HOUSE JOURNAL 67TH LEGISLATURE TWENTY-NINTH LEGISLATIVE DAY

Helena, Montana House Chambers February 11, 2021 State Capitol

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

Roll Call. All members present. Quorum present.

BILLS (J. Hinkle, Chair):

2/11/2021

Correctly printed: HB 208, HB 220, HB 224, HB 225, HB 242, HB 259, HB 282, HB 345, HB 346, HB 347, HB 348, HB 349, HB 350, HB 351, HB 352, HB 353, HB 354, HB 355, HB 355, HB 356, HB 357, HB 358, HB 359, HJR 10, SB 27, SB 31, SB 61, SB 66, SB 90.

Correctly engrossed: HB 188, HB 266, HB 281.

Transmitted to the Senate: HB 208, HB 224, HB 225, HB 242, SB 27, SB 31, SB 61, SB 66.

Signed by the Speaker at 8:04 a.m., February 11, 2021: HB 3.

Signed by the Chief Clerk of the House at 8:07 a.m., February 11, 2021: HB 3.

Signed by the President at 7:00 a.m., February 11, 2021: **HB 102**.

Signed by the President at 2:30 p.m., February 11, 2021: HB 3.

Delivered to the Governor for approval at 8:22 a.m., February 11, 2021: HB 102.

Delivered to the Governor for approval at 3:17 p.m., February 11, 2021: HB 3.

Representative Gillette arose on a **Point of Personal Privilege** to apologize for her comments on the previous day.

REPORTS OF STANDING COMMITTEES

ENERGY, TECHNOLOGY AND FEDERAL RELATIONS (Skees, Chair):

2/10/2021

HB 50, do pass. Report adopted. **HB 273**, do pass. Report adopted.

STATE ADMINISTRATION (McKamey, Chair):

2/10/2021

HB 319, do pass. Report adopted.

SB 93, be concurred in. Report adopted.

SB 110, be concurred in. Report adopted.

TAXATION (Beard, Chair):

2/11/2021

HB 240, do pass. Report adopted.

HB 303, introduced bill, be amended as follows:

1. Title, line 8.

Strike: "THE BLOCK GRANT PROGRAM" Insert: "GUARANTEED TAX BASE AID"

2. Title, line 10.

Following: "15-1-123,"

Strike: "AND"

Following: "15-6-138," Insert: "AND 20-9-366,"

3. Page 8, line 18.

Following: "15-1-121(5),"
Strike: "each school district,"

4. Page 9, line 3 through line 4. Strike: subsection (5) in its entirety Renumber: subsequent subsections

5. Page 11, line 16 through page 12, line 1.

Strike: section 4 in its entirety

Insert: "Section 4. Section 20-9-366, MCA, is amended to read:

"20-9-366. Definitions. As used in 20-9-366 through 20-9-371, the following definitions apply:

- (1) "County retirement mill value per elementary ANB" or "county retirement mill value per high school ANB" means the sum of the taxable valuation in the previous year of all property in the county divided by 1,000, with the quotient divided by the total county elementary ANB count or the total county high school ANB count used to calculate the elementary school districts' and high school districts' prior year total per-ANB entitlement amounts.
- (2) (a) "District guaranteed tax base ratio" for guaranteed tax base funding for the BASE budget of an eligible district means the taxable valuation in the previous year of all property in the district, except for property value disregarded because of protested taxes under 15-1-409(2) or property subject to the creation of a new school district under 20-6-326, divided by the district's prior year GTBA budget area.
- (b) "District mill value per ANB", for school facility entitlement purposes, means the taxable valuation in the previous year of all property in the district, except for property subject to the creation of a new school district under 20-6-326, divided by 1,000, with the quotient divided by the ANB count of the district used to calculate the district's prior year total per-ANB entitlement amount.
- (3) "Facility guaranteed mill value per ANB", for school facility entitlement guaranteed tax base purposes, means the sum of the taxable valuation in the previous year of all property in the state, multiplied by 140% and divided by 1,000, with the quotient divided by the total state elementary ANB count or the total state high school ANB count used to calculate the elementary school districts' and high school districts' prior year total per-ANB entitlement amounts.
- (4) "Guaranteed tax base aid budget area" or "GTBA budget area" means the portion of a district's BASE budget after the following payments are subtracted:
 - (a) direct state aid:
 - (b) the total data-for-achievement payment;
 - (c) the total quality educator payment;
 - (d) the total at-risk student payment;
 - (e) the total Indian education for all payment;

