

**HOUSE JOURNAL
67TH LEGISLATURE
SEVENTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
April 21, 2021

House Chambers
State Capitol

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

Roll Call. All members present, except Representatives Farris-Olsen, C. Hinkle, excused. Quorum present.

BILLS (J. Hinkle, Chair): 4/21/2021

Correctly printed: **HJR 27, HJR 30, HJR 36, HJR 37, HJR 42, HJR 44, HJR 45, HJR 46, HJR 47, SB 44, SB 76, SB 81, SB 147, SB 153, SB 214, SB 232, SB 263, SB 269, SB 285, SB 288, SB 308, SB 326, SB 336, SB 370, SB 376, SB 384, SJR 3, SJR 13.**

Correctly engrossed: **HJR 31, SB 403.**

Correctly enrolled: **HB 26, HB 67, HB 73, HB 90, HB 131, HB 179, HB 179, HB 260, HB 331, HB 333, HB 391, HB 398, HB 445, HB 491, HB 520, HB 549, HB 590, HJR 5, HJR 21.**

Examined by the sponsor and found to be correct: **HB 73, HB 260, HB 331, HB 333, HB 391, HB 398, HB 477, HB 491, HB 549, HB 598, HJR 21.**

Transmitted to the Senate: **HJR 27, HJR 30, HJR 36, SB 44, SB 147, SB 214, SB 263, SB 269, SB 288, SB 308, SB 326, SB 370, SJR 3, SJR 13.**

Signed by the Speaker at 4:00 p.m., April 21, 2021: **HB 73, HB 260, HB 331, HB 333, HB 391, HB 398, HB 477, HB 491, HB 517, HB 549, HB 598, HJR 21.**

Signed by the Chief Clerk of the House at 4:06 p.m., April 21, 2021: **HB 73, HB 260, HB 331, HB 333, HB 391, HB 398, HB 477, HB 491, HB 517, HB 549, HB 598, HJR 21.**

Signed by the President at 6:00 p.m., April 21, 2021: **HB 73, HB 260, HB 331, HB 333, HB 391, HB 398, HB 477, HB 491, HB 517, HB 549, HB 598, HJR 21.**

Signed by the President at 6:15 p.m., April 21, 2021: **HB 129, HB 146, HB 155, HB 170, HB 264, HB 300, HB 334, HB 362, HB 468, HB 574, HB 586, HJR 8, HJR 19.**

Delivered to the Secretary of State at 12:30 p.m., April 21, 2021: **HR 7.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Jones, Chair): 4/21/2021

SB 76, be concurred in. Report adopted.

SB 81, be concurred in. Report adopted.

SB 232, be concurred in. Report adopted.

SB 285, be concurred in. Report adopted.

SB 336, be concurred in. Report adopted.

SB 376, be concurred in. Report adopted.

BUSINESS AND LABOR (Noland, Chair): 4/21/2021

SB 398, be concurred in. Report adopted.

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

JUDICIARY (Usher, Chair):

4/21/2021

HJR 29, do pass. Report adopted.

HJR 31, introduced joint resolution, be amended as follows:

1. Page 2, line 16.

Following: "improve"

Insert: "and fund"

Following: "the"

Insert: "comprehensive and consistent"

Following: "maintenance,"

Insert: "analysis,"

2. Page 2, line 17.

Following: "data"

Strike: "in"

Insert: "at"

3. Page 2, line 17.

Following: "state"

Insert: "and local levels"

And, as amended, do pass. Report adopted.

HJR 34, do pass. Report adopted.

HJR 40, do pass. Report adopted.

HJR 43, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 112**
Report No. 001, April 20, 2021

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 112** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 112** (reference copy -- salmon) be amended as follows:

1. Page 4, line 17 through line 19.

Strike: "ON" on line 17 through "ACTION" on line 19

Insert: "21 days after the date the United States secretary of education files a written report with the proper committees of the United States house of representatives and the United States senate as required by 34 CFR 100.8(c)"

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

For the Senate:

K. Regier, Chair
Howard

For the House:

Fuller, Vice Chair
A. Regier

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 178**
Report No. 001, April 21, 2021

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 178** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 178** (reference copy -- salmon) be amended as follows:

1. Title, line 6.

Following: line 5

Insert: "AMENDING SECTION 6, CHAPTER 462, LAWS OF 2009;"

2. Page 3.

Following: line 13

Insert: "**Section 2.** Section 6, Chapter 462, Laws of 2019, is amended to read:

"**Section 6. Termination.** [~~This act~~ Section 2] terminates June 30, 2023.""

