

**HOUSE JOURNAL
68TH LEGISLATURE
FIFTH LEGISLATIVE DAY**

Helena, Montana
January 06, 2023

House Chambers
State Capitol

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

Roll Call. All members present, except Representatives Bishop, Carlson, Flament, Gillette, Nicol and Weatherwax, excused. Quorum present.

BILLS: (C. Hinkle, Chair) 01/6/2023
Correctly printed: **HB 39, HB 53, HB 73.**
Transmitted to the Senate: **HB 39, HB 53, HB 73.**
Correctly Engrossed: **HB 1, HB 38, HB 77, HB 78.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Jones, Chair): 01/05/2023
HB 1, introduced bill, be amended with [HB0001.001.012](#) and as amended, do pass. Report adopted.

BUSINESS AND LABOR (Buttrey, Chair): 01/06/2023
HB 61, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Fitzgerald, Chair): 01/05/2023
HB 162, do pass. Report adopted.

JUDICIARY (A. Regier, Chair): 01/05/2023
HB 18, do pass. Report adopted.
HB 38, introduced bill, be amended with [HB0038.001.001](#) and as amended, do pass. Report adopted.
HB 63, do pass. Report adopted.
HB 77, introduced bill, be amended with [HB0077.001.001](#) and as amended, do pass. Report adopted.
HB 78, introduced bill, be amended with [HB0078.001.004](#) and as amended, do pass. Report adopted.
HJR 1, introduced bill, be amended with [HJ0001.001.001](#) and as amended, do pass. Report adopted.

LEGISLATIVE ADMINISTRATION (C. Hinkle, Chair): 01/06/2023
HB 28, do pass. Report adopted.

STATE ADMINISTRATION (Dooling, Chair): 01/05/2023
HB 56, do pass. Report adopted.
HB 81, do pass. Report adopted.
HB 90, do pass. Report adopted.
HB 106, do pass. Report adopted.
HB 148, do pass. Report adopted.

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TAXATION (Fielder, Chair):

01/05/2023

HB 58, do pass. Report adopted.

HB 121, do pass. Report adopted.

HB 124, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

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

HB 173, introduced by D. Bedey, referred to State Administration.

HB 175, introduced by E. Buttrey, J. Ellsworth, referred to Appropriations.

HB 176, introduced by S. Galloway, referred to Local Government.

HB 177, introduced by E. Buttrey, referred to Business and Labor.

HB 178, introduced by K. Walsh, S. Fitzpatrick, referred to Business and Labor.

HB 179, introduced by N. Duram, M. Cuffe, D. Fern, B. Beard, S. Kerns, M. Malone, G. Oblander, G. Nikolakakos, D. Baum, J. Etchart, B. Barker, W. Rusk, L. Hellegaard, referred to Transportation.

HB 180, introduced by N. Duram, D. Baum, referred to State Administration.

HB 182, introduced by D. Loge, referred to Business and Labor.

HB 183, introduced by N. Nicol, D. Hawk, R. Marshall, M. Yakawich, G. Oblander, J. Etchart, W. Rusk, referred to Judiciary.

HB 184, introduced by J. Carlson, C. Hinkle, D. Hawk, referred to Transportation.

HB 185, introduced by R. Fitzgerald, referred to Natural Resources.

HB 186, introduced by A. Buckley, E. Kerr-Carpenter, referred to State Administration.

HB 187, introduced by A. Buckley, S. Fitzpatrick, J. Gillette, referred to Local Government.

HB 188, introduced by G. Parry, K. Regier, F. Anderson, B. Usher, J. Small, N. Nicol, G. Kmetz, P. Green, referred to Taxation.

HB 189, introduced by G. Nikolakakos, J. Esp, G. Hertz, D. Zolnikov, J. Trebas, B. Beard, J. Ellsworth, N. Duram, K. Bogner, S. Kerns, C. Friedel, M. Yakawich, T. Brockman, referred to Taxation.

HB 190, introduced by B. Mercer, T. Moore, M. Bertoglio, L. Hellegaard, referred to State Administration.

