

**HOUSE JOURNAL  
67TH LEGISLATURE  
FORTY-FIRST LEGISLATIVE DAY**

Helena, Montana  
February 26, 2021

House Chambers  
State Capitol

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

Roll Call. All members present. Quorum present.

**BILLS** (J. Hinkle, Chair):

2/26/2021

Correctly printed: **HB 57, HB 90, HB 91, HB 233, HB 289, HB 291, HB 300, HB 373, HB 374, HB 403, HB 428, HB 437, HB 438, HB 442, HB 454, HB 462, HB 463, HB 476, HB 478, HB 482, HB 488, HB 490, HB 498, HB 503, HB 515, HB 517, HB 530, HB 538, HB 543, HB 555, HB 556, HB 586, HB 590, HB 610, HB 612, HB 613, HB 614, HB 615, HB 616, HB 617, HB 618, HJR 14, HJR 15, HJR 21, SB 140.**

Correctly engrossed: **HB 24, HB 46, HB 121, HB 206, HB 230, HB 247, HB 251, HB 264, HB 333, HB 334, HB 336, HB 350, HB 355, HB 358, HB 378, HB 391, HB 396, HB 402, HB 404, HB 418, HB 422, HB 423, HB 433, HB 440, HB 447, HB 448, HB 449, HB 475, HB 479, HB 506, HB 519, HB 575, HB 600, HB 602.**

Examined by the sponsor and found to be correct: **HB 85, HB 94, HB 142.**

Transmitted to the Senate: **HB 57, HB 90, HB 291, HB 300, HB 307, HB 373, HB 374, HB 428, HB 463, HB 478.**

Signed by the Speaker at 4:10 p.m., February 26, 2021: **HB 85, HB 94, HB 142.**

Signed by the Chief Clerk of the House at 4:20 p.m., February 26, 2021: **HB 85, HB 94, HB 142.**

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Kassmier, Chair):

2/25/2021

**HB 336**, introduced bill, be amended as follows:

1. Title, line 9.

Strike: "AN"

Insert: "A CONTINGENT"

2. Page 7.

Following: line 2

Insert: "NEW SECTION. Section 3. Contingent effective date. (1) [This act] is effective on the date that either of the following occurs:

(a) the director of the department of livestock certifies to the code commissioner that the Interstate Cooperative Meatpacking Compact has been ratified by the United States congress; or

(b) the attorney general certifies to the code commissioner that a court of competent jurisdiction has entered a final judgment on the merits finding that the Interstate Cooperative Meatpacking Compact is not preempted by federal law and the action is no longer subject to appeal.

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

(2) The director of the department of livestock or the attorney general shall submit certification within 14 days of the occurrence of the contingency that occurs first."

And, as amended, do pass. Report adopted.

**HB 396**, introduced bill, be amended as follows:

1. Title, line 5.

Following: "HEMP"

Strike: "SEED"

2. Title, line 6.

Following: "PROVIDING"

Strike: "A CONTINGENT"

3. Title, line 6.

Strike: "DATE"

Insert: "DATES"

4. Page 1, line 19.

Following: the first "hemp"

Strike: "seed"

Following: the second "hemp"

Strike: "seed"

5. Page 1, line 20.

Following: the second "for"

Insert: ";

(i)"

Following: the second "or"

Insert: "horse; or

(ii)"

Following: the third "for"

Insert: "other"

6. Page 7, line 22.

Strike: "**Contingent effective date**"

Insert: "**Effective dates -- contingency**"

Following: "**date.**"

Insert: "(1) Except as provided in subsection (2), [this act] is effective on passage and approval.

(2)"

Following: "Section 1"

Insert: "(3)(b)(ii)"

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

7. Page 7, line 24.

Following: the first "hemp"

Strike: "seed"

Following: the second "hemp"

Strike: "seed"

8. Page 7, line 25.

Following: "feed"

Insert: "for livestock"

And, as amended, do pass. Report adopted.

**HB 433**, introduced bill, be amended as follows:

1. Title, line 5.

Following: "BRAND;"

Strike: "AND"

2. Title, line 6.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 1, line 22.

Strike: "indistinguishable"

Insert: "different"

4. Page 1, line 26.

Following: "determines"

Strike: "the indistinguishable brands"

Insert: "that the different brands or marks"

5. Page 2.

Following: line 3

Insert: "NEW SECTION. Section 2. {standard} Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

**EDUCATION** (Berglee, Chair):

2/24/2021

**HB 46**, introduced bill, be amended as follows:

1. Page 5, line 12.

Strike: "\$298.32"

Insert: "\$287.93"

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

2. Page 5, line 12.

Strike: "\$304.02"

Insert: "\$286.02"

And, as amended, do pass. Report adopted.

**HB 206**, introduced bill, be amended as follows:

1. Title, line 11.

Following: "FACILITIES;"

Insert: "PROVIDING RULEMAKING AUTHORITY;"

2. Page 1, line 22.

Strike: "The"

Insert: "Except for the tuition paid by the district of residence under 20-5-324(2)(b), the"

3. Page 1, line 23.

Following: "pupils."

Insert: "The rules must provide:

(i) that tuition amounts must be reduced by the funding generated by the district of attendance due to the child's attendance; and

(ii) an option for tuition set at the actual unique costs of providing a free appropriate public education."

