

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

Helena, Montana  
January 25, 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):

1/25/2021

Correctly printed: **SB 3, SB 9, SB 68, SB 74, SB 79, SB 96, SB 97, SB 133, SB 134, SB 135, SB 136, SB 137, SB 138, SR 11, HB 45, HB 48, HB 54.**

Correctly engrossed: **SB 101, HB 3.**

Transmitted to the House: **SB 17, SB 31, SB 41, SB 42, SB 45, SB 55, SB 67, SB 69, SB 102.**

**SPECIAL ORDERS OF THE DAY**

Senator Kary introduced the Pages for the coming week:

Sydney Slawter from Bigfork, MT, sponsored by Senator Blasdel  
Bryn Snideman from Glendive, MT, sponsored by Senator Hinebauch

**MESSAGES FROM THE GOVERNOR**

January 25, 2021

The Honorable Mark Blasdel  
President, Montana State Senate  
Helena, MT 59620

Dear President Blasdel:

In accordance with Montana Code Annotated Sections 5-5-301 and -302, I submit to you and the Montana Senate the following board appointments for confirmation:

**Board of Unemployment Insurance Appeals**  
MCA § 2-15-1704

I have appointed the following person to the Unemployment Insurance Appeals Board:

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- Jennifer Iverson, 2209 Lockey Ave., Helena, MT 59601, has been appointed to serve a term commencing January 4, 2021 and ending January 5, 2025. Ms. Iverson fulfills the qualifications of a member of the public and replaces Bruce Campbell whose term expires 1/1/2023.

Please include this transmittal as an addendum to the submission sent on January 14, 2021. Mr. Campbell submitted his resignation on the 15th of January.

I have asked Liane Taylor, my Boards and Appointments Advisor, to coordinate with your office and Legislative Services as these appointments move through the confirmation process. Ms. Taylor can be reached at extension 4405 or by email at [liane.taylor@mt.gov](mailto:liane.taylor@mt.gov).

Thank you for your consideration and service.

Sincerely,

GREG GIANFORTE  
Governor

January 25, 2021

The Honorable Mark Blasdel  
President, Montana State Senate  
Helena, MT 59620

Dear President Blasdel:

In accordance with Montana Code Annotated Section 5-5-302, I submit to you and the Montana Senate the following cabinet appointments for confirmation:

- Department of Public Health and Human Services, Director, Mr. Adam Meier, [ameier.law@gmail.com](mailto:ameier.law@gmail.com), Fort Thomas, Kentucky 41075, whose appointment is effective February 1, 2021.
- Department of Fish, Wildlife and Parks, [Worsech57@gmail.com](mailto:Worsech57@gmail.com), Helena, MT 59601, whose appointment is effective January 21, 2021.

I have included the nominees' resumes, biography, or other qualification documentation for your consideration.

I have asked Liane Taylor, my Boards and Appointments Advisor, and Karli Hill, my Engagements Director, to coordinate with your office and Legislative Services as these appointments move through the confirmation process. Ms. Taylor can be reached at extension 4405 or [liane.taylor@mt.gov](mailto:liane.taylor@mt.gov). Ms. Hill can be reached at extension 4521 or [karli.hill@mt.gov](mailto:karli.hill@mt.gov).

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Thank you for your consideration and service.

Sincerely,

GREG GIANFORTE  
Governor

**MESSAGES FROM THE OTHER HOUSE**

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

1/22/2021

**HB 34**, introduced by F. Smith  
**HB 53**, introduced by J. Hamilton  
**HB 71**, introduced by F. Garner  
**HB 97**, introduced by W. McKamey  
**HB 100**, introduced by D. Hayman  
**HB 108**, introduced by D. Loge  
**HB 133**, introduced by F. Anderson

**FIRST READING AND COMMITMENT OF BILLS**

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

**SB 140**, introduced by K. Regier, J. Ellsworth, referred to Judiciary.

The following Senate bill was introduced and read first time:

**SB 139**, introduced by M. Cuffe.

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

**HB 34**, introduced by F. Smith (by request of the State-Tribal Relations Committee), referred to State Administration.  
**HB 53**, introduced by J. Hamilton (by request of the Department of Revenue), referred to Taxation.  
**HB 71**, introduced by F. Garner (by request of the Commissioner of Political Practices), referred to State Administration.  
**HB 97**, introduced by W. McKamey (by request of the Commissioner of Political Practices), referred to State Administration.  
**HB 100**, introduced by D. Hayman (by request of the Legislative Audit Committee), referred to Education and Cultural Resources.  
**HB 108**, introduced by D. Loge, B. Brown, referred to Fish and Game.  
**HB 133**, introduced by F. Anderson, K. Kelker, W. McKamey, D. Fern, R. Fitzgerald, J. Trebas, D. Bedey, S. Gist, M. Malone, referred to Highways and Transportation.

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**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 Hertz in the chair.

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

**SB 90** - Senator Small moved **SB 90** 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 39** - Senator K. Regier moved **SB 39** do pass.

**SB 39** - Senator K. Regier moved **SB 39**, second reading copy, be amended as follows:

1. Page 3, line 17.

**Following:** "2-15-1734;"

**Insert:** "and"

2. Page 3, line 18 through line 19.

**Following:** "2-15-1741"

**Strike:** "; AND" on line 18 through "COUNSELORS" on line 19

Amendment **adopted** as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch,

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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 39** - As amended, **SB 39** 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 54** - Senator Ellsworth moved **SB 54** 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

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Nays: None.  
Total 0

Paired: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 57** - Senator Pomnichowski moved **SB 57** 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, McNally, Molnar, Morigeau, Mr. President, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Sweeney, Tempel, Webber, Welborn.  
Total 47

Nays: McGillvray, Smith C, Vance.  
Total 3

Paired: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 82** - Senator Fitzpatrick moved **SB 82** do pass. Motion carried 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.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SR 3** - Senator Fitzpatrick moved that the nomination transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 3**. 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 Hertz moved the Committee of the Whole report be adopted. Report adopted 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.

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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 3** 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 9** passed as follows:

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

Total 35

Nays: Boland, Cohenour, Ellis, Flowers, Fox, Jacobson, Manzella, McClafferty, McNally, Molnar, O'Brien, Pomnichowski, Pope, Sands, Webber.

Total 15

Paired: None.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

**SB 68** 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 74** 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

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**SB 79** 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 97** 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

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Smith moved the Senate adjourn until 1:00 p.m., Tuesday, January 26, 2021,

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the seventeenth legislative day. Motion carried.

Senate adjourned at 1:41 p.m.

MARILYN MILLER  
Secretary of the Senate

MARK BLASDEL  
President of the Senate