HB 191, introduced by B. Barker, referred to Energy, Technology and Federal Relations.

HB 192, introduced by B. Mercer, S. Fitzpatrick, M. Regier, D. Bartel, S. Vinton, J. Ellsworth, R. Knudsen, K. Bogner, referred to Taxation.

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

Majority Leader Vinton moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative A. Regier in the chair.

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

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HB 67-Majority Leader Vinton moved consideration of **HB 67** be passed for the day. Without objection, so ordered.

HB 24 - Representative Welch moved **HB 24** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Bishop, Brewster, Brockman, Buckley, Buttrey, Caferro, Carlson, Carter, Cohenour, Deming, Dooling, Duram, Essmann, Etchart, Falk, Fern, Fielder, Fitzgerald, Fitzpatrick, Flament, France, Frazer, Galloway, Gillette, Gist, Green, Gunderson, Hamilton, Harvey, Hawk, Hellegaard, Hinkle C, Hinkle J, Hopkins, Howell, Jones, Karlen, Kassmier, Keenan, Keogh, Kerns, Kerr-Carpenter, Kmetz, Knudsen C, Knudsen R, Kortum, Ler, Loge, Lynch, Malone, Marler, Marshall, Matthews, Mercer, Miner, Mitchell, Moore T, Nave, Nicol, Nikolakakos, Oblander, Parry, Phalen, Read, Regier A, Reksten, Romano, Running Wolf, Rusk, Schillinger, Seekins-Crowe, Sheldon-Galloway, Smith F, Smith L, Smith T, Sprunger, Stafman, Stewart Peregoy, Stromswold, Sullivan, Thane, Tuss, Vinton, Walsh, Weatherwax, Welch, Windy Boy, Wirth, Yakawich, Zephyr, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted absentee: Bishop, Carlson, Flament, Gillette, Nicol, Weatherwax, Aye.

Excused: Bishop, Carlson, Flament, Gillette, Nicol, Weatherwax.
Total 6

Absent or not voting: None.
Total 0

HB 44 - Representative Dooling moved **HB 44** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Bishop, Brewster, Brockman, Buckley, Buttrey, Caferro, Carlson, Carter, Cohenour, Deming, Dooling, Duram, Essmann, Etchart, Falk, Fern, Fielder, Fitzgerald, Fitzpatrick, Flament, France, Frazer, Galloway, Gillette, Gist, Green, Gunderson, Hamilton, Harvey, Hawk, Hellegaard, Hinkle C, Hinkle J, Hopkins, Howell, Jones, Karlen, Kassmier, Keenan, Keogh, Kerns, Kerr-Carpenter, Kmetz, Knudsen C, Knudsen R, Kortum, Ler, Loge, Lynch, Malone, Marler, Marshall, Matthews, Mercer, Miner, Mitchell, Moore T, Nave, Nicol, Nikolakakos, Oblander, Parry, Phalen, Read, Regier A, Reksten, Romano, Running Wolf, Rusk, Schillinger, Seekins-Crowe, Sheldon-Galloway, Smith F, Smith L, Smith T, Sprunger, Stafman, Stewart Peregoy, Stromswold, Sullivan, Thane, Tuss, Vinton, Walsh, Weatherwax, Welch, Windy Boy, Wirth, Yakawich, Zephyr, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted absentee: Bishop, Carlson, Flament, Gillette, Nicol, Weatherwax, Aye.