4. Page 1, line 24.

Following: "(3) The"

Insert: "state-paid"

Following: "(1)(e)"

Insert: "in addition to the tuition paid by the district of residence under 20-5-324(2)(b)"

5. Page 1, line 28.

Following: "agreement"

Strike: "with the district of attendance"

6. Page 2, line 1.

Following: "student,"

Strike: "80% of the"

Following: "~~20-9-306~~"

Insert: "120% of the"

7. Page 2, line 4.

Strike: "ANB"

Insert: "student"

8. Page 3, line 2.

Strike: "of each fiscal"

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

Insert: "the following information for the concluding school fiscal"

9. Page 3, line 4 through line 5.

Strike: "in" on line 4 through "year" on line 5

10. Page 3, line 10.

Following: "state"

Strike: "in the previous school year"

11. Page 3, line 13.

Following: "schools"

Strike: "in the previous school year"

12. Page 3, line 17.

Following: "district"

Insert: "of residence"

13. Page 3, line 23.

Following: "attendance"

Insert: "twice"

Following: the second "the"

Insert: "maximum"

Following: "20-5-323(1)"

Insert: "prorated for the actual days of enrollment"

14. Page 3, line 28.

Following: "levy"

Insert: "or from the district's general fund or any other legally available fund in the discretion of the trustees"

15. Page 4, line 11.

Following: "fund"

Insert: "or from the district's general fund or any other legally available fund in the discretion of the trustees"

16. Page 4, line 12.

Following: "fund"

Insert: "or from the district's general fund or any other legally available fund in the discretion of the trustees"

17. Page 4, line 14 through line 15.

Strike: "out" on line 14 through "levy" on line 15

18. Page 7, line 5 through line 6.

Strike: ", including" on line 5 through "education" on line 6

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

19. Page 7, line 7.

Following: "hospital"

Insert: ", including the provision of a free appropriate public education for a child with a disability"

20. Page 8, line 8.

Following: "(1)"

Insert: "(a)"

21. Page 8, line 10 through line 13.

Strike: ", including" on line 10 through "20-5-109" on line 13

22. Page 8.

Following: line 13

Insert: "(b) As used in this section, "appropriate educational opportunity" means:

(i) for an eligible child without a disability:

(A) if provided by a nonpublic school, an education program provided in accordance with the requirements for a nonpublic school under the provisions of 20-5-109; and

(B) if provided by a public school, an education program consistent with accreditation standards provided for in 20-7-111; and

(ii) for an eligible child with a disability, a free appropriate public education consistent with state standards for the provision of special education and related services."

23. Page 8, line 20.

Following: "child"

Insert: "for each hospital or facility that reflects actual documented costs of providing an appropriate educational opportunity at that hospital or facility and that excludes the cost of services that are eligible for reimbursement under any provision of state or federal law or an insurance policy"

24. Page 8, line 22.

Strike: "120%"

Insert: "100%"

25. Page 8, line 23.

Strike: "pursuant to"

Insert: "as defined in"

26. Page 8, line 27.

Strike: "20%"

Insert: "40%"

27. Page 8, line 27.

Strike: "pursuant to"

Insert: "as defined in"

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

28. Page 8, line 28.

Strike: "may"

Insert: "shall"

29. Page 9, line 1.

Following: "fund"

Insert: "or from the district's general fund or any other legally available fund in the discretion of the trustees"

Following: "fund."

Insert: "(d) An eligible child whose appropriate educational opportunity is provided under subsection (5)(a) or (5)(b) of this section may not receive funding under this subsection (3)."

30. Page 9, line 13 through line 14.

Strike: "education" on line 13 through "part" on line 14

Insert: "appropriate educational opportunity"

31. Page 9, line 18.

Strike: "the education of"

Insert: "an appropriate educational opportunity for"

32. Page 9, line 24 through line 25.

Strike: "program" on line 24 through "20-7-402 for" on line 25

Insert: "opportunity for eligible"

And, as amended, do pass. Report adopted.

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

2/24/2021

**HB 155**, do pass. Report adopted.

**HB 356**, do pass. Report adopted.

**HB 360**, do pass. Report adopted.

**HB 364**, do pass. Report adopted.

**HB 369**, do pass. Report adopted.

**HB 423**, introduced bill, be amended as follows:

1. Page 1, line 16.

Strike: "added"

Insert: "considered for addition"

2. Page 1, line 17.

Following: the first "and"

Insert: "that"

3. Page 1, line 24.

Strike: "six"

Insert: "eight"

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

4. Page 1, line 26.

Following: "(a)"

Strike: "one member who is a person"

Insert: "two members who are persons"

5. Page 1, line 26.

Strike: "a family member"

Insert: "family members"

6. Page 1, line 28.

Strike: "one member who is a physician or nurse practitioner"

Insert: "two members who are physicians or nurse practitioners who are"

7. Page 1, line 28.

Following: "pediatrics,"

Insert: "family medicine,"

8. Page 2, line 6.

Strike: "with"

Insert: "who is a medical geneticist or who has"

9. Page 2, line 7.

Strike: "board"

Insert: "committee"

10. Page 2, line 9.

Following: "2,"

Strike: "or"

Following: "3"

Insert: ", or 4"

11. Page 2, line 18.

Strike: "board"

Insert: "committee"

12. Page 2, line 19.

Strike: "board"

Insert: "committee"

13. Page 2, line 22.

Strike: "board"

Insert: "committee"

14. Page 2, line 23.

Strike: "board"

Insert: "committee"



HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

15. Page 2.

Following: line 23

Insert: "(8) The committee shall give priority at its first meeting to reviewing Krabbe disease and shall recommend that the disease be added to the newborn screening panel. If the committee fails to make the recommendation, the director shall disband the committee."

And, as amended, do pass. Report adopted.

