

**SENATE JOURNAL  
67TH LEGISLATURE  
THIRTEENTH LEGISLATIVE DAY**

Helena, Montana  
January 20, 2021

Senate Chambers  
State Capitol

Senate convened at 1:00 p.m. President Blasdel presiding. Invocation by Pastor Steve Bostrom. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**BILLS AND JOURNALS** (Keenan, Chair): 1/20/2021

Correctly printed: **SB 6, SB 11, SB 14, SB 17, SB 26, SB 27, SB 30, SB 41, SB 42, SB 45, SB 55, SB 58, SB 70, SB 72, SB 97, SB 102, SB 118, SB 119, SB 120, SB 121, SB 122, SR 5.**

Correctly engrossed: **SB 4, SB 39, SB 90.**

Transmitted to the House: **SB 1, SB 21, SB 23, SB 24, HB 1.**

**REPORTS OF STANDING COMMITTEES**

**HIGHWAYS AND TRANSPORTATION** (Vance, Chair): 1/19/2021

**SB 3**, do pass.

**SB 9**, do pass.

**SB 74**, introduced bill, be amended as follows:

1. Title, line 6.

Following: line 5

Insert: "OR SYSTEM"

2. Page 2, line 1.

Following: "district"

Strike: "with territory"

Following: "county"

Insert: ", except that an elementary district and high school district that compose a school system under 20-6-312 or 20-6-508 are limited to one representative for the school system. Each representative must be designated by the trustees of the respective school district or school system"

And, as amended, do pass.

**SB 79**, do pass.

Without objection, committee reports were adopted.

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**MESSAGES FROM THE GOVERNOR**

January 15, 2021

The Honorable Mark Blasdel  
President, Montana Senate  
PO Box 200500  
Helena, MT 59620-0500

The Honorable Wylie Galt  
Speaker, Montana House of Representatives  
PO Box 200400  
Helena, MT 59620-0400

Dear President Blasdel and Speaker Galt:

As we continue into this new year, we have an opportunity to work together to advance Montana's interests, making our state more competitive and creating greater opportunities for more Montanans.

Montanans are counting on us to get the job done at this critical juncture, particularly after we have faced such a challenging year.

As we reflect on the last year and look forward to the rest of this one, I would like to address Montanans and members of the Senate and House of Representatives about the state of the state. I propose the State of the State Address be scheduled for Thursday, January 28 at 7 p.m.

I look forward to continuing to work closely with you to advance our shared priorities. My door is always open to you and all Montanans.

Sincerely,

GREG GIANFORTE  
Governor

**MESSAGES FROM THE OTHER HOUSE**

**House bills** passed and transmitted to the Senate for concurrence:

1/19/2021

**HB 21**, introduced by G. Custer  
**HB 33**, introduced by S. Vinton  
**HB 68**, introduced by M. Bertoglio  
**HB 83**, introduced by J. Dooling  
**HB 96**, introduced by D. Hawk

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**HB 62**, introduced by M. Hopkins, requiring adoption by an affirmative roll call vote of two-thirds of each house, passed the House and was transmitted to the Senate with the following vote:

1/19/2021

Yeas - 99

Nays - 0

**FIRST READING AND COMMITMENT OF BILLS**

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

**SB 123**, introduced by K. Regier, referred to Local Government.

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

**HB 21**, introduced by G. Custer, D. Fern (by request of the Local Government Interim Committee), referred to Finance and Claims.

**HB 33**, introduced by S. Vinton (by request of the Education Interim Committee), referred to Education and Cultural Resources.

**HB 62**, introduced by M. Hopkins (by request of the Department of Natural Resources and Conservation and the Office of Budget and Program Planning), referred to Finance and Claims.

**HB 68**, introduced by M. Bertoglio (by request of the Education Interim Committee), referred to Education and Cultural Resources.

**HB 83**, introduced by J. Dooling (by request of the Department of Justice), referred to Highways and Transportation.

**HB 96**, introduced by D. Hawk (by request of the Department of Labor and Industry), referred to Finance and Claims.

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

Majority Leader Smith moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Salomon in the chair.

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

**SB 61** - Senator Flowers moved **SB 61** do pass. Motion carried as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, Mr. President, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn.

