

**HOUSE JOURNAL
67TH LEGISLATURE
SIXTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
April 6, 2021

House Chambers
State Capitol

House convened at 10:00 a.m. Mr. Speaker presiding. Invocation by Representative Welch. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Nave, Noland, and Whiteman Pena, excused. Quorum present.

BILLS (J. Hinkle, Chair): 4/6/2021

Correctly printed: **HB 340, HB 637, HB 641, HB 647, HB 658, HB 661, HB 663, HB 665, HB 667, HB 670, HB 671, HB 675, HB 681, HB 682, HB 683, HB 686, HB 688, HB 689, HB 691, HB 692, HB 693, HB 695, HB 696, HB 697, HB 701, HB 704, HB 705, HB 711, HJR 32, HJR 33, SB 182, SB 191.**

Correctly engrossed: **HB 648, HB 691, HB 694, HB 697, HB 700, HB 701, HB 703, HB 704, HB 705, HB 707, HB 708, HB 709.**

Correctly enrolled: **HB 31, HB 34, HB 43, HB 47, HB 49, HB 50, HB 55, HB 57, HB 159, HB 163, HB 176, HB 192, HB 207, HB 211, HB 223, HB 252, HB 259, HB 280, HB 289, HB 291, HB 292, HB 307, HB 328, HB 346, HB 349, HB 364, HB 379, HB 386, HB 393, HB 407, HB 432, HB 440, HB 482, HB 494, HB 499, HB 543, HB 556, HB 558, HB 609, HB 611, HJR 6, HR 5.**

Examined by the sponsor and found to be correct: **HB 31, HB 34, HB 43, HB 47, HB 49, HB 55, HB 159, HB 163, HB 176, HB 192, HB 194, HB 207, HB 211, HB 246, HB 252, HB 259, HB 289, HB 292, HB 346, HB 349, HB 379, HB 386, HB 393, HB 432, HB 440, HB 494, HB 543, HB 611, HR 5.**

Transmitted to the Senate: **HB 637, HB 641, HB 647, HB 665, HB 667, HB 688, HB 692, HB 702, SB 184, SB 278, SB 319.**

Signed by the President at 6:30 a.m., April 6 2021: **HB 89, HB 91, HB 121, HB 152, HB 173, HB 217, HB 218, HB 226, HB 242, HB 243, HB 305, HB 306, HB 310, HB 383, HB 401, HB 402, HB 438, HB 446, HB 454, HJR 10, HJR 17.**

Delivered to the Governor for approval at 12:11 p.m., April 6, 2021: **HB 89, HB 91, HB 121, HB 152, HB 173, HB 217, HB 218, HB 226, HB 242, HB 243, HB 305, HB 306, HB 310, HB 383, HB 401, HB 402, HB 438, HB 446, HB 454.**

Representative Skees arose to express condolences on the passing of Governor Stan Stephens.

The House stood for a moment of silence.

LEGISLATIVE ADMINISTRATION (J. Hinkle, Chair): 4/6/2021
MR. SPEAKER:

We, your committee on Legislative Administration recommend employment of the following pages of the House be ceased as of 5:00 p.m., Thursday, April 1, 2021:

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Sam Davis, White Sulphur Springs
Carson LeLacheur, Townsend
Alex Novark, White Sulphur Springs
Macee Patritti, Whitehall

and recommend the following pages of the House be employed as of 10:00 a.m., Tuesday, April 6, 2021:

Emmett Allen, Bozeman
Brayden Keane, Butte
Carly Larson, Bozeman
Elizabeth Walker, Helena

Report Adopted.

UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 701**.
Motion carried.

HB 701 (M. Hopkins, Chief Sponsor)
B. Putnam.