**HB 484**, do pass. Report adopted.

**HB 495**, do pass. Report adopted.

**HB 574**, do pass. Report adopted.

**HB 575**, introduced bill, be amended as follows:

1. Title, line 6.

**Strike:** "AN EXCEPTION FOR SCHOOL-BASED HEALTH CENTERS"

**Insert:** "EXCEPTIONS"

2. Page 1, line 12.

**Following:** "agents"

**Insert:** "-- exceptions"

3. Page 1, line 15.

**Following:** "section"

**Insert:** ":

(a)"

**Following:** "center"

**Insert:** "; and

(b) is not intended to limit or prohibit the normal course of chronic or acute care delivered by school staff or by employed or contracted school nurses or speech-language pathologists"

And, as amended, do pass. Report adopted.

**LEGISLATIVE ADMINISTRATION** (J. Hinkle, Chair):

2/22/2021

**HB 497**, do pass. Report adopted.

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

2/25/2021

**HB 422**, introduced bill, be amended as follows:

1. Title, line 5.

Following: "SYSTEMS"

Insert: "UNDER CERTAIN CIRCUMSTANCES; ALLOWING A POLITICAL SUBDIVISION TO INVEST IN BROADBAND INFRASTRUCTURE"

Following: "AMENDING"

Strike: "SECTION"

Insert: "SECTIONS 2-17-603 AND"

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

2. Title, line 6.

Following: "2-17-601"

Strike: ", 2-17-602, 2-17-603,"

3. Page 1.

Following: line 9

**Insert:** "Section 1. Section 2-17-603, MCA, is amended to read:

**"2-17-603. Government competition with private internet services providers prohibited -- exceptions.** (1) Except as provided in subsection (2)(a) or (2)(b), an agency or political subdivision of the state may not directly or through another agency or political subdivision be an internet services provider.

(2) (a) An agency or political subdivision may act as an internet services provider if:

(i) no private internet services provider is available within the jurisdiction served by the agency or political subdivision; or

(ii) the agency or political subdivision provided services prior to July 1, 2001.

(b) An agency or political subdivision may act as an internet services provider when providing advanced services that are not otherwise available from a private internet services provider within the jurisdiction served by the agency or political subdivision.

(c) If a private internet services provider elects to provide internet services in a jurisdiction where an agency or political subdivision is providing internet services, the private internet services provider shall inform the agency or the political subdivision in writing at least 30 days in advance of offering internet services.

(3) Upon receiving notice pursuant to subsection (2)(c), the agency or political subdivision shall notify its subscribers within 30 days of the intent of the private internet services provider to begin providing internet services and may choose to discontinue providing internet services within 180 days of the notice.

(4) Nothing in this section may be construed to prohibit an agency or political subdivision from:

(a) offering electronic government services to the general public; ~~or~~

(b) acquiring access to the internet from a private internet services provider in order to offer electronic government services to the general public; or

(c) investing in infrastructure to improve, construct, extend, expand, or maintain internet service as determined appropriate by the political subdivision. Investment in infrastructure allowed in this subsection (4)(c) may be:

(i) in cooperation with a private internet service provider; or

(ii) provided through an agreement or contract with a private internet service provider.""

**Renumber:** subsequent sections

4. Page 2, line 20 through line 21.

Strike: lines 20 and line 21 in their entirety

And, as amended, do pass. Report adopted.

**HB 450**, do pass. Report adopted.

**HB 496**, do pass. Report adopted.

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

**TAXATION** (Beard, Chair): 2/26/2021  
**HB 526**, do pass. Report adopted.  
**HB 616**, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence: 2/24/2021

**SB 163**, introduced by C. Glimm  
**SB 174**, introduced by G. Hertz  
**SB 182**, introduced by G. Hertz  
**SB 184**, introduced by M. Blasdel  
**SB 190**, introduced by T. Gauthier  
**SB 193**, introduced by S. Hinebauch  
**SB 196**, introduced by T. McGillvray  
**SB 231**, introduced by M. Blasdel

**MESSAGES FROM THE GOVERNOR**

February 26, 2021

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

Dear Speaker Galt:

On Friday, February 26, 2021, I signed the following bills:

House Bill 41 – Funk  
House Bill 51 – Hamilton  
House Bill 54 – Seekins-Crowe  
House Bill 62 – Hopkins

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

Sincerely,

GREG GIANFORTE  
Governor

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 619**, introduced by S. Kerns, referred to Taxation.

**HB 620**, introduced by A. Regier, D. Bartel, J. Gillette, T. Moore, M. Regier, K. Seekins-Crowe, L. Sheldon-Galloway, C. Glimm, S. Hinebauch, D. Howard, K. Regier, referred to Judiciary.

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

**SB 163**, introduced by C. Glimm, M. Cuffe, D. Skees, R. Osmundson, K. Regier, C. Smith, B. Brown, T. Manzella, M. Noland, B. Tschida, L. Sheldon-Galloway, J. Ellsworth, N. Duram, J. Fuller, J. Kassmier, B. Mitchell, P. Fielder, S. Galloway, C. Hinkle, referred to Natural Resources.

**SB 174**, introduced by G. Hertz, S. Fitzpatrick, M. Blasdel, W. Galt, S. Berglee, C. Knudsen, T. Gauthier, K. Zolnikov, referred to Local Government.

**SB 182**, introduced by G. Hertz, D. Skees, S. Fitzpatrick, C. Smith, M. Blasdel, L. Jones, W. Galt, M. Noland, C. Knudsen, B. Usher, S. Vinton, J. Ellsworth, referred to Taxation.