Renumber: subsequent sections

For the Senate:

Kary, Chair
Bennett
Cuffe

For the House:

Bedey, Vice Chair
Bertoglio
Running Wolf

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

4/20/2021

HB 7, introduced by M. Hopkins

HB 9, introduced by M. Hopkins

HB 46, introduced by D. Bedey

HB 181, introduced by K. Zolnikov

HB 578, introduced by T. Moore

HB 602, introduced by M. Stromswold

HB 610, introduced by R. Whiteman Pena

HB 644, introduced by J. Windy Boy

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

House joint resolution concurred in and returned to the House: 4/20/2021

HJR 9, introduced by R. Marshall

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

4/20/2021

HB 5, introduced by L. Jones

HB 6, introduced by M. Hopkins

HB 10, introduced by K. Holmlund

HB 11, introduced by W. McKamey

HB 12, introduced by M. Hopkins

HB 14, introduced by M. Hopkins

HB 92, introduced by K. Kelker

HB 115, introduced by B. Mercer

HB 249, introduced by M. Regier

HB 267, introduced by N. Duram

HB 277, introduced by B. Mercer

HB 495, introduced by M. Caferro

HB 497, introduced by B. Mercer

HB 553, introduced by J. Patelis

HB 640, introduced by M. Hopkins

HB 688, introduced by J. Kassmier

House bills not concurred in and returned to the House: 4/20/2021

HB 255, introduced by L. Brewster

HB 427, introduced by J. Fuller

HB 588, introduced by C. Knudsen

Senate joint resolution passed and transmitted to the House for concurrence: 4/20/2021

SJR 23, introduced by T. Jacobson

HB 178 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 178**:

4/20/2021

Senator Kary, Chair

Senator Bennett

Senator Cuffe

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

SB 191 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **SB 191**:

4/20/2021

Senator C. Smith, Chair
Senator Lynch
Senator Osmundson

FIRST READING AND COMMITMENT OF BILLS

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

HJR 48, introduced by K. Sullivan, J. Carlson, J. Kassmier, E. Kerr-Carpenter, D. Skees, B. Usher, K. Zolnikov, B. Bennett, K. Bogner, P. Flowers, referred to Judiciary.

HJR 49, introduced by J. Gillette, referred to Business and Labor.

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

SJR 23, introduced by T. Jacobson, referred to State Administration.

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 336 passed as follows:

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

Nays: None.

Total 0

Voted absentee: None.

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: None.

Total 0

HB 416 passed as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, 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 96

Nays: Bishop, Olsen.

Total 2

Voted absentee: None.

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: None.

Total 0

HB 423 passed as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Harvey, Hawk, Hayman, Hill, 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, Patelis, Phalen, Putnam, Read, Regier A, 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, Mr. Speaker.

Total 93

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

Nays: Hamilton, Moore, Regier M, Zolnikov.
Total 4

Voted absentee: None.

Excused: Farris-Olsen, Hinkle C.
Total 2

Absent or not voting: Olsen.
Total 1

HB 496 passed as follows:

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

Nays: None.
Total 0

Voted absentee: None.

Excused: Farris-Olsen, Hinkle C.
Total 2

Absent or not voting: None.
Total 0

HJR 27 adopted as follows:

Yeas: Abbott, Anderson, Beard, Bedey, Bertoglio, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Fern, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, 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, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Skees, Smith, Stafman, Stewart Peregoy,

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

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

Total 87

Nays: Bartel, Berglee, Binkley, Fielder, Galloway, Mitchell, Moore, Nave, Regier M, Sheldon-Galloway, Tschida.

Total 11

Voted absentee: None.

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: None.

Total 0

HJR 30 adopted as follows:

Yeas: Abbott, Anderson, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, 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, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 93

Nays: Bartel, Moore, Nave, Regier M, Tschida.

Total 5

Voted absentee: None.

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: None.