- (f) the total American Indian achievement gap payment; and
- (g) the state special education allowable cost payment.
- (5) (a) "Statewide elementary guaranteed tax base ratio" or "statewide high school guaranteed tax base ratio", for guaranteed tax base funding for the BASE budget of an eligible district, means the sum of the taxable valuation in the previous year of all property in the state, multiplied by 193% for fiscal year 2018, 216% for fiscal year 2019, 224% for fiscal year 2020, and 232% for fiscal year 2021 and 234% for fiscal year 2023 and each succeeding fiscal year and divided by the prior year statewide GTBA budget area for the state elementary school districts or the state high school districts.
- (b) "Statewide mill value per elementary ANB" or "statewide mill value per high school ANB", for school retirement guaranteed tax base purposes, means the sum of the taxable valuation in the previous year of all property in the state, multiplied by 121% and divided by 1,000, with the quotient divided by the total state elementary ANB count or the total state high school ANB amount used to calculate the elementary school districts' and high school districts' prior year total per-ANB entitlement amounts." "

Renumber: subsequent sections

6. Page 12, line 3 through line 4. Strike: section 5 in its entirety Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HJR 5, do pass. Report adopted.

TRANSPORTATION (Loge, Chair):

HB 188, introduced bill, be amended as follows:

1. Page 18, line 13 through line 16.

Strike: "An" on line 13 through "follows:" on line 16

Insert: "Unless a vehicle is permanently registered under 61-3-562, the annual registration fee for an electric vehicle is the amount provided in this section plus the following additional fee, which must be remitted by the county treasurers pursuant to 15-1-504 and deposited in the highway restricted account provided for in 15-70-126:"

2/10/2021

2. Page 18, line 17.

Strike: "\$100" Insert: "\$150"

3. Page 18, line 17.

Following: "if"

Strike: "the declared weight of the vehicle is less than 6,000 pounds or"

4. Page 18, line 18. Following: "less"

Insert: "and has fewer than three axles"

Following: "less;"

Strike: "or"

5. Page 18, line 19.

Strike: "\$150" Insert: "\$250"

6. Page 18, line 19.

Following: "if"

Strike: "the declared weight of the vehicle is 6,000 pounds or more or"

7. Page 18, line 20.

Following: "ton"

Insert: "and has fewer than three axles; or

(iii) \$500 for an electric vehicle with three or more axles"

8. Page 19, line 9.

Following: "(6)" Insert: "(a)"

9. Page 19.

Following: line 10

Insert: "(b) The additional fee for a heavy truck, bus, or logging truck that is an electric vehicle is provided in subsection (2)(c)."

10. Page 19, line 11.

Following: "(7) (a)"

Insert: "(i)"

11. Page 19, line 11.

Strike: "subsection"

Insert: "subsections (7)(a)(ii) and"

12. Page 19, line 13.

Strike: "(i)" Insert: "(A)"

Renumber: subsequent subsections

13. Page 19.

Following: line 16

Insert: "(ii) For a motor home that is an electric vehicle, the additional fee is provided in subsection (2)(c)."

14. Page 19, line 22. Following: "61-3-406;"

Strike: "and"

15. Page 19, line 24. Following: "61-3-465"

Insert: "; and

(v) if the motor home is an electric vehicle, an additional fee of five times the additional fee provided in subsection (2)(c)"

16. Page 24, line 23.

Strike: "61-3-321, which county" Insert: "61-3-321(2)(c). County"

17. Page 24, line 24. Following: "remit"

Insert: "this additional fee"

18. Page 25. Following: line 10

Insert: "Section 5. Section 61-10-211, MCA, is amended to read:

"61-10-211. Fees on motortrucks, truck tractors, trailers, and semitrailers from other states. (1) In lieu of other fees for the licensing of vehicles, there must be collected a fee for each motortruck and truck tractor that is not an electric vehicle and is already licensed for the year in another jurisdiction and operated upon an itinerant basis in this state. The fee provided in subsection (2) must be collected upon each entrance of the vehicle into the state and must be based upon the number of miles to be traveled in the state and the registered gross vehicle weight of the motortruck or truck tractor as shown in the application of the nonresident operator.