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Kassmier, Chair): 4/1/2021
HB 697, do pass. Report adopted.
HB 700, introduced bill, be amended as follows:

1. Title, line 4.

Following: "RELATED TO"
Strike: "FORESTRY AND"

2. Title, line 5 through line 7.

Strike: "PROVIDING" on line 5 through "FEE;" on line 7
Insert: "REVISING SEED SALE LAW;"

3. Title, line 7.

Strike: "76-13-154"
Insert: "80-5-124"

4. Page 1, line 12 through page 2, line 5.

Strike: sections 1 and 2 in their entirety

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5. Page 2.

Following: line 6

Insert: "**Section 1.** Section 80-5-124, MCA, is amended to read:

"80-5-124. Exemptions. (1) The labeling requirements in 80-5-123 and the prohibitions in 80-5-134 do not apply to:

(a) seed or grain that is not intended for sowing purposes;

(b) seed in storage in or being transported or consigned to a cleaning or processing establishment for cleaning or processing if:

(i) the invoice or labeling accompanying that seed bears the statement "seeds for processing"; and

(ii) any labeling or representation made with respect to the uncleaned or unprocessed seed is subject to this chapter; and

(c) a carrier in respect to seed transported or delivered for transportation in the ordinary course of its business as a carrier, as long as the carrier is not engaged in producing, processing, or marketing seed that is subject to the provisions of this chapter.

(2) (a) A person is not subject to the penalties in 80-5-136 for selling, or offering for sale, conditioning, or cleaning seeds subject to the provisions of this chapter that were incorrectly labeled or represented as to kind, species and subspecies (if appropriate), variety, type, origin, elevation, or year of collection (if required) when the seed cannot be identified by examination, unless the person has failed to obtain an invoice, genuine grower declaration, or other labeling information and has failed to take reasonable precautions to ensure the identity of the seeds. A genuine grower declaration of variety is considered an affirmation that the grower holds records of proof regarding parent seed, such as invoices and labels.

(b) A person who asserts an exemption pursuant to this section shall pay a \$1 fee to the department of agriculture."

Renumber: subsequent sections

6. Page 2, line 7 through line 12.

Strike: sections 3 and 4 in their entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 708, introduced bill, be amended as follows:

1. Page 1, line 19.

Strike: "the upscaling of"

Insert: "adding value to"

2. Page 1, line 21.

Following: "importance of"

Insert: "growing and adding value to local products and"

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3. Page 2, line 2.

Strike: "The"

Insert: "In consultation with the presiding officers of the house agriculture committee and the senate agriculture, livestock, and irrigation committee, the"

4. Page 2, line 5.

Strike: "The"

Insert: "In consultation with the presiding officers of the house agriculture committee and the senate agriculture, livestock, and irrigation committee, the"

5. Page 2, line 11.

Strike: "an anti-poverty organization"

Insert: "a local food grower and retailer"

6. Page 2, line 21 through line 22.

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

Insert: "(d) opportunities to add value in all sectors of agricultural production;

(e) existing programs and initiatives focused on food security and agricultural prosperity, including programs funded with federal money or donations, such as the farmers to families program;"

7. Page 2, line 23.

Following: "issues"

Insert: ", challenges, and opportunities"

Following: "food;"

Strike: "and"

8. Page 2, line 24.

Following: "programs"

Insert: "; and

(h) challenges to food security, such as soil health and pollinator decline"

And, as amended, do pass. Report adopted.

APPROPRIATIONS (Jones, Chair):

3/30/2021

HB 693, do pass. Report adopted.

BUSINESS AND LABOR (Noland, Chair):

4/1/2021

HB 704, introduced bill, be amended as follows:

1. Page 1.

Following: line 9

Insert: "WHEREAS, it is the intent of this act to authorize the state lottery commission to conduct a game that is similar to its existing Montana Millionaire game for the purpose of assisting

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and promoting live horseracing in this state; and
WHEREAS, it is the intent of this act to use the state lottery's resources to promote live horseracing in this state in the promotion of this game; and
WHEREAS, nothing in this bill should interfere with any existing game conducted by the state lottery commission, including the Montana Millionaire game."

