

**SENATE JOURNAL  
67TH LEGISLATURE  
SIXTY-NINTH LEGISLATIVE DAY**

Helena, Montana  
April 12, 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.

Jessica Criss, Miss Montana 2020 and 2021, sang the national anthem.

Roll Call. Forty-nine members present, Senator Manzella excused. Quorum present.

Jack Racicot, a prior Senate employee injured during the 2019 session, thanked the Senate for its support during the past two years. As a fundraiser for expenses incurred by Mr. Racicot, members of the Montana Auctioneers Association auctioned off two American flags to members of the Senate. Both flags carried authentication of having flown over the state Capitol.

**BILLS AND JOURNALS** (Keenan, Chair):

4/12/2021

Correctly printed: **SR 95, SR 97, SR 98, SR 99, HB 188, HB 276, HB 300, HB 302, HB 365, HB 397, HB 423, HB 445, HB 449, HB 462, HB 475, HB 476, HB 479, HB 501, HB 517, HB 539, HB 578, HJ 8.**

Correctly engrossed: **HB 230, HB 450.**

Transmitted to the House: **HB 525.**

Signed by the Secretary of the Senate at 8:15 a.m., April 12, 2021: **SB 215, SB 226, SB 277.**

Signed by the President at 10:30 a.m., April 12, 2021: **SB 215, SB 226, SB 277.**

Signed by the Speaker at 11:40 a.m., April 12, 2021: **SB 169.**

Delivered to the Governor for signature at 12:10 p.m., April 12, 2021: **SB 169.**

**REPORTS OF STANDING COMMITTEES**

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

4/9/2021

**HB 472**, be amended as follows:

1. Page 1, line 16.

Strike: "actual damages"

Insert: "money damages in the amount of any ascertainable loss of money or property"

2. Page 1, line 17.

Following: "may"

Insert: "not award punitive damages but may"

3. Page 1, line 17.

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Following: "times the"  
Strike: "actual damages"  
Insert: "money damages in the amount of any ascertainable loss of money or property"

4. Page 1, line 25.  
Following: "more."  
Insert: "Attorney fees are limited to no more than \$250 an hour."

And, as amended, be concurred in.

**HB 593**, be amended as follows:

1. Page 4, line 1.  
Following: "~~(11)~~"  
Insert: ""Electrologist" means a person licensed under this chapter to engage in the practice of electrology.  
(12)"

2. Page 4, line 8 through line 9.  
Strike: subsection (12) in its entirety

3. Page 9, line 5.  
Following: "~~not~~"  
Strike: "temporarily"

4. Page 9, line 5.  
Strike: the first "<sub>1</sub>"  
Insert: "or"

5. Page 9, line 5.  
Following: "shop<sub>2</sub>"  
Strike: "OR booth"

6. Page 9, line 5.  
Strike: "without"  
Insert: "with"

7. Page 9, line 6.  
Following: "license"  
Insert: "or a temporary operating permit"

8. Page 9, line 11.  
Following: "may"  
Insert: "not"  
Following: "booth"  
Insert: "without a booth rental"

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Following: "rental"

Strike: "with a"

9. Page 9, line 11 through line 12.

Strike: "as" on line 11 through "39-51-204" on line 12

10. Page 13, line 27.

Strike: "a course of study of 650 hours"

Insert: "teacher training"

11. Page 13, line 28.

Strike: "teaching"

Insert: "teacher training"

12. Page 14, line 8.

Strike: "practice"

Insert: "teach"

13. Page 18, line 10.

Strike: the first "1"

Insert: "or"

14. Page 18, line 10.

Following: "shops<sub>1</sub>"

Strike: "booths, AND schools"

15. Page 18, line 12.

Strike: "1"

Insert: "or"

16. Page 18, line 14.

Following: "licensee"

Insert: "or school"

17. Page 18, line 16.

Strike: the first "1"

Insert: "or"

18. Page 18, line 16.

Following: "salon"

Strike: ", booth, room, or school"

19. Page 18, line 18.

Strike: the first "1"

Insert: "or"

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20. Page 18, line 18.

Following: "shop"

Strike: ", booth, room, or school"

21. Page 18, line 21.

Strike: the first "₁"

Insert: "or"

22. Page 18, line 21.

Following: "salon"

Strike: ", booth, room, or school"

23. Page 18, line 23.

Strike: the first "₁"

Insert: "or"

24. Page 18, line 23.

Following: "salon"

Strike: ", booth, room, or school"

25. Page 18, line 25.

Strike: the first "₁"

Insert: "or"

26. Page 18, line 25 through line 26.

Following: "shop" on line 25

Strike: remainder of line 15 through the first "school" on line 26

27. Page 18, line 26.

Following: "salon"

Strike: "₁"

Insert: "or"

28. Page 18, line 26.

Following: "shop"

Strike: ", booth, room, or school"

29. Page 18, line 27.

Strike: the first "₁"

Insert: "or"

30. Page 18, line 27.

Following: "shop"

Strike: ", booth, room, or school and the"

31. Page 18, line 27.

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Strike: ", ~~or~~-manager, or operator"  
Insert: "or manager"

32. Page 18, line 28.  
Following: "salon"  
Strike: " "  
Insert: "or"

33. Page 19, line 1.  
Following: "shop"  
Strike: ", booth, room, or school"

34. Page 19, line 5.  
Strike: the first " "  
Insert: "or"

35. Page 19, line 5.  
Following: "shop"  
Strike: ", booth, room, or school"

And, as amended, be concurred in.

**FINANCE AND CLAIMS** (Osmundson, Chair):  
**HB 7**, be concurred in.  
**HB 9**, be concurred in.

4/12/2021

**JUDICIARY** (Regier, Chair):  
**HB 358**, be amended as follows:

4/9/2021

1. Page 2, line 6.  
**Following:** "through"  
**Strike:** "6"  
**Insert:** "4"

2. Page 2, line 8.  
Strike: "government"  
Insert: "governmental"

3. Page 2, line 9.  
**Following:** "COMPENSATION"  
**Strike:** "damages"

4. Page 3, line 10.  
**Following:** "of the"  
**Insert:** "alleged"

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5. Page 3, line 21.

**Following:** "(5)"

**Insert:** "(a)"

6. Page 3, line 23.

**Following:** "know."

**Insert:** "(b)"

7. Page 3, line 24.

**Following:** "(1)(E)"

**Strike:** "."

**Insert:** ", except in the rare instance in which:

(i) disclosure of information required to be reported by subsection (1)(c) or (1)(e) would lead to a violation of an individual's right to privacy; and

(ii) the right to privacy arising as a result of the claim outweighs the public right to know.

(c) No privacy interest may overcome the public right to know with respect to the duty to report the information in subsections (1)(b) and (1)(d)."

8. Page 3, line 28.

**Strike:** "PURSUANT TO 2-9-303(1)(B)"

**Insert:** "when monetary compensation is utilized to settle or compromise claims"

9. Page 3, line 28 through page 4, line 1.

**Following:** "DOCUMENTS" on page 3, line 28

**Strike:** "FROM THE" on page 3, line 28 through "STATE" on page 4, line 1

**Insert:** "signed by an appropriate official, including"

10. Page 4, line 2.

**Strike:** "CERTIFYING"

**Insert:** "a statement"

11. Page 4, line 4.

**Strike:** "DESCRIBING"

**Insert:** "a detailed description of"

**Following:** "THE"

**Insert:** "alleged"

12. Page 4, line 5 through line 6.

**Strike:** "AND" on line 5 through "SETTLE" on line 6

**Insert:** ", and the state's defenses, including legal and factual defenses at issue in"

13. Page 4, line 13 through line 14.

**Strike:** "agency" on line 13 through "attached" on line 14

**Insert:** "governmental"

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14. Page 4, line 14.  
Strike: "capturing:"

15. Page 4, line 15 through line 21.  
Strike: "(A)" on line 15 through "filed" on line 21  
Insert: "disclosing all civil claims or complaints, including the identity of the court or entity of the state where the complaint is filed, received by or for which service of process has been perfected with initial demands seeking \$10,000 or more in monetary compensation, exclusive of initial demands made in mediations or settlement conferences in which court rules or orders preclude disclosure of demands"

16. Page 4, line 22.  
Strike: "SUBSECTION (1)(B)"  
Insert: "this section"

17. Page 4.  
Following: line 23  
Insert: "(3) Claims for injunctive relief need not be reported as claims seeking monetary compensation.  
(4) Demands deemed to be frivolous by governmental entities need not be reported under this section, and judicial review is not available to challenge any such determination made by a governmental entity. If a governmental entity does not disclose a claim or complaint in a quarterly report because the claim is deemed to be frivolous, the governmental entity shall disclose the number of claims or complaints not disclosed under the exemption in this subsection."

18. Page 5, line 9 through line 10.  
Strike: "that" on line 9 through "beneficial" on line 10  
Insert: "at issue"

And, as amended, be concurred in.

**HB 481**, be amended as follows:

1. Page 1, line 25.  
Following: "piping,"  
Insert: "and"

2. Page 1, line 26.  
Following: "facility"  
Strike: ", and natural gas production facilities"

3. Page 2, line 15.  
Following: "oil or"  
Insert: "natural"

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4. Page 3, line 6.

Strike: "or enters"

Insert: "on"

5. Page 3, line 7 through line 13.

Strike: subsections (a) and (b) in their entirety

Insert: "(a) that is completely enclosed by a fence or other physical barrier that is obviously designed to exclude intruders with intent to willfully damage, destroy, vandalize, deface, tamper with equipment, or materially impede or inhibit operations of the facility shall, on conviction, be guilty of a felony punishable by a fine of not more than \$4,500 or by imprisonment for not more than 18 months or both; and

(b) that is clearly marked with a sign or signs that are posted on the property that indicate that entry is forbidden without site authorization with intent to willfully damage, destroy, vandalize, deface, tamper with equipment, or materially impede or inhibit operations of the facility shall, on conviction, be guilty of a felony punishable by a fine of not more than \$4,500 or by imprisonment for not more than 18 months or both."

6. Page 3, line 15 through line 16.

Following: "facility" on line 15

Strike: "shall" on line 15 through "both." on line 16

Insert: ":

(a) causing less than \$1,500 in damages shall, on conviction, be guilty of a misdemeanor and may be incarcerated for any term not to exceed 6 months or be fined an amount not to exceed \$500, or both, and must be ordered to make restitution in an amount and manner to be set by the court; and

(b) causing damages greater than \$1,500 shall, on conviction, be guilty of a felony punishable by a fine of not more than \$150,000 or by imprisonment for not more than 30 years, or both."

7. Page 3, line 17.

Strike: "a conspirator"

Insert: "in a conspiracy, as the term is used in 45-4-102,"

8. Page 3, line 18.

Strike: "shall"

Insert: "may"

9. Page 3, line 18.

Strike: "that is"

Insert: "up to"

10. Page 3, line 22.

Following: "facility"

Insert: "that is completely enclosed by a fence or other physical barrier that is obviously designed to exclude intruders, or that is clearly marked with a sign or signs that are posted on the property that indicate that entry is forbidden without authorization, and enters with intent to willfully damage, destroy, vandalize, deface, tamper with equipment, or impede or inhibit operations of the facility"



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11. Page 3, line 24.

Following: "that"

Insert: "directs a person to trespass as described in subsection (1),"

And, as amended, be concurred in.