(2) The fee for each trip in Montana is:

(2) The 100 for each trip in	0-200 miles	201-400 miles	over 400 miles
Up to 46,000 lbs.	\$10	\$15	\$20
46,001 through 80,000 lbs.	20	30	40
Over 80,001 lbs.	50	65	80
Triple combination	60	80	100

(3) (a) In lieu of other fees for the licensing of vehicles, there must be collected a fee for each motortruck and truck tractor that is an electric vehicle and is already licensed for the year in another jurisdiction and operated on an itinerant basis in this state. The fee provided in subsection (3)(b) must be collected upon each entrance of the vehicle into the state and must be based on the number of miles to be traveled in the state of the motortruck or truck tractor as shown in the application of the nonresident operator. Fees collected pursuant to this subsection (3) must be

deposited in the highway restricted account provided for in 15-70-126 not later than the 20th day of the month following collection of the fee, with a detailed report on a form prescribed by the department.

- (b) The fee for each trip in Montana pursuant to subsection (3)(a) of a motortruck or truck tractor that is an electric vehicle is:
 - (i) \$12 for each trip of 200 miles or less;
 - (ii) \$20 for each trip of over 200 to 400 miles; and
 - (iii) \$30 for each trip of over 400 miles.
- (3) (4) The fees do not apply to any trailer the principal use of which is as temporary or permanent living quarters, or to any vehicle of a carnival that is under contract with a state, county, or district fair association.
- $\frac{4}{5}$ A fee must be collected for each nonresident, unlicensed or unregistered trailer or semitrailer entering Montana. The fee for each trip in Montana is:
 - (a) \$10 for each trip of 200 miles or less;
 - (b) \$15 for each trip of over 200 miles to 400 miles; and
 - (c) \$20 for each trip of over 400 miles." "

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 266, introduced bill, be amended as follows:

1. Title, line 4 through line 5.

Strike: "EXEMPTING" on line 4 through "PLATE" on line 5

Insert: "MANDATING ISSUANCE OF A CERTIFICATE OF WAIVER TO APPLICANTS WITH VEHICLES THAT CANNOT DISPLAY A FRONT LICENSE PLATE"

2. Page 1, line 21.

Following: "or"
Strike: ","
Insert: "or"

3. Page 1, line 21 through line 22.

Strike: ", or" on line 21 through "older" on line 22

4. Page 1, line 23.

Following: "or"
Strike: ","
Insert: "or"

5. Page 1, line 23.

Following: "rod"

Strike: ", or motor vehicle that is 25 model years old or older"

6. Page 1, line 26.

Strike: "may" Insert: "shall"

7. Page 1, line 27.

Strike: "If a certificate of waiver is issued, the"

Insert: "The"

And, as amended, do pass. Report adopted.

HB 271, do pass. Report adopted. **HB 272**, do pass. Report adopted.

HB 281, introduced bill, be amended as follows:

1. Page 18, line 14.

Following: "a"

Insert: "vehicle on which a person may ride that has two or three wheels, fully operable pedals, a saddle seat for the rider, and an electric motor of less than 750 watts and that meets the requirements of one of the following three classes"

2. Page 18, line 15.

Following: "(i)" Insert: "a"

3. Page 18, line 15.

Strike: "electric"

Insert: "electrically assisted"

4. Page 18, line 18. Following: "(ii)" Insert: "a"

5. Page 18, line 18. Strike: "electric"

Insert: "electrically assisted"

6. Page 18, line 21. Following: "(iii)" Insert: "a"

7. Page 18, line 21.

Strike: "electric"

Insert: "electrically assisted"

8. Page 18, line 23. Strike: "electric"

Insert: "electrically assisted"

9. Page 19, line 19. Following: "(n)" Insert: "(i)"

10. Page 19. Following: line 23

Insert: "(ii) The term does not include an electrically assisted bicycle."