2. Page 1, line 13.

Following: "rulemaking."

Insert: "(1)"

3. Page 1, line 15 through line 17.

Strike: "The" on line 15 through "suitable." on line 17

Insert: "(2)"

4. Page 1, line 18.

Strike: "all remaining proceeds"

Insert: "50% of net revenue"

5. Page 1, line 19.

Following: "state."

Insert: "(3) The lottery shall cooperate with the board of horseracing and promote live horseracing, including but not limited to posting dates of live horseraces, as part of the marketing of the special raffle or lottery game.

(4)"

And, as amended, do pass. Report adopted.

HB 705, introduced bill, be amended as follows:

1. Title, line 5 through line 6.

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

2. Title, line 8 through line 9.

Strike: "REVISING" on line 8 through "APPLICATIONS;" on line 9

3. Title, line 14.

Strike: "16-4-402,"

4. Title, line 14.

Strike: "16-6-314,"

Insert: "AND"

5. Title, line 14.

Strike: "AND 23-5-177,"

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6. Page 1, line 20 through page 2, line 14.

Strike: section 1 in its entirety

Renumber: subsequent sections

7. Page 2, line 18.

Following: "beverages."

Insert: "The licensed retailer must demonstrate that it has adequate control over all alcoholic beverages to prevent self-service, service to underage persons, and service to persons who are actually or apparently intoxicated."

8. Page 2, line 28.

Strike: "notice" through "beginning the alteration"

Insert: "a copy of the revised floorplan for the licensed premises after the alteration is complete"

9. Page 3, line 4.

Following: "premises."

Insert: "An alteration that increases the square footage of the existing approved premises must be approved by the department prior to the alteration occurring."

10. Page 3, line 15.

Following: "seats"

Strike: "separate from gambling"

11. Page 3, line 20.

Following: "access."

Insert: "The application fee is \$100."

(7) For licensed retailers operating within a hotel or similar short-term lodging facility, the delivery of alcohol to guests of accommodation units and the prestocking of alcoholic beverages in accommodation units is allowed for the accommodation units within the property as long as the purchaser's age is verified and there are adequate safeguards in place to prevent underage service."

12. Page 4, line 11.

Following: "(d)"

Insert: "(i)"

13. Page 4, line 13.

Strike: "(i)"

Insert: "(A)"

Renumber: subsequent subsections

14. Page 4, line 15.

Following: "motel;"

Strike: "or"

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15. Page 4, line 17.

Strike: "(2)(d)(iv)"

Insert: "(2)(d)(i)(D)"

16. Page 4.

Following: line 18

Insert: "(ii) In order to qualify toward the required total for the purposes of subsection (2)(a), accommodation units may not be located within the boundaries of a quota area as provided in 16-4-201(1) or (2) as of the date of submission for a resort retail all-beverages license."

17. Page 5, line 21.

Following: "of a"

Strike: "municipal"

Following: "area"

Insert: "as defined in 16-4-201(1) or (2)"

18. Page 5, line 26.

Following: "area."

Insert: "The application fee is \$100."

19. Page 7, line 2.

Strike: "25%"

Insert: "15%"

20. Page 7, line 3.

Strike: "25%"

Insert: "15%"

21. Page 7, line 10.

Strike: "25%"

Insert: "15%"

22. Page 7, line 14.

Strike: "20%"

Insert: "15%"

23. Page 7, line 15.

Strike: "20%"

Insert: "15%"

24. Page 7, line 23.

Strike: "20%"

Insert: "15%"

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25. Page 8, line 1.