**HB 537**, be amended as follows:

1. Page 1.

Following: line 21

Insert: "**Section 2.** Section 2-4-702, MCA, is amended to read:

- "2-4-702. (Temporary) Initiating judicial review of contested cases.** (1) (a) Except as provided in 75-2-213 and 75-20-223, a person who has exhausted all administrative remedies available within the agency and who is aggrieved by a final written decision in a contested case is entitled to judicial review under this chapter. This section does not limit use of or the scope of judicial review available under other means of review, redress, relief, or trial de novo provided by statute.
- (b) A party who proceeds before an agency under the terms of a particular statute may not be precluded from questioning the validity of that statute on judicial review, but the party may not raise any other question not raised before the agency unless it is shown to the satisfaction of the court that there was good cause for failure to raise the question before the agency.
- (2) (a) Except as provided in 75-2-211, 75-2-213, and subsections (2)(c) and (2)(e) of this section, proceedings for review must be instituted by filing a petition in district court within 30 days after service of the final written decision of the agency or, if a rehearing is requested, within 30 days after the written decision is rendered. Except as otherwise provided by statute ~~or~~, subsection (2)(d), or subsection (2)(e), the petition must be filed in the district court for the county where the petitioner resides or has the petitioner's principal place of business or where the agency maintains its principal office. Copies of the petition must be promptly served upon the agency and all parties of record.
- (b) The petition must include a concise statement of the facts upon which jurisdiction and venue are based, a statement of the manner in which the petitioner is aggrieved, and the ground or grounds specified in 2-4-704(2) upon which the petitioner contends to be entitled to relief. The petition must demand the relief to which the petitioner believes the petitioner is entitled, and the demand for relief may be in the alternative.
- (c) If a petition for review is filed pursuant to 33-16-1012(2)(c), the workers' compensation court, rather than the district court, has jurisdiction and the provisions of this part apply to the workers' compensation court in the same manner as the provisions of this part apply to the district court.
- (d) If a petition for review is filed challenging a licensing or permitting decision made pursuant to Title 75 or Title 82, the petition for review must be filed in the county where the facility is located or proposed to be located or where the action is proposed to occur.
- (e) (i) A party who is aggrieved by a final decision on an application for a permit or change in appropriation right filed under Title 85, chapter 2, part 3, may petition the district court or

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the water court for judicial review of the decision. If a petition for judicial review is filed in the water court, the water court rather than the district court has jurisdiction and the provisions of this part apply to the water court in the same manner as they apply to the district court. The time for filing a petition is the same as provided in subsection (2)(a).

- (ii) If more than one party is aggrieved by a final decision on an application for a permit or change in appropriation right filed under Title 85, chapter 2, part 3, the district court where the appropriation right is located has jurisdiction. If more than one aggrieved party files a petition but no aggrieved party files a petition in the district court where the appropriation right is located, the first judicial district, Lewis and Clark County, has jurisdiction.
- (iii) If a petition for judicial review is filed in the district court, the petition for review must be filed in the district court in the county where the appropriation right is located.
- (3) Unless otherwise provided by statute, the filing of the petition may not stay enforcement of the agency's decision. The agency may grant or the reviewing court may order a stay upon terms that it considers proper, following notice to the affected parties and an opportunity for hearing. A stay may be issued without notice only if the provisions of 27-19-315 through 27-19-317 are met.
- (4) Within 30 days after the service of the petition or within further time allowed by the court, the agency shall transmit to the reviewing court the original or a certified copy of the entire record of the proceeding under review. By stipulation of all parties to the review proceedings, the record may be shortened. A party unreasonably refusing to stipulate to limit the record may be required by the court to pay the additional costs. The court may require or permit subsequent corrections or additions to the record. (Terminates September 30, 2025--sec. 6, Ch. 126, L. 2017.)

**2-4-702. (Effective October 1, 2025) Initiating judicial review of contested cases.** (1) (a) Except as provided in 75-2-213 and 75-20-223, a person who has exhausted all administrative remedies available within the agency and who is aggrieved by a final written decision in a contested case is entitled to judicial review under this chapter. This section does not limit use of or the scope of judicial review available under other means of review, redress, relief, or trial de novo provided by statute.

- (b) A party who proceeds before an agency under the terms of a particular statute may not be precluded from questioning the validity of that statute on judicial review, but the party may not raise any other question not raised before the agency unless it is shown to the satisfaction of the court that there was good cause for failure to raise the question before the agency.
- (2) (a) Except as provided in 75-2-211, 75-2-213, and subsection (2)(c) of this section, proceedings for review must be instituted by filing a petition in district court within 30 days after service of the final written decision of the agency or, if a rehearing is requested, within 30 days after the written decision is rendered. Except as otherwise provided by statute or subsection (2)(d), the petition must be filed in the district court for the county where the petitioner resides or has the petitioner's principal place of business or where the agency maintains its principal office. Copies of the petition must be promptly served upon the agency and all parties of record.
- (b) The petition must include a concise statement of the facts upon which jurisdiction and venue are based, a statement of the manner in which the petitioner is aggrieved, and the ground or grounds specified in 2-4-704(2) upon which the petitioner contends to be entitled to relief. The petition must demand the relief to which the petitioner believes the petitioner is entitled,

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- and the demand for relief may be in the alternative.
- (c) If a petition for review is filed pursuant to 33-16-1012(2)(c), the workers' compensation court, rather than the district court, has jurisdiction and the provisions of this part apply to the workers' compensation court in the same manner as the provisions of this part apply to the district court.
  - (d) If a petition for review is filed challenging a licensing or permitting decision made pursuant to Title 75 or Title 82, the petition for review must be filed in the county where the facility is located or proposed to be located or where the action is proposed to occur.
  - (3) Unless otherwise provided by statute, the filing of the petition may not stay enforcement of the agency's decision. The agency may grant or the reviewing court may order a stay upon terms that it considers proper, following notice to the affected parties and an opportunity for hearing. A stay may be issued without notice only if the provisions of 27-19-315 through 27-19-317 are met.
  - (4) Within 30 days after the service of the petition or within further time allowed by the court, the agency shall transmit to the reviewing court the original or a certified copy of the entire record of the proceeding under review. By stipulation of all parties to the review proceedings, the record may be shortened. A party unreasonably refusing to stipulate to limit the record may be required by the court to pay the additional costs. The court may require or permit subsequent corrections or additions to the record.""

Renumber: subsequent sections

And, as amended, be concurred in.

**HB 553**, be amended as follows:

- 1. Title, line 5 through line 6.  
Strike: "PROVIDING" on line 5 through "SENTENCES;" on line 6
- 2. Title, line 6.  
Strike: "SECTIONS"  
Insert: "SECTION"
- 3. Title, line 7.  
Following: "46-18-201"  
Strike: "AND 46-18-208"
- 4. Title, line 7 through line 8.  
Strike: "IMMEDIATE" on line 7 through "RETROACTIVE" on line 8
- 5. Page 1, line 27.  
Following: "b"  
Insert: "(i)"
- 6. Page 1, line 27.  
Strike: "A"  
Insert: "Except as provided in subsections (2)(b)(ii) and (2)(b)(iii), a"

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7. Page 1, line 28.

Following: "community"

Insert: "as a probationer"

8. Page 2, line 2.

Strike: "(j)"

Insert: "(A)"

9. Page 2.

Following: line 2

Insert: "(B) 20 years for an offender convicted of deliberate homicide, as defined in 45-5-102, or mitigated homicide, as defined in 45-5-103;"

10. Page 2, line 3.

Strike: "(ii)"

Insert: "(C)"

Following: "46-23-502"

Insert: ", and for an offender convicted of negligent homicide, as defined in 45-5-104, or vehicular homicide while under the influence, as defined in 45-5-106"

11. Page 2, line 4.

Strike: "(iii)"

Insert: "(D)"

12. Page 2, line 6.

Strike: "(iv)"

Insert: "(E)"

13. Page 2.

Following: line 6

Insert: "(ii) The provisions of subsections (2)(b)(i)(A) and (2)(b)(i)(B) do not apply if the sentencing judge finds that a longer term of supervision is needed for the protection of society or the victim. The sentencing judge shall state as part of the sentence and the judgment the reasons a longer suspended sentence is needed to protect society or the victim.

(iii) The provisions of subsections (2)(b)(i)(A) and (2)(b)(i)(B) do not apply to violations of 45-6-301 if the amount of restitution ordered exceeds \$50,000."

14. Page 5, line 4 through page 6, line 21.

Strike: sections 2 through 4 in their entirety

Insert: "NEW SECTION. Section 2. {standard} **Saving clause.** [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act]."

Insert: "Coordination SECTION. Section 3. Coordination instruction. If both House Bill No. 391 and [this act] are passed and approved, then [section 1(2)(b)(i)(C) of this act], amending

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46-18-201, must read as follows:

"(C) 15 years for a violent offender, as defined in 46-23-502, an offender convicted of negligent homicide, as defined in 45-5-104, vehicular homicide while under the influence, as defined in 45-5-106, or criminal distribution of dangerous drugs that results in the death of an individual from use of the dangerous drug, as provided in 45-9-101(5);"

Insert: "NEW SECTION. Section 4. Applicability. [This act] applies to crimes committed on or after [the effective date of this act]. "

And, as amended, be concurred in.

**HB 559**, be amended as follows:

1. Page 2, line 8.

Following: "acquittal,"

Insert: "or if the disclosure may be in the public interest,"

2. Page 2, line 16.

Following: "(A)"

Insert: "make reasonable efforts to"

Following: "to a"

Insert: "victim of the alleged offense and any"

3. Page 2, line 16.

Following: "with a"

Insert: "protected"

4. Page 2, line 25.

Strike: "60"

Insert: "30 calendar"

5. Page 4, line 7.

**Following:** "acquittal,"

**Insert:** "or if the disclosure may be in the public interest,"

6. Page 4, line 15.

**Following:** "(A)"

**Insert:** "make reasonable efforts to"

**Following:** "to a"

**Insert:** "victim of the alleged offense and any"

7. Page 4, line 15.

**Following:** "with a"

**Insert:** "protected"

8. Page 4, line 24.

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**Strike:** "60"

**Insert:** "30 calendar"

And, as amended, be concurred in.

**STATE ADMINISTRATION** (Kary, Chair):  
**HB 277**, be amended as follows:

4/9/2021

1. Title, line 7.

Following: "PRODUCE"

Strike: "3-YEAR"

2. Title, line 8 through line 10.

Strike: "ALLOWING" on line 8 through "LEGISLATION;" on line 10

3. Title, line 10 through line 11.

Strike: "REPEALING" on line 10 through "PROCESS;" on line 11

4. Title, line 12.

Strike: "SECTIONS"

Insert: "SECTION"

5. Title, line 12 through line 13.

Strike: "17-7-111," on line 12 through "17-7-123," on line 13

6. Page 1, line 18.

Strike: "8"

Insert: "7"

7. Page 1, line 23 through line 28.

Strike: "state" on line 23 through "(c)" on line 28

8. Page 1, line 28.

Following: "a"

Strike: "multiyear"

9. Page 1, line 28 through page 2, line 1.

Following: "measures" on line 28

Strike: remainder of line 28 through "allow" on page 2, line 1

Insert: "allows"

10. Page 2, line 2.

Strike: "departments intend"

Insert: "a department intends"

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11. Page 2, line 2 through line 3.

Strike: "any" on line 2 through "accomplish," on line 3

12. Page 2, line 3.

Following: the first "and"

Insert: "creates a basis to evaluate"

Following: "has"

Strike: "successfully and optimally"

13. Page 2, line 4.

Following: line 3

Strike: "long-range"

14. Page 2, line 5.

Strike: "(d)"

Insert: "(b)"

**Renumber:** subsequent subsections

15. Page 2, line 5 through line 6.

Following: "that" on line 5

Strike: remainder of line 5 through line 6 in their entirety

16. Page 2, line 8.

Strike: "."

Insert: ";

17. Page 2, line 8 through line 10.

Strike: "." on line 8

Insert: ";

Strike: remainder of line 8 through line 10 in their entirety

18. Page 2, line 13.

Strike: "measuring"

Insert: "establishing"

19. Page 2, line 13 through line 14.

Strike: "whether" on line 13 through "efficiently" on line 14

Insert: "performance measures"

20. Page 2, line 14.

Strike: "would"

Insert: "can"

21. Page 2, line 14.

Following: "coordination,"

Insert: "better understand resource needs, determine whether programs are operating efficiently,"

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22. Page 2, line 15.