**SB 184**, introduced by M. Blasdel, E. Buttrey, S. Fitzpatrick, R. Osmundson, D. Kary, C. Smith, G. Vance, B. Hoven, G. Hertz, W. Galt, F. Garner, C. Knudsen, S. Vinton, T. Welch, B. Beard, J. Ellsworth, J. Dooling, referred to Taxation.

**SB 190**, introduced by T. Gauthier, referred to Business and Labor.

**SB 193**, introduced by S. Hinebauch, referred to Taxation.

**HB 196**, introduced by E. Buttrey, F. Garner, referred to State Administration.

**SB 231**, introduced by M. Blasdel, W. Galt, C. Knudsen, J. Ellsworth, referred to Natural Resources.

**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 R. Knudsen in the chair.

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

**HB 92** - Representative Kelker moved **HB 92** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Bedey, Bertoglio, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hinkle C, Hinkle J, 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, Reksten, Ricci,

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

Running Wolf, Schillinger, Seekins-Crowe, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Windy Boy, Zolnikov, Mr. Speaker.

Total 88

Nays: Beard, Berglee, Binkley, Dooling, Duram, Fielder, Galloway, Hill, Holmlund, Regier M, Sheldon-Galloway, Whitman.

Total 12

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 258** - Representative J. Hinkle moved **HB 258** do pass. Motion carried as follows:

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

Total 67

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

Total 33

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 328** - Representative Keogh moved **HB 328** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bedey, Bertoglio, Bishop, Buckley, Buttrey, Caferro, Curdy, Custer,

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

Dunwell, Farris-Olsen, Fern, Fitzgerald, France, Frazer, Funk, Garner, Gist, Greef, Hamilton, Harvey, Hawk, Hayman, Holmlund, Hopkins, Jones, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Loge, Malone, Marler, McKamey, Novak, Olsen, Putnam, Reksten, Ricci, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy.  
Total 56

Nays: Bartel, Beard, Berglee, Binkley, Brewster, Carlson, Dooling, Duram, Fielder, Fleming, Fuller, Galloway, Gillette, Gunderson, Hill, Hinkle C, Hinkle J, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Marshall, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Read, Regier A, Regier M, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Zolnikov, Mr. Speaker.  
Total 44

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 391** - Representative Fleming moved **HB 391** do pass.

**HB 391** - Representative Fleming moved **HB 391**, second reading copy, be amended as follows:

1. Page 1, line 28.

**Following:** "not"

**Strike:** "less than 10 years or"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, 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, 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: Hawk, Sheldon-Galloway.  
Total 2

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 391** - Representative Fleming moved **HB 391**, 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, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 67

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

Total 33

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 405** - Representative Hamilton moved **HB 405** do pass.

**HB 405** - Representative Hamilton moved **HB 405**, second reading copy, be amended as follows:

1. Title, line 11.

**Following:** "13-10-211,"

**Strike:** "13-10-326,"

2. Page 1, line 27.

**Strike:** "1 day"

**Insert:** "5 days"

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

3. Page 2, line 18.

**Following:** "(1)(b),"

**Strike:** "but no later than 3 days after the deadline for the candidate to file for office,"

4. Page 2, line 23.

**Strike:** "1 day"

**Insert:** "5 days"

5. Page 2, line 26.

**Following:** "official"

**Insert:** "general election"

**6. Page 2, line 28.**

**Following:** "official"

**Insert:** "general election"

7. Page 5, line 2.

**Strike:** "[section 10]"

**Insert:** "[section 9]"

8. Page 5, line 21.

**Strike:** "[section 10]"

**Insert:** "[section 9]"

9. Page 6, line 22.

**Strike:** "[section 10]"

**Insert:** "[section 9]"

10. Page 7, line 21 through page 8, line 7.

**Strike:** section 5 in its entirety

**ReNUMBER:** subsequent sections

11. Page 8, line 24.

**Strike:** "[section 10(1)(b)]"

**Insert:** "[section 9(1)(b)]"

12. Page 8, line 27 through line 28.

**Strike:** "[section 10(1)(b)]"

**Insert:** "[section 9(1)(b)]"

13. Page 10, line 1.

**Strike:** "[section 10]"

**Insert:** "[section 9]"



HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

14. Page 10, line 19.

**Following:** "on"

**Insert:** ":

(a)"

15. Page 10, line 20 through line 21.

**Strike:** ":" on line 20 through "(a)" on line 21

16. Page 10, line 22.

**Following:** "(b)"

**Insert:** "the official ballot for a general election if the candidate fails to file"

17. Page 11, line 1.

**Following:** "ballot"

**Insert:** "for the relevant election or elections"

18. Page 11, line 2.

**Strike:** "[section 10(1)(b)]"

**Insert:** "[section 9(1)(b)]"

19. Page 12, line 15.

**Strike:** "[Section 10]"

**Insert:** "[Section 9]"

20. Page 12, line 16 through line 17.

**Strike:** "[section 10]"

**Insert:** "[section 9]"

Amendment adopted as follows:

Yeas: Abbott, Bedey, Bertoglio, Bishop, Brewster, Buckley, Buttrey, Caferro, Curdy, Custer, Dooling, Dunwell, Farris-Olsen, Fern, Fitzgerald, France, Frazer, Funk, Galloway, Garner, Greef, Hamilton, Harvey, Hawk, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Ler, Loge, Marler, Marshall, McKamey, Mercer, Moore, Nave, Novak, Olsen, Patelis, Putnam, Regier A, Reksten, Ricci, Running Wolf, Seekins-Crowe, Sheldon-Galloway, Smith, Stafman, Stewart Perego, Sullivan, Tenenbaum, Thane, Trebas, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Windy Boy, Mr. Speaker.