Total 49

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Nays: Esp.  
Total 1

Paired: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 62** - Senator Brown moved **SB 62** do pass. Motion carried as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, Mr. President, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn.  
Total 50

Nays: None.  
Total 0

Paired: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 4** - Senator Small moved **SB 4** do pass. Motion carried as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hoven, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, Mr. President, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Webber, Welborn.  
Total 47

Nays: Hinebauch, Howard, Vance.  
Total 3

Paired: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 13** - Senator Cohenour moved **SB 13** do pass. Motion carried as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Ellis, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hoven, Jacobson, Keenan, Lang, Lynch, McClafferty, McGillvray, McNally, Molnar, Morigeau, Mr. President, O'Brien, Osmundson, Pomnichowski, Pope, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Webber, Welborn.

Total 41

Nays: Cuffe, Ellsworth, Esp, Hinebauch, Howard, Kary, Manzella, Regier K, Vance.

Total 9

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 20** - Senator Cohenour moved **SB 20** do pass. Motion carried as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Ellis, Flowers, Fox, Gauthier, Gillespie, Gross, Hoven, Jacobson, Lang, Lynch, McClafferty, McNally, Morigeau, O'Brien, Pomnichowski, Pope, Sales, Salomon, Sands, Small, Sweeney, Tempel, Webber, Welborn.

Total 31

Nays: Cuffe, Ellsworth, Esp, Fitzpatrick, Friedel, Glimm, Hertz, Hinebauch, Howard, Kary, Keenan, Manzella, McGillvray, Molnar, Mr. President, Osmundson, Regier K, Smith C, Vance.

Total 19

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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**SB 53** - Senator Welborn moved **SB 53** do pass. Motion carried as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Mr. President, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn.

Total 48

Nays: Ellis, Morigeau.

Total 2

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 36** - Senator Hertz moved **SB 36** do pass. Motion carried as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, Mr. President, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Smith moved the committee **rise and report**. Motion carried. Committee arose. Senate resumed. President Blasdel presiding.

Chair Salomon moved the Committee of the Whole report be adopted. Report adopted as follows:

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Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, Mr. President, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn.  
Total 50

Nays: None.  
Total 0

Paired: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**SB 6** passed as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, McClafferty, McGillvray, McNally, Molnar, Morigeau, Mr. President, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Sweeney, Tempel, Webber, Welborn.  
Total 46

Nays: Glimm, Manzella, Smith C, Vance.  
Total 4

Paired: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 14** passed as follows:

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Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, Mr. President, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn.  
Total 50

Nays: None.  
Total 0

Paired: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 26** passed as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, Mr. President, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn.  
Total 50

Nays: None.  
Total 0

Paired: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 27** passed as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Morigeau, Mr. President, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn.

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Total 49

Nays: Molnar.  
Total 1

Paired: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 30** passed as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, Mr. President, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn.  
Total 50

Nays: None.  
Total 0

Paired: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 70** passed as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, Mr. President, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn.  
Total 50

Nays: None.  
Total 0

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Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Smith moved that **SB 11** be taken from the second reading board and returned to the Taxation Committee for additional work. The motion passed as follows:

Yeas: Ankney, Bogner, Brown, Cuffe, Ellsworth, Esp, Fitzpatrick, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Manzella, McGillvray, Molnar, Mr. President, Osmundson, Regier K, Sales, Salomon, Small, Smith C, Tempel, Vance, Welborn.

Total 31

Nays: Bennett, Boland, Boldman, Cohenour, Ellis, Flowers, Fox, Gross, Jacobson, Lynch, McClafferty, McNally, Morigeau, O'Brien, Pomnichowski, Pope, Sands, Sweeney, Webber.

Total 19

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Smith moved that **SB 110** be taken from the State Administration Committee and re-referred to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Smith moved that **SB 121** be taken from the Public Health, Welfare, and Safety Committee and re-referred to the Business, Labor, and Economic Affairs Committee. Without objection, so ordered.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

The President announced that, to facilitate the legislature's work schedule, and in consultation with the leadership of the House of Representatives, the legislature will not meet the next few

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Saturdays. A revised calendar will be available once changes are finalized.

Majority Leader Smith moved the Senate adjourn until 1:00 p.m., Thursday, January 21, 2021, the fourteenth legislative day. Motion carried.

Senate adjourned at 1:48 p.m.

MARILYN MILLER  
Secretary of the Senate

MARK BLASDEL  
President of the Senate