Excused: Bishop, Carlson, Flament, Gillette, Nicol, Weatherwax.
Total 6

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Absent or not voting: None.
Total 0

HB 50 - Representative Brockman moved **HB 50** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Bishop, Brewster, Brockman, Buckley, Buttrey, Caferro, Carlson, Carter, Cohenour, Deming, Dooling, Duram, Essmann, Etchart, Falk, Fern, Fielder, Fitzgerald, Fitzpatrick, Flament, France, Frazer, Galloway, Gillette, Gist, Green, Gunderson, Hamilton, Harvey, Hawk, Hellegaard, Hinkle C, Hinkle J, Hopkins, Howell, Jones, Karlen, Kassmier, Keenan, Keogh, Kerns, Kerr-Carpenter, Kmetz, Knudsen C, Knudsen R, Kortum, Ler, Loge, Lynch, Malone, Marler, Marshall, Matthews, Mercer, Miner, Mitchell, Moore T, Nave, Nicol, Nikolakakos, Oblander, Parry, Phalen, Regier A, Reksten, Romano, Running Wolf, Rusk, Schillinger, Seekins-Crowe, Sheldon-Galloway, Smith F, Smith L, Smith T, Sprunger, Stafman, Stewart Peregoy, Stromswold, Sullivan, Thane, Tuss, Vinton, Walsh, Weatherwax, Welch, Wirth, Yakawich, Zephyr, Zolnikov, Mr. Speaker.
Total 98

Nays: Read, Windy Boy.
Total 2

Voted absentee: Bishop, Carlson, Flament, Gillette, Nicol, Weatherwax, Aye.

Excused: Bishop, Carlson, Flament, Gillette, Nicol, Weatherwax.
Total 6

Absent or not voting: None.
Total 0

HB 86 - Representative Walsh moved **HB 86** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Bishop, Brewster, Brockman, Buckley, Buttrey, Caferro, Carlson, Carter, Cohenour, Deming, Dooling, Duram, Essmann, Etchart, Falk, Fern, Fielder, Fitzgerald, Fitzpatrick, Flament, France, Frazer, Galloway, Gillette, Gist, Green, Gunderson, Hamilton, Harvey, Hawk, Hellegaard, Hinkle C, Hinkle J, Hopkins, Howell, Jones, Karlen, Kassmier, Keenan, Keogh, Kerns, Kerr-Carpenter, Kmetz, Knudsen C, Knudsen R, Kortum, Ler, Loge, Lynch, Malone, Marler, Marshall, Matthews, Mercer, Miner, Mitchell, Moore T, Nave, Nicol, Nikolakakos, Oblander, Parry, Phalen, Read, Regier A, Reksten, Romano, Running Wolf, Rusk, Schillinger, Seekins-Crowe, Sheldon-Galloway, Smith F, Smith L, Smith T, Sprunger, Stafman, Stewart Peregoy, Stromswold, Sullivan, Thane, Tuss, Vinton, Walsh, Weatherwax, Welch, Windy Boy, Wirth, Yakawich, Zephyr, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted absentee: Bishop, Carlson, Flament, Gillette, Nicol, Weatherwax, Aye.

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Excused: Bishop, Carlson, Flament, Gillette, Nicol, Weatherwax.
Total 6

Absent or not voting: None.
Total 0

HB 98 - Representative Buttrey moved **HB 98** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Bishop, Brewster, Brockman, Buckley, Buttrey, Caferro, Carlson, Carter, Cohenour, Deming, Dooling, Duram, Essmann, Etchart, Falk, Fern, Fielder, Fitzgerald, Fitzpatrick, Flament, France, Frazer, Galloway, Gillette, Gist, Green, Gunderson, Hamilton, Harvey, Hawk, Hellegaard, Hinkle C, Hinkle J, Hopkins, Howell, Jones, Karlen, Kassmier, Keenan, Keogh, Kerns, Kerr-Carpenter, Kmetz, Knudsen C, Knudsen R, Kortum, Ler, Loge, Lynch, Malone, Marler, Marshall, Matthews, Mercer, Miner, Mitchell, Moore T, Nave, Nicol, Nikolakakos, Oblander, Parry, Phalen, Read, Regier A, Reksten, Romano, Running Wolf, Rusk, Schillinger, Seekins-Crowe, Smith F, Smith L, Smith T, Sprunger, Stafman, Stewart Peregoy, Stromswold, Sullivan, Thane, Tuss, Vinton, Walsh, Weatherwax, Welch, Wirth, Yakawich, Zephyr, Zolnikov, Mr. Speaker.
Total 98

Nays: Sheldon-Galloway, Windy Boy.
Total 2

Voted absentee: Bishop, Carlson, Flament, Gillette, Nicol, Weatherwax, Aye.