Strike: "better"

Insert: "superior"

23. Page 2, line 15 through line 25.

Strike: ";" on line 15 through "public" on line 25

24. Page 2, line 26.

Strike: "8"

Insert: "7"

25. Page 2, line 27.

Strike: the first "and"

Insert: "that"

26. Page 2, line 27.

Following: "that"

Insert: "results in the development of performance measures"

27. Page 2, line 27.

Strike: "provide for more cost-effective,"

Insert: "facilitate"

28. Page 2, line 27.

Following: "efficient,"

Insert: "transparent, accountable,"

29. Page 2, line 27 through line 28.

Strike: "by" on line 27 through the second "and" on line 28

Insert: "with annual performance reports to"

30. Page 3, line 3.

Strike: "8"

Insert: "7"

31. Page 3, line 6.

Strike: "long-range"

Insert: "established"

32. Page 3, line 10 through line 13.

Strike: subsection (4) in its entirety

Insert: "(4) "Mission and vision statement" means a written statement describing a department's purpose, what it intends to do, and whom it intends to serve."

33. Page 3, line 14.



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Following: "written"  
Insert: "or electronic"  
Following: "designed"  
Strike: "as an indicator"

34. Page 3, line 14 through line 15.  
Strike: "assess" on line 14 through "department" on line 15  
Insert: "assess what a department aspires to achieve"

35. Page 3, line 15.  
Following: "published"  
Strike: "long-range"

36. Page 3, line 17.  
Following: "quantitative."  
Insert: "Performance measures are intended to focus on a department's efforts in implementing legislative intent, prioritizing goals and objectives, and allocating resources."  
(6) "Strategic plan" means a written plan prepared by a department that contains the mission and vision statement, goals, and objectives that a department intends to accomplish, that is used to guide the ongoing and proposed activities of a department with performance measures for tracking success in meeting goals and objectives, that is revised regularly, and that remains in effect until replaced or revised."

37. Page 3, line 19.  
Strike: "**Long-range strategic**"  
Insert: "**Strategic**"

38. Page 3, line 20.  
Following: "a"  
Strike: "long-range"

39. Page 3, line 20 through line 21.  
Strike: the first "to" on line 20 through "years" on line 21

40. Page 3, line 22.  
Following: "a"  
Strike: "long-range"

41. Page 3, line 23.  
Following: "subsequent"  
Strike: "long-range"

42. Page 3, line 23.  
Strike: "on"  
Insert: "no later than"

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43. Page 3, line 24.

Strike: "on"

Insert: "no later than"

44. Page 3, line 25 through line 27.

Strike: subsection (3) in its entirety

Renumber: subsequent subsections

45. Page 3, line 28.

Strike: "long-range"

Insert: "department's"

46. Page 4, line 1.

Following: "mission"

Insert: "and vision"

47. Page 4, line 1 through line 2.

Strike: ", which" on line 1 through "department" on line 2

48. Page 4, line 3.

Following: "department"

Insert: ", including a discussion of the department's priorities"

49. Page 4, line 4.

Following: "benefits"

Insert: "and outcomes"

50. Page 4, line 5.

Following: "groups"

Strike: "that extend at least 3 years into the future"

51. Page 4, line 6 through line 14.

Strike: "developed" on line 6 through "plan" on line 14

52. Page 4, line 15.

Strike: "(6)"

Insert: "(4)"

53. Page 4, line 15.

Following: "(6)"

Strike: "(a)"

Following: "department's"

Strike: "long-range"

54. Page 4, line 17 through line 19.

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Strike: subsection (b) in its entirety

55. Page 4, line 20.

Strike: "(c)"

Insert: "(5)"

Following: "subsequent"

Strike: "long-range"

56. Page 4, line 20.

Strike: "the"

Insert: "a"

57. Page 4, line 21.

Strike: "(i)"

Insert: "(a)"

58. Page 4, line 21 through line 22.

Strike: "long-range" on line 21 through line 22

59. Page 4, line 23.

Strike: "(A)"

Insert: "(i)"

60. Page 4, line 24.

Strike: "(B)"

Insert: "(ii)"

61. Page 4, line 24.

Following: "proposed"

Strike: "long-range"

62. Page 4, line 26.

Strike: "(ii)"

Insert: "(b)"

63. Page 4, line 26.

Following: "proposed"

Strike: "long-range"

64. Page 4, line 27.

Strike: "(iii)"

Insert: "(c)"

65. Page 4, line 28.

Strike: "(iv)"

Insert: "(d)"

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Strike: "fully"

66. Page 5, line 1.  
Strike: "long-range"  
Insert: "proposed"

67. Page 5, line 2.  
Strike: "(7)"  
Insert: "(6)"

68. Page 5, line 2.  
Following: "The"  
Strike: "long-range"  
Following: "plan"  
Insert: "adopted by a department"

69. Page 5, line 7.  
Strike: "(4)"  
Insert: "(3)"

70. Page 5, line 7.  
Strike: "(5)"  
Insert: "(4)"

71. Page 5, line 9.  
Strike: "the"  
Insert: "a"

72. Page 5, line 9.  
Following: "identify"  
Strike: "the outputs produced by each program,"  
Following: the third "the"  
Insert: "preferred"

73. Page 5, line 9 through line 10.  
Strike: "resulting" on line 9 through "with" on line 10  
Insert: "with respect to"

74. Page 5, line 10.  
Following: "measure"  
Insert: "for each department program"

75. Page 5, line 11 through line 13.  
Strike: subsection (3) in its entirety  
Renumber: subsequent subsections

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76. Page 5, line 13.

Strike: "The"

Insert: "An"

77. Page 5, line 13.

Following: "report"

Insert: "of a department"

78. Page 5, line 15.

Following: line 14

Strike: "long-range"

79. Page 5, line 20.

Strike: "**Performance**"

Insert: "**Periodic assessment and revision of performance**"

80. Page 5, line 20 through page 6, line 10.

Strike: subsections (1) through (5) in their entirety

81. Page 6, line 11.

Strike: "(6)"

Following: "be"

Strike: "developed and"

Following: "revised"

Strike: "as part of the strategic planning process"

82. Page 6, line 12.

Following: "less"

Insert: "frequently"

83. Page 6, line 12.

Strike: the second "the"

Insert: "a"

84. Page 6, line 12 through line 13.

Strike: "and" on line 12 through "that" on line 13

Insert: "whether"

85. Page 6, line 13.

Following: "measures"

Insert: "continue to"

86. Page 6, line 14.

Following: "the"

Strike: "long-range"

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87. Page 6, line 14.

Strike: "provide a focus on serving customers"

Insert: "to measure preferred outcomes for department programs"

88. Page 6, line 16 through line 28.

Strike: section 7 in its entirety

**Renumber:** subsequent sections

89. Page 7, line 3.

Following: "a"

Strike: "long-range"

90. Page 9, line 5.

Strike: "8"

Insert: "7"

91. Page 9, line 6.

Strike: "8"

Insert: "7"

92. Page 9, line 22 through page 14, line 14.

Strike: sections 10 and 11 in their entirety

Renumber: subsequent sections

93. Page 14, line 28.

Strike: "8"

Insert: "7"

94. Page 15, line 1.

Strike: "8"

Insert: "7"

95. Page 15.

Following: line 2

Insert: "COORDINATION SECTION. Section 12. Coordination instruction. If both Senate Bill No. 57 and [this act] are passed and approved, then [section 1(3)(c)(i) of Senate Bill No. 57] concerning performance data from the department of public health and human services must be deleted."

Renumber: subsequent section

And, as amended, be concurred in.

**HB 406**, be amended as follows:

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1. Title, line 7.

Strike: "REGISTRIES"

Insert: "A REGISTRY"

2. Title, line 7 through line 8.

Strike: "BALLOT" on line 7 through the first "AND" on line 8

3. Title, line 9.

Strike: "REGISTRIES"

Insert: "THE REGISTRY"

4. Title, line 11.

Strike: "PROVIDING THE SECRETARY OF STATE WITH RULEMAKING AUTHORITY;"

Following: "SECTIONS"

Insert: "13-35-702,"

5. Title, line 12.

Following: "PROVIDING"

Strike: "AN IMMEDIATE"

Insert: "A DELAYED"

6. Page 1, line 16 through page 2, line 9.

Strike: section 1 in its entirety

**Renumber:** subsequent sections

7. Page 2.

Following: line 10

Insert: "**Section 1.** Section 13-35-702, MCA, is amended to read:

**"13-35-702. Definitions.** As used in this part, the following definitions apply:

~~(1) "Acquaintance" means an individual known by the voter.~~

~~(2) "Caregiver" means an individual who provides medical or health care assistance to the voter in a residence, nursing care institution, hospice facility, assisted living center, assisted living home, residential care institution, adult day health care facility, or adult foster care home.~~

~~(3)~~(1) "Collect" means to gain possession or control of a ballot.

~~(4)~~(2) "Family member" means an individual who is related to the voter by blood, marriage, adoption, or legal guardianship a voter's spouse, an individual related to the voter by consanguinity or adoption within the second degree, an individual related to the voter's spouse by affinity or adoption within the second degree, or the legal guardian for a voter.

~~(5) "Household member" means an individual who resides at the same residence as the voter." "~~

Renumber: subsequent sections

8. Page 2, line 17.

Following: "mail;"

Insert: "or"

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9. Page 2, line 18.

Strike: subsection (c) in its entirety

Renumber: subsequent subsections

10. Page 2, line 19.

Following: "member"

Strike: ";

Insert: "."

11. Page 2, line 20 through line 21.

Strike: subsections (e) and (f) in their entirety

12. Page 2, line 24.

Strike: "subsections (2)(c) through(2)(f)"

Insert: "subsection (2)(c)"

13. Page 2, line 24.

Following: "13-35-704"

Strike: "and [section 1], if applicable,"

14. Page 3, line 1.

Strike: "13-35-703(2)(c) through (2)(f)"

Insert: "13-35-703(2)(c)"

15. Page 3, line 8.

Following: "13-35-703(2)(c)"

Strike: "through (2)(f)"

16. Page 4, line 13 through 14.

**Strike:** section 6 in its entirety

**Renumber:** subsequent sections

17. Page 4.

Following: line 22

Insert: "NEW SECTION. Section 8. Effective date. [This act] is effective January 1, 2022."

18. Page 4, line 23.

Strike: section 9 in its entirety

And, as amended, be concurred in.

**HB 429**, be concurred in.

**HB 447**, be amended as follows:

1. Title, line 5.



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Strike: "FILE"

Insert: "SEND A COPY OF A PROPOSAL"

2. Title, line 5 through line 6.

Strike: "OF ITS ACTION" on line 5 through "WITH THE" on line 6

Insert: "TO THE"

3. Title, line 6 through line 7.

Strike: "30 DAYS" on line 6 through "ACTION" on line 7

Insert: "WHEN IT SENDS THE NOTICE TO THE SECRETARY OF STATE FOR PUBLISHING"

4. Title, line 9.

Strike: ", 2-4-303,"

Insert: "AND"

5. Title, line 9.

Following: "2-4-305,"

Strike: "2-4-306, 2-4-307, 2-4-402, AND 2-4-403,"

6. Page 1, line 18.

Strike: "and"

Insert: ", "

7. Page 1, line 18 through line 24.

Following: "action" on line 18

Insert: ", "

Strike: ". The" on line 18 through "with" on line 24

8. Page 1, line 24.

Following: "and"

Insert: "and"

9. Page 1, line 25.

Following: "language."

Insert: "The reasonable necessity must be written in plain, easily understood language."