Total 0

HJR 36 adopted as follows:

Yeas: Abbott, Beard, Bedey, Bertoglio, Bishop, Brewster, Buckley, Caferro, Curdy, Custer, Dooling, Dunwell, Duram, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Funk, Garner,

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Nave, Noland, Novak, Olsen, Phalen, Putnam, Reksten, Ricci, Running Wolf, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.
Total 77

Nays: Anderson, Bartel, Berglee, Binkley, Buttrey, Carlson, Fuller, Galloway, Lenz, Ler, Moore, Patelis, Read, Regier A, Regier M, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Tschida, Usher.
Total 21

Voted absentee: None.

Excused: Farris-Olsen, Hinkle C.
Total 2

Absent or not voting: None.
Total 0

SB 44 concurred in as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, 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 97

Nays: None.
Total 0

Voted absentee: None.

Excused: Farris-Olsen, Hinkle C.
Total 2

Absent or not voting: Duram.
Total 1

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

SB 147 concurred in as follows:

Yeas: Abbott, Anderson, Bedey, Bertoglio, Binkley, Bishop, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Fern, Fitzgerald, France, Frazer, Funk, Garner, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Loge, Malone, Marler, McKamey, Novak, Phalen, Putnam, Reksten, Running Wolf, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Walsh, Welch, Whiteman Pena, Whitman, Windy Boy.

Total 60

Nays: Bartel, Beard, Berglee, Brewster, Fielder, Fleming, Fuller, Galloway, Gillette, Hill, Hinkle J, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Marshall, Mercer, Mitchell, Moore, Nave, Noland, Olsen, Patelis, Read, Regier A, Regier M, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Tschida, Usher, Vinton, Zolnikov, Mr. Speaker.

Total 37

Voted absentee: None.

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: Weatherwax.

Total 1

SB 214 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, Greef, Gunderson, Hill, 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, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 64

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

Total 34

Voted absentee: None.

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

Excused: Farris-Olsen, Hinkle C.
Total 2

Absent or not voting: None.
Total 0

SB 263 concurred in as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, 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: Farris-Olsen, Hinkle C.
Total 2

Absent or not voting: None.
Total 0

SB 269 concurred in as follows:

Yeas: Abbott, Anderson, Bedey, Berglee, Bertoglio, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Fern, Fitzgerald, Fleming, France, Frazer, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Kortum, Loge, Malone, Marler, McKamey, Moore, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Regier M, Reksten, Ricci, Running Wolf, Sheldon-Galloway, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Usher, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy.
Total 76

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

Nays: Bartel, Beard, Binkley, Duram, Fielder, Fuller, Knudsen R, Lenz, Ler, Marshall, Mercer, Mitchell, Nave, Read, Regier A, Schillinger, Seekins-Crowe, Skees, Tschida, Vinton, Zolnikov, Mr. Speaker.

Total 22

Voted absentee: None.

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: None.

Total 0

SB 288 concurred in as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Carlson, Curdy, Custer, Dooling, Duram, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Olsen, 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 89

Nays: Abbott, Caferro, Dunwell, Fuller, Karjala, Kortum, Marler, Patelis, Tenenbaum.

Total 9

Voted absentee: None.

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: None.

Total 0

SB 308 concurred in as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Duram, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, 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,

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

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: Dunwell, Fuller, Olsen.

Total 3

Voted absentee: None.

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: None.

Total 0

SB 326 concurred in as follows:

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

Total 1

Voted absentee: None.

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: None.

Total 0

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

SB 370 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, Greef, Gunderson, Hill, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave,

Noland, 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, Fern, France, Funk, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Novak, Olsen, Patelis, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 33

Voted absentee: None.

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: None.

Total 0

SJR 3 concurred in as follows:

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

Total 78

Nays: Abbott, Bishop, Curdy, Dunwell, France, Hamilton, Hawk, Hayman, Karjala, Kelker, Keogh, Marler, Olsen, Running Wolf, Stafman, Stewart Peregoy, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 20

Voted absentee: None.

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: None.

Total 0

SJR 13 concurred in as follows:

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

Nays: None.

Total 0

Voted absentee: None.

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: None.

Total 0

**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 Fern in the chair.

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

HB 66 - Senate Amendments - Representative Moore moved Senate amendments to **HB 66** 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,

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, 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

Nays: Fern.

Total 1

Voted absentee: Farris-Olsen, Aye.

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: None.

Total 0

HB 167 - Senate Amendments - Representative Sheldon-Galloway moved Senate amendments to **HB 167** 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 J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 66

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

Total 33

Voted absentee: Farris-Olsen, No.

Excused: Farris-Olsen, Hinkle C.

