

**HOUSE JOURNAL
68TH LEGISLATURE
FORTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana
March 11, 2023

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative Brewster. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Butcher, Essmann, C. Hinkle, Kassmier, Running Wolf and Weatherwax, excused. Quorum Present.

BILLS (C. Hinkle, Chair): 03/11/2023
Correctly printed: **HB 297, HB 346, HB 352, HB 355, HB 362, HB 375, HB 377, HB 383, HB 393, HB 520.**
Signed by the Speaker at 9:15 a.m., March 11, 2023: **HB 3, HB 28, HB 167.**
Signed by the Chief Clerk of the House 9:20 a.m., March 11, 2023: **HB 3, HB 28, HB 167.**

FIRST READING AND COMMITMENT OF BILLS

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

SB 3, introduced by M. Cuffe (by request of the Revenue Interim Committee), referred to Taxation.
SB 4, introduced by J. Gross (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Human Services.
SB 16, introduced by G. Hertz (by request of the Revenue Interim Committee), referred to Taxation.
SB 24, introduced by G. Hertz (by request of the Department of Revenue), referred to Taxation.
SB 27, introduced by W. Sales (by request of the Department of Revenue), referred to Taxation.
SB 36, introduced by D. Lenz (by request of the Department of Public Health and Human Services), referred to Human Services.
SB 38, introduced by B. Brown (by request of the Department of Justice), referred to Judiciary.
SB 46, introduced by W. McKamey (by request of the Department of Revenue), referred to Taxation.
SB 54, introduced by G. Hertz (by request of the Department of Revenue), referred to Taxation.
SB 64, introduced by D. Zolnikov (by request of the Department of Revenue), referred to Taxation.
SB 65, introduced by D. Zolnikov (by request of the Department of Revenue), referred to Taxation.
SB 68, introduced by B. Usher (by request of the Department of Corrections), referred to Judiciary.
SB 73, introduced by T. McGillvray (by request of the Legislative Audit Committee), referred to State Administration.
SB 81, introduced by R. Tempel (by request of the Department of Revenue), referred to Taxation.
SB 96, introduced by B. Usher (by request of the Criminal Justice Oversight Council), referred to Judiciary.
SB 105, introduced by S. Fitzpatrick, referred to Judiciary.
SB 106, introduced by S. Fitzpatrick, referred to Transportation.
SB 115, introduced by D. Lenz, referred to Human Services.
SB 116, introduced by D. Lenz, referred to Human Services.
SB 119, introduced by S. Webber, D. Hawk, T. Running Wolf, S. Stewart Peregoy, M. Weatherwax, J. Windy Boy, M. Fox, E. McClafferty, J. Small, referred to Taxation.
SB 123, introduced by G. Hertz, referred to Taxation.
SB 133, introduced by T. McGillvray, referred to Business and Labor.

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SB 138, introduced by S. Fitzpatrick, referred to Judiciary.
SB 149, introduced by D. Lenz, referred to Judiciary.
SB 151, introduced by D. Lenz, referred to Human Services.
SB 154, introduced by K. Regier, referred to Judiciary.
SB 155, introduced by K. Bogner, referred to Business and Labor.
SB 158, introduced by J. Ellsworth, referred to Local Government.
SB 159, introduced by B. Beard, L. Brewster, J. Carlson, J. Dooling, S. Essmann, J. Etchart, T. Falk, R. Fitzgerald, S. Gunderson, L. Hellegaard, M. Hopkins, R. Knudsen, D. Loge, B. Mercer, R. Miner, T. Moore, F. Nave, G. Parry, B. Phalen, M. Regier, A. Regier, J. Schillinger, T. Welch, K. Zolnikov, D. Bartel, J. Fuller, D. Lenz, F. Mandeville, K. Regier, B. Usher, referred to Judiciary.
SB 162, introduced by D. Lenz, referred to Human Services.
SB 166, introduced by R. Lynch, referred to Business and Labor.
SB 167, introduced by S. Fitzpatrick, referred to Business and Labor.
SB 170, introduced by F. Mandeville, referred to Local Government.
SB 171, introduced by K. Regier, referred to Judiciary.
SB 173, introduced by K. Bogner, referred to Local Government.
SB 177, introduced by D. Zolnikov, referred to Business and Labor.
SB 179, introduced by J. Small, referred to Business and Labor.
SB 181, introduced by D. Lenz, referred to Human Services.
SB 184, introduced by D. Lenz, referred to Judiciary.
SB 195, introduced by J. Trebas, S. Galloway, J. Hinkle, B. Mitchell, K. Bogner, C. Friedel, D. Zolnikov, referred to Local Government.

