

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

Helena, Montana  
January 27, 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):

1/27/2021

Correctly printed: **SB 18, SB 33, SB 40, SB 43, SB 56, SB 63, SB 96, SB 104, SB 112, SB 141, SB 142, SB 143, SB 144, SB 145, SB 146, SB 147, SB 148, SB 149, SB 150, SB 151, SJ 3, SR 4, HB 38, HB 60.**

Correctly engrossed: **SB 75, SB 81, SB 108, HB 102.**

Transmitted to the House: **SB 54, SB 57, SB 82, SB 90.**

**REPORTS OF STANDING COMMITTEES**

**BUSINESS, LABOR, AND ECONOMIC AFFAIRS** (Fitzpatrick, Chair):

1/27/2021

**SB 118**, do pass.

**SB 121**, introduced bill, be amended as follows:

1. Page 1, line 12.

Following: "(1)"

Insert: "(a)"

2. Page 1, line 17.

Strike: "Acupuncture"

Insert: "The term"

3. Page 1, line 20.

Strike: "Acupuncture"

Insert: "The term also"

4. Page 1, line 21.

Following: "injection."

Insert: "(b)"

5. Page 1, line 22.

Following: "include"

Insert: ":"

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(i)"

6. Page 1, line 22.

Following: "recommendations"

Strike: ", "

Insert: ";

(ii)"

7. Page 1, line 22.

Following: "exercise,"

Insert: "including but not limited to taiji and qigong;

(iii)"

8. Page 1, line 23.

Strike: "therapies,"

Insert: "therapy, including but not limited to bodywork, tui na, and shiatsu;"

9. Page 1, line 23.

Following: "therapies, and"

Insert: "(iv)"

And, as amended, do pass.

**ENERGY AND TELECOMMUNICATIONS** (Ankney, Chair):

1/26/2021

**SB 59**, do pass.

**SB 81**, introduced bill, be amended as follows:

1. Page 6, line 19.

Strike: "72"

Insert: "75"

2. Page 6, line 21.

Strike: "23"

Insert: "25"

3. Page 6, line 23.

Strike: "95 cents"

Insert: "\$1"

And, as amended, do pass.

**HIGHWAYS AND TRANSPORTATION** (Vance, Chair):

1/26/2021

**SB 38**, introduced bill, be amended as follows:

1. Title, line 7.

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Following: "OF"

Insert: ", AUTHORIZING A MATCH REQUIREMENT FOR, AND PROVIDING FOR DISBURSEMENT OF"

2. Page 1, line 21.

Following: "education."

Insert: "(2) The department may require an applicant to provide a 10% match in cash or donated services to be eligible to receive a grant."

**Renumber:** subsequent subsections

3. Page 1, line 23.

Following: "206."

Insert: "(4) After awarding a grant pursuant to this section, the department shall distribute 50% of the funding to the entity receiving the award with the other 50% to be distributed on receipt by the department of expense receipts and proof of completion of the project for which the money is awarded."

**Renumber:** subsequent subsections

And, as amended, do pass.

**SB 64**, do pass.

**SR 5**, be adopted.

**JUDICIARY** (Regier, Chair):

1/27/2021

**SB 132**, do pass.

Without objection, committee reports were adopted.

**MESSAGES FROM THE OTHER HOUSE**

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

1/26/2021

**HB 136**, introduced by L. Sheldon-Galloway

**HB 140**, introduced by A. Regier

**HB 167**, introduced by M. Regier

**HB 171**, introduced by S. Greef

**FIRST READING AND COMMITMENT OF BILLS**

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

**SB 152**, introduced by B. Hoven, referred to Business, Labor, and Economic Affairs.

**SB 153**, introduced by J. Welborn, referred to Natural Resources.

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**SB 154**, introduced by J. Small, referred to Taxation.

**SB 155**, introduced by T. Jacobson, K. Abbott, D. Ankney, B. Bennett, M. Blasdel, C. Boland, E. Boldman, B. Brown, J. Cohenour, J. Ellis, J. Ellsworth, P. Flowers, G. Frazer, W. Galt, J. Gillette, C. Glimm, J. Gross, S. Hinebauch, D. Kary, K. Kelker, T. Manzella, E. McClafferty, M. McNally, S. Morigeau, S. O'Brien, J. Patelis, J. Pomnichowski, C. Pope, W. Sales, D. Salomon, L. Sheldon-Galloway, J. Small, C. Smith, M. Sweeney, S. Vinton, S. Webber, J. Welborn, K. Zolnikov, referred to Public Health, Welfare and Safety.

