or other place of worship"

18. Page 7, line 6.

Following: "(1)"

Insert: "(a)"

19. Page 7, line 7.

Strike: "and the local governing body is guilty of a misdemeanor. On conviction, the person shall be fined"

Insert: "is subject to a civil penalty of"

20. Page 7.

Following: line 8

Insert: "(b) A business entity that does not comply with rules adopted by a local board is subject to a civil penalty of not more than \$250."

21. Page 7.

Following: line 13

Insert: "(4) The local board or the county attorney of the county in which a violation allowed in subsection (1) occurred may petition a court of limited jurisdiction to impose the civil penalties allowed in subsection (1). Venue for an action to collect a civil penalty pursuant to subsection (1) is in the county in which the violation occurred or in a court of limited jurisdiction."

Renumber: subsequent subsections

22. Page 7.

Following: line 15

Insert: "(6) (a) As used in this section, "business entity" means a corporation, association, partnership, limited liability partnership, limited liability company, sole proprietorship, or other legal entity recognized under state law.

(b) The term does not include an individual."

23. Page 7, line 20.

Strike: "50-2-116(1)(k), (2)(c)(iii), or (2)(c)(iv)"

Insert: "50-2-116(2)(j), (3)(c)(iii), or (3)(c)(iv)"

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24. Page 7, line 24.

Strike: "50-2-116(1)(k), (2)(c)(iii), or (2)(c)(iv)"

Insert: "50-2-116(2)(j), (3)(c)(iii), or (3)(c)(iv)"

And, as amended, do pass. Report adopted.

HB 230, introduced bill, be amended as follows:

1. Title, line 5 through line 6.

Following: "MARTIAL RULE"

Strike: ", " on line 5 through "DISASTER" on line 6

2. Title, line 7.

Following: line 6

Insert: "BY THE SECRETARY OF STATE"

Following: "TO"

Strike: "AFFIRM,"

Strike: ", REVISE, OR TERMINATE THE"

Insert: "A"

3. Title, line 7.

Strike: "EMERGENCY POWERS"

Insert: "DECLARATION OF EMERGENCY OR DISASTER"

4. Title, line 7.

Following: "POWERS;"

Insert: "EXPEDITING THE SPECIAL SESSION POLLING PROCESS DURING A DISASTER
OR EMERGENCY DECLARATION;"

5. Title, line 8.

Following: "FREEDOM"

Strike: "AND PREVENTING THE QUARANTINE OF HEALTHY INDIVIDUALS"

6. Title, line 9.

Following: "SECTIONS"

Insert: "5-3-106, 5-3-108,"

7. Page 1, line 15.

Strike: "**Statement of purpose -- legislative**"

Insert: "**Legislative**"

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8. Page 1, line 15.

Following: "**poll**"

Strike: "-- **funding**"

9. Page 1, line 16 through line 21.

Following: "(1)" on line 16

Insert: "(a)"

Strike: "In" on line 19 through "(2)" on line 21

10. Page 1, line 21 through line 22.

Strike: ", president" on line 21 through the first "members" on line 22

11. Page 1, line 24 through line 25.

Strike: ", extending" on line 24 through the first "or" on line 25

Insert: "to extend"

12. Page 1, line 25.

Following: "10-3-303"

Insert: "or approving a proclamation of martial rule under 10-1-106"

13. Page 1.

Following: line 25

Insert: "(b) The legislature may extend a state of emergency or disaster for up to an additional 45 days by using the polling provisions of this section. The governor may make additional requests to extend a state of emergency or disaster, and the legislature may extend a state of emergency or disaster for up to an additional 45 days per request."

14. Page 1, line 26.

Strike: "(3)"

Insert: "(2)"

Renumber: subsequent subsections

15. Page 1, line 28.

Strike: "provide"

Insert: "contain"

16. Page 1, line 28.

Strike: "affirm, extend, revise, or terminate"

Insert: "extend"

17. Page 2, line 1 through line 2.

Strike: "or" on line 1 through "senate" on line 2

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18. Page 2, line 4 through line 5.