Total 2

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

Absent or not voting: None.

Total 0

HB 426 - Senate Amendments - Representative Lenz moved Senate amendments to **HB 426** be concurred in. Motion carried as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Custer, Dooling, Dunwell, Duram, Fern, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, 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, Smith, Stromswold, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 71

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

Total 28

Voted absentee: Farris-Olsen, No.

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: None.

Total 0

HB 448 - Senate Amendments - Representative Kassmier moved Senate amendments to **HB 448** 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 J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

Voted absentee: Farris-Olsen, Aye.

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: None.

Total 0

HB 449 - Senate Amendments - Representative Garner moved Senate amendments to **HB 449** 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 J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted absentee: Farris-Olsen, Aye.

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: None.

Total 0

HB 450 - Senate Amendments - Representative Gunderson moved Senate amendments to **HB 450** 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 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,

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

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: Farris-Olsen, Aye.

Excused: Farris-Olsen, Hinkle C.
Total 2

Absent or not voting: Olsen.
Total 1

HB 459 - Senate Amendments - Representative Lenz moved Senate amendments to **HB 459** be concurred in. Motion carried as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hill, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kelker, 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, Smith, Stewart Peregoy, Stromswold,

Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whitman, Zolnikov, Mr. Speaker.
Total 81

Nays: Abbott, Caferro, Farris-Olsen, Funk, Hawk, Hayman, Karjala, Keane, Keogh, Kortum, Marler, Novak, Olsen, Stafman, Sullivan, Tenenbaum, Whiteman Pena, Windy Boy.
Total 18

Voted absentee: Farris-Olsen, No.

Excused: Farris-Olsen, Hinkle C.
Total 2

Absent or not voting: None.
Total 0

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

HB 478 - Senate Amendments - Representative Harvey moved Senate amendments to **HB 478** 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 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 98

Nays: None.
Total 0

Voted absentee: Farris-Olsen, Aye.

Excused: Farris-Olsen, Hinkle C.
Total 2

Absent or not voting: Olsen.
Total 1

HB 479 - Senate Amendments - Representative Sullivan moved Senate amendments to **HB 479** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Bedey, Berglee, Bertoglio, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle 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, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.
Total 93

Nays: Beard, Binkley, Mitchell, Regier M, Sheldon-Galloway, Tschida.
Total 6

Voted absentee: Farris-Olsen, Aye.

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

Excused: Farris-Olsen, Hinkle C.
Total 2

Absent or not voting: None.
Total 0

HB 503 - Senate Amendments - Representative Lenz moved Senate amendments to **HB 503** 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 J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.
Total 99

Nays: None.
Total 0

Voted absentee: Farris-Olsen, Aye.

Excused: Farris-Olsen, Hinkle C.
Total 2

Absent or not voting: None.
Total 0

HB 539 - Senate Amendments - Representative Usher moved Senate amendments to **HB 539** 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 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,

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

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

Total 99

Nays: None.

Total 0

Voted absentee: Farris-Olsen, Aye.

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: None.

Total 0

Representative Buckley assumed the chair.

HB 616 - Senate Amendments - Representative Hopkins moved Senate amendments to **HB 616** 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 J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted absentee: Farris-Olsen, Aye.

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: None.

Total 0

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

HB 632 - Senate Amendments - Representative Garner moved Senate amendments to **HB 632** be **not** concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Bedey, Berglee, Bertoglio, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.
Total 88

Nays: Beard, Binkley, Fielder, Galloway, Hill, Hinkle J, Mitchell, Moore, Read, Sheldon-Galloway, Tschida.
Total 11

Voted absentee: Farris-Olsen, Aye.

Excused: Farris-Olsen, Hinkle C.
Total 2

Absent or not voting: None.
Total 0

HJR 4 - Senate Amendments - Representative Caferro moved Senate amendments to **HJR 4** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Beard, Bedey, Berglee, Bertoglio, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, France, Frazer, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, 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 88

Nays: Bartel, Binkley, Fielder, Fuller, Hill, Mitchell, Read, Regier M, Schillinger, Tschida.
Total 10

Voted absentee: Farris-Olsen, Aye.

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: Lenz.

Total 1

SB 203 - Representative Zolnikov moved **SB 203** be concurred in. Motion carried as follows:

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

Total 81

Nays: Abbott, Curdy, Dunwell, Funk, Hamilton, Hayman, Karjala, Kelker, Keogh, Marler, McKamey, Mercer, Running Wolf, Smith, Stafman, Stewart Peregoy, Thane, Whiteman Pena.