Total 67

Nays: Anderson, Bartel, Beard, Berglee, Binkley, Carlson, Duram, Fielder, Fleming, Fuller, Gillette, Gist, Gunderson, Hill, Hinkle C, Hinkle J, Kerns, Knudsen C, Knudsen R, Lenz, Malone, Mitchell, Noland, Phalen, Read, Regier M, Schillinger, Skees, Stromswold, Tschida, Usher, Whitman, Zolnikov.

Total 33

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 405** - Representative Hamilton moved **HB 405**, as amended, do pass. Motion **failed** as follows:

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

Total 37

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

Total 63

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 406** - Representative Noland moved **HB 406** 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

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

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

Total 33

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 425** - Representative Schillinger moved **HB 425** 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: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 435** - Representative Mercer moved **HB 435** 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,

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

Nave, Noland, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, 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, Trebas, Weatherwax, Whiteman Pena, Windy Boy.

Total 34

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 441** - Representative Kortum moved **HB 441** do pass. Motion **failed** as follows:

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

Total 39

Nays: Anderson, Bartel, Beard, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Dooling, Duram, Fielder, Fitzgerald, Fleming, Fuller, Galloway, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, 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, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 61

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

**HB 444** - Representative Buttrey moved **HB 444** 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, Moore, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 98

Nays: Olsen.

Total 1

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Mitchell.

Total 1

**HB 459** - Representative Lenz moved **HB 459** do pass. Motion carried as follows:

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

Total 71

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

Total 29

Voted absentee: None.

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 469** - Representative Novak moved **HB 469** 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, Garner, Gillette, 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, Reksten, Ricci, Running Wolf, 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 95

Nays: Galloway, Gist, Regier M, Schillinger, Tschida.

Total 5

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 472** - Representative M. Regier moved **HB 472** 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,

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

Novak, Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.  
Total 33

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 480** - Representative Mercer moved **HB 480** 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: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 483** - Representative C. Knudsen moved **HB 483** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, 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, Hinkle C, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen,

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

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

Total 92

Nays: Bartel, Carlson, Hinkle J, Mitchell, Read, Skees, Tschida, Usher.

Total 8

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 118** - Representative Noland moved **SB 118** be concurred in. Motion carried as follows:

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

Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 67

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

Total 33

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0



HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

Majority Leader Vinton moved the Committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair R. Knudsen moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Moore, Nave, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Zolnikov, Mr. Speaker.  
Total 92

Nays: Abbott, Caferro, Karjala, Knudsen R, Olsen, Windy Boy.  
Total 6

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: Mitchell, Noland.  
Total 2

**APPROPRIATIONS** (Jones, Chair): 2/26/2021  
**HB 233**, do pass. Report adopted.

**BUSINESS AND LABOR** (Noland, Chair): 2/26/2021  
**HB 251**, introduced bill, be amended as follows:

1. Page 1, line 14.  
Strike: "11"  
Insert: "10"

2. Page 1, line 23.  
Strike: "11"  
Insert: "10"

3. Page 2, line 26.  
Strike: "11"  
Insert: "10"

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

4. Page 3, line 1.

Strike: "11"

Insert: "10"

5. Page 3, line 2.

Strike: "11"

Insert: "10"

6. Page 3, line 15.

Strike: "11"

Insert: "10"

7. Page 3, line 18.

Strike: "11"

Insert: "10"

8. Page 3, line 21.

Strike: "11"

Insert: "10"

9. Page 3, line 26 through line 27.

Strike: section 10 in its entirety

Renumber: subsequent sections

10. Page 5, line 28.

Strike: "11"

Insert: "10"

11. Page 6, line 2.

Strike: "11"

Insert: "10"

And, as amended, do pass. Report adopted.

**HB 378**, introduced bill, be amended as follows:

1. Page 4, line 19.

Strike: "2022"

Insert: "2023"

2. Page 4, line 22.

Strike: "2022"

Insert: "2023"

And, as amended, do pass. Report adopted.

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

**HB 440**, introduced bill, be amended as follows:

1. Title, line 5.

Following: the second "TO"

Strike: "CRUSH AND"

2. Title, line 6 through line 8.

Strike: "ALLOWING" on line 6 through "ROOM;" on line 8

3. Title, line 8.

Strike: "SECTIONS"

Insert: "SECTION"

4. Title, line 8.

Following: "16-3-411"

Strike: "AND 16-3-418"

5. Page 1, line 17 through line 18.

Strike: "a" on line 17 through "(2)" on line 18

Insert: "the winery directly to the consumer"

6. Page 1.

Following: line 19

Insert: "(d) provide, without charge, wine it produces for consumption at the winery;"

**Renumber:** subsequent subsections

7. Page 2, line 1.

Following: "(2)"

Strike: "(a)"

8. Page 2, line 2.

Following: "shall"

Strike: "crush and"

9. Page 2, line 4 through line 8.

Strike: subsection (b) in its entirety

10. Page 2, line 12.

Strike: "6,000"

Insert: "4,500"

11. Page 3, line 8 through line 24.

Strike: section 2 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

**HB 445**, do pass. Report adopted.  
**HB 446**, do pass. Report adopted.  
**HB 453**, do pass. Report adopted.  
**HB 477**, do pass. Report adopted.  
**HB 493**, do pass. Report adopted.  
**HB 510**, do pass. Report adopted.  
**HB 548**, do pass. Report adopted.  
**HB 558**, do pass. Report adopted.  
**HB 564**, do pass. Report adopted.  
**HB 566**, do pass. Report adopted.  
**HB 600**, introduced bill, be amended as follows:

1. Page 1, line 20.  
Following: "spouse of"  
Strike: "a"  
Insert: "an unemployed"

And, as amended, do pass. Report adopted.