11. Page 20. Following: line 21

Insert: "NEW SECTION. Section 4. Electrically assisted bicycles. (1) On or after January 1, 2022, manufacturers and distributors of electrically assisted bicycles shall apply a label that is permanently affixed, in a prominent location, to each electrically assisted bicycle. The label must contain the classification number, top assisted speed, and motor wattage of the electrically assisted bicycle, and must be printed in arial font in at least 9-point type.

- (2) A person may not tamper with or modify an electrically assisted bicycle so as to change the motor-powered speed capability or engagement of an electrically assisted bicycle unless the label indicating the classification required in subsection (1) is replaced after modification.
- (3) An electrically assisted bicycle must comply with the equipment and manufacturing requirements adopted by the United States consumer product safety commission under 16 CFR, part 1512.
- (4) An electrically assisted bicycle must operate in a manner in which the electric motor is disengaged or ceases to function when the rider stops pedaling or when the brakes are applied.
- (5) (a) An electrically assisted bicycle may be ridden, with the motor in operation, in places where bicycles that are solely human-powered are allowed, including but not limited to streets, highways, roadways, bicycle lanes, and bicycle or shared-use paths.
- (b) Following notice and a public hearing, a local authority or state agency having jurisdiction over a bicycle or shared-use path may prohibit the motorized operation of a class 1 electrically assisted bicycle or class 2 electrically assisted bicycle on that path, if it finds that a restriction is needed for safety reasons or compliance with other laws or legal obligations.
- (c) A local authority or state agency having jurisdiction over a bicycle or shared-use path may prohibit the motorized operation of a class 3 electrically assisted bicycle on that path.
- (6) No person under 16 years of age may operate a class 3 electrically assisted bicycle. A person under 16 years of age may ride as a passenger on a class 3 electrically assisted bicycle that is designed to accommodate passengers.
- (7) All class 3 electrically assisted bicycles must be equipped with a speedometer that displays the speed the bicycle is traveling in miles an hour. "

Insert: "NEW SECTION. Section 5. Codification instruction. [Section 4] is intended to be codified as an integral part of Title 61, chapter 8, and the provisions of Title 61, chapter 8, apply to [section 4]."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

SB 9, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

2/9/2021

HB 26, introduced by M. Funk

HB 62, introduced by M. Hopkins

HB 68, introduced by M. Bertoglio

HB 74, introduced by J. Gillette

HB 153, introduced by R. Fitzgerald

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

2/9/2021

HB 23, introduced by B. Beard

Senate bills passed and transmitted to the House for concurrence:

2/9/2021

SB 72, introduced by K. Regier

SB 155, introduced by T. Jacobson

FIRST READING AND COMMITMENT OF BILLS

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

HB 360, introduced by M. Regier, referred to Human Services.

HB 361, introduced by M. Regier, referred to Agriculture.

HB 362, introduced by R. Fitzgerald, F. Garner, referred to State Administration.

HB 363, introduced by J. Trebas, G. Frazer, W. Galt, B. Usher, referred to Taxation.

HB 364, introduced by J. Trebas, referred to Human Services.

HB 365, introduced by J. Trebas, G. Frazer, J. Hinkle, J. Kassmier, K. Zolnikov, C. Glimm, referred to Transportation.

HB 366, introduced by K. Kortum, referred to Judiciary.

HB 367, introduced by P. Fielder, F. Anderson, M. Binkley, J. Carlson, N. Duram, J. Fuller,

S. Galloway, W. Galt, F. Garner, S. Gist, S. Gunderson, E. Hill, C. Hinkle, J. Hinkle, L. Jones,

J. Kassmier, C. Knudsen, R. Knudsen, D. Lenz, B. Ler, M. Malone, R. Marshall, B. Mitchell,

M. Noland, J. Patelis, B. Phalen, J. Read, M. Regier, V. Ricci, J. Schillinger, K. Seekins-Crowe,

L. Sheldon-Galloway, D. Skees, J. Trebas, B. Tschida, B. Usher, S. Vinton, K. Walsh, C. Smith,

M. Blasdel, B. Brown, M. Cuffe, J. Ellsworth, C. Glimm, S. Hinebauch, B. Keenan, K. Regier, referred to Judiciary.

HB 368, introduced by S. Greef, referred to Judiciary.