**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 Yakawich in the chair.

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

HB 55 - Representative Loge moved **HB 55** 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, France, Frazer, Galloway, Gillette, Gist, Green, Gunderson, Hamilton, Harvey, Hastings, Hawk, Hellegaard, Hopkins, Howell, Jones, Karlen, Kassmier, Keenan, Keogh, Kerns, Kerr-Carpenter, Kmetz, Knudsen C, Knudsen R, 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, Stewart Peregoy, Sullivan, Thane, Tuss, Vinton, Walsh, Weatherwax, Welch, Windy Boy, Wirth, Yakawich, Zolnikov, Mr. Speaker.

Total 94

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Nays: Butcher, Hinkle C, Hinkle J, Kortum, Stafman, Zephyr.
Total 6

Voted absentee: Essmann, Kassmier, Running Wolf, Weatherwax, Aye; Butcher,
Hinkle C, No.

Excused: Butcher, Essmann, Hinkle C, Kassmier, Running Wolf, Weatherwax.
Total 6

Absent or not voting: None.
Total 0

HB 447 - Representative Thane moved **HB 447** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Bishop, Brewster, Brockman, Buckley, Butcher, Buttrey, Caferro, Carlson, Carter, Cohenour, Deming, Dooling, Duram, Essmann, Etchart, Falk, Fern, Fielder, Fitzgerald, Fitzpatrick, France, Frazer, Galloway, Gist, Green, Gunderson, Hamilton, Harvey, Hastings, 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, Sullivan, Thane, Tuss, Vinton, Walsh, Weatherwax, Welch, Windy Boy, Wirth, Yakawich, Zephyr, Zolnikov, Mr. Speaker.
Total 99

Nays: Gillette.
Total 1

Voted absentee: Butcher, Essmann, Hinkle C, Kassmier, Running Wolf,
Weatherwax, Aye.

Excused: Butcher, Essmann, Hinkle C, Kassmier, Running Wolf, Weatherwax.
Total 6

Absent or not voting: None.
Total 0

HB 449 - Representative Buckley moved **HB 449** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Bishop, Brewster, Brockman, Buckley, Butcher, Buttrey, Caferro, Carlson, Carter, Cohenour, Deming, Dooling, Duram, Etchart, Falk, Fern, Fielder, Fitzgerald, Fitzpatrick, France, Frazer, Galloway, Gillette, Gist, Green, Gunderson, Hamilton, Harvey, Hastings, 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,

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Smith L, Smith T, Sprunger, Stafman, Stewart Peregoy, Sullivan, Thane, Tuss, Vinton, Walsh, Weatherwax, Welch, Windy Boy, Wirth, Yakawich, Zephyr, Zolnikov, Mr. Speaker.

Total 99

Nays: Essmann.

Total 1

Voted absentee: Butcher, Hinkle C, Kassmier, Running Wolf, Weatherwax, Aye; Essmann, No.

Excused: Butcher, Essmann, Hinkle C, Kassmier, Running Wolf, 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 Yakawich moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Bishop, Brewster, Brockman, Buckley, Buttrey, Caferro, Carter, Cohenour, Deming, Dooling, Duram, Etchart, Falk, Fern, Fielder, Fitzgerald, Fitzpatrick, France, Frazer, Galloway, Gillette, Gist, Green, Gunderson, Hamilton, Harvey, Hastings, Hawk, Hellegaard, Hinkle J, Hopkins, Howell, Jones, Karlen, 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, Rusk, Seekins-Crowe, Sheldon-Galloway, Smith F, Smith L, Smith T, Sprunger, Stafman, Stewart Peregoy, Sullivan, Thane, Tuss, Vinton, Walsh, Welch, Windy Boy, Wirth, Zephyr, Zolnikov, Mr. Speaker.