**JUDICIARY** (Usher, Chair):

2/26/2021

**HB 355**, introduced bill, be amended as follows:

1. Title, line 5 through line 6.  
Following: "JUSTICES"  
Strike: "," on line 5 through "PEACE" on line 6

2. Title, line 6.  
Following: "PEACE;"  
Insert: "ALLOWING POLITICAL PARTY COMMITTEES TO CONTRIBUTE TO A CANDIDATE FOR SUPREME COURT JUSTICE;"

3. Title, line 6 through line 7.  
Strike: "3-5-201," on line 6 through "3-10-206," on line 7

4. Title, line 7.  
Following: "13-14-111,"  
Insert: "13-14-211, 13-14-212,"

5. Title, line 7.  
Strike: "13-14-118"  
Insert: "13-35-231"

6. Title, line 7 through line 8.  
Strike: "REPEALING" on line 7 through "MCA;" on line 8

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

7. Page 1, line 21.

Strike: "4"

Insert: "2"

8. Page 1.

Following: line 25

Insert: "**NEW SECTION. Section 2. Form of ballot for supreme court justice retention election.**

(1) If the only candidate for an office of supreme court justice or the supreme court chief justice is the incumbent, the name of the incumbent must be placed on the official ballot for general election as follows:

Shall (insert title of officer) (insert name of the incumbent officer) of the (insert title of the court) of the state of Montana be retained in office for another term?

(2) Following the question, provision must be made, subject to rules adopted pursuant to 13-12-202, for a voter to indicate a "yes" or a "no" vote. The form must include the incumbent's political party designation and may not include a write-in space for the office."

**Renumber:** subsequent sections

9. Page 1, line 26 through page 3, line 9.

**Strike:** sections 2 through 5 in their entirety

**Renumber:** subsequent sections

10. Page 3, line 13.

Following: "offices;"

Insert: "including judicial offices, other than the office of the supreme court,"

11. Page 3, line 16 through page 4, line 1.

Strike: section 7 in its entirety

Insert: "**Section 4.** Section 13-14-211, MCA, is amended to read:

**"13-14-211. Judicial District and county judicial offices separate and independent offices for election purposes.** ~~(1) Each vacancy for justice of the supreme court is a separate and independent office for election purposes. The chief justice of the supreme court shall assign an individual number to the justices and certify these numbers to the office of the secretary of state.~~

~~(2) Each vacancy for judicial office in a district that has more than one district judge is a separate and independent office for election purposes.~~

(3)(1) Each vacancy for judicial office in a district that has more than one district judge is a separate and independent office for election purposes.

(2) Each vacancy for office in a county that has more than one justice of the peace is a separate and independent office for election purposes."

**Insert:** "**Section 5.** Section 13-14-212, MCA, is amended to read:

**"13-14-212. Form of ballot on retention of certain incumbent judicial officers.** (1) If the incumbent is the only candidate for the office of ~~chief justice, supreme court justice, district court judge;~~ or justice of the peace, the election administrator may not include a nonpartisan designation or write-in space for the office on the general election ballot. The name of the incumbent must be placed on the official ballot for the general election as follows:

Shall (insert title of officer) (insert name of the incumbent officer) of the (insert title of the court) of the state of Montana be retained in office for another term?

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

(2) Following the question, provision must be made, subject to rules adopted pursuant to 13-12-202, for a voter to indicate a "yes" or "no" vote.""

**Insert:** "**Section 6.** Section 13-35-231, MCA, is amended to read:

**"13-35-231. Unlawful for political party to contribute to nonpartisan judicial candidate.** A political party may not contribute to a nonpartisan judicial candidate.""

**Renumber:** subsequent sections

12. Page 4, line 3 through line 6.

**Strike:** section 8 in its entirety

**Renumber:** subsequent sections

13. Page 4, line 8.

Strike: "4"

Insert: "2"

14. Page 4, line 9.

Strike: "4"

Insert: "2"

15. Page 4, line 15.

Following: the first "court"

Strike: ", district court, or justice of the peace"

And, as amended, do pass. Report adopted.

**HB 358**, introduced bill, be amended as follows:

1. Page 1, line 15.

Strike: "recent"

Insert: "2020"

2. Page 2, line 8.

Following: "for"

Insert: "\$10,000 or more in"

Following: "monetary"

Insert: "compensation"

3. Page 2.

Following: line 14

Insert: "(4) "Monetary compensation" includes money and anything of financial value that is used by a governmental entity to resolve a claim, including but not limited to paid administrative leave and reinstatement or rehiring of a terminated employee."