HB 369, introduced by M. Caferro, E. McClafferty, referred to Human Services.

HB 370, introduced by M. Regier, J. Kassmier, J. Keane, D. Skees, K. Zolnikov, D. Ankney, C. Glimm, D. Kary, K. Regier, M. Sweeney, referred to Energy, Technology and Federal Relations. **HB 371**, introduced by D. Bedey, S. Berglee, D. Salomon, referred to State Administration. **HB 372**, introduced by B. Ler, J. Kassmier, B. Phalen, J. Schillinger, S. Hinebauch, referred to Taxation.

HB 373, introduced by K. Holmlund, D. Bedey, E. Buttrey, J. Dooling, F. Garner, M. Hopkins, J. Keane, E. Kerr-Carpenter, D. Ankney, K. Bogner, R. Lynch, J. Small, referred to Appropriations.
HB 374, introduced by K. Holmlund, D. Bedey, E. Buttrey, J. Dooling, F. Garner, M. Hopkins, J. Keane, D. Ankney, K. Bogner, R. Lynch, J. Small, referred to Appropriations.
HB 375, introduced by F. Nave, J. Fuller, K. Seekins-Crowe, referred to Transportation.
HB 376, introduced by J. Windy Boy, referred to Energy, Technology and Federal Relations.

HB 377, introduced by W. McKamey, E. Buttrey, G. Custer, W. Galt, F. Garner, S. Gunderson, C. Knudsen, B. Mercer, B. Phalen, M. Thane, B. Usher, D. Kary, J. Small, R. Tempel, referred to Judiciary.

HB 378, introduced by M. Thane, referred to Business and Labor.

HB 379, introduced by S. Vinton, L. Brewster, R. Knudsen, referred to Business and Labor.

HB 380, introduced by K. Seekins-Crowe, D. Bartel, L. Brewster, N. Duram, P. Fielder,

F. Fleming, J. Fuller, S. Galloway, S. Gist, S. Gunderson, E. Hill, C. Hinkle, J. Hinkle,

R. Knudsen, D. Lenz, B. Ler, B. Mercer, B. Mitchell, T. Moore, F. Nave, J. Patelis, J. Read,

A. Regier, V. Ricci, D. Skees, M. Stromswold, B. Tschida, B. Usher, S. Vinton, K. Zolnikov,

D. Ankney, B. Brown, C. Friedel, C. Glimm, S. Hinebauch, D. Howard, D. Kary, T. Manzella,

T. McGillvray, B. Molnar, C. Smith, referred to Legislative Administration.

HB 381, introduced by M. Dunwell, referred to State Administration.

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

HJR 11, introduced by B. Mitchell, D. Bartel, D. Bedey, S. Berglee, M. Binkley, L. Brewster, E. Buttrey, J. Carlson, G. Custer, N. Duram, P. Fielder, F. Fleming, G. Frazer, J. Fuller, S. Galloway, W. Galt, J. Gillette, S. Gist, S. Greef, S. Gunderson, E. Hill, C. Hinkle, J. Hinkle, M. Hopkins, L. Jones, J. Kassmier, S. Kerns, R. Knudsen, D. Lenz, B. Ler, M. Malone, R. Marshall, W. McKamey, B. Mercer, T. Moore, F. Nave, M. Noland, J. Patelis, B. Phalen, J. Read, A. Regier, M. Regier, V. Ricci, J. Schillinger, K. Seekins-Crowe, L. Sheldon-Galloway, D. Skees, M. Stromswold, J. Trebas, B. Tschida, B. Usher, S. Vinton, K. Zolnikov, C. Glimm, referred to Judiciary.

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

SB 72, introduced by K. Regier, referred to Education.

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

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 Phalen in the chair.