Strike: "20%"

Insert: "15%"

26. Page 8, line 2.

Strike: "20%"

Insert: "15%"

27. Page 8, line 5.

Strike: "20%"

Insert: "15%"

28. Page 8, line 6.

Strike: "20%"

Insert: "15%"

29. Page 8, line 27.

Strike: "25%"

Insert: "15%"

30. Page 8, line 28.

Strike: "25%"

Insert: "15%"

31. Page 9, line 5.

Strike: "20%"

Insert: "15%"

32. Page 9, line 6.

Strike: "20%"

Insert: "15%"

33. Page 9, line 14.

Strike: "20%"

Insert: "15%"

34. Page 9, line 15.

Strike: "20%"

Insert: "15%"

35. Page 9, line 18.

Strike: "20%"

Insert: "15%"

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36. Page 9, line 19.

Strike: "20%"

Insert: "15%"

37. Page 10, line 12.

Strike: "25%"

Insert: "15%"

38. Page 10, line 13.

Strike: "25%"

Insert: "15%"

39. Page 10, line 20.

Strike: "20%"

Insert: "15%"

40. Page 10, line 21.

Strike: "20%"

Insert: "15%"

41. Page 11, line 3.

Strike: "20%"

Insert: "15%"

42. Page 11, line 4.

Strike: "20%"

Insert: "15%"

43. Page 11, line 7.

Strike: "20%"

Insert: "15%"

44. Page 11, line 8.

Strike: "20%"

Insert: "15%"

45. Page 12, line 2.

Following: "(9)"

Insert: "(a)"

46. Page 12.

Following: "entity."

Insert: "(b) A licensee's use of short-term financing of 45 days or less from institutional lenders and noninstitutional lenders does not constitute an undisclosed ownership interest in the license.

(c)"

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47. Page 12, line 10 through page 13, line 11.

Strike: section 5 in its entirety

Renumber: subsequent sections

48. Page 13, line 26 through line 27.

Following: "both"

Strike: ", but" on line 26 through "part 3;" on line 27

Insert: "only if the violations jeopardize health, welfare, and safety. Late paperwork, incomplete paperwork, or other paperwork insufficiencies and errors do not constitute violations for purposes of revocation."

49. Page 14, line 28.

Following: "and,"

Insert: "and"

Following: "(3)"

Strike: ", and (4)"

50. Page 15, line 1 through line 2.

Strike: "person" on line 1 through "each" on line 2

Insert: "person holding 15% or more of the outstanding stock, each officer, and, if the applicant is a publicly traded corporation, each"

51. Page 15, line 20 through line 25.

Strike: subsection (4) in its entirety

Insert: "(4) Approved applicants may use a single background check and set of fingerprints for multiple license applications within 3 years. Applicants must attest that no criminal charges have been filed since the background check was last completed."

52. Page 16, line 1.

Strike: "20%"

Insert: "15%"

53. Page 16, line 2.

Strike: "or 25% of the stock in the publicly traded corporation"

54. Page 16, line 3.

Strike: "20%"

Insert: "15%"

55. Page 16, line 3 through line 4.

Strike: "or greater" on line 3 through "corporation" on line 4

56. Page 16, line 7.

Strike: "20%"

Insert: "15%"

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57. Page 16.

Following: line 27

Insert: "(3) The department may assess a fine of up to \$500 for violations of subsection (1). The fine applies to licensed entities and nonlicensed entities."

58. Page 17, line 1 through line 9.

Strike: section 10 in its entirety

Renumber: subsequent sections

59. Page 17, line 26.

Following: "seating"

Strike: "that is not attached to gaming"

60. Page 17, line 28 through page 19, line 11.

Strike: sections 12 and 13 in their entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 707, introduced bill, be amended as follows:

1. Title, line 10.

Following: "MCA;"

Insert: "AMENDING SECTION 56, INITIATIVE MEASURE NO. 190, APPROVED NOVEMBER 3, 2020;"

2. Page 3, line 14.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

3. Page 5, line 7.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

4. Page 7, line 28.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

5. Page 10, line 14.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

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6. Page 17, line 15.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