10. Page 1, line 26.

Strike: "(c)"

Insert: "(b)"

**Renumber:** subsequent subsections

11. Page 1, line 26.

Following: "notice"

Strike: "under subsection (1)(b)"

12. Page 1, line 27.

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Strike: "(2)(d)"  
Insert: "(2)(e)"

13. Page 2, line 2.  
Strike: "(2)(a)(i)"  
Insert: "(2)(a)"

14. Page 2, line 6.  
Following: "benefit, the"  
Strike: "proposal"  
Following: "notice"  
Strike: "under subsection (1)(b)"

15. Page 2, line 10.  
Following: "(2)(a)"  
Strike: "(i)"  
Following: "notice"  
Strike: "under subsection (1)(b)"

16. Page 2, line 11.  
Following: "2-4-312."  
Insert: "When the agency files the proposal notice with the secretary of state to prepare it for publication in the register, the agency shall concurrently send an electronic copy of the proposal notice to the appropriate administrative rule review committee. If the secretary of state requires formatting changes to the proposal notice before it may be published, the agency is not required to send another copy of the proposal notice to the committee. The requirement to concurrently send a copy of the proposal notice to the committee is fulfilled if the agency sends an electronic copy to each member of the staff of the appropriate rule review committee on the same day that the notice is filed with the secretary of state."  
(b) (i)"

17. Page 2, line 11.  
Strike: "(2)(a)(ii)"  
Insert: "(2)(b)(ii)"

18. Page 2, line 16.  
Strike: "(2)(b)"  
Insert: "(2)(c)"

19. Page 2, line 25.  
Following: "subsection"  
Insert: "(2)(b)(iii)"

20. Page 2, line 27.  
Strike: "(b)"

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Insert: "(c)"

**Renumber:** subsequent subsections

21. Page 3, line 3.

Following: "subsection (1)"

Strike: "(b)"

22. Page 3, line 4.

Following: "notice"

Strike: "required under subsection (1)(b)"

23. Page 3, line 16.

Strike: "(2)(d)"

Insert: "(2)(e)"

24. Page 3, line 18.

Strike: "(2)(d)(i)"

Insert: "(2)(e)(i)"

25. Page 3, line 19.

Strike: "(2)(a)(i)"

Insert: "(2)(a)"

26. Page 3, line 20.

Strike: "(2)(d)"

Insert: "(2)(e)"

27. Page 3, line 23.

Following: "period"

Strike: "for the published notice under subsection (1)(b)"

28. Page 3, line 26 through line 27.

Strike: "published" on line 26 through "(1)(b)" on line 27

29. Page 3, line 28.

Strike: "published"

Insert: "filed"

30. Page 4, line 1.

Following: "rulemaking"

Strike: "under subsection (1)(b)"

31. Page 4, line 16.

Strike: "(2)(a)"

Insert: "(2)(b)"

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32. Page 4, line 18.

Strike: "(2)(d)"

Insert: "(2)(e)"

33. Page 5, line 6 through page 6, line 8.

Strike: section 2 in its entirety

Renumber: subsequent sections

34. Page 7, line 24.

Strike: "notices"

Insert: "notice"

35. Page 8, line 9.

Following: "notice"

Strike: "published in the register"

36. Page 8, line 11.

Following: "proposal notice"

Strike: "to make corrections to the published notice"

37. Page 8, line 14.

Following: "notice"

Strike: "published in the register"

38. Page 8, line 17.

Following: "original"

Strike: "published"

39. Page 9, line 7.

Following: "OF A"

Strike: "FEDERAL"

40. Page 9, line 8.

Strike: "FEDERAL"

Insert: "information,"

41. Page 9, line 8.

Following: "GUIDANCE"

Insert: ","

42. Page 9, line 8.

Strike: "PROMULGATION"

Insert: "adoption"

43. Page 9, line 8.

Strike: "THE FINAL QUARTER OF THE YEAR"

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Insert: "October 1"

44. Page 9, line 8.

Following: "YEAR."

Insert: "A rule may only be exempted under this subsection (11)(b)(ii) if the notice required under 2-4-302(1)(a) provides a statement explaining why the unavailability of information, guidance, or notice precluded adoption of the rule before October 1."

45. Page 9, line 10 through page 13, line 23.

Strike: sections 4 through 7 in their entirety

Renumber: subsequent sections

46. Page 13, line 25.

Following: "(1)"

Strike: "[This act]"

Insert: "[Section 1] applies to rule proposals filed with the secretary of state on or after [the effective date of this act].

(2) [Section 2]"

47. Page 13, line 27.

Strike: "(2) [This act]" on line 27

Insert: "[Section 2]"

48. Page 13, line 28.

Following: "adoption"

Insert: "on or"

And, as amended, be concurred in.

**HB 506**, be amended as follows:

1. Page 1, line 18 through line 19.

Strike: "SUBMITTED" on line 18 through "be" on line 19

2. Page 1, line 19 through line 20.

Strike: "processed" on line 19 through "administrator" on line 20

Insert: "may not be issued to the individual and the individual may not cast a ballot"

And, as amended, be concurred in.

Without objection, committee reports were adopted.

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**MESSAGES FROM THE GOVERNOR**

April 9, 2021

The Honorable Mark Blasdel  
President of the Senate  
State Capitol  
Helena, MT 59601

Dear President Blasdel:

On Thursday, April 8th I signed **Senate Bill 60** - Flowers.

The bill has been delivered to the Secretary of State.

Sincerely,

GREG GIANFORTE  
Governor

April 12, 2021

The Honorable Mark Blasdel  
President of the Senate  
State Capitol  
Helena, MT 59601

Dear President Blasdel:

**Senate Bill 58** - Cuffe  
**Senate Bill 113** - Fitzpatrick  
**Senate Bill 120** - Esp  
**Senate Bill 127** - Friedel  
**Senate Bill 145** - Fitzpatrick  
**Senate Bill 193** - Hinebauch  
**Senate Bill 221** - Gauthier  
**Senate Bill 305** - Lang

The bills have been delivered to the Secretary of State.

Sincerely,

GREG GIANFORTE  
Governor

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April 12, 2021

The Honorable Mark Blasdel  
President of the Senate  
State Capitol  
Helena, MT 59601

Dear President Blasdel:

On Sunday, April 11th I signed the following bills:

**Senate Bill 131** - Salomon  
**Senate Bill 161** - Esp  
**Senate Bill 339** - Pomnichowski

The bills have been delivered to the Secretary of State.

Sincerely,

GREG GIANFORTE  
Governor

**MESSAGES FROM THE OTHER HOUSE**

**Senate bills** concurred in and returned to the Senate: 4/9/2021

**SB 63**, introduced by D. Ankney  
**SB 83**, introduced by B. Hoven  
**SB 99**, introduced by C. Smith  
**SB 121**, introduced by T. Jacobson  
**SB 136**, introduced by S. Fitzpatrick  
**SB 157**, introduced by S. Hinebauch  
**SB 166**, introduced by T. Gauthier  
**SB 206**, introduced by M. Sweeney  
**SB 238**, introduced by T. Gauthier

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

4/9/2021

**SB 199**, introduced by G. Hertz  
**SB 287**, introduced by W. Sales  
**SB 367**, introduced by S. Morigeau

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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 Salomon in the chair.

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

**HJ 5** - Majority Leader Smith moved consideration of **HJ 5** be passed for the day. Without objection, so ordered.

**HB 337** - Majority Leader Smith moved consideration of **HB 337** be passed for the day. Without objection, so ordered.

**SR 97** - Majority Leader Smith moved **SR 97** be adopted. Motion carried as follows:

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

Total 30

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

Total 19

Voted absentee: None.

Excused: Manzella.

Total 1

Absent or not voting: None.

Total 0

**HB 450** - Senator Esp moved **HB 450** be concurred in. Motion carried as follows:

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

Total 46

Nays: Cohenour, Ellis.



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Total 2

Voted absentee: None.

Excused: Manzella.

Total 1

Absent or not voting: Boldman.

Total 1

**HB 578** - Senator McGillvray moved **HB 578** be concurred in. 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, McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.

Total 49

Nays: None.

Total 0

Voted absentee: None.

Excused: Manzella.

Total 1

Absent or not voting: None.

Total 0

**HB 517** - Senator K. Regier moved **HB 517** be concurred in. Motion carried as follows:

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

Total 31

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

Total 18

Voted absentee: None.

Excused: Manzella.

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Total 1

Absent or not voting: None.

Total 0

**HB 391** - Senator Friedel moved **HB 391** be concurred in. Motion carried as follows:

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

Total 30

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

Total 19

Voted absentee: None.

Excused: Manzella.

Total 1

Absent or not voting: None.

Total 0

**HB 92** - Senator K. Regier moved **HB 92** be concurred in. 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, McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.

Total 49

Nays: None.

Total 0

Voted absentee: None.

Excused: Manzella.

Total 1

Absent or not voting: None.

Total 0

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**HB 509** - Senator Friedel moved **HB 509** be concurred in. Motion carried as follows:

Yeas: Ankney, Bennett, Boland, Boldman, Cohenour, Ellis, Flowers, Fox, Friedel, Gauthier, Gillespie, Gross, Hertz, Hoven, Howard, Jacobson, Lynch, McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Sweeney, Tempel, Webber, Welborn.

Total 34

Nays: Bogner, Brown, Cuffe, Ellsworth, Esp, Fitzpatrick, Glimm, Hinebauch, Kary, Keenan, Lang, Osmundson, Smith C, Vance, Mr. President.

Total 15

Voted absentee: None.

Excused: Manzella.

Total 1

Absent or not voting: None.

Total 0

**HB 498** - Senator Gillespie moved **HB 498** be concurred in. Motion carried as follows:

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

Total 29

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

Total 20

Voted absentee: None.

Excused: Manzella.

Total 1

Absent or not voting: None.

Total 0

**HB 554** - Senator Lang moved **HB 554** be concurred in. Motion carried as follows:

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

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Total 30

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

Total 19

Voted absentee: None.

Excused: Manzella.

Total 1

Absent or not voting: None.

Total 0

**HB 549** - Senator Gross moved **HB 549** be concurred in. 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, McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.

Total 49

Nays: None.

Total 0

Voted absentee: None.

Excused: Manzella.

Total 1

Absent or not voting: None.

Total 0

**HB 477** - Senator Glimm moved **HB 477** be concurred in. Motion carried as follows:

Yeas: 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, McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.

Total 48

Nays: Ankney.

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Total 1

Voted absentee: None.

Excused: Manzella.

Total 1

Absent or not voting: None.

Total 0

**HB 503** - Senator McGillvray moved **HB 503** be concurred in. 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, McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.

Total 49

Nays: None.

Total 0

Voted absentee: None.

Excused: Manzella.

Total 1

Absent or not voting: None.

Total 0

**HB 483** - Senator Kary moved **HB 483** be concurred in. 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, McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.

Total 49

Nays: None.

Total 0

Voted absentee: None.

Excused: Manzella.

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Total 1

Absent or not voting: None.

Total 0

**SB 47 - House Amendments** - Senator Lynch moved House amendments to **SB 47** be concurred in. 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, McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.

Total 49

Nays: None.

Total 0

Voted absentee: None.

Excused: Manzella.

Total 1

Absent or not voting: None.

Total 0

**HB 221** - Senator Small moved **HB 221** be concurred in. Motion carried as follows:

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

Total 33

Nays: Ellsworth, Esp, Friedel, Glimm, Hertz, Hinebauch, Kary, Keenan, Lang, McGillvray, Regier K, Smith C, Tempel, Vance, Welborn, Mr. President.

Total 16

Voted absentee: None.

Excused: Manzella.

Total 1

Absent or not voting: None.

Total 0

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Vote totals include a change of vote from No to Yes, made by Senator Jacobson under Motions.

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

Senator Manzella present at this time.