Total 91

Nays: None.

Total 0

Voted absentee: None.

Excused: Butcher, Essmann, Hinkle C, Kassmier, Running Wolf, Weatherwax.

Total 6

Absent or not voting: Carlson, Schillinger, Yakawich.

Total 3

THIRD READING OF BILLS

HB 297 passed as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Bishop, Brewster, Brockman, Buckley, Buttrey, Caferro, Carlson, Carter, Cohenour, Dooling, Duram, Etchart, Falk,

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Fern, Fielder, Fitzgerald, Fitzpatrick, France, Frazer, Galloway, Gillette, Gist, Green, Gunderson, Hamilton, Harvey, Hastings, Hawk, Hellegaard, Hinkle J, Hopkins, Howell, Jones, Karlen, Keenan, Keogh, Kerns, Kerr-Carpenter, Kmetz, Knudsen C, Knudsen R, Ler, Loge, Lynch, Malone, Marshall, Matthews, Mercer, Miner, Mitchell, Moore T, Nave, Nicol, Nikolakakos, Oblander, Parry, Phalen, Read, Regier A, Reksten, Romano, Rusk, Schillinger, Seekins-Crowe, Smith F, Smith L, Smith T, Sprunger, Stafman, Stewart Peregoy, Sullivan, Thane, Tuss, Vinton, Walsh, Welch, Windy Boy, Yakawich, Zolnikov, Mr. Speaker.
Total 88

Nays: Deming, Kortum, Marler, Sheldon-Galloway, Zephyr.
Total 5

Voted absentee: None.

Excused: Butcher, Essmann, Hinkle C, Kassmier, Running Wolf, Weatherwax.
Total 6

Absent or not voting: Wirth.
Total 1

HB 355 passed as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Bishop, Brewster, Brockman, Buckley, Buttrey, Caferro, Carter, Cohenour, Deming, Dooling, Duram, Etchart, Fern, Fielder, Fitzgerald, Fitzpatrick, France, Frazer, Galloway, Gillette, Gist, Green, Hamilton, Harvey, Hastings, Hawk, Hellegaard, Hopkins, Howell, Jones, Karlen, Keogh, Kerns, Kmetz, Knudsen C, Kortum, Loge, Lynch, Malone, Marler, Matthews, Miner, Mitchell, Moore T, Nicol, Nikolakakos, Oblander, Parry, Read, Reksten, Romano, Rusk, Seekins-Crowe, Sheldon-Galloway, Smith F, Smith L, Sprunger, Stafman, Stewart Peregoy, Sullivan, Thane, Tuss, Vinton, Walsh, Welch, Windy Boy, Yakawich, Zephyr, Zolnikov.
Total 77

Nays: Carlson, Falk, Gunderson, Hinkle J, Keenan, Knudsen R, Ler, Marshall, Mercer, Nave, Phalen, Regier A, Schillinger, Smith T, Mr. Speaker.
Total 15

Voted absentee: None.

Excused: Butcher, Essmann, Hinkle C, Kassmier, Running Wolf, Weatherwax.
Total 6

Absent or not voting: Kerr-Carpenter, Wirth.
Total 2

HB 362 passed as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bertoglio, Binkley, Bishop, Buckley, Buttrey, Caferro, Carlson, Carter, Cohenour, Deming, Duram, Etchart, Fern, Fitzgerald, Fitzpatrick, France, Frazer, Galloway, Gist, Green, Gunderson, Hamilton, Harvey, Hastings, Hawk, Hinkle J,

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Howell, Jones, Karlen, Keogh, Kerr-Carpenter, Kmetz, Kortum, Ler, Loge, Lynch, Marler, Marshall, Matthews, Miner, Nicol, Nikolakakos, Oblander, Parry, Phalen, Regier A, Romano, Rusk, Seekins-Crowe, Smith F, Smith L, Smith T, Sprunger, Stafman, Stewart Peregoy, Sullivan, Thane, Tuss, Walsh, Welch, Windy Boy, Yakawich, Zephyr, Zolnikov.