Excused: Bishop, Carlson, Flament, Gillette, Nicol, Weatherwax.
Total 6

Absent or not voting: None.
Total 0

HB 120 - Majority Leader Vinton moved consideration of **HB 120** be passed for the day. Without objection, so ordered.

HB 153 - Representative Ler moved **HB 153** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Bishop, Brewster, Brockman, Buckley, Buttrey, Caferro, Carlson, Carter, Cohenour, Deming, Dooling, Duram, Essmann, Etchart, Falk, Fern, Fielder, Fitzgerald, Fitzpatrick, Flament, France, Frazer, Galloway, Gillette, Gist, Green, Gunderson, Hamilton, Harvey, Hawk, Hellegaard, Hinkle C, Hinkle J, Hopkins, Howell, Jones, Karlen, Kassmier, Keenan, Keogh, Kerns, Kerr-Carpenter, Kmetz, Knudsen C, Knudsen R, Kortum, Ler, Loge, Lynch, Malone, Marler, Marshall, Matthews, Mercer, Miner, Mitchell, Moore T, Nave, Nicol, Nikolakakos, Oblander, Parry, Phalen, Read, Regier A, Reksten, Romano, Running Wolf, Rusk, Schillinger, Seekins-Crowe, Sheldon-Galloway, Smith F, Smith L, Smith T, Sprunger, Stafman, Stewart Peregoy, Stromswold, Sullivan, Thane, Tuss, Vinton, Walsh, Weatherwax, Welch, Windy Boy, Wirth, Yakawich, Zephyr, Zolnikov, Mr. Speaker.
Total 100

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Nays: None.
Total 0

Voted absentee: Bishop, Carlson, Flament, Gillette, Nicol, Weatherwax, Aye.

Excused: Bishop, Carlson, Flament, Gillette, Nicol, Weatherwax.
Total 6

Absent or not voting: None.
Total 0

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

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Brewster, Brockman, Buckley, Buttrey, Caferro, Carter, Cohenour, Deming, Dooling, Duram, Essmann, Etchart, Falk, Fern, Fielder, Fitzgerald, Fitzpatrick, France, Frazer, Galloway, Gist, Green, Gunderson, Hamilton, Hellegaard, Hinkle C, Hinkle J, Hopkins, Howell, Jones, Kassmier, Keenan, Keogh, Kerns, Kerr-Carpenter, Kmetz, Knudsen C, Knudsen R, Kortum, Ler, Loge, Lynch, Malone, Marler, Marshall, Matthews, Mercer, Miner, Mitchell, Moore T, Nave, Nikolakakos, Oblander, Parry, Phalen, Read, Reksten, Romano, Running Wolf, Rusk, Schillinger, Seekins-Crowe, Sheldon-Galloway, Smith F, Smith L, Smith T, Sprunger, Stafman, Stewart Peregoy, Stromswold, Sullivan, Thane, Tuss, Vinton, Walsh, Welch, Windy Boy, Wirth, Yakawich, Zephyr, Zolnikov, Mr. Speaker.
Total 90

Nays: Harvey, Hawk, Karlen, Regier A.
Total 4

Voted absentee: None.