Total 18

Voted absentee: Farris-Olsen, Aye.

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: None.

Total 0

SB 361 - Representative France moved **SB 361** be concurred in.

SB 361 - Representative Ler moved **SB 361**, second reading copy, be amended as follows:

1. Page 1, line 22.

Strike: "shall"

Insert: "may"

2. Page 2, line 4.

Strike: "shall"

Insert: "may"

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

3. Page 2, line 7.

Strike: "one"

Insert: "two"

4. Page 2, line 12.

Strike: "two"

Insert: "one"

5. Page 4, line 9.

Following: "rehabilitation"

Strike: "and good moral character"

Amendment adopted as follows:

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

Total 54

Nays: Abbott, Anderson, Bishop, Buckley, Buttrey, Caferro, Curdy, Custer, Dunwell, Farris-Olsen, Fern, Fitzgerald, France, Funk, Hamilton, Harvey, Hawk, Hayman, Hinkle J, Hopkins, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Malone, Marler, Marshall, McKamey, Nave, Novak, Olsen, Putnam, Running Wolf, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 45

Voted absentee: Farris-Olsen, No.

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: None.

Total 0

SB 361 - Representative France moved **SB 361**, as amended, be concurred in. Motion **failed** as follows:

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

Total 36

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

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

Total 63

Voted absentee: Farris-Olsen, Aye.

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: None.

Total 0

SB 374 - Representative Gist moved **SB 374** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Carlson, Custer, Dooling, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Harvey, Hawk, Hill, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, 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, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 85

Nays: Caferro, Curdy, Dunwell, Hamilton, Hayman, Keane, Kelker, Olsen, Running Wolf, Stewart Peregoy, Weatherwax, Whiteman Pena, Windy Boy.

Total 13

Voted absentee: Farris-Olsen, Aye.

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: France.

Total 1

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

SB 378 - Representative Patelis moved **SB 378** be concurred in. Motion carried as follows:

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

Total 88

Nays: Caferro, Galloway, Hayman, Kortum, Lenz, Marler, Olsen, Phalen, Sheldon-Galloway, Stafman, Whiteman Pena.

Total 11

Voted absentee: Farris-Olsen, Aye.

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: None.

Total 0

SB 392 - Representative Loge moved **SB 392** 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 J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted absentee: Farris-Olsen, Aye.

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: None.

Total 0

SB 395 - Representative Buttrey moved **SB 395** be concurred in. Motion carried as follows:

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

Total 96

Nays: Caferro, Kelker, Windy Boy.

Total 3

Voted absentee: Farris-Olsen, Aye.

Excused: Farris-Olsen, Hinkle C.

Total 2

Absent or not voting: None.

Total 0

SB 396 - Representative Galloway moved **SB 396** 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, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, 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, 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

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

Nays: Fuller, Hill, Putnam.
Total 3

Voted absentee: Farris-Olsen, Aye.

Excused: Farris-Olsen.
Total 1

Absent or not voting: None.
Total 0

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

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, France, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whitman, Zolnikov, Mr. Speaker.
Total 90

Nays: Karjala, Keane, Olsen, Smith, Whiteman Pena, Windy Boy.
Total 6

Voted absentee: None.

Excused: None.
Total 0

Absent or not voting: Buckley, Fitzgerald, Fleming, Funk.
Total 4

REPORTS OF STANDING COMMITTEES

LOCAL GOVERNMENT (Custer, Chair):
SB 403, be amended as follows:

4/20/2021

1. Page 4.
Following: line 10

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

Insert: "COORDINATION SECTION. Section 3. Coordination instruction. If House Bill No. 255 and [this act] are both passed and approved and if both contain a section that amends 7-13-2275, then the sections amending 7-13-2275 are void and 7-13-2275 must be amended as follows:

