

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

Helena, Montana
April 13, 2021

House Chambers
State Capitol

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

Roll Call. All members present, except Representatives Greef and Gunderson, excused. Quorum present.

BILLS (J. Hinkle, Chair): 4/13/2021
Correctly printed: **HJR 36, HJR 37, HJR 38, SB 201, SB 249, SB 265, SB 266, SB 328, SB 363, SB 364, SJR 16, SJR 19.**
Correctly engrossed: **SB 142, SB 149, SB 183, SB 220, SB 316, SB 320, SJR 18.**
Transmitted to the Senate: **SB 201, SB 249, SB 265, SB 266, SB 294, SB 328, SB 358, SB 363, SB 364, SJR 16, SJR 19.**
Signed by the President at 7:30 a.m., April 13, 2021: **HB 201, HB 258, HB 298, HB 394, HB 451, HB 463, HB 480, HB 589.**
Delivered to the Governor for approval at 9:29 a.m., April 13, 2021: **HB 201, HB 258, HB 298, HB 394, HB 451, HB 463, HB 480, HB 589.**

COMMUNICATIONS AND PETITIONS

Mr. Speaker:

We, your committee on Legislative Administration, having examined the daily journals for the fifty-first, fifty-second, fifty-third, fifty-fourth, and fifty-fifth legislative days, find the same to be correct.

Representative J. Hinkle, Chair

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Noland, Chair): 4/13/2021
SB 320, be amended as follows:

1. Page 4, line 26.

Strike: "equipment, trucks,"

Insert: "vehicles"

2. Page 4, line 28.

Strike: "value" in two places

Insert: "purchase price" in two places

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3. Page 8, line 3.

Strike: "equipment, trucks,"

Insert: "vehicles"

4. Page 8, line 5.

Strike: "value" in two places

Insert: "purchase price" in two places

5. Page 13, line 17.

Strike: "equipment, trucks,"

Insert: "vehicles"

6. Page 13, line 19.

Strike: "value" in two places

Insert: "purchase price" in two places

And, as amended, be concurred in. Report adopted.

EDUCATION (Berglee, Chair):

4/12/2021

SB 243, be concurred in. Report adopted.

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

4/12/2021

SB 81, be concurred in. Report adopted.

SB 134, be concurred in. Report adopted.

SB 147, be concurred in. Report adopted.

SB 183, be amended as follows:

1. Title, line 6.

Following: "LIMITATIONS;"

Strike: "AND"

Following: "PROVISIONS"

Insert: "; AND PROVIDING AN APPLICABILITY DATE"

2. Page 1.

Following: line 27

Insert: "NEW SECTION. Section 3. {standard} Saving clause. [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act]."

Insert: "NEW SECTION. Section 4. Applicability. [This act] applies to bills presented to a customer after [the effective date of this act]."

And, as amended, be concurred in. Report adopted.

SB 213, be concurred in. Report adopted.

SB 237, be concurred in. Report adopted.

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SB 254, be concurred in. Report adopted.

HUMAN SERVICES (Lenz, Chair):

4/12/2021

SB 142, be amended as follows:

1. Page 1, line 13.

Strike: "SEVEN"

Insert: "eight"

2. Page 2, line 16.

Strike: "SEVEN"

Insert: "eight"

3. Page 2, line 18.

Strike: "8 TO 15"

Insert: "9 to 15"

And, as amended, be concurred in. Report adopted.

SB 149, be amended as follows:

1. Page 1, line 22 through line 24.

Strike: subsection (d) in its entirety

Renumber: subsequent subsections

2. Page 2, line 1.

Following: "subsection"

Strike: "(1)(f)"

Insert: "(1)(e)"

And, as amended, be concurred in. Report adopted.

SB 155, be concurred in. Report adopted.

SB 332, be concurred in. Report adopted.

NATURAL RESOURCES (Gunderson, Chair):

4/12/2021

HJR 27, do pass. Report adopted.

STATE ADMINISTRATION (McKamey, Chair):

4/13/2021

SB 232, be concurred in. Report adopted.

TRANSPORTATION (Loge, Chair):

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SB 285, be concurred in. Report adopted.

SB 336, be concurred in. Report adopted.