7. Page 18, line 18.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

8. Page 20, line 8.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

9. Page 21, line 25.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

10. Page 21, line 26.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

11. Page 22, line 7.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

12. Page 25, line 12.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

13. Page 25, line 27.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

14. Page 26, line 12.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

15. Page 27, line 13.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

16. Page 28, line 6.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

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17. Page 30, line 1.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

18. Page 30, line 14.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

19. Page 32, line 21.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

20. Page 33, line 24.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

21. Page 34, line 11.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

22. Page 34, line 26.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

23. Page 36, line 21.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

24. Page 38, line 13.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

25. Page 38, line 24.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

26. Page 40, line 4.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

27. Page 41, line 17.

Strike: "October 1, 2021"

Insert: "March 1, 2022"

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28. Page 42.

Following: line 5

Insert: "**Section 30.** Section 56, Initiative Measure No. 190, approved November 3, 2020, is amended to read:

"**Section 56. Effective Dates.** (1) [Sections 8, 16, 23, 36, and 40 through 49] are effective January 1, 2021.

(2) Except as provided in subsection (1), [this act] is effective on ~~October 1, 2021~~ March 1, 2022."

Renumber: subsequent sections

29. Page 42, line 13.

Strike: "January"

Insert: "March"

And, as amended, do pass. Report adopted.

HUMAN SERVICES (Lenz, Chair):

3/31/2021

HB 691, do pass. Report adopted.

JUDICIARY (Usher, Chair):

3/31/2021

HB 703, introduced bill, be amended as follows:

1. Page 6.

Following: line 16

Insert: "COORDINATION SECTION. Section 7. Coordination instruction. If both House Bill No. 702 and [this act] are passed and approved and if a subsection of [section 1] of House Bill No. 702 defines the terms "immunity passport" and "vaccination status" and [this act] amends 49-2-101 to define the terms "immunity passport" and "vaccination status", then the subsection defining those terms in [section 1] of House Bill No. 702 is void. "

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 709, introduced bill, be amended as follows:

1. Page 2, line 7.

Strike: "\$63"

Insert: "\$83"

2. Page 3, line 10.

Strike: "\$20"

Insert: "\$30"

And, as amended, do pass. Report adopted.

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JUDICIARY (Usher, Chair): 4/1/2021
HB 711, do pass. Report adopted.

JUDICIARY (Usher, Chair): 4/6/2021
HB 658, do pass. Report adopted.

LOCAL GOVERNMENT (Custer, Chair): 4/1/2021
HB 694, introduced bill, be amended as follows:

1. Page 3, line 10.

Following: "(4) Failure"

Insert: "of a board of a local government entity, as defined in [section 1(6)],"

2. Page 3, line 14.

Strike: "2-7-501"

Insert: "[section 1(6)]"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Gunderson, Chair): 4/1/2021
HB 648, introduced bill, be amended as follows:

1. Page 2, line 16.

Following: "appropriate."

Insert: "The department may issue grants to qualified individuals or entities to conduct the investigation."

2. Page 2, line 17.

Strike: "bureau of mines and geology"

Insert: "department"

And, as amended, do pass. Report adopted.

HB 695, do pass. Report adopted.

STATE ADMINISTRATION (McKamey, Chair): 3/31/2021
HB 689, do pass. Report adopted.

TAXATION (Beard, Chair): 4/1/2021
HB 701, do pass. Report adopted.
SB 182, be concurred in. Report adopted.