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

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

Total 44

Nays: Boland, Cohenour, Friedel, Pomnichowski, Pope, Webber.

Total 6

Voted absentee: 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:

**HB 276** concurred in as follows:

Yeas: 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, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.

Total 49

Nays: Ankney.

Total 1

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Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 300** concurred in 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, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.  
Total 50

Nays: None.

Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 302** concurred in as follows:

Yeas: Ankney, Bogner, Brown, Cuffe, Ellsworth, Esp, Fitzpatrick, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Manzella, McGillvray, Molnar, Osmundson, Regier K, Sales, Salomon, Smith C, Tempel, Vance, Welborn, Mr. President.  
Total 30

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

Total 20

Voted absentee: None.

Excused: None.

Total 0



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Absent or not voting: None.

Total 0

**HB 365** concurred in 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, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.  
Total 50

Nays: None.

Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 423** concurred in 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, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.  
Total 50

Nays: None.

Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 449** concurred in 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, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.  
Total 50

Nays: None.  
Total 0

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 462** concurred in 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, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Webber, Mr. President.  
Total 45

Nays: Esp, Kary, Keenan, Vance, Welborn.  
Total 5

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 476 failed** as follows:

Yeas: Bennett, Boland, Boldman, Cohenour, Ellis, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gross, Jacobson, McClafferty, McNally, Morigeau, O'Brien, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Webber.  
Total 23

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Nays: Ankney, Bogner, Brown, Cuffe, Ellsworth, Esp, Gillespie, Glimm, Hertz, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Lynch, Manzella, McGillvray, Molnar, Osmundson, Small, Smith C, Sweeney, Tempel, Vance, Welborn, Mr. President.

Total 27

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 479** concurred in 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, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.

Total 50

Nays: None.

Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 501** concurred in as follows:

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

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

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Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 539** concurred in 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, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.  
Total 50

Nays: None.

Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HJ 8** concurred in 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, McGillvray, McNally, Molnar, Morigeau, Osmundson, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.  
Total 47

Nays: McClafferty, O'Brien, Pomnichowski.

Total 3

Voted absentee: None.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

**SB 106, as amended by the House**, 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, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.  
Total 50

Nays: None.

Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 163, as amended by the House**, passed as follows:

Yeas: 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, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Mr. President.  
Total 47

Nays: Ankney, Lynch, Welborn.

Total 3

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 309, as amended by the House**, passed as follows:

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Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Lang, Manzella, McClafferty, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Sweeney, Tempel, Vance, Webber, Mr. President.  
Total 44

Nays: Ellsworth, Keenan, Lynch, McGillvray, Smith C, Welborn.  
Total 6

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**MOTIONS**

Majority Leader Smith moved that **HB 92**, heard on second reading this date, be re-referred to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Smith moved that **HB 578**, heard on second reading this date, be re-referred to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Smith moved that **HB 655** be taken from the Business, Labor and Economic Affairs Committee and re-referred to the Select Committee on Marijuana Law. Without objection, so ordered.

Senator Jacobson moved to change his second reading vote on **HB 221** from No to Yes. Without objection, so ordered.

**SPECIAL ORDERS OF THE DAY**

Senator Kary introduced the Pages for the coming week.

Colin Janik from Whitehall, Montana, sponsored by Senator Tempel  
Ryan Weber from Park City, Montana, sponsored by Senator Ellsworth  
Nat'aani Holds the Enemy from Hardin, Montana, sponsored by Senator Small  
Caileigh Martin from Stevensville, Montana, sponsored by Senator Manzella

On Sunday, April 11, 2021, the Montana Legislature met to recognize and record the passing of former members of the Senate and House of Representatives. Memorials of those members

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are included in this journal beginning on the following page.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Smith moved the Senate adjourn until 1:00 p.m., Tuesday, April 13, 2021, the seventieth legislative day. Motion carried.

Senate adjourned at 2:42 p.m.

MARILYN MILLER  
Secretary of the Senate

MARK BLASDEL  
President of the Senate

## HARRY K. BERG

*WHEREAS, it is with deep and sincere sorrow that the members of the Sixty-Seventh Legislative Assembly of the State of Montana record the passing of Harry K. Berg on May 8, 2020 at the age of 76. It is fitting and proper that the record and accomplishments of Harry Berg be filed on the official records of this Assembly, and the following facts relative to his career are hereby noted.*

Harry Berg was the seventh of eight children born to Henry and Ruth Berg. He was raised on a ranch south of Shawmut, and he learned early that work and perseverance were needed for success. He attended grade school, along with, at the most, 6 fellow students in a small log cabin schoolhouse about the size of a modern living room with no electricity or running water. He attended high school in Big Timber where he participated in sports and music. After high school he joined the Army Reserve and was discharged in 1968. He worked his way through Montana State University and graduated with a bachelor's degree in 1975 and a master's in education.

Harry married Linda Yost in 1967. Linda was the girl next door ... but that was 20 miles away. In 1968 they moved to Great Falls and Harry began a 27-year teaching career with the Great Falls Public Schools. He was very active in the education association, serving in many capacities at the local, state, and national levels. He also worked for H&R Block for 15 years.

He became politically active and was elected to the Montana State Senate in 1980 and served one term.

In 1984 Harry and Linda were blessed with their only son, Eric. Retiring from teaching in 1994 allowed Harry and Eric lots of quality time together, forming a truly special bond. One of Harry's proudest moments was serving as Best Man in Eric's wedding to Jessica Purdy in 2019.

Harry was preceded in death by his parents, Henry and Ruth, brothers John, Richard and Ben; brother-in-law Lawrence Gee; and sisters-in-law Theresa and Nyla Berg. He is survived by his wife Linda; son Eric (Jessica); sister Mary Jane (Tookie) Gee; brother Arnold (Diane), Lloyd (Linda) and Glenn (Holly); sister-in-law Joan Berg and many wonderful nieces, nephews, cousins and friends.



## **GENE NORMAN ERNST**

*WHEREAS, it is with deep and sincere sorrow that the members of the Sixty-Seventh Legislative Assembly of the State of Montana record the passing of Gene Norman Ernst on June 30, 2020 in Stanford at the age of 92. It is fitting and proper that the record and accomplishments of Gene Norman Ernst be filed on the official records of this Assembly, and the following facts relative to his career are hereby noted.*

Gene was born in Great Falls to Jacob and Gertrude Ernst of Stanford. He was raised on the family homestead four miles northeast of Stanford. After graduating from Stanford High School, Gene joined the U.S. Air Force and served as an Information Specialist at Lowry Air Force Base in Colorado for two years.

After the service, he attended and graduated in 1951 with a bachelor's degree in ag science from Montana State University. Later that summer Gene married Geraldine Worth of Butte, and they returned to the family farm where they farmed and ranched and raised their family.

Gene was a lifetime member of the Stanford Presbyterian Church. He was also active in the Masonic Lodge, Order of Eastern Star, Shriners, the Montana Grain Growers Association and the American Legion. He served over 10 years as Post Commander for the American Legion in Stanford.

From 1976 to 1986 he served in the Montana House of Representatives.

Gene had a gentle disposition, and he enjoyed giving his time to help his family and others in his community. Gene's sense of humor and grit were present throughout his entire life and will be forever remembered by his family.

Gene was preceded in death by his beloved wife of 46 years, Gerry; his son, Daniel; and his parents, Jacob and Gertrude. He is survived by his brother, Norman Ernst of Lewistown; by his children Ward Ernst; Lennie (Amy) Ernst and Debbie Ernst. He is also survived by six grandchildren, numerous great grandchildren, nieces and nephews.

## CLAYTON ROSS FISCUS

*WHEREAS, it is with deep and sincere sorrow that the members of the Sixty-Seventh Legislative Assembly of the State of Montana record the passing of Clayton Ross Fiscus on November 10, 2020 at the age of 84 in Billings. It is fitting and proper that the record and accomplishments of Clayton Ross Fiscus be filed on the official records of this Assembly, and the following facts relative to his career are hereby noted.*

Clayton Fiscus was born in Belle Fourche, South Dakota on July 11, 1936 to Vernon Ross Fiscus and Tima Rivers Fiscus. He graduated from Newell High School and completed one year of college in Brookings, South Dakota before joining the Navy and serving on the USS Forrestal, United States 6<sup>th</sup> fleet as a heavy equipment operator, lineman and general foreman from 1962-1971.

In 1962 he met and married the love of his life of 58 years, Lurlene (Lori) Jo Foillette, and they had two children. In 1971 Clayton suffered an industrial accident when he was electrocuted, severely burned, and nearly died. He lost his left arm, left leg, and was catastrophically disabled.

After rehabilitation he went into real estate as a salesman/broker and opened Fiscus Realty in 1977. In 1991 he was named Realtor of the Year. He invested in real estate, developed subdivisions, worked with homebuilders, and did new construction projects. He loved and respected his colleagues in the real estate industry.

Clayton was passionate about helping his community and making a difference in people's lives. He served in the Billings Heights Kiwanis Club and was awarded Kiwanian of the Year in 1980-81. He also served as the Director of the Special K Ranch.

In 2012 Clayton won a seat in the Montana House of Representatives. He served in the 2013 and 2015 sessions. He served on the Judiciary, Transportation, and Fish, Wildlife and Parks committees.

Clayton was preceded in death by his brother LeRoy and his parents Vernon and Tima. He is survived by his wife Lori Fiscus, son Vincent Fiscus, daughter Denise Fiscus, former son-in-law Mike Homme as well as cousins, several nieces and nephews and many good friends who are called family.

## KELLY FRANCIS FLYNN

*WHEREAS, it is with deep and sincere sorrow that the members of the Sixty-Seventh Legislative Assembly of the State of Montana record the passing of Kelly Francis Flynn on March 3, 2021 after a four-year battle with cancer. It is fitting and proper that the record and accomplishments of Kelly Flynn be filed on the official records of this Assembly, and the following facts relative to his career are hereby noted.*

Kelly Flynn was born on October 4, 1954 in Townsend to Frank and Rose Flynn. He worked hard on the family ranch and began his lifetime love of sports. The "Flyin' Flynn's" terrorized the basketball court, and Kelly went on to a track career which took him to Western Montana College and then to Denmark for several years. He coached Montana distance runners and trained future coaches.

After his time in Denmark, Kelly returned to the family ranch and the mountains he loved. The family created what was called "a paradise for hunters, summer vacationers and family at Hidden Holly Hideaway." He believed that he was a just temporary steward of the land, and worked to create healthy forests, nurture productive fields and protect wildlife. He was a cowboy and outdoorsman, and he guided guests and hunters around the mountains on horseback.

Kelly's love of the land and his strong desire to serve his community and his state led him to the Montana Legislature. He served in the Montana House of Representatives from 2010-2018. He was proud of his work on conservation legislation and supporting constituents. On his final day in the House, as he made the sine die motion he urged people to "Remember the past, plan for the future, but live for today."

Kelly was preceded in death by his parents and his brothers Joel and Steven. He is survived by his wife Jill; his daughters Shannon (Lynn) Reynolds and Siobhan; his twin brother and best friend Kevin (Nora); brothers Gary (Theresa) and Bryan (Emulyn); sisters Loralee (Dave) Wilkey and Teresa (Dan) Artz; and sisters-in-law Peggy Flynn and Sharon Flynn.

## WILLIAM E. "BILL" GLASER

*WHEREAS, it is with deep and sincere sorrow that the members of the Sixty-Seventh Legislative Assembly of the State of Montana record the passing of Bill Glaser on March 5, 2021. It is fitting and proper that the record and accomplishments of Bill Glaser be filed on the official records of this Assembly, and the following facts relative to his career are hereby noted.*

Bill Glaser was born to O.R. and Phyllis Dorr Glaser and spent his first 20 years in southern California attending school and working in his father's TV and radio shop. In the early 1960s Bill moved to Montana to work for the Anaconda Company. In 1962 he returned to California, got married, had two sons, got into the communications business and divorced.