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REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 39**
Report No. 002, April 12, 2021

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 39** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 39** (reference copy -- salmon) be amended as follows:

1. Page 3, line 26.

Strike: "LICENSED SEXUAL OFFENDER EVALUATORS"

Insert: "licensees of the boards listed in subsection (1) who have been engaged in the practice of evaluating sexual offenders during the last 4 years"

2. Page 4, line 9.

Following: "(3) THE"

Strike: "EDUCATIONAL AND EXPERIENTIAL"

3. Page 4, line 19.

Following: "OFFENDERS"

Strike: "WITHIN THE LAST 4 YEARS"

4. Page 4, line 20.

Following: the second "OFFENDERS"

Insert: ". The provisions of this subsection (3)(b) do not apply when an evaluator is renewing the endorsement"

5. Page 4, line 21.

Strike: "10"

Insert: "2"

6. Page 4, line 20 through line 21.

Strike: "IN" on line 21 through "YEARS" on line 22

7. Page 4, line 22.

Following: "YEARS;"

Strike: "AND"

8. Page 4, line 24.

Following: "TREATMENT"

Insert: "; and

(e) must renew the license endorsement concurrent with the evaluator's professional license"

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For the Senate:

K. Regier, Chair
Hinebauch
Sands

For the House:

Usher, Vice Chair
Kelker
A. Regier

MESSAGES FROM THE SENATE

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

4/9/2021

HB 525, introduced by E. Buttrey

FIRST READING AND COMMITMENT OF BILLS

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

HJR 39, introduced by D. Tenenbaum, referred to Human Services.

MOTIONS

Representative M. Regier moved to reconsider action on **HB 63** and that **HB 63** be placed on second reading on the 71st Legislative Day.

Motion **passed** as follows:

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

Total 80

Nays: Buttrey, Caferro, Farris-Olsen, France, Hamilton, Hayman, Kassmier, Keane, Kortum, Marler, Noland, Olsen, Running Wolf, Stewart Peregoy, Tenenbaum, Whiteman Pena, Windy Boy.

Total 17

Voted absentee: None.

Excused: Greef, Gunderson.

Total 2

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Absent or not voting: Weatherwax.

Total 1

**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 Mercer in the chair.

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

HB 2 - Senate Amendments - Representative Jones moved Senate amendments to **HB 2** be **not** concurred in. Motion carried as follows:

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

Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted absentee: Greef, Gunderson, Aye.

Excused: Greef, Gunderson.

Total 2

Absent or not voting: None.

Total 0

HB 90 - Senate Amendments - Representative Lenz moved Senate amendments to **HB 90** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen,

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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: Greef, Gunderson, Aye.

Excused: Greef, Gunderson.

Total 2

Absent or not voting: None.

Total 0

HB 179 - Senate Amendments - Representative Bedey moved Senate amendments to **HB 179** be concurred in. Motion carried as follows:

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

Total 85

Nays: Duram, Fielder, Galloway, Hill, Hinkle C, Karjala, Kerns, Mitchell, Moore, Phalen, Read, Reksten, Sheldon-Galloway, Skees, Usher.

Total 15

Voted absentee: Greef, Gunderson, Aye.

Excused: Greef, Gunderson.

Total 2

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Absent or not voting: None.

Total 0

HB 331 - Senate Amendments - Speaker Pro Tempore. Knudsen moved Senate amendments to **HB 331** be concurred in. Motion carried as follows:

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

Total 99

Nays: Tenenbaum.

Total 1

Voted absentee: Greef, Gunderson, Aye.

Excused: Greef, Gunderson.

Total 2

Absent or not voting: None.

Total 0

HB 333 - Senate Amendments - Representative Usher moved Senate amendments to **HB 333** be concurred in. Motion carried as follows:

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

Mr. Speaker.

Total 100

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Nays: None.

Total 0

Voted absentee: Greef, Gunderson, Aye.

Excused: Greef, Gunderson.

Total 2

Absent or not voting: None.

Total 0

HR 7 - Majority Leader Vinton moved **HR 7** be adopted.

HR 7 - Representative Windy Boy moved **HR 7**, second reading copy, be amended as follows:

1. Page 2, line 7.

Following: "services"

Insert: ", not to exceed a total of \$10,000,"

Amendment **not** adopted as follows:

Yeas: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, 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 32

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

Total 68

Voted absentee: Greef, Gunderson, No.

Excused: Greef, Gunderson.

Total 2

Absent or not voting: None.

Total 0

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HR 7 - Majority Leader Vinton moved **HR 7** be adopted. 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: Greef, Gunderson, Aye.

Excused: Greef, Gunderson.

Total 2

Absent or not voting: None.

Total 0

SB 272 - Speaker Pro Tempore Knudsen moved **SB 272** be concurred in. Motion carried as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buckley, Buttrey, Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, Mitchell, 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, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kortum, Marler, McKamey, Mercer, Moore, Novak, Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 34

Voted absentee: Greef, Gunderson, Aye.