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

HB 146 - Representative Mercer moved HB 146 do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Nays: Harvey, Hawk, Moore, Olsen, Trebas.

Total 5

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 179 - Representative Bedey moved **HB 179** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bedey, Berglee, Bertoglio, Binkley, Bishop, Buckley, Buttrey, Carlson, Curdy, Dooling, Dunwell, Farris-Olsen, Fitzgerald, France, Frazer, Funk, Gist, Greef, Hamilton, Harvey, Hawk, Hayman, Hill, Holmlund, Hopkins, Jones, Karjala, Kelker, Keogh, Kerr-Carpenter, Kortum, Loge, Malone, Marler, McKamey, Novak, Olsen, Ricci, Running Wolf, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Windy Boy.

Total 52

Nays: Bartel, Beard, Brewster, Caferro, Custer, Duram, Fern, Fielder, Fleming, Fuller, Galloway,

Garner, Gillette, Gunderson, Hinkle C, Hinkle J, Kassmier, Keane, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Marshall, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stromswold, Trebas, Tschida, Usher, Whitman, Zolnikov, Mr. Speaker.

Total 48

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 28 - Representative Anderson moved SB 28 be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Harvey, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Nays: Dunwell, Hamilton, Olsen.

Total 3

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 56 - Representative Hill moved SB 56 be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones,

Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Nays: None. Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 70 - Representative Buttrey moved SB 70 be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Nays: Hayman, Kortum, Olsen.

Total 3

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 79 - Representative Loge moved SB 79 be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Nays: Olsen. Total 1

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 96 - Representative Whiteman Pena moved **SB** 96 be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Loge, Malone, Marler, Marshall, McKamey, Mercer, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Mr. Speaker.

Total 94

Nays: Bartel, Fielder, Ler, Mitchell, Regier M, Zolnikov.

Total 6

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 97 - Representative Buttrey moved SB 97 be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker. Total 100

Nays: None. Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 104 - Representative Gillette moved SB 104 be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Nays: Caferro, Olsen.

Total 2

Voted absentee: None.

Excused: None.

Total 0

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

Yeas: Abbott, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Hawk, Hayman, Hinkle C, Hinkle J, Holmlund, Hopkins, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Novak, Olsen, Patelis, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker. Total 91

Nays: Harvey, Hill, Phalen, Tschida.

Total 4

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Anderson, Bartel, Jones, Noland, Stewart Peregoy.

Total 5

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 208 passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Caferro,

Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stafman, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Nays: Abbott, Bishop, Buckley, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Novak, Olsen, Running Wolf, Smith, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 31

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 224 passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Gunderson, Harvey, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Keane, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Patelis, Phalen, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Whitman, Zolnikov, Mr. Speaker.

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Greef, Hamilton, Hawk, Hayman, Karjala, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Olsen, Putnam, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Welch, Whiteman Pena, Windy Boy.

Total 33

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 225 passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Gunderson, Harvey, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Keane, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Patelis, Phalen, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Greef, Hamilton, Hawk, Hayman, Karjala, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Olsen, Putnam, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 32

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 242 passed as follows:

Yeas: Anderson, Bartel, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Custer, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hawk, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Nays: Abbott, Beard, Bishop, Buckley, Caferro, Curdy, Dooling, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Novak, Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 34

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 27 concurred in as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Harvey, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Nays: Hamilton, Tenenbaum.

Total 2

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 31 concurred in as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Nays: None. Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 61 concurred in as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Nays: Read. Total 1

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 66 concurred in as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf,

Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 100

Nays: None. Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vinton moved to re-refer **HB 350** from the Judiciary Committee to the Transportation Committee. Without objection, so ordered.

Majority Leader Vinton moved to re-refer **HB 146** the Appropriations Committee. Without objection, so ordered.

UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 331**. Motion carried.

HB 331 (C. Knudsen, Chief Sponsor) R. Farris-Olsen.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vinton moved the House adjourn until 1:00 p.m., Friday, February 12, 2021. Motion carried.

House adjourned at 2:29 p.m.

CAROLYN TSCHIDA Chief Clerk of the House WYLIE GALT Speaker of the House