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MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/31/2021

HB 57, introduced by D. Lenz
HB 280, introduced by M. Regier
HB 407, introduced by M. Noland
HB 482, introduced by S. Gunderson
HB 558, introduced by M. Noland
HB 609, introduced by S. Kerns

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

3/31/2021

HB 66, introduced by T. Moore
HB 231, introduced by M. Regier

House amendments to Senate bills concurred in:

3/31/2021

SB 169, introduced by M. Cuffe
SB 196, introduced by T. McGillvray
SB 211, introduced by S. Fitzpatrick
SB 230, introduced by M. Lang

SB 354 - The Senate failed to concur in House amendments to **SB 354**, authorized the President to appoint the following Free Conference Committee, and requested that the House appoint a like committee to confer on House amendments to **SB 354**:

4/1/2021

Senator Hinebauch, Chair
Senator Fitzpatrick
Senator McClafferty

MESSAGES FROM THE GOVERNOR

April 1, 2021

The Honorable Wylie Galt
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Galt:

On Wednesday, March 31, 2021, I have signed the following bills:

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House Bill 22 - Garner
House Bill 32 - Vinton
House Bill 33 - Vinton
House Bill 53 - Hamilton
House Bill 83 - Dooling
House Bill 100 - Hayman
House Bill 130 - Bedey
House Bill 133 - Anderson
House Bill 177 - Garner
House Bill 213 - Keane
House Bill 214 - Anderson
House Bill 232 - Garner
House Bill 254 - Fitzgerald
House Bill 266 - Holmlund
House Bill 270 - Buttrey
House Bill 271 - Marshall
House Bill 290 - Tschida
House Bill 294 - Fitzgerald
House Bill 313 - Gillette

On Thursday, April 1, 2021, I have signed the following bills:

House Bill 29 - Trebas
House Bill 40 - Curdy
House Bill 56 - Loge
House Bill 65 - Moore
House Bill 76 - Frazer
House Bill 117 - Ricci
House Bill 141 - Keogh
House Bill 164 - Keogh
House Bill 198 - Harvey
House Bill 220 - Putnam
House Bill 268 - Phalen
House Bill 282 - Anderson
House Bill 283 - Anderson
House Bill 373 - Holmlund
House Bill 374 - Holmlund
House Bill 425 - Schillinger

The bills have been delivered to the Secretary of State's office.

Sincerely,
GREG GIANFORTE
Governor

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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 637 passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buckley, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Jones, Kassmier, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Novak, 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.

Total 65

Nays: Abbott, Bishop, Buttrey, Caferro, Carlson, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kortum, Marler, Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Windy Boy.

Total 31

Voted absentee: None.

Excused: Nave, Noland, Whiteman Pena.

Total 3

Absent or not voting: Hopkins.

Total 1

HB 641 passed 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, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 95

Nays: Stewart Peregoy.

Total 1

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Voted absentee: None.

Excused: Nave, Noland, Whiteman Pena.
Total 3

Absent or not voting: Hopkins.
Total 1

HB 647 passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buckley, Buttrey, Carlson, Custer, Dooling, Duram, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Hawk, Hill, Hinkle C, Hinkle J, Holmlund, Jones, Kassmier, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Kortum, Ler, Loge, Malone, Marshall, Mercer, Mitchell, Moore, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Thane, Trebas, Tschida, Usher, Walsh, Weatherwax, Welch, Whiteman, Zolnikov.
Total 71

Nays: Abbott, Bishop, Caferro, Curdy, Dunwell, Farris-Olsen, Funk, Harvey, Hayman, Karjala, Keane, Kerns, Knudsen R, Lenz, Marler, McKamey, Olsen, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Vinton, Windy Boy, Mr. Speaker.
Total 25

Voted absentee: None.

Excused: Nave, Noland, Whiteman Pena.
Total 3

Absent or not voting: Hopkins.
Total 1

HB 665 passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Duram, Fern, Fielder, Fitzgerald, Fleming, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Hill, Hinkle C, Hinkle J, Holmlund, Jones, Kassmier, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mitchell, Moore, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Skees, Stromswold, Tenenbaum, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whiteman, Zolnikov, Mr. Speaker.
Total 71

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Nays: Abbott, Bishop, Dunwell, Farris-Olsen, France, Frazer, Funk, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Marler, Mercer, Running Wolf, Sheldon-Galloway, Smith, Stafman, Stewart Peregoy, Sullivan, Thane, Weatherwax, Windy Boy.