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Excused: Greef, Gunderson.

Total 2

Absent or not voting: None.

Total 0

SB 301 - Representative Loge moved **SB 301** 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: Greef, Gunderson, Aye.

Excused: Greef, Gunderson.

Total 2

Absent or not voting: None.

Total 0

SB 314 - Representative Berglee moved **SB 314** 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, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, 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

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Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Greef, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Nave, Novak, Olsen, Putnam, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.
Total 36

Voted absentee: Gunderson, Aye; Greef, No.

Excused: Greef, Gunderson.
Total 2

Absent or not voting: None.
Total 0

SB 337 - Representative Loge moved **SB 337** 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: Greef, Gunderson, Aye.

Excused: Greef, Gunderson.
Total 2

Absent or not voting: None.
Total 0

SB 338 - Representative Phalen moved **SB 338** 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,

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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: Greef, Gunderson, Aye.

Excused: Greef, Gunderson.

Total 2

Absent or not voting: None.

Total 0

SB 360 - Representative Duram moved **SB 360** be concurred in. Motion carried as follows:

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

Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 74

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

Total 26

Voted absentee: Greef, Gunderson, Aye.

Excused: Greef, Gunderson.

Total 2

Absent or not voting: None.

Total 0

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SJR 8 - Representative Phalen moved **SJR 8** 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: Greef, Gunderson, Aye.

Excused: Greef, Gunderson.

Total 2

Absent or not voting: None.

Total 0

SJR 10 - Representative Skees moved **SJR 10** be concurred in. Motion carried as follows:

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

Total 87

Nays: Abbott, Dunwell, Farris-Olsen, Hamilton, Hayman, Karjala, Keogh, Kortum, Marler, Tenenbaum, Thane, Weatherwax, Windy Boy.

Total 13

Voted absentee: Greef, Gunderson, Aye.

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Excused: Greef, Gunderson.

Total 2

Absent or not voting: None.

Total 0

SJR 18 - Representative Fielder moved **SJR 18** be concurred in.

SJR 18 - Representative Fielder moved **SJR 18**, second reading copy, be amended as follows:

1. Title, line 7 through line 8.

Strike: "THAT" on line 7 through "CRITERIA" on line 8

2. Page 1.

Following: line 19

Insert: "WHEREAS, in Senate Report 151 of the 96th United States Congress, the Congress instructed that the authority to designate distinct population segments be exercised "sparingly and only when the biological evidence indicates that such action is warranted"; and"

3. Page 1.

Following: line 28

Insert: "WHEREAS, for the purpose of the discrete population segment policy, the United States Fish and Wildlife Service and the National Marine Fisheries Service define "discreteness" as being separated from other populations of the same species by physical, physiological, ecological, or behavioral factors, or as being delimited by international governmental boundaries with significant differences in habitat management, conservation regulations, exploitation control, or regulatory mechanisms, and

WHEREAS, because of the genetic interchange between the Northern Continental Divide, Cabinet-Yaak, and Selkirk grizzly bear recovery zones, and because of the genetic interchange that occurs between grizzly bears crossing the border between the United States and Canada, these three recovery zones should be considered one large interbreeding distinct population segment; and

WHEREAS, delisting efforts for the Greater Yellowstone Grizzly Bear Recovery Zone have been ongoing for 13 years, and the grizzly bear population in the Northern Continental Divide Grizzly Bear Recovery Zone has reached recovery goals and should also be in an ongoing delisting process; and"

4. Page 2, line 1 through page 2, line 15

Strike: "WHEREAS" on line 1 through "conservation" on line 15

Insert: "WHEREAS, delays in the United States Fish and Wildlife Service delisting process create a significant loss of social tolerance among Montanans who are adversely impacted by the continued expansion of grizzly bears"

5. Page 2, line 19 through line 22.

Strike: "in" on line 19 through "plans" on line 22

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Insert: "from the Endangered Species Act and the return of Montana grizzly bears to state management"

6. Page 2, line 24 through line 26.

Strike: "in" on line 24 through "challenges" on line 26

Insert: "across all ranges"

7. Page 2, line 27 through page 3, line 1.

Following: "Legislature" on line 27

Strike: remainder of line 27 through "Montana" on page 3, line 1

Insert: "requests that the United States Fish and Wildlife Service create a statewide distinct population segment that includes all of Montana's grizzly bear recovery zones for the purpose of delisting the bear and returning its management to state control"

8. Page 3, line 6 through line 8.

Strike: "to" on line 6 through "delisting" on line 8

Insert: ", as part of its efforts to return management of Montana's grizzly bears to the state, to exempt the delisting of grizzly bear populations from judicial review"

9. Page 3, line 9 through line 11.

Strike: line 9 through line 11 in their entirety

Amendment adopted as follows:

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

Total 67

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

Total 33

Voted absentee: Greef, Gunderson, Aye.