Strike: the first "the" on line 4 through "request;
(b)" on line 5

19. Page 2, line 6.

Strike: "(c)"
Insert: "(b)"

20. Page 2, line 6.

Strike: "10"
Insert: "7"

21. Page 2, line 8 through line 10.

Strike: subsection (5) in its entirety
Renumber: subsequent subsections

22. Page 2, line 15.

Strike: "the legislative declaration, then the governor is bound by its terms and conditions"
Insert: "an extension of a state of emergency or disaster, the state of emergency or disaster continues based on the declaration that was sent with the ballot"

23. Page 2.

Following: line 18

Insert: "**Section 2.** Section 5-3-106, MCA, is amended to read:

"5-3-106. Procedure for polling legislators. (1) Within 5 days after receiving a request, the secretary of state shall send to all legislators by certified mail a ballot that contains:

(1)(a) the names of the legislators making the request;

(2)(b) the reasons for calling the special session;

(3)(c) the purposes of the special session;

(4)(d) the requested convening date and time of the special session;

(5)(e) subject to subsection (2), the date by which legislators shall return the ballot, which may not be more than 30 days after the date of the mailing of the ballots; and

(6)(f) a stamped return envelope.

(2) Within 2 calendar days after receiving a request to consider an existing state of emergency or disaster declared under the authority of 10-3-303, the secretary of state shall send a ballot that complies with subsection (1) using any reasonable and reliable means, including electronic delivery, and is not required to use certified mail. The date by which legislators shall return the ballot specified in this subsection (2) may not be more than 7 calendar days after the date the ballots were sent." "

Insert: "**Section 3.** Section 5-3-108, MCA, is amended to read:

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"5-3-108. Failure to approve special session -- ballots void. If (1) Subject to subsection (2), if a majority of the legislators fail to approve the call for a special session within 30 days after the secretary of state mails the ballots or notifies each legislator, all ballots are void and may not be used again.

(2) When the purpose of the special session is to consider an existing state of emergency or disaster declared under the authority of 10-3-303, if a majority of the legislators fail to approve the call for a special session within 7 calendar days after the secretary of state sends the ballots or notifies each legislator pursuant to 5-3-106(2), all ballots are void and may not be used again.

(3) The ~~If a poll is not approved under subsection (1) or (2), the entire process must be repeated to call the legislature into special session.~~""

Renumber: subsequent sections

24. Page 2, line 24 through line 25.

Following: "proclamation." on line 24

Strike: remainder of line 24 through line 25 in their entirety

25. Page 4, line 22 through line 24.

Strike: subsection (4) in its entirety

Renumber: subsequent subsections

26. Page 5, line 4.

Following: the second "the"

Insert: "judicial branch or the"

Following: the third "the"

Insert: "judicial branch or the"

27. Page 6, line 25.

Following: "~~The~~"

Insert: "The legislature finds that the governor has broad authority to proclaim a state of emergency or disaster in the state and to exercise emergency powers during the emergency. The legislature intends to allow the governor to immediately respond during a proclaimed state of emergency or disaster, including through the issuance of executive orders, proclamations, and orders necessary to carry out the purpose of this chapter, and the ability to amend or rescind them. These executive orders, proclamations, and regulations have the force of law."

28. Page 8, line 3.

Strike: "30"

Insert: "45"

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29. Page 8, line 14.

Following: "continue."

Insert: "(5) The legislature may, by joint resolution in a regular or special session:

(a) terminate a state of emergency or disaster as provided in subsection (4)(c);

(b) extend a state of disaster;

(c) provide conditions or limits on the governor's actions taken pursuant to 10-3-104; and

(d) approve or disapprove the continuation of any executive order, proclamation, or regulation that was enacted based on a state of emergency or disaster."

And, as amended, do pass. Report adopted.

HB 289, do pass. Report adopted.

HB 437, do pass. Report adopted.

HB 490, do pass. Report adopted.

EDUCATION (Berglee, Chair):

2/24/2021

HB 403, do pass. Report adopted.

HB 404, introduced bill, be amended as follows:

1. Page 1, line 14.

Strike: "200%"

Insert: "130%"

2. Page 1, line 15.

Following: "20-9-308"

Insert: ", for fiscal years 2022 and 2023, 150% for fiscal years 2024 and 2025, and 170% for fiscal year 2026 and subsequent fiscal years"

And, as amended, do pass. Report adopted.

HB 454, do pass. Report adopted.

HB 543, do pass. Report adopted.

HB 556, do pass. Report adopted.

JUDICIARY (Usher, Chair):

2/22/2021

HB 517, do pass. Report adopted.