The following Senate bills, previously introduced, were referred to committees:

**SB 150**, introduced by D. Sands, referred to Judiciary.

**SB 151**, introduced by D. Sands, referred to Judiciary.

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

**SJ 4**, introduced by J. Ellis, referred to State Administration.

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

**SR 12**, introduced by K. Regier, referred to Judiciary.

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

**HB 136**, introduced by L. Sheldon-Galloway, E. Buttrey, D. Skees, D. Salomon, J. Read, T. McGillvray, D. Howard, K. Regier, C. Smith, M. Blasdel, B. Keenan, C. Glimm, G. Hertz, D. Lenz, W. Galt, S. Berglee, B. Brown, G. Custer, J. Hinkle, K. Holmlund, T. Manzella, W. McKamey, M. Noland, V. Ricci, B. Tschida, S. Hinebauch, S. Gunderson, M. Regier, D. Loge, R. Fitzgerald, F. Anderson, J. Trebas, D. Bartel, C. Knudsen, B. Usher, J. Patelis, S. Vinton, B. Beard, M. Hopkins, F. Fleming, . Duram, J. Fuller, . Knudsen, J. Dooling, K. Bogner, J. Kassmier, T. Moore, S. Greef, B. Ler, B. Phalen, J. Carlson, L. Brewster, B. Mitchell, A. Regier, L. Reksten, P. Fielder, S. Kerns, S. Galloway, S. Gist, E. Hill, J. Schillinger, K. Seekins-Crowe, M. Malone, J. Gillette, C. Hinkle, G. Frazer, M. Binkley, R. Marshall, K. Whitman, M. Bertoglio, referred to Judiciary.

**HB 140**, introduced by A. Regier, D. Skees, K. Regier, D. Lenz, J. Hinkle, M. Noland, B. Tschida, M. Regier, F. Anderson, L. Sheldon-Galloway, S. Vinton, J. Fuller, B. Ler, B. Mitchell, L. Reksten, P. Fielder, S. Galloway, E. Hill, J. Gillette, M. Binkley, referred to Judiciary.

**HB 167**, introduced by M. Regier, J. Gillette, referred to Judiciary.

**HB 171**, introduced by S. Greef, B. Brown, C. Friedel, S. Hinebauch, D. Howard, D. Kary, T. Manzella, K. Regier, D. Salomon, J. Small, C. Smith, referred to Judiciary.

**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 Jacobson in the chair.

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

**SB 114** - Senator Ellsworth moved **SB 114** do pass.

**SB 114** - Senator Ellsworth moved **SB 114**, second reading copy, be amended as follows:

1. Title, line 5.

**Following:** "LIMITATION;"

**Insert:** "PROVIDING FOR ANNUAL INCREASES; PROVIDING RULEMAKING AUTHORITY;"

2. Page 1, line 10.

**Strike:** "\$350,000 in value"

**Insert:** "the value provided in subsection (3)"

3. Page 1, line 16.

**Following:** line 15

**Insert:** "(3) (a) The department of revenue shall adopt administrative rules setting the homestead value limit.

(b) In 2021, the homestead value limit is \$350,000.

(c) The homestead value limit must increase by 4% every calendar year after 2021."

Amendment **adopted** as follows:

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

Total 37

Nays: Boland, Cohenour, Ellis, Gross, Lynch, McClafferty, McNally, Morigeau, Pomnichowski, Pope, Sands, Sweeney, Webber.

Total 13

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 114** - As amended, **SB 114** passed as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth,

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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 101** - Senator C. Smith moved **SB 101** do pass. Motion carried as follows:

Yeas: Ankney, Bogner, Boldman, Brown, Cuffe, Ellsworth, Esp, Fitzpatrick, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McGillvray, Molnar, Morigeau, Mr. President, Osmundson, Regier K, Sales, Salomon, Small, Smith C, Tempel, Vance, Welborn.  
Total 35

Nays: Bennett, Boland, Cohenour, Ellis, Flowers, Fox, Gross, McClafferty, McNally, O'Brien, Pomnichowski, Pope, Sands, Sweeney, Webber.  
Total 15

Paired: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 3** - Senator Osmundson moved **HB 3** be concurred in. Motion carried as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Cohenour, Cuffe, Ellis, Ellsworth, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, McClafferty, McNally, Molnar, Morigeau, Mr. President, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Sweeney, Tempel, Webber, Welborn.  
Total 43

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Nays: Brown, Esp, Glimm, Manzella, McGillvray, Smith C, Vance.

Total 7

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 Jacobson 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.

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 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,

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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 56** 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 96** passed as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Cohenour, Cuffe, Ellis, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Gross, Hertz, Hoven, Howard, Jacobson, Lang, Lynch, McClafferty, McGillvray, McNally, Molnar, Morigeau, Mr. President, O'Brien, Osmundson, Pomnichowski, Pope, Sales, Sands, Small, Sweeney, Tempel, Webber.  
Total 37

Nays: Brown, Ellsworth, Esp, Glimm, Hinebauch, Kary, Keenan, Manzella, Regier K, Salomon, Smith C, Vance, Welborn.



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Total 13

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 112** 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

**MOTIONS**

Majority Leader Smith moved that **HB 102** be taken from the second reading board and referred to the Judiciary Committee. Without objection, so ordered.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Smith moved the Senate adjourn until 1:00 p.m., Thursday, January 28, 2021, the nineteenth legislative day. Motion carried.

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Senate adjourned at 1:43 p.m.

MARILYN MILLER  
Secretary of the Senate

MARK BLASDEL  
President of the Senate