Total 25

Voted absentee: None.

Excused: Nave, Noland, Whiteman Pena.

Total 3

Absent or not voting: Hopkins.

Total 1

HB 667 passed 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, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 92

Nays: Hamilton, Moore, Regier M, Stewart Peregoy.

Total 4

Voted absentee: None.

Excused: Nave, Noland, Whiteman Pena.

Total 3

Absent or not voting: Hopkins.

Total 1

HB 688 passed 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, Garner, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Ler, Loge, Malone,

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Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Novak, Olsen, Patelis, Phalen, Putnam, Regier A, Reksten, Running Wolf, Seekins-Crowe, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 85

Nays: Galloway, Gillette, Lenz, Read, Regier M, Ricci, Schillinger, Sheldon-Galloway, Tschida, Weatherwax, Windy Boy.

Total 11

Voted absentee: None.

Excused: Nave, Noland, Whiteman Pena.

Total 3

Absent or not voting: Hopkins.

Total 1

HB 692 passed 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, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, 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, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted absentee: None.

Excused: Nave, Noland, Whiteman Pena.

Total 3

Absent or not voting: Hopkins.

Total 1

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HB 702 passed as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.
Total 62

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Custer, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Novak, Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Windy Boy.
Total 33

Voted absentee: None.

Excused: Nave, Noland, Whiteman Pena.
Total 3

Absent or not voting: Hopkins, Skees.
Total 2

SB 184 concurred in as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Curdy, Custer, Dooling, Duram, Fern, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Harvey, Hawk, Hill, Holmlund, Jones, Kassmier, Keane, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, Novak, Patelis, Phalen, Putnam, Read, Regier A, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.
Total 66

Nays: Abbott, Bishop, Buckley, Caferro, Dunwell, Farris-Olsen, France, Funk, Hamilton, Hayman, Hinkle C, Hinkle J, Karjala, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Olsen, Regier M, Running Wolf, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Weatherwax, Windy Boy.
Total 30

Voted absentee: None.

Excused: Nave, Noland, Whiteman Pena.
Total 3

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Absent or not voting: Hopkins.

Total 1

SB 278 concurred in 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, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, 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.

Total 63

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

Total 33

Voted absentee: None.

Excused: Nave, Noland, Whiteman Pena.

Total 3

Absent or not voting: Hopkins.

Total 1

SB 319 concurred in 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, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer, Mitchell, Moore, 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.

Total 63

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

Total 33

Voted absentee: None.

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Excused: Nave, Noland, Whiteman Pena.

Total 3

Absent or not voting: Hopkins.

Total 1

**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 Hill in the chair.

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

HB 340 - Speaker Galt moved **HB 340** do pass. Motion carried as follows:

Yeas: Anderson, Bartel, Bedey, Bertoglio, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Ler, Loge, Malone, Marler, Marshall, McKamey, Novak, Olsen, Patelis, Phalen, Putnam, Read, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.
Total 82

Nays: Abbott, Beard, Berglee, Binkley, Galloway, Hill, Hinkle C, Hinkle J, Lenz, Mercer, Mitchell, Moore, Regier A, Regier M, Sheldon-Galloway, Tschida.

Total 16

Voted absentee: Whiteman Pena, Aye.

Excused: Nave, Noland, Whiteman Pena.

Total 3

Absent or not voting: None.

Total 0

HB 661 - Representative Kassmier moved **HB 661** do pass. Motion carried 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, Greef, Gunderson, Harvey, Hawk, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Keane, Kerns, Knudsen C, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mercer,

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Mitchell, Moore, Novak, 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.

Total 68

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Hayman, Karjala, Kelker, Keogh, Kerr-Carpenter, Knudsen R, Kortum, Marler, Olsen,

Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 30

Voted absentee: Whiteman Pena, No.

Excused: Nave, Noland, