

**SENATE JOURNAL
67TH LEGISLATURE
TWENTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
February 4, 2021

Senate Chambers
State Capitol

Senate convened at 1:00 p.m. President Blasdel presiding. Invocation by Pastor Steve Bostrom. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS AND JOURNALS (Keenan, Chair):

2/4/2021

Correctly printed: **SB 33, SB 43, SB 125, SR 56, SR 57, SR 58, SR 59, HB 62, HB 96, HB 153.**

Correctly engrossed: **SB 83.**

Correctly enrolled: **SB 21, SR 9, SR 10.**

Examined by the sponsor and found to be correct: **SR 9, SR 10.**

Transmitted to the House: **SB 93, SB 110, SB 115, SB 116, SB 123, SB 127, SB 129.**

Signed by the Secretary of the Senate at 3:30 p.m., February 3, 2021: **SR 5, SR 6, SR 8.**

Signed by the President at 4:30 p.m., February 3, 2021: **SR 5, SR 6, SR 8.**

Delivered to the Secretary of State at 11:15 a.m., February 4, 2021: **SR 5, SR 6, SR 8.**

Delivered to the Governor at 11:20 a.m., February 4, 2021: **SR 4.**

Delivered to the Governor at 11:21 a.m., February 4, 2021: **SR 5, SR 6, SR 8.**

REPORTS OF STANDING COMMITTEES

EDUCATION AND CULTURAL RESOURCES (Salomon, Chair):

2/3/2021

HB 26, be concurred in.

HB 32, be concurred in.

HB 33, be concurred in.

PUBLIC HEALTH, WELFARE AND SAFETY (Howard, Chair):

2/3/2021

SB 155, do pass.

HB 70, be concurred in.

STATE ADMINISTRATION (Kary, Chair):

2/3/2021

SB 89, introduced bill, be amended as follows:

1. Title, line 5 through line 6.

Strike: "PROVIDING" on line 5 through "ORGANIZATION;" on line 6

2. Title, line 6.

Following: "DUES;"

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Insert: "AND"

3. Title, line 7.
Following: "SECTIONS"
Strike: "39-31-101,"
Following: "39-31-203"
Strike: ","
Insert: "AND"
Following: "39-31-401"
Strike: ", AND 39-31-402"

4. Title, line 7 through line 8.
Strike: "; AND" on line 7 through "MCA" on line 8

5. Page 1, line 12 through line 27.
Strike: section 1 and section 2 in their entirety
Renumber: subsequent sections

6. Page 2, line 10 through line 11.
Strike: "section" on line 10 through "and" on line 11

7. Page 2, line 25 through page 3, line 14.
Strike: section 5, section 6, and section 7 in their entirety

And, as amended, do pass.

Without objection, committee reports were adopted.

MESSAGES FROM THE OTHER HOUSE

House bills passed and transmitted to the Senate for concurrence:

2/3/2021

HB 116, introduced by V. Ricci
HB 130, introduced by D. Bedey
HB 177, introduced by F. Garner
HB 193, introduced by J. Patelis
HB 199, introduced by D. Harvey
HB 200, introduced by K. Holmlund
HB 215, introduced by C. Knudsen
HB 234, introduced by M. Stromswold

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FIRST READING AND COMMITMENT OF BILLS

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

SB 176, introduced by B. Molnar, J. Small, referred to Energy and Telecommunications.

SB 177, introduced by D. Sands, referred to Judiciary.

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

SR 60, introduced by S. Hinebauch, referred to Fish and Game.

SR 61, introduced by S. Hinebauch, referred to Fish and Game.

SR 62, introduced by S. Hinebauch, referred to Fish and Game.

SR 63, introduced by M. Lang, referred to Agriculture, Livestock and Irrigation.

SR 64, introduced by M. Lang, referred to Agriculture, Livestock and Irrigation.

SR 65, introduced by M. Lang, referred to Agriculture, Livestock and Irrigation.

SR 66, introduced by M. Lang, referred to Agriculture, Livestock and Irrigation.

SR 67, introduced by M. Lang, referred to Agriculture, Livestock and Irrigation.

SR 68, introduced by M. Lang, referred to Agriculture, Livestock and Irrigation.

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

HB 116, introduced by V. Ricci, referred to Judiciary.

HB 130, introduced by D. Bedey, referred to Business, Labor, and Economic Affairs.

HB 177, introduced by F. Garner, R. Fitzgerald, referred to Business, Labor, and Economic Affairs.

HB 193, introduced by J. Patelis, referred to Business, Labor, and Economic Affairs.