- "7-13-2275. Procedure relating to ordinances and resolutions -- rates, fees, and charges established.** (1) ~~The ayes and noes must be taken upon the passage~~ voting record of all ordinances or resolutions ~~and entered upon~~ must be entered in the journal of the proceedings of the board of directors. An ordinance or resolution may not be passed or become effective without the affirmative votes of at least a majority of the total members of the board.
- (2) The enacting clause of all ordinances passed by the board must be in these words: "Be it ordained by the board of directors of _____ district as follows:"
- (3) All resolutions and ordinances must be signed by the president of the board and attested by the secretary.
- (4) (a) Except as provided in subsections (5) and (6), prior to the passage or enactment of an ordinance or resolution imposing, establishing, changing, or increasing rates, fees, or charges for services or facilities, the board shall order a public hearing.
- (b) Notice of the public hearing must be published as provided in 7-1-2121. The published notice must contain:
- (i) the date, time, and place of the hearing;
- (ii) a brief statement of the proposed action; and
- (iii) the address and telephone number of a person who may be contacted for further information regarding the hearing.
- (c) The notice must contain an estimate of the amount that the property owner or customer will be charged under the proposed ordinance or resolution and must also be:
- (i) posted to a website operated by the district or, if the district does not operate a website, posted to a website operated by the county or city with territory within the district; or
- (ii) mailed to all persons who own property in the district and to all customers of the district at least 7 days and not more than 30 days prior to the public hearing. ~~The mailed notice must contain an estimate of the amount that the property owner or customer will be charged under the proposed ordinance or resolution.~~
- (d) If the district sends the notice by mail as provided in subsection (4)(c)(ii), the county or counties with territory included in the district shall provide to the district a list that includes the addresses of all persons who own property in the district pursuant to the notice requirements provided in subsection (4)(c)(ii). The county or counties may assess the district a fee not to exceed a total of \$50 for the development and distribution of the list provided for in this subsection (4)(d).
- ~~(d)~~(e) Any interested person, corporation, or company may be present, represented by counsel, and testify at the hearing.
- ~~(e)~~(f) The hearing may be continued by the board as necessary. After the public hearing, the board may, by resolution, impose, establish, change, or increase rates, fees, or charges.
- (5) A public hearing is not required for a cumulative rate increase of less than or equal to 5% within a 12-month period if the board provides notification of the increase to persons

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

within the district on whom the rate will be imposed at least 10 days prior to the passage or enactment of the ordinance or resolution implementing the increase.

- (6) (a) If the establishment of or change in rates, fees, or charges proposed by a regional authority requires the authority to hold a public hearing pursuant to 75-6-326 and requires an increase to the rates, fees, or charges imposed by the district greater than the increase provided in subsection (5) of this section, the board shall:
- (i) mail notice of the public hearing to be held by the authority to all customers of the district system at least 15 days prior to the public hearing; and
 - (ii) provide notification of the change to customers of the district system on whom the increased rates, fees, or charges will be imposed at least 10 days prior to the passage or enactment of the ordinance or resolution implementing the increase.
- (b) The district is not required to hold a public hearing on the increase."

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

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE

on **Senate Bill 354**

Report No. 001, April 20, 2021

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 354** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 354** (reference copy -- salmon) be amended as follows:

1. Title, line 6.

Following: "SIGNAGE;"

Insert: "DEFINING PRESCRIPTIVE EASEMENTS AND PUBLIC ACCESS PRESCRIPTIVE EASEMENTS; PROHIBITING ATTORNEY FEES FOR PLAINTIFFS IN PUBLIC ACCESS PRESCRIPTIVE EASEMENTS;"

2. Page 1, line 12.

Following: "signage."

Insert: "(1)"

3. Page 1, line 13.

Strike: "ensure"

Insert: "notify"

4. Page 1, line 14.

Strike: "understand"

Insert: "of"

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

5. Page 1.

Following: line 14

Insert: "(2) A public access prescriptive easement may not be asserted if a government agency posts signage for more than 5 years that identifies land beyond the sign as private property."

6. Page 1.

Following: line 15

Insert: "NEW SECTION. Section 2. Prescriptive easements -- declaration -- definitions. (1)

Mindful of Article IX, section 7, of the Montana constitution and consistent with 23-2-322(2), the legislature declares that where a dispute exists, the exercise of eminent domain is the preferred constitutional manner in which the recreating public acquires public access easements, rather than confiscation of private property rights in the name of the public by surrogates and nonprofit organizations.

(2) As used in Title 70, unless the context clearly indicates otherwise, the following definitions apply:

(a) "Prescriptive easement" means a right to use the property of another that is acquired by open, exclusive, notorious, hostile, adverse, continuous, and uninterrupted use for a period of 5 years. For the purposes of this definition, the interests of a lessee in an alleged servient tenement are the same as those of the lessor of that alleged servient tenement.