Total 69

Nays: Bergstrom, Brewster, Brockman, Dooling, Falk, Fielder, Gillette, Hellegaard, Hopkins, Keenan, Kerns, Knudsen C, Knudsen R, Malone, Mercer, Mitchell, Moore T, Nave, Read, Reksten, Schillinger, Sheldon-Galloway, Vinton, Mr. Speaker.

Total 24

Voted absentee: None.

Excused: Butcher, Essmann, Hinkle C, Kassmier, Running Wolf, Weatherwax.

Total 6

Absent or not voting: Wirth.

Total 1

HB 375 passed as follows:

Yeas: Abbott, Barker, Baum, Bedey, Bergstrom, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Fern, Fitzgerald, Fitzpatrick, Frazer, Gist, Hamilton, Harvey, Hawk, Hellegaard, Hinkle J, Hopkins, Howell, Jones, Keogh, Kerr-Carpenter, Knudsen C, Kortum, Ler, Loge, Lynch, Marler, Matthews, Miner, Nicol, Parry, Read, Reksten, Romano, Rusk, Sheldon-Galloway, Smith L, Stafman, Stewart Peregoy, Sullivan, Thane, Tuss, Walsh, Welch, Windy Boy, Yakawich, Zephyr.

Total 52

Nays: Anderson, Bertoglio, Brockman, Carlson, Carter, Cohenour, Deming, Dooling, Duram, Etchart, Falk, Fielder, Galloway, Gillette, Green, Gunderson, Hastings, Karlen, Keenan, Kerns, Kmetz, Knudsen R, Malone, Marshall, Mercer, Mitchell, Moore T, Nave, Nikolakakos, Oblander, Phalen, Regier A, Schillinger, Seekins-Crowe, Smith F, Smith T, Sprunger, Vinton, Mr. Speaker.

Total 39

Voted absentee: None.

Excused: Butcher, Essmann, Hinkle C, Kassmier, Running Wolf, Weatherwax.

Total 6

Absent or not voting: France, Wirth, Zolnikov.

Total 3

HB 377 passed as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Bishop, Brewster, Brockman, Buckley, Buttrey, Caferro, Carter, Cohenour, Deming, Dooling, Duram, Etchart, Falk, Fern, Fielder, Fitzgerald, Fitzpatrick, France, Frazer, Galloway, Gillette, Gist, Green, Gunderson, Hamilton, Hastings, Hellegaard, Hinkle J, Hopkins, Howell, Jones, Karlen, Keenan, Keogh, Kerns, Kerr-Carpenter, Kmetz, Knudsen C, Knudsen R, Kortum, Ler, Loge, Lynch, Malone, Marler,

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Matthews, Mercer, Miner, Mitchell, Moore T, Nave, Nicol, Nikolakakos, Oblander, Parry, Phalen, Read, Regier A, Reksten, Romano, Rusk, Seekins-Crowe, Sheldon-Galloway, Smith F, Smith L, Smith T, Sprunger, Stafman, Stewart Peregoy, Sullivan, Thane, Tuss, Vinton, Walsh, Welch, Windy Boy, Yakawich, Zephyr, Zolnikov, Mr. Speaker.
Total 88

Nays: Carlson, Harvey, Hawk, Marshall, Schillinger.
Total 5

Voted absentee: None.

Excused: Butcher, Essmann, Hinkle C, Kassmier, Running Wolf, Weatherwax.
Total 6

Absent or not voting: Wirth.
Total 1

MOTIONS

Majority Leader Vinton moved to re-refer **HB 449** to the Appropriations Committee. Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vinton moved the House adjourn until 1:00 p.m., Monday, March 13, 2023. Motion carried.

House adjourned at 8:41 a.m.

CAROLYN TSCHIDA
Chief Clerk of the House

MATT REGIER
Speaker of the House