Excused: Greef, Gunderson.

Total 2

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Absent or not voting: None.

Total 0

SJR 18 - Representative Fielder moved **SJR 18**, as amended, be concurred in. Motion carried as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buckley, Buttrey, Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, 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 68

Nays: Abbott, Bishop, 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 32

Voted absentee: Greef, Gunderson, Aye.

Excused: Greef, Gunderson.

Total 2

Absent or not voting: None.

Total 0

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

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

Total 82

Nays: Bishop, Hamilton, Hayman, Karjala, Kortum, Olsen, Running Wolf, Smith, Stewart Peregoy, Usher, Weatherwax, Whiteman Pena, Windy Boy.

Total 13

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Voted absentee: None.

Excused: Greef, Gunderson.

Total 2

Absent or not voting: Gillette, Keane, Mercer.

Total 3

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 129 passed 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, 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, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 69

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

Total 27

Voted absentee: None.

Excused: Greef, Gunderson.

Total 2

Absent or not voting: France, Smith.

Total 2

HB 146 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, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum,

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Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.
Total 95

Nays: Karjala, Marler, Olsen.
Total 3

Voted absentee: None.

Excused: Greef, Gunderson.
Total 2

Absent or not voting: None.
Total 0

HB 334 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, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.
Total 65

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, 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: Greef, Gunderson.
Total 2

Absent or not voting: None.
Total 0

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SB 201 concurred in as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Caferro, Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, 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, 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 32

Voted absentee: None.

Excused: Greef, Gunderson.

Total 2

Absent or not voting: None.

Total 0

SB 249 concurred in as follows:

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

Total 1

Voted absentee: None.

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Excused: Greef, Gunderson.

Total 2

Absent or not voting: None.

Total 0

SB 265 concurred in 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, 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, 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 63

Nays: Abbott, 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, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 35

Voted absentee: None.

Excused: Greef, Gunderson.

Total 2

Absent or not voting: None.

Total 0

SB 266 concurred in 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, Harvey, Hawk, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Keane, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 71

Nays: Abbott, Bishop, Buckley, Caferro, Dunwell, Farris-Olsen, France, Funk, Hamilton, Hayman, Karjala, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Olsen, Running Wolf, Smith,

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

Total 27

Voted absentee: None.

Excused: Greef, Gunderson.

Total 2

Absent or not voting: None.

Total 0

SB 294 concurred in as follows:

Yeas: Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buckley, Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, 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, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 67

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

Total 31

Voted absentee: None.

Excused: Greef, Gunderson.

Total 2

Absent or not voting: None.

Total 0

SB 328 concurred in as follows:

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

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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: None.

Total 0

Voted absentee: None.

Excused: Greef, Gunderson.

Total 2

Absent or not voting: None.

Total 0

SB 358 concurred in 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, Harvey, Hawk, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Keane, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 69

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

Total 29

Voted absentee: None.

Excused: Greef, Gunderson.

Total 2

Absent or not voting: None.

Total 0

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SB 363 concurred in as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, 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, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 96

Nays: Olsen, Tenenbaum.

Total 2

Voted absentee: None.

Excused: Greef, Gunderson.

Total 2

Absent or not voting: None.

Total 0

SB 364 concurred in as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, 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: None.

Total 0

Voted absentee: None.

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Excused: Greef, Gunderson.

Total 2

Absent or not voting: Jones.

Total 1

SJR 16 concurred in 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, Harvey, Hawk, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Keane, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 69

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

Total 28

Voted absentee: None.

Excused: Greef, Gunderson.

Total 2

Absent or not voting: Caferro.

Total 1

SJR 19 concurred in as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, 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 98

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Nays: None.
Total 0

Voted absentee: None.

Excused: Greef, Gunderson.
Total 2

Absent or not voting: None.
Total 0

REPORTS OF STANDING COMMITTEES

JUDICIARY (Usher, Chair):
SB 219, be concurred in. Report adopted.
SB 220, be amended as follows:

4/13/2021

1. Page 1, line 15.

Following: "use of"

Insert: ":

(i)"

2. Page 1, line 16.

Following: "weapon"

Insert: ";

Following: "or"

Insert: "(ii)"

3. Page 1, line 20.

Following: "judicial officer"

Insert: ":

(i)"

4. Page 1, line 21.

Following: "(1)(b)"

Insert: "(i)"

5. Page 1, line 22.

Following: "\$50,000"

Insert: "; or

(ii) under subsection (1)(b)(ii) shall be imprisoned in the state prison for a term not to exceed 10 years and may be fined an amount not to exceed \$50,000"

And, as amended, be concurred in. Report adopted.