JUDICIARY (Usher, Chair):

2/23/2021

HB 91, introduced bill, be amended as follows:

1. Title, line 6.

Following: "YEARS"

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Insert: "FOR CERTAIN VIOLENT OFFENDERS"

2. Title, line 7.

Following: "YEARS;"

Insert: "REVISING WHEN AN OFFENDER MAY NOT PETITION TO BE REMOVED FROM
THE SEXUAL OR VIOLENT OFFENDER REGISTRIES;"

3. Page 1, line 14.

Following: "register"

Strike: ":"

4. Page 1, line 15.

Following: "~~(a)~~"

Strike: "(i)"

5. Page 1, line 16.

Following: "~~but~~"

Strike: ";"

6. Page 1, line 17.

Strike: "(ii)"

Following: "after"

Insert: "registering for"

Following: "register"

Insert: "unless convicted as provided in subsection (2)(b)"

7. Page 1, line 22.

Following: line 21

Insert: "(b) If convicted during the 10-year period provided in subsection (2)(a) of failing to register or keep registration current or of a felony, the offender shall register for the remainder of the offender's life unless relieved of the duty to register as provided in subsection (3)."

Renumber: subsequent subsections

8. Page 1, line 22.

Following: "(2)(a)"

Strike: "(ii)"

9. Page 2, line 1.

Following: "a"

Insert: "violent offender registered as provided in subsection (2)(b) or a"

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10. Page 2, line 26.

Following: "sexual"

Insert: "or violent"

And, as amended, do pass. Report adopted.

JUDICIARY (Usher, Chair):

2/24/2021

HB 333, introduced bill, be amended as follows:

1. Page 1, line 19.

Strike: "was"

Insert: "is currently"

And, as amended, do pass. Report adopted.

JUDICIARY (Usher, Chair):

2/25/2021

SB 140, be concurred in. Report adopted.

STATE ADMINISTRATION (McKamey, Chair):

2/25/2021

HB 447, introduced bill, be amended as follows:

1. Page 9, line 5.

Following: "to"

Insert: ":

(i) an"

2. Page 9, line 5.

Strike: "rules"

Insert: "rule"

3. Page 9, line 5.

Following: "2-4-303"

Insert: "; or

(ii) a rule adopted for implementation of a federal program or policy if the unavailability of federal guidance or notice precluded promulgation of the rule before the final quarter of the year"

And, as amended, do pass. Report adopted.

HB 530, do pass. Report adopted.

HB 590, do pass. Report adopted.

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TRANSPORTATION (Loge, Chair):
HB 610, do pass. Report adopted.

2/24/2021

UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 457**.
Motion carried.

HB 457 (B. Mercer, Chief Sponsor)

D. Bartel, L. Brewster, P. Fielder, F. Fleming, J. Fuller, S. Galloway, J. Gillette, D. Lenz, B. Ler, R. Marshall, T. Moore, M. Noland, J. Patelis, B. Phalen, A. Regier, J. Schillinger, K. Seekins-Crowe, L. Sheldon-Galloway, D. Skees, B. Tschida, , B. Usher, S. Vinton.

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

HB 552 (E. Stafman, Chief Sponsor)

M. Weatherwax.

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HJR 20**.
Motion carried.

HJR 20 (M. Noland, Chief Sponsor)

B. Beard, M. Binkley, J. Dooling, W. Galt, S. Gist, S. Gunderson, M. Hopkins, J. Kassmier, C. Knudsen, R. Marshall, W. McKamey, T. Moore, S. Vinton, K. Walsh, K. Whitman, K. Zolnikov.

MOTIONS

Majority Leader Vinton moved to re-refer **HB 233** to the Appropriations Committee. Without objection, so ordered.

ANNOUNCEMENTS

Pursuant to House rule H50-210, Representative Mitchell requested to change their vote, today, on **HB 233** and **HB 291** from Not Voting to Yes and **HB 300** from voting No to voting Yes. The votes were not recorded correctly due to a remote voting system malfunction.

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FORTIETH LEGISLATIVE DAY - FEBRUARY 25, 2021

Representative Ricci arose on a **Point of Personal Privilege** to request prayer for former Representative Flynn.

Committee meetings were announced by the committee chairs.

Majority Leader Vinton moved the House adjourn until 1:00 p.m., Friday, February 26, 2021.
Motion carried.

House adjourned at 3:07 p.m.

CAROLYN TSCHIDA
Chief Clerk of the House

WYLIE GALT
Speaker of the House