(b) "Public access prescriptive easement" means a prescriptive easement based on public use of private land for the purpose of accessing public land for recreational uses, including but not limited to hunting, fishing, hiking, walking, traveling by horseback, bicycle, or motorized vehicle, and other outdoor-related pleasure activities. The term applies to any type of easement based on public use of private land, including easements claimed under section 2477 of Revised Statutes of the United States and section 32-103, Revised Codes of Montana (1947), that was repealed in 1959."

Insert: "NEW SECTION. Section 3. Public access prescriptive easements -- private attorney general doctrine. The private attorney general doctrine, as adopted by the Montana supreme court, does not apply to a cause of action brought by a party alleging a public access prescriptive easement. Plaintiffs who allege a public access prescriptive easement are not entitled to attorney fees."

Renumber: subsequent sections

7. Page 1, line 17 through line 20.

Following: "waters."

Strike: "(1)" on line 17 through "(2)" on line 20

8. Page 1, line 20.

Following: "easement"

Insert: ", as defined in [section 2],"

9. Page 1, line 21.

Strike: "(a)"

Insert: "(1)"

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

10. Page 1, line 22.

Strike: "(i)"

Insert: "(a)"

Renumber: subsequent subsections

11. Page 1, line 24.

Following: "or"

Insert: "or"

12. Page 1, line 25.

Strike: "(b)"

Insert: "(2)"

13. Page 1, line 25 through line 26.

Strike: "." on line 25 through "(j)" on line 26

14. Page 1, line 26 through page 2, line 14.

Following: "waters" on line 26

Insert: "."

Strike: remainder of line 26 through "property." on page 2, line 14

15. Page 2, line 17.

Following: "in"

Strike: "23-2-312, 23-2-322, and"

16. Page 2, line 20.

Strike: "granted, either by the terms of the grant or by the nature of the enjoyment, to"

Insert: "acquired by"

17. Page 2, line 21.

Following: "purposes"

Insert: ":"

(a)"

18. Page 2, line 22.

Following: "grant"

Insert: "; and

(b) may not be used to grant additional rights and privileges to a successor or assignee unless the successor or assignee is specifically provided for in writing in the grant"

19. Page 2, line 26.

Strike: "Section"

Insert: "Sections"

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

20. Page 2, line 26.

Following: "1"

Insert: "through 3"

21. Page 2, line 26.

Strike: "is"

Insert: "are"

22. Page 2, line 27.

Strike: "section"

Insert: "sections"

23. Page 2, line 27.

Following: the third "1"

Insert: "through 3"

For the Senate:

Hinebauch, Chair
Fitzpatrick

For the House:

Usher, Vice Chair
Berglee

MOTIONS

Majority Leader Vinton moved the Speaker accede to the request of the Senate and be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate to confer on House Amendments to **SB 191**. Without objection, Speaker Galt appointed:

Representative Jones
Representative Bartel
Representative Kerr-Carpenter

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 448** and request the Senate to appoint a like committee. Without objection, Speaker Galt appointed:

Representative Kassmier
Representative Brewster
Representative Sullivan

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 632** and request the Senate to appoint a like committee. Without objection, Speaker Galt appointed:

HOUSE JOURNAL
SEVENTY-FOURTH LEGISLATIVE DAY - APRIL 21, 2021

Representative Garner
Representative Bartel
Representative Keane

Representative Skees moved to reconsider action on **SB 332** and that **SB 332** be placed on Third Reading on the 75th 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, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Malone, Marshall, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Zolnikov, Mr. Speaker.
Total 47

Nays: Abbott, Anderson, Bedey, Bertoglio, Bishop, Buckley, Buttrey, Caferro, Curdy, Custer, Dooling, Dunwell, Farris-Olsen, Fern, France, Frazer, Funk, Garner, Greef, Hamilton, Harvey, Hawk, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Loge, Marler, McKamey, Novak, Olsen, Putnam, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy.
Total 52

Voted absentee: None.

Excused: None.
Total 0

Absent or not voting: Fitzgerald.
Total 1

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vinton moved the House adjourn until 1:00 p.m., Thursday, April 22, 2021.
Motion carried.

House adjourned at 2:50 p.m.

CAROLYN TSCHIDA
Chief Clerk of the House

WYLIE GALT
Speaker of the House