In 1970 Bill married the love of his life, Patsy Blake Willis, and the couple moved to her family ranch on Indian Creek east of Billings. Patsy's family says that she joined Bill's family with four vociferous teenagers and an outspoken mother.

Bill's talent and ambition became evident in Montana. He started a communications business and an internet business and began what would become a volunteer fire department. He learned to fly in order to get around Montana and Wyoming for business. He did the sound for some annual summer fairs and became well acquainted with many famous entertainers, including Charley Pride.

Bill served in the Montana House of Representatives from 1987 to 1990, the Montana Senate in the 1997-2001 sessions, then returned to the House for the 2005-2009 sessions. He served on the Education, Taxation, Local Government and Appropriations committees.

Bill and Patsy ran a busy business out of their large ranch home but found time to enjoy their family. According to Patsy, Bill enjoyed this chaotic life far better than his quiet life in California.

Bill is survived by Patsy; sons Mark (Grace) and Mike (Susannah), stepchildren Linda Grosskopf, Gwin Taft, Mike (Debbie) Hammond and Nancy (Scott) Morrison; 15 grandchildren 19 great-grandchildren, 4 great-great-grandchildren; sisters, brother, and nieces and nephews.

## **EMILY SWANSON HIBBARD**

*WHEREAS, it is with deep and sincere sorrow that the members of the Sixty-Seventh Legislative Assembly of the State of Montana record the passing of Emily Swanson Hibbard on June 26<sup>th</sup>, 2019. It is fitting and proper that the record and accomplishments of Emily Swanson Hibbard be filed on the official records of this Assembly, and the following facts relative to her career are hereby noted.*

Emily Swanson Hibbard was born on January 12, 1947 in Oak Brook, Illinois to Oliver Gordon Stonington MD and Catherine Davis Stonington. She was raised in Denver where she began her lifelong devotion to horses. Emily graduated from Bennington College in Vermont, and she earned a Master of Education at the University of California at Berkeley.

With a desire to teach, she got a job as an Outward-Bound instructor in Colorado. Eventually, she became an elementary school teacher, spurring the idea to create the Bozeman Environmental Education program.

Emily moved to Bozeman in 1978. Not usually domestic, she sewed an 18-foot tipi with a Singer sewing machine where she lived for 18 months while overseeing the construction of her home in Kelly Canyon.

She served two terms in the Montana House of Representative (one as minority leader) and one term in the Montana State Senate. While in office she served as the Chair of the Western Interstate Commission of Higher Education.

While serving as a legislator, she crossed party lines, falling in love and eventually marrying Republican Senator Chase Hibbard. Emily became a participating partner on his family ranch, embracing the demands of a large-scale operation. Throughout her life, Emily always had a dog at her side and horses waiting to ride. Chase and Emily had a fabulous partnership nourishing each other's political views, testing each other's athletic and competitive spirits, and supporting each other to be engaged citizens.

Emily is survived by her husband Chase Hibbard, daughter Natalie Wysocki (Kevin), her grandchildren Tate, Gianna and Georgia Wysocki, stepchildren Tyler (Heather) Hibbard and Marshall Hibbard (Terah) and step grandchildren James and Laine Hibbard. She is also survived by her siblings Dave, Gordo, Pete, and Jani Stonington, nieces and nephews, and an amazing and diverse network of friends. She was preceded in death by her son Erik Swanson.

## **JUDITH HELEN “JUDY” JACOBSON**

*WHEREAS, it is with deep and sincere sorrow that the members of the Sixty-Seventh Legislative Assembly of the State of Montana record the passing of Judy Jacobson on June 22, 2019 in Butte. It is fitting and proper that the record and accomplishments of Judy Jacobson be filed on the official records of this Assembly, and the following facts relative to her career are hereby noted.*

Judy was born February 26, 1939, in South Bend, Indiana to Robert and Leah (Alexander) Haxton. She was raised and educated in Milwaukee, Wisconsin, and attended the University of Wisconsin in Madison.

She married Dr. John R. Jacobson in Milwaukee on November 30, 1963 and together they made their home in Butte. Judy and John celebrated 55 years of marriage on November 30, 2018.

Judy earned a bachelor's degree in Society and Technology from Montana Tech, and her husband, children, mother and grandchildren proudly watched her walk across the stage to accept that degree in 1995, graduating as Salutatorian of her class and Valedictorian of her section.

In 1980, Judy was appointed to the Montana State Senate and was the first female state senator from Butte. She was re-elected in 1982 and served in the Senate until 1996. Judy was the chair of the Senate Finance & Claims Committee.

Judy was elected Chief Executive of Butte-Silver Bow in 2000 and served one term, deciding to leave public service to spend more time with her grandchildren and traveling with John.

Besides her parents, she is preceded in death by her son, Eric, sister, Leah Rae Jamiolkowski and her parents-in-law, Ray and Marion Jacobson. Survivors include her husband, Dr. John R. Jacobson of Butte, daughters and sons-in-law, Wendy (Skip) Dobbs, Jo Dee (Mark) Black; grandchildren: Jacob, Amber, Jennifer, Mikey, Megan, Matt, Abbie, and Doug. Great-grandchildren: Kayson Ray, Lillian, Mae Ann, Weston, and Gracie; her brothers-in-law and sisters-in-law, Lee and Judy Jacobson and Dan and Nancy Jamiolkowski as well as numerous nieces and nephews.

## CLEVE J. LONEY

*WHEREAS, it is with deep and sincere sorrow that the members of the Sixty-Seventh Legislative Assembly of the State of Montana record the passing of Cleve Loney on August 22, 2020, in a kayak accident on the Missouri River. It is fitting and proper that the record and accomplishments of Cleve Loney be filed on the official records of this Assembly, and the following facts relative to his career are hereby noted.*

Cleve Loney was born on November 5, 1950 on a ranch outside of Highwood. Rodeo was his first love and spanned over 29 years. He received a rodeo scholarship to Sheridan College but transferred to Montana State University after winning his first regional championship. A member of the MSU 1972 rodeo National Championship Team, he competed at the National Final Rodeo in saddle bronc riding in 1973 and was the event's Rookie of the Year. He is a member of the MSU Athletics Hall of Fame and the Montana Pro Rodeo Hall of Fame.

He worked as a movie wrangler on 14 movies, including "Return to Lonesome Dove." He owned and operated a ranch in the Arlee area for twelve years, running 350 head of cattle and horses. Cleve obtained his real estate license and worked in farm and ranch real estate for over 35 years. He also served as a brand inspector for several decades.

Cleve was well known in northcentral Montana for his political activity and his activism on behalf of child abuse victims. He was the current Cascade County Republican Party chairman and a delegate to the 2012 Republican National Convention. He drove in presidential motorcades for the Great Falls visits of Presidents Bush and Trump. He served in the Montana House of Representatives in the 2011 session.

Cleve is survived by his wife, Cyndi Baker; his son, Jeb; his daughter Raegen; Melva, the mother of his children; stepdaughters Rachel (Jason) Dittman, Arie Baker and Toriah (Paul) Amidon, a granddaughter, step-grandchildren, his sister Sharon Ruple, nieces and nephews.

## JAMES "JIM" LUCAS

*WHEREAS, it is with deep and sincere sorrow that the members of the Sixty-Seventh Legislative Assembly of the State of Montana record the passing of James "Jim" Lucas on April 10, 2020. It is fitting and proper that the record and accomplishments of Jim Lucas be filed on the official records of this Assembly, and the following facts relative to his career are hereby noted.*

Jim was born on April 7, 1927 in Worland, Wyoming, the oldest of five children born to immigrant parents, his Dad Pete from Greece and his Mom Helen from Germany. The family moved to Miles City, and Jim graduated from Custer County High School at the age of 16 and attended Miles Community College.

Jim transferred to the University of Montana before being drafted into the Army. He served as an Artillery Specialist and Military Intelligence Officer until the end of World War II. He returned to UM, received his BA and law degrees, and returned to Miles City as a partner in the Leavitt and Lucas law firm. He was the Custer County Attorney for ten years and a member of the Miles Community College Board of Trustees for 59 years. The Administration Building at MCC was named James P. Lucas Hall in his honor.

Jim played American Legion baseball in high school, pitching for the State Championship team, and he played varsity basketball and baseball for the Grizzlies. After playing semi-pro baseball for nine years, he turned down an offer from the Brooklyn Dodgers to practice law.

Jim was elected to the Montana House of Representatives in 1963. He served five terms and was the Minority Leader in 1965, the Majority Leader in 1967, and the Speaker of the House in 1969 and 1971.

While in the Capitol he met and fell in love with Carol Duncan from Butte who was working for the Legislative Council. Carol died nine months to the day before Jim died ... on their 54th wedding anniversary.

Jim was preceded in death by his wife Carol, his parents and four siblings, Don, Dorothy Ann, Betty and Bob. He is survived by his children, James II (Holly), Mark (Rachel), Leslie, and Todd (Robbi), 11 grandchildren and 5 great-grandchildren.



## RON MARLENEE

*WHEREAS, it is with deep and sincere sorrow that the members of the Sixty-Seventh Legislative Assembly of the State of Montana record the passing of Former Congressman Ron Marlenee on April 26, 2020 in Bozeman. It is fitting and proper that the record and accomplishments of Ron Marlenee be filed on the official records of this Assembly, and the following facts relative to his career are hereby noted.*

Ron Marlenee was born August 8, 1935 in Scobey, Montana to Charles and Margaret (Darchuk) Marlenee. He was later joined by brothers Bob and Lanny. The family homesteaded in a tarpaper shack north of Scobey and operated a farm through both a depression and a world war.

Ron married Carmen Willard and together they had five children, David, Mike, Sheila, Casey, and Allison. In 1978, he married Cyndi Tiemann who became his wife, political partner, and best hunting and fishing buddy.

In 1976, Ron was elected to the US House of Representatives in what was a rare Republican win in a disastrous election for the GOP on the heels of Watergate. When Ron got elected to the US Congress, there was only one other statewide Republican in office and that was Sonny Omholt, longtime Republican auditor. He served eight terms in the US House and is still Montana's longest-serving Republican congressman.

While in Congress, Ron served on the Agriculture and Natural Resources Committees and was known as a fierce fighter for the common man against a bureaucracy. He enjoyed working with President Reagan and referred to him as "the greatest politician and leader" he had ever met. They remained friends for many years.

While Ron was best known for his political life, he is most fondly remembered as a father and grandfather.

Ron is preceded in death by his parents, Charles and Margaret; his brothers, Bob and Lanny; sons David and Mike; and his grandson, Jacob. He is survived by his wife, Cyndi of Bozeman; his children, Sheila (Dennis) Wolff, Casey (Pam), and Allison (Pete) Helland; nine grandchildren, three great-grandchildren, and his two nieces and three nephews.

## SCOTT THOMAS MCCULLOCH

*WHEREAS, it is with deep and sincere sorrow that the members of the Sixty-Seventh Legislative Assembly of the State of Montana record the passing of Scott Thomas McCulloch died on September 9, 2020 in Billings at the age of 61. It is fitting and proper that the record and accomplishments of Scott McCulloch be filed on the official records of this Assembly, and the following facts relative to his career are hereby noted.*

Scott was born on December 6, 1968 in St. Paul, Minnesota to Carol Theresa McCulloch and George Frederick McCulloch. He grew up in Roseville, Minnesota and graduated from Alexander Ramsey High School and the University of Minnesota-Duluth where he obtained a bachelor's degree in elementary education. Scott moved to Montana and taught at Broadwater and Big Sky elementary schools in Billings from 1983-1995.

It was at Broadwater School that Scott met his beloved wife of 31 years, Melanie Shikany McCulloch. They had a son, Ben, who was the light of Scott's life.