Excused: Bishop, Carlson, Flament, Gillette, Nicol, Weatherwax.
Total 6

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 39 passed as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Brewster, Brockman, Buckley, Buttrey, Caferro, Carter, Cohenour, Deming, Dooling, Duram, Essmann, Etchart, Falk, Fern, Fielder, Fitzgerald, Fitzpatrick, France, Frazer, Galloway, Gist, Green,
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Gunderson, Hamilton, Harvey, Hawk, Hellegaard, Hinkle C, Hinkle J, Hopkins, Howell, Jones, Karlen, Kassmier, Keenan, Keogh, Kerns, Kerr-Carpenter, Kmetz, Knudsen C, Knudsen R, Kortum, Ler, Loge, Lynch, Malone, Marler, Marshall, Matthews, Mercer, Miner, Mitchell, Moore T, Nave, Nikolakakos, Oblander, Parry, Phalen, Read, Regier A, Reksten, Romano, Running Wolf, Rusk, Schillinger, Seekins-Crowe, Sheldon-Galloway, Smith F, Smith L, Smith T, Sprunger, Stafman, Stewart Peregoy, Stromswold, Sullivan, Thane, Tuss, Vinton, Walsh, Welch, Windy Boy, Wirth, Yakawich, Zephyr, Zolnikov, Mr. Speaker.

Total 94

Nays: None.

Total 0

Voted absentee: None.

Excused: Bishop, Carlson, Flament, Gillette, Nicol, Weatherwax.

Total 6

Absent or not voting: None.

Total 0

HB 53 passed as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Brewster, Brockman, Buckley, Buttrey, Caferro, Carter, Cohenour, Deming, Dooling, Duram, Essmann, Etchart, Falk, Fern, Fielder, Fitzgerald, Fitzpatrick, France, Frazer, Galloway, Gist, Green, Gunderson, Hamilton, Harvey, Hawk, Hellegaard, Hinkle C, Hinkle J, Hopkins, Howell, Jones, Karlen, Kassmier, Keenan, Keogh, Kerns, Kerr-Carpenter, Kmetz, Knudsen C, Knudsen R, Kortum, Ler, Loge, Lynch, Malone, Marler, Marshall, Matthews, Mercer, Miner, Mitchell, Moore T, Nave, Nikolakakos, Oblander, Parry, Phalen, Read, Regier A, Reksten, Romano, Running Wolf, Rusk, Schillinger, Seekins-Crowe, Sheldon-Galloway, Smith F, Smith L, Smith T, Sprunger, Stafman, Stewart Peregoy, Stromswold, Sullivan, Thane, Tuss, Vinton, Walsh, Welch, Windy Boy, Wirth, Yakawich, Zephyr, Zolnikov, Mr. Speaker.

Total 94

Nays: None.

Total 0

Voted absentee: None.

Excused: Bishop, Carlson, Flament, Gillette, Nicol, Weatherwax.

Total 6

Absent or not voting: None.

Total 0

HB 73 passed as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Brewster, Brockman, Buckley, Buttrey, Caferro, Carter, Cohenour, Deming, Dooling, Duram, Essmann,

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Etchart, Falk, Fern, Fielder, Fitzgerald, Fitzpatrick, France, Frazer, Galloway, Gist, Green, Gunderson, Hamilton, Harvey, Hawk, Hellegaard, Hinkle C, Hinkle J, Hopkins, Howell, Jones, Karlen, Kassmier, Keenan, Keogh, Kerns, Kerr-Carpenter, Kmetz, Knudsen C, Knudsen R, Kortum, Ler, Loge, Lynch, Malone, Marler, Marshall, Matthews, Mercer, Miner, Mitchell, Moore T, Nave, Nikolakakos, Oblander, Parry, Phalen, Read, Regier A, Reksten, Romano, Running Wolf, Rusk, Schillinger, Seekins-Crowe, Sheldon-Galloway, Smith F, Smith L, Smith T, Sprunger, Stafman, Stewart Peregoy, Stromswold, Sullivan, Thane, Tuss, Vinton, Walsh, Welch, Windy Boy, Wirth, Yakawich, Zephyr, Zolnikov, Mr. Speaker.
Total 94

Nays: None.
Total 0

Voted absentee: None.

Excused: Bishop, Carlson, Flament, Gillette, Nicol, Weatherwax.
Total 6

Absent or not voting: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vinton moved the House adjourn until 1:00 p.m., Monday, January 07, 2023.
Motion carried.

House adjourned at 1:32 p.m.

CAROLYN TSCHIDA
Chief Clerk of the House

MATT REGIER
Speaker of the House