**Renumber:** subsequent subsections

4. Page 2, line 20 through line 21.

Following: "entities." on line 20

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

Strike: remainder of line 20 through line 21 in their entirety

5. Page 2, line 23.

Following: "college,"

Insert: "or"

Following: "university"

Strike: ", or other instrumentality"

6. Page 3, line 2.

Following: "in"

Strike: "a"

7. Page 3, line 3.

Strike: "settlement"

Insert: "compensation"

8. Page 3, line 5.

Following: "(d) the"

Strike: "dollar"

9. Page 3, line 5.

Strike: "of the"

Insert: "of monetary compensation contained in the"

Following: "settlement;"

Insert: "and"

10. Page 3, line 6.

Following: "(e) a"

Insert: "brief"

11. Page 3, line 7.

Following: the first "state"

Insert: "at issue"

Strike: "that caused the state to find it was"

12. Page 3, line 7.

Following: "in"

Strike: "its best interests to settle"

13. Page 3, line 7 through line 9.

Strike: "; and" on line 7 through "settlement" on line 9

14. Page 3, line 14.

Following: "disclosure"

Insert: "under subsection (1)"

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

Strike: "and is designated confidential information as defined in 2-6-1002"

15. Page 3, line 20.

Strike: "(1)(f)"

Insert: "(1)(e)"

16. Page 3.

Following: line 23

Insert: "(7) Among the records to be maintained pursuant to 2-9-303(1)(b) are documents from the state:

(a) certifying that no condition or limitation precludes the use of the funds utilized to pay the settlement or other monetary compensation or damages;

(b) describing the conduct, acts, or omissions by one or more employees, officers, or agents of the state and other relevant factors that caused the state to find it was in the state's best interests to settle the case; and

(c) the settlement terms.

(8) When a governmental entity provides monetary compensation other than money to resolve a claim, the governmental entity must evaluate the value conveyed pursuant to the settlement or compromise to determine whether it meets the \$10,000 threshold requiring disclosure under this section."

17. Page 3, line 25.

Following: "**claims.**"

Insert: "(1)"

18. Page 3, line 27.

Strike: "(1)"

Insert: "(a)"

19. Page 3, line 27.

Following: the first "demands"

Insert: ", exclusive of initial demands made in mediations or settlement conferences in which court rules or orders preclude disclosure of demands,"

20. Page 3, line 27.

Strike: "money"

Insert: "monetary compensation"

21. Page 4, line 1.

Strike: "(2)"

Insert: "(b) except as provided in subsection (2),"

Following: "all"

Strike: "civil and administrative"

Following: "filed"

Insert: "with a court or agency"

22. Page 4, line 1.



HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

Strike: "is aware"  
Insert: "has knowledge"

23. Page 4.  
Following: line 2  
Insert: "(2) The provisions of subsection (1)(b) do not apply to an employee or official in the judicial branch."

24. Page 4, line 27.  
Strike: the first "9"  
Insert: "6"

25. Page 4, line 27.  
Following: "9,"  
Insert: "part 10,"

26. Page 4, line 27.  
Strike: the second "9"  
Insert: "6"

27. Page 4, line 27.  
Following: "9,"  
Insert: "part 10,"  
And, as amended, do pass. Report adopted.

**JUDICIARY** (Usher, Chair):  
**HB 402**, introduced bill, be amended as follows:

2/26/2021

1. Page 2, line 9.  
**Following:** "the"  
**Insert:** "repairs, the"  
**Following:** "damages"  
**Insert:** ", "

2. Page 3, line 3.  
**Strike:** "shall"  
**Insert:** "may"

3. Page 3, line 5.  
**Strike:** "shall"  
**Insert:** "may"

4. Page 4, line 19.  
**Strike:** "shall"  
**Insert:** "may"

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

5. Page 4, line 21.

**Strike:** "shall"

**Insert:** "may"

And, as amended, do pass. Report adopted.

**HB 449**, introduced bill, be amended as follows:

1. Page 2, line 13.

**Strike:** "There"

**Insert:** "If electronic monitoring is available, there"

2. Page 2, line 21.

**Strike:** "On conviction, the"

**Insert:** "The"

3. Page 2, line 22.

**Strike:** "the sentence"

**Insert:** "release"

4. Page 2, line 22.

**Strike:** "reimburse the providing agency"

**Insert:** "pay"

5. Page 2, line 23.

**Following:** "monitoring."

**Insert:** "If the defendant has not paid for electronic monitoring as a condition of release, on conviction, the court shall require as a condition of the sentence that the defendant reimburse the providing agency for the costs of electronic monitoring, unless the court determines that the defendant is not or will not be able to pay the costs."

And, as amended, do pass. Report adopted.

**HB 479**, introduced bill, be amended as follows:

1. Page 2, line 9.

**Following:** "(5)"

**Insert:** "(a)"

2. Page 2, line 11.

**Strike:** "(a)"

**Insert:** "(i)"

**Renumber:** subsequent subsections

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

3. Page 2.

Following: line 18

Insert: "(b) The term does not include customer proprietary network information as defined in 47 U.S.C. 222(h)(1)."

4. Page 2, line 28.

Strike: "(a)"

5. Page 2, line 28 through page 3, line 2

**Following:** "warrant" on line 28

**Strike:** "; and" on line 28 through "(2)(a)" on page 3, line 2

6. Page 3, line 3 through line 8.

Strike: subsections (3) and (4) in their entirety

Insert: "(3) The electronic communications collected under 46-5-602 must be deleted after the conclusion of the criminal investigation, postconviction and after all appeals have been exhausted, or in accordance with data retention requirements under the law.

(4) The warrant and investigative subpoena requirements of this section do not apply to the electronic communications of adults or youth currently incarcerated in a correctional facility."

And, as amended, do pass. Report adopted.

**HB 499**, introduced bill, be amended as follows:

1. Page 1, line 20.

Strike: subsection (A) in its entirety

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

**HB 501**, introduced bill, be amended as follows:

1. Page 1, line 24.

Following: "a"

Insert: "public"

Following: "place"

Insert: "paid for in whole or in part with taxpayer funds"

And, as amended, do pass. Report adopted.