In 1995 Scott became President of the Billings Education Association. He served in that position until 1999 when he began working for the Montana Federation of Public Employees where he remained until his time of death.

He fulfilled a lifetime political dream and represented Billings in the Montana Legislature for two terms, 1991-1993. Many colleagues along the way became his lifelong friends.

Scott loved to talk, laugh and tell stories. He was an organizer and a planner. He was a mentor, counselor and confidant to all those who needed him. He was a fixer, problem solver and stellar barbequer. He loved time spent with his brothers and extended family. He traveled to sporting events around the country and loved camping in the Montana wilderness.

Scott was preceded in death by his mother Carol and his father Fred. He is survived by his loving wife Melanie, his son Ben, his brothers Bruce, Bobby, Tom (Lisa), Steven, Michael (Tammy), many aunts, uncles, cousins, nieces, nephews and many wonderful friends.

## **PERRY JAMES "JIM" MOORE**

*WHEREAS, it is with deep and sincere sorrow that the members of the Sixty-Seventh Legislative Assembly of the State of Montana record the passing of Perry James "Jim" Moore on May 19, 2017 at age 89. It is fitting and proper that the record and accomplishments of Jim Moore be filed on the official records of this Assembly, and the following facts relative to his career are hereby noted.*

Jim Moore was born on December 21, 1927 in Lewistown. After graduating from Harlowton High School in 1945 at age 17, he enlisted in the Navy and spent seven months on an aircraft carrier traveling the Pacific Ocean. After discharge in 1946, Jim enrolled at Montana State studying agriculture economics. He was a member of the original college rodeo team and rode bulls, saddle broncs and bareback horses. Jim met and married Kathryn Nash, a beautiful college equestrian, and they were married 63 years.

Jim and Kay had three children: Dianne Aurie Moore (Atlanta), Perry J. Moore IV (Woodinville, Washington) and Steven Francis Moore, a rancher on the former Moore Family ranch, Two Dot. Jim's children, like their father, were educated at the Two Dot Grade School, Harlowton High School, and Montana State University.

Jim eventually managed the ranch south of Two Dot, raising Hereford cattle. During winter months Jim took a correspondence course in law, and passed the Montana Bar the same week he was elected to the Montana State Senate. He served three sessions in the Senate, 1969, 1971 and 1973, and was the Republican Minority Leader for his last two terms.

After retiring from his law practice in Bozeman, he received the Jameson Award from the Montana State Bar, as an attorney who exemplified the highest values of the legal profession. He also wrote a volume of short stories and five novels.

Jim is survived by his wife Kathryn, his children Dianne, Perry, and Steven; daughters-in-law Sue Moore and Kathy Moore, and Aurie's significant other, Peter West, and grandchildren Sanford and Rachel Moore (parents Sue and Steve) and Christine and Julianne (parents Kathy and Perry); nieces and nephews.

## DALE MORTENSEN

*WHEREAS, it is with deep and sincere sorrow that the members of the Sixty-Seventh Legislative Assembly of the State of Montana record the passing of Dale Mortensen on January 29, 2020 at the age of 53. It is fitting and proper that the record and accomplishments of Dale Mortensen be filed on the official records of this Assembly, and the following facts relative to his career are hereby noted.*

Dale was born in Helena on October 14, 1966. He graduated from Montana State University with a bachelor's degree in Social and Criminal Justice.

He worked as a police officer and deputy sheriff in the Bozeman area and in Hardin. He then ran his own investigation and security business. He was also a field representative for Congressman Rehberg.

Dale successfully ran for a seat in the Montana House of Representatives in 2014 representing the Billings Heights. Law enforcement in the eastern part of the state had long complained that the Montana State Crime Lab in Missoula was too far away to be useful. But an Eastern Montana satellite lab was not an easy sell. Some lawmakers argued that expansion of the Missoula lab would produce better results.

In 2015 Dale carried a bill to create a satellite state crime lab in Billings which was passed by the Legislature. Many felt that was probably the most significant thing the three-term lawmaker did for Billings and Eastern Montana. Dale served in the House in 2015, 2017 and 2019. He served on the Natural Resources, State Administration, Agriculture and Judiciary committees.

## MARY LOU PETERSON

*WHEREAS, it is with deep and sincere sorrow that the members of the Sixty-Seventh Legislative Assembly of the State of Montana record the passing of Mary Lou Peterson on August 6, 2019 at the age of 88. It is fitting and proper that the record and accomplishments of Mary Lou Peterson be filed on the official records of this Assembly, and the following facts relative to her career are hereby noted.*

Mary Lou Peterson was born at Okanogan, WA, on May 5, 1931 to George and Minnie Meyerhoff and was raised and educated there. She went on to receive her bachelor's degree in education from Eastern Washington University at Cheney and her master's degree from Eastern Montana College at Billings. She and her late husband David came first to Warland and later moved to Eureka in 1964, where she and David taught in the grade school and he later served as principal. Mary Lou taught until her retirement in 1983.

She was elected to the Montana House of Representatives from House District 1 in 1985 and served until 1993. She served on the Highways, Natural Resources, Fish and Game, and House Appropriations committees during her tenure.

She married David Peterson on June 15, 1952. Always an active part of numerous community affairs, they moved to their retirement home on Glen Lake in the 1990s. She had been an involved member of St. Michael and All Angels Episcopal Church, the Republican Party, and numerous other organizations of the Tobacco Valley.

Her husband David preceded her in death in 2017. Surviving are her sons Eric and Karl and twins Leonard and Mark; her sister, Mina Jane Meyers, seven grandchildren and six great-grandchildren.

## JACK REHBERG

*WHEREAS, it is with deep and sincere sorrow that the members of the Sixty-Seventh Legislative Assembly of the State of Montana record the passing of Jack Rehberg on December 2, 2020. It is fitting and proper that the record and accomplishments of Jack Rehberg be filed on the official records of this Assembly, and the following facts relative to his career are hereby noted.*

Jack Rehberg was born on May 17, 1929 in Billings to Wallace and Dorothy (Hamilton) Rehberg. He was raised on the family dairy farm west of town, graduated from Billings Senior High School and earned his bachelor's degree in dairy manufacturing from Montana State University. He married the girl next door, Patricia Cooley, and they remained happily married for over 68 years.

As a young man Jack decided he was going to marry a neighbor girl, Patricia Cooley. Many times he would try to fool other suitors by parking his own car in front of her house. It worked. They were married on June 27, 1951 and remained happily married for over 68 years.

Jack began his career co-managing the Midland Guernsey Dairy Farm on Rehberg Lane with his brother, Wally, and the Milky Way Drive-In across from Eastern Montana College with his mother, Dorothy. He was both manager and short order cook at the Milky Way for 20 years, while still delivering milk.

Jack's love of politics led him to the State Legislature where he served in the Montana House of Representatives from 1963 to 1967 and in the State Senate from 1969 to 1971. Jack played the organ that had been set up in the Senate chambers during breaks in the action.

After the Milky Way closed in 1971, Jack began a new career as executive director of the Montana Petroleum Association and the Rocky Mountain Oil and Gas Association. Later he served as the Vice President of Security Federal Savings and Loan before becoming its president, where he oversaw the expansion to 23 locations across Montana and the change from a savings and loan to a bank.

Jack is survived by his wife Patricia, his children Shanna (David) Henry and Dennis (Janice); his sister Jeanine Lee, his five grandchildren: Jaclyn, Ryan, AJ, Katie and Elsie; and four great-grandchildren.

## **JAMES G. “JIM” SHOCKLEY**

*WHEREAS, it is with deep and sincere sorrow that the members of the Sixty-Seventh Legislative Assembly of the State of Montana record the passing of James G. Shockley on September 14, 2020. It is fitting and proper that the record and accomplishments of James G. Shockley be filed on the official records of this Assembly, and the following facts relative to his career are hereby noted.*

Jim Shockley was born in Phoenix, Arizona on September 12, 1944 to Gene and Helen Shockley. He moved around and graduated from Jeb Stuart High School in Virginia in 1962. He attended the University of Oklahoma for one semester, when he transferred to the University of Montana. Darby, the home of his paternal grandparents, Clyde and Margaret Shockley, was always considered home.

In 1963 Jim became a Marine and served in duty stations such as Okinawa, the Philippines and Vietnam. In 1965 he was severely wounded in Vietnam by enemy machine gun fire. His friend, Sergeant Major Freddie Murray rescued him from the ambush site, saving Jim’s life. After his service, Jim returned to the University of Montana and obtained a bachelor’s in history and found Marilee, who became his wife of 51 years.

In 1969 Jim went to Officers Candidate School and was commissioned as a 2<sup>nd</sup> Lieutenant in the Marines. While in the Marines he returned to UM where he obtained his JD degree in 1976. He then practiced as a trial lawyer in the Marine Corps for 12 years. Jim retired from the Corps in February 1988 as a Major. He earned the Purple Heart and many other awards

In 1989 Jim and Marilee moved to Victor, opening their law and CPA firms. Jim had a solo practice including public defending, real estate law, estates and other services.

In 1999 Jim became a legislator, first serving 6 years in the House of Representatives and then 8 years in the Senate.

Jim was predeceased by his parents and grandparents. He is survived by his spouse Marilee, and his brothers, Mark (Sherry) and Steve (Nancy), as well as many nieces, nephews, cousins, friends, and other relatives.

## **DONALD J. “DON” STEINBEISSER**

*WHEREAS, it is with deep and sincere sorrow that the members of the Sixty-Seventh Legislative Assembly of the State of Montana record the passing of Donald J. Steinbeisser on September 12, 2020 at the age of 85. It is fitting and proper that the record and accomplishments of Donald J. Steinbeisser be filed on the official records of this Assembly, and the following facts relative to his career are hereby noted.*

Don was born on April 15, 1935 in Sidney to Joseph and Mary Schuhart Steinbeisser. He grew up the second of five children on the family farm and graduated from Sidney High School in 1953. He chose to pursue his passion for farming, working alongside his father and younger brother, Joe. Don and Leona Gierke were married on August 29, 1959, made their home on the family farm, and started a family that would include five children, James, Don Jr., Craig, Janet and Trisha. Don served in the U.S. Army Reserves from 1957 to 1962.

Don served in the Montana House of Representatives from 2000 to 2005 and in the Montana State Senate from 2005 to 2012. He was proud of his time spent in the legislature and was highly respected on both sides of the aisle for his calm demeanor on contentious issues and his ability to listen to all sides. It was at the Legislature that Don found love again after Leona’s passing. Amelia (Lia) Pirrone brought Don a cup of coffee, and that cup turned into a beautiful marriage. They would have celebrated their 13<sup>th</sup> wedding anniversary December 1, 2020.

Don was a proud second-generation Montana farmer/rancher. He often traveled to Washington DC and overseas to lobby on farm bills and trade agreements. On 9/11 Don was in Washington DC at the US Capitol Building.

Don was preceded in death by his parents, his brother Leo, his twin sister Doris Tveit, his wife Leona and his nephew Keith. He is survived by his wife Lia; his sons, Jim (May Ann), Don Jr. (DelRae)., and Craig; daughters Janet (Jim) Krivec and Trisha (John) Zowada; nine grandchildren, Jennifer (Luke) See, Michael (Jessica) Steinbeisser, Ryan, Lauren and Jonathan Krivec, Sara Zowada, Corbin, Liam and Claire Steinbeisser; five great-grandchildren; his brother Joseph (Mary Ann) Steinbeisser, Jr.; his stepchildren Annalisa Pirrone (Ray Ervin) and Riccardo (Britt) Pirrone; his sister Mary Schwede; and numerous nieces and nephews.