HB 199, introduced by D. Harvey, referred to Business, Labor, and Economic Affairs.

HB 200, introduced by K. Holmlund, D. Bedey, M. Blasdel, K. Bogner, J. Dooling, J. Ellsworth, W. Galt, F. Garner, S. Gist, E. Hill, M. Hopkins, D. Howard, L. Jones, D. Loge, B. Mercer, B. Phalen, J. Schillinger, J. Small, B. Usher, G. Vance, T. Welch, K. Whitman, referred to Judiciary.

HB 215, introduced by C. Knudsen, D. Skees, J. Read, G. Vance, M. Blasdel, L. Jones, G. Hertz, W. Galt, F. Garner, J. Hinkle, W. McKamey, V. Ricci, B. Tschida, D. Fern, M. Regier, D. Bartel, B. Usher, T. Welch, L. Bishop, F. Fleming, . Duram, J. Fuller, . Knudsen, J. Kassmier, B. Ler, B. Phalen, J. Carlson, B. Mitchell, P. Fielder, S. Gist, M. Stromswold, C. Hinkle, G. Frazer, R. Marshall, referred to Judiciary.

HB 234, introduced by M. Stromswold, K. Zolnikov, referred to Business, Labor, and Economic Affairs.

**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 Friedel in the chair.

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

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SR 11 - Senator Vance moved that the nomination transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 11**. 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, 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

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SR 13 - Senator Kary moved that the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 13**. 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, 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

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SR 15 - Senator Kary moved that the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 15**. Motion carried 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, 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: Gross.
Total 1

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SR 16 - Senator Kary moved that the nomination transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 16**.

SR 16 - Senator Kary moved **SR 16**, second reading copy, be amended as follows:

1. Page 1, line 12.
Strike: "2025"
Insert: "2026"

Amendment **adopted** as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, 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

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

SR 16 - As amended, **SR 16**, was adopted as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, 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

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 15 - Senator Ellis moved **SB 15** do pass. Motion carried as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Cohenour, Cuffe, Ellis, Esp, Fitzpatrick, Flowers, Fox, Gauthier, Gillespie, Gross, Hertz, Hoven, Jacobson, Kary, Lang, Lynch, Manzella, McClafferty, McNally, Molnar, Morigeau, O'Brien, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Sweeney, Tempel, Webber, Mr. President.
Total 38

Nays: Brown, Ellsworth, Friedel, Glimm, Hinebauch, Howard, Keenan, McGillvray, Osmundson, Smith C, Vance, Welborn.
Total 12

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 130 - Senator Manzella moved **SB 130** do pass. Motion carried as follows:

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

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Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, 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

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 8 - Senator Cohenour moved **SB 8** do pass. Motion carried as follows:

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

Nays: Ankney, Brown, Ellsworth, Fitzpatrick, Glimm, Hinebauch, Howard, Kary, McGillvray, Osmundson, Regier K, Smith C, Vance.
Total 13

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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

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

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch,

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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

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 33 passed as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Gross, Hertz, Hoven, Howard, Jacobson, Kary, 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 44

Nays: Brown, Glimm, Hinebauch, Keenan, Vance, Welborn.
Total 6

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 43 passed as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Cohenour, Cuffe, Ellis, Ellsworth, Flowers, Fox, Friedel, Gauthier, Gillespie, Gross, Hertz, Hoven, Howard, Jacobson, Kary, Lang, Lynch,

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McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Sweeney, Tempel, Webber.
Total 39

Nays: Brown, Esp, Fitzpatrick, Glimm, Hinebauch, Keenan, Manzella, Smith C, Vance, Welborn, Mr. President.
Total 11

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 65, as amended by the House, passed as follows:

Yeas: Ankney, Bogner, Brown, Cuffe, Ellsworth, Esp, Fitzpatrick, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Manzella, McGillvray, Osmundson, Regier K, Sales, Salomon, Small, Smith C, Tempel, Vance, Webber, Welborn, Mr. President.
Total 32

Nays: Bennett, Boland, Boldman, Cohenour, Ellis, Flowers, Fox, Gross, Lynch, McClafferty, McNally, Molnar, Morigeau, O'Brien, Pomnichowski, Pope, Sands, Sweeney.
Total 18

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 125 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

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Nays: None.
Total 0

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Smith moved the Senate adjourn until 1:00 p.m., Friday, February 5, 2021, the twenty-fifth legislative day. Motion carried.

Senate adjourned at 1:39 p.m.

MARILYN MILLER
Secretary of the Senate

MARK BLASDEL
President of the Senate