**HB 519**, introduced bill, be amended as follows:

1. Title, line 5.

Following: "GIVEN"

Insert: "AT FIRST"

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

2. Page 1, line 11 through line 12.

Strike: "in" on line 11 through "parent" on line 12

Insert: "by beginning with equal consideration given to each parent"

3. Page 1, line 12.

Strike: "The court shall consider"

Insert: "The court may then adjust parenting time by considering"

5. Page 1, line 13.

Following: "factors"

Insert: "to ensure the best interest of the child"

And, as amended, do pass. Report adopted.

**HB 559**, do pass. Report adopted.

**HB 602**, introduced bill, be amended as follows:

1. Page 1, line 13.

Following: "database"

Insert: ":

(a)"

2. Page 1, line 14.

Strike: "."

Insert: "; or

(b) unless the consumer whose information is sought previously waived the consumer's right to privacy in the information."

And, as amended, do pass. Report adopted.

**STATE ADMINISTRATION** (McKamey, Chair):

2/26/2021

**HB 506**, introduced bill, be amended as follows:

1. Page 1, line 18.

Following: "ballot"

Insert: "submitted by the individual"

2. Page 1, line 18 through line 19.

Strike: "issued" on line 18 through "ballot" on line 19

Insert: "processed and counted by the election administrator"

And, as amended, do pass. Report adopted.

**HB 611**, do pass. Report adopted.

**HB 618**, do pass. Report adopted.

**HJR 21**, do pass. Report adopted.

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

**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 57** passed as follows:

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

Total 100

Nays: None.

Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 90** passed as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, 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.

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 291** passed 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, Mercer, Mitchell, Nave, Noland, Novak, Olsen, Patelis, Putnam, Regier A, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 92

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

Total 8

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 300** passed as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, 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,

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 99

Nays: Harvey.

Total 1

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 307** passed as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, 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, Noland, Novak, Patelis, Phalen, Putnam, Regier A, Regier M, Reksten, 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: Hayman, Nave, Olsen, Read, Ricci.

Total 5

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 373** passed as follows:

Yeas: Abbott, Anderson, Bedey, Bertoglio, Bishop, Buckley, Buttrey, Caferro, Curdy, Custer, Dooling, Dunwell, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Funk, Garner, Gillette, Gist, Greef, Hamilton, Harvey, Hawk, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Loge, Malone,

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

Marler, McKamey, Mercer, Novak, Olsen, Patelis, Putnam, Reksten, Ricci, Running Wolf, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Mr. Speaker.

Total 67

Nays: Bartel, Beard, Berglee, Binkley, Brewster, Carlson, Duram, Fuller, Galloway, Gunderson, Hill, Hinkle C, Hinkle J, Kerns, Lenz, Ler, Marshall, Mitchell, Moore, Nave, Noland, Phalen, Read, Regier A, Regier M, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Tschida, Usher, Vinton, Zolnikov.

Total 33

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 374** passed as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Bertoglio, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fleming, France, Frazer, Funk, Garner, Gillette, 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, Patelis, Putnam, Read, Reksten, Ricci, Running Wolf, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Walsh, Welch, Whiteman Pena, Whitman.

Total 63

Nays: Berglee, Binkley, Duram, Fielder, Fuller, Galloway, Gist, Gunderson, Hill, Hinkle C, Hinkle J, Kerns, Lenz, Ler, Marshall, Mercer, Mitchell, Moore, Nave, Noland, Phalen, Regier A, Regier M, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stromswold, Trebas, Tschida, Usher, Vinton, Weatherwax, Windy Boy, Zolnikov, Mr. Speaker.

Total 37

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0



HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

**HB 428** passed as follows:

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

Total 67

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler,

Novak, Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 33

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 463** passed as follows:

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

Total 99

Nays: Olsen.

Total 1

Voted absentee: None.

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 478** passed as follows:

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

Total 100

Nays: None.

Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Representative A. Regier moved to reconsider action on **HB 415** and that **HB 415** be placed on second reading on the 42<sup>nd</sup> Legislative Day.

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, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Malone, Marshall, Mercer, Mitchell, Moore, Nave, Noland, Phalen, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Zolnikov, Mr. Speaker.

Total 47

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

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

Total 53

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Kerns moved to reconsider action on **HB 185** and that **HB 185** be placed on second reading on the 42<sup>nd</sup> Legislative Day.

Motion **failed** as follows:

Yeas: Bartel, Berglee, Binkley, Carlson, Duram, Fielder, Fleming, Galloway, Gillette, Gist, Gunderson, Hill, Hinkle C, Hinkle J, Hopkins, Kassmier, Kerns, Knudsen C, Knudsen R, Ler, Malone, Marshall, Mercer, Mitchell, Moore, Nave, Noland, Phalen, Read, Regier A, Regier M, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Zolnikov, Mr. Speaker.

Total 42

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

Total 58

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
FORTY-FIRST LEGISLATIVE DAY - FEBRUARY 26, 2021

Majority Leader Vinton moved to re-refer **HB 391** the Appropriations Committee. Without objection, so ordered.

Majority Leader Vinton moved to re-refer **HB 406** the Appropriations Committee. Without objection, so ordered.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Vinton moved the House adjourn until 8:00 a.m., Saturday, February 27, 2021. Motion carried.

House adjourned at 3:56 p.m.

CAROLYN TSCHIDA  
Chief Clerk of the House

WYLIE GALT  
Speaker of the House