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SB 316, be amended as follows:

1. Title, line 10.

Following: "FUNDS;"

Insert: "PROVIDING FOR RESTORATION DAMAGES;"

2. Page 4.

Following: line 1

Insert: "NEW SECTION. **Section 4. Restoration damages.** (1) Except as provided in subsections (2) and (3), this section applies to civil claims brought in judicial proceedings on behalf of individuals and entities for the recovery of restoration damages to address impacts to real property caused by releases of hazardous or deleterious substances.

(2) Restoration damages may be awarded only for a claim alleging contamination of special use property and may be obtained only in accordance with the definitions and other requirements set forth in this section. The plaintiff bears the burden of proof to show that the property meets the definition of special use property.

(3) Restoration damages may not be awarded or used to alter an interim or final remedial action that has been or will be undertaken on, or will benefit, a special use property pursuant to any of the following authorities:

(a) a federal administrative order issued pursuant to 42 USC 9601, et seq., as of March 27, 2021;

(b) a state administrative order issued pursuant to this part;

(c) a judicially approved consent decree; or

(d) any other interim or final remedial action plan approved by the department pursuant to state statutory or administrative law.

(4) (a) Restoration damages awarded pursuant to subsection (2), exclusive of awards of attorney fees and costs, may be used only to conduct remedial and corrective action necessary to restore the special use property for which the damages were awarded. Restoration must commence within 3 years from the date the judgment is paid or settlement proceeds are received.

(b) If any awarded restoration damages remain after completion of the restoration work, the surplus must be refunded to the defendant. If the defendant is no longer viable or cannot be found, the funds must be remitted to the department.

(5) Any party may request that a court awarding restoration damages also order that those damages be deposited in a segregated trust or escrow account at a commercial bank or trust company to ensure compliance with subsection (4)(a). The plaintiff may create a trust or escrow account to be overseen by a qualified professional to restore the special use property.

(6) Nothing in this section precludes the award of other damages allowed under common law and statute.

(7) As used in this section, the following definitions apply:

(a) "Qualified professional" means a person who possesses sufficient specific education, training, and experience necessary to exercise professional judgement to design and oversee implementation of a restoration plan.

(b) "Restoration damages" means the amount of compensation determined reasonably necessary by a trier of fact to restore a contaminated special use property to its function, use,

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or condition prior to the contamination on which a civil claim is based, unless contamination was present at the time the plaintiff acquired the special use property, in which case the term means the amount of compensation determined necessary by a trier of fact to restore a contaminated special use property to the function, use, or condition that existed at the time the plaintiff acquired the special use property.

(c) "Special use property" means real property contaminated by a release of a hazardous or deleterious substance that is found by a trier of fact to have objectively reasonable personal value to the plaintiff not reflected in the market value of the property or to have unique public, historic, cultural, or religious value not reflected in the market value of the property."

Renumber: subsequent sections

3. Page 4, line 2.

Following: "instruction."

Insert: "(1)"

4. Page 4.

Following: line 3

Insert: "(2) [Section 4] is intended to be codified in Title 75, chapter 10, part 7, and the provisions of Title 75, chapter 10, part 7, apply to [section 4]."

And, as amended, be concurred in. Report adopted.

TAXATION (Beard, Chair):

4/13/2021

HJR 36, do pass. Report adopted.

SB 376, be concurred in. Report adopted.

MOTIONS

Majority Leader Vinton moved the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate to confer on Senate Amendments to **HB 2** and request the Senate to appoint a like committee. Without objection, Speaker Galt appointed:

Representative Jones
Representative Bartel
Representative Caferro

Majority Leader Vinton moved the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on Senate Amendments to **HB 112** and request the Senate to appoint a like committee. Without objection, Speaker Galt appointed:

Representative Fuller
Representative A. Regier
Representative France

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Majority Leader Vinton moved to re-refer **SB 272** to the Appropriations Committee. Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vinton moved the House adjourn until 1:00 p.m., Wednesday, April 14, 2021. Motion carried.

House adjourned at 2:59 p.m.

CAROLYN TSCHIDA
Chief Clerk of the House

WYLIE GALT
Speaker of the House