## GOVERNOR STAN STEPHENS

*WHEREAS, it is with deep and sincere sorrow that the members of the Sixty-Seventh Legislative Assembly of the State of Montana record the passing of Governor Stan Stephens on April 3, 2021 in Kalispell at the age of 91. It is fitting and proper that the record and accomplishments of Governor Stan Stephens be filed on the official records of this Assembly, and the following facts relative to his career are hereby noted.*

Stan Stephens was born September 16, 1929, in Calgary, Alberta, Canada, to Margaret and Joseph Stephens, immigrants from Scotland and England. He grew up in a loving and musically gifted family, learning from his father to master the trumpet at an early age. By age 7, Stan was playing trumpet solos in the Calgary Symphony and music became a life-long passion to him,

At age 19, Stan moved to the United States, eventually settling in Havre, Montana. Prior to seeking US citizenship, he enlisted in the US Armed Forces Broadcast Network and served in the Korean War. Upon his return to Havre in the early 1950's, he proposed to the girl who captured his heart, Ann Hanson. The two were married in 1954 and raised two daughters. Ann passed away in 2017.

Stan's 38-year career began in broadcasting and as co-owner of radio station KOJM. He later expanded into community television and introduced cable television to Havre in the 1960s followed by expansion to Glasgow and Sidney.

His radio editorials were most notable. He wrote and aired radio editorials covering a broad spectrum of issues on the local, state and national fronts. In 1975, he earned national recognition by receiving the Edward R. Murrow award for journalistic excellence.

He served as a Republican state senator from Havre for 16 years, serving in several leadership positions along the way. In 1986, the National Republican Legislators Association recognized him as one of the country's ten most outstanding state lawmakers. Stan then ran for Governor and was sworn in as Montana's 20th Governor on January 2, 1989.

## **BILL STRIZICH**

*WHEREAS, it is with deep and sincere sorrow that the members of the Sixty-Seventh Legislative Assembly of the State of Montana record the passing of Bill Strizich on July 24, 2020. It is fitting and proper that the record and accomplishments of Bill Strizich be filed on the official records of this Assembly, and the following facts relative to his career are hereby noted.*

Bill Strizich was born in March 1949 in Great Falls, the first son of August "Gus" Strizich and attended both Great Falls High School and then graduating from C. M. Russell High School in 1967. He attended Montana State University, initially to study chemistry and eventually graduated with a degree in sociology and criminal justice.

He met his wife, Jeanne, in college, and he was a member of the Phi Delta Theta fraternity. Their son, Stephen John, was born in Bozeman in May of 1971. After graduating, Bill went on to a successful career working for the Montana Board of Crime Control, and then working as a juvenile probation officer in Great Falls. In 1980, he went into business with his brother, opening one of the first computer stores in Montana, called Montana Micro Computers, located in Great Falls.

Bill entered politics in the late 1980s, and served in the House of Representatives from 1987-1993. He was elected as the Minority Whip in 1993. President Bill Clinton appointed Bill to serve as the United States Marshal for the District of Montana, a position that Bill left after President Clinton's last term.

He later opened an art gallery and framing shop with his partner, Lori Fay, which he ran until becoming ill. During that time, he worked as a driver for rail crews and as a union representative for the American Steel Workers. He served on the board of directors for the Montana Civil Liberties Union and as a leader in the Montana Democratic Party.

Bill is survived by his son, Stephen (Nikki); three grandchildren, Ethan, Faith, and Caleb; sister Leona (Greg); brother Larry; his partner, Lori Fay and son Cory.

## JOSEPH “JOE” TROPILA

*WHEREAS, it is with deep and sincere sorrow that the members of the Sixty-Seventh Legislative Assembly of the State of Montana record the passing of Joseph “Joe” Tropila on November 7, 2020 at the age of 85. It is fitting and proper that the record and accomplishments of Joseph Tropila be filed on the official records of this Assembly, and the following facts relative to his career are hereby noted.*

Joe Tropila was born in Jersey City, New Jersey on May 31, 1935, to Helen and Stanley Tropila. He joined the United States Air Force in 1953 and served almost four years stationed at Keesler AFB in Mississippi, Korea and finally Malmstrom Air Force Base in Great Falls.

While working various jobs in Great Falls, he studied and attained his bachelor’s degree in biology from the College of Great Falls. He worked as a business director for the Great Falls Gas Company and in 1965 purchased Calhoun’s Saloon in Black Eagle. Joe remained active in the tavern industry throughout the rest of the 60s, 70s and 80s. In addition to Calhoun’s, he owned and operated Dutchman’s (today’s Longhorn Lounge), the old Heidelberg Bar. He designed and oversaw construction of the new Heidelberg.

In 1974, Joe accepted a customer’s challenge and ran successfully for the Montana House of Representatives where he served from 1975 -1980. In 1981, he was appointed Cascade County Clerk and Recorder, a position he retained through the early 1990’s. Upon retiring, he remained in public service, serving again in the Montana Senate from 2003-2010.

Joe was humbled to be made an honorary member of the Little Shell Tribe of Chippewa Indians. His commitment to their federal recognition spanned many years, and it was a source of immense joy for him when that recognition finally came in late 2019.

Joe is survived by his wife, Mary; children, Mike (Laura), Cathy (Mike) MacDonald, Mitch (Erin), Cecile (Bruce) Sorensen; five grandchildren; and one great-grandchild.

## LARRY V. TVEIT

*WHEREAS, it is with deep and sincere sorrow that the members of the Sixty-Seventh Legislative Assembly of the State of Montana record the passing of Larry Tveit on October 3, 2020 in Billings. It is fitting and proper that the record and accomplishments of Larry Tveit be filed on the official records of this Assembly, and the following facts relative to his career are hereby noted.*

Larry Tveit was born on April 25, 1935 to John and Ida Bernice (Lovely) Tveit in Fairview, the youngest of six children. He attended Sioux Pass Grade School and graduated from Sidney High School in 1953. A year later he married his high school sweetheart, Doris Anne Steinbeisser. He and Doris had five children. Larry married Lorraine Quincer Shackelford on Valentine's Day in 2003.

After a farming career starting out with his dad and later with two of his sons, Larry moved to Sidney and retired from farming in 1996. He drove back and forth from the farm to check his oil wells and make sure the cattle had water. He loved to hunt and fish, especially at Rock Creek on Fort Peck and in northern Canada. He was a member of the Trinity Lutheran Church.

Larry was active as a member and chairman of the Fairview School Board, Exalted Ruler of the Elks Lodge, Board of Directors of the 1st United Bank in Sidney, a director of the Northeast Montana Land & Mineral Owners Association and the Montana Grain Growers Association. He was the Jaycee Outstanding Young Farmer in 1961. In 1996 he began his Black Gold Management consulting business where he shared his oil knowledge.

In 1980 Larry was elected to the Montana State Senate. During his 16 years in Helena he was instrumental in legislation concerning the Missouri Bridge and Fort Union renovation.

Larry is survived by his wife Lorraine; his five children Denise Gartner, Larry (Cheryl), Nolan (Leslie), Kevin (Pam), Carrie (Terry) Roth; nine grandchildren: Nathan, Natasha, Sharina, Brian, Brad, Shauna, Sarah, Darren, and Natalie; fourteen great-grandchildren: Holden, Journey, Sofia, Marina, Wyatt, Brett, Ethan, Caleb, Landon, Thea, Tenley, Grady, Zeemirah, Zyana, two step great-grandchildren, Katherine Patz and Kreed Bloem; many nieces and nephews and Lorraine's family: Ed (Linda Shackelford), Wes (Mary) Shackelford; Kathleen (Gary) Wagnild; 9 grandchildren and 16 great grandchildren.,

## **TED WASHBURN**

*WHEREAS, it is with deep and sincere sorrow that the members of the Sixty-Seventh Legislative Assembly of the State of Montana record the passing of Ted Washburn on September 28, 2019 at the age of 78. It is fitting and proper that the record and accomplishments of Ted Washburn be filed on the official records of this Assembly, and the following facts relative to his career are hereby noted.*

Ted was born on April 9, 1941 to Earl T. and Helen Alex Washburn in White Plains, New York. He graduated from Bethlehem High School in 1959 and joined the Bethlehem Police Department. In 1967 he transferred to the New York State Department of Conservation as a Conservation Officer, having graduated from the New York State Police Academy. He met the love of his life, Claudia Hallenbeck, and they were married on September 23, 1962. Ted was a devoted husband and father.

Ted retired as Chief Conservation Officer after a 40-year career with the rank of Captain. He was named New York State Conservation Officer of the Year in 1975. He served as the Liaison Officer between New York State and the FBI, investigating and combating organized crime and improper hazardous waste disposal. One of the highlights of his career was being the head of security for the 1980 Winter Olympics at Lake Placid for bobsled, luge and ski jump.

After his retirement in 1998, Ted and Claudia moved to Bozeman, a place he had always considered his second home. He served as a Representative in the Montana House of Representatives from 2009 to 2014. He said that his career had been enforcing the law and now he was making the law. He held this responsibility in the highest regard. A highlight of Ted's service was his sponsorship and passage of the Wolf Management Law in 2013.

Ted was a deacon and elder of his church and was involved in jail ministry. Ted served as President of the Board of Liberty Place in Whitehall, Montana. He was a member of the NRA Rocky Mountain Elk Foundation and Walleyes Unlimited.

Ted was preceded in death by his parents. He is survived by his wife Claudia, his brother Robert (Lorraine) of Concord, New Hampshire, his son Raymond (Sherri) Washburn of Warsaw, Indiana, his daughter Wendy (Mike) Houghton of Belgrade, his son James (Alyssa) of Townsend, and his grandchildren Timothy and William Washburn and Seth, Elizabeth Killian and Ted Houghton.

## JACK WELLS

*WHEREAS, it is with deep and sincere sorrow that the members of the Sixty-Seventh Legislative Assembly of the State of Montana record the passing of Jack Wells on March 16, 2021 in Bozeman. It is fitting and proper that the record and accomplishments of Jack Wells be filed on the official records of this Assembly, and the following facts relative to his career are hereby noted.*

Jack Moore Wells was born in a log cabin in Neihart, Montana, on September 13, 1937. He moved to Renton, WA with his parents for a time, but after WWII relocated to Great Falls. After graduation Jack attended Dartmouth University on an academic scholarship. While there, he enrolled in the Air Force ROTC program.

After graduating with a master's degree in electrical engineering, Jack was commissioned in the Air Force as a second lieutenant. Over the course of a 30-year career, Jack enjoyed a variety of exciting assignments. He worked in cryptology, installing the hot line to the Kremlin in the White House during the Kennedy Presidency. He spent the Vietnam War launching spy satellites in the Atlas-Agena program at Cape Canaveral, FL. He eventually returned west to work in the Minuteman and Peacekeeper nuclear missile programs and was stationed at F. E. Warren AFB in Cheyenne, WY, Malmstrom AFB in Great Falls, MT, and Norton AFB in San Bernardino, CA. He served three years as Air Attaché at the U. S. Embassy in Kuala Lumpur, Malaysia. He finished his career as a commander of the Site Alteration Task Force at Warren AFB, retiring as a full colonel.

Jack didn't slow down in retirement. He became a voice for conservatism, serving two terms as a State Representative and another as a State Senator. After retiring, Jack and his wife, Mary Gay, settled in Bozeman, MT, moving later to Sheridan WY for the summers and spending winters in Green Valley, AZ. He rounded out his time with golfing, camping, hunting, fishing, and traveling.

Jack was preceded in death by his parents, Clarence "Slim" Wells and Vivian "Vi" (Simons); stepmother, Agnes; half-brother, Pat Murphy; half-sister, Dorothy Nebel; half-sister, Mickey McMillan; and sister, Jenny Lee Ferda. He is survived by his wife of 44 years, Mary Gay (Taylor); four sons from his first marriage to Sally (Bennett), Kenneth, Kevin, Brian, and Mark; four step-children, Elise, Tom, Steve, and Tara; twenty grandchildren; and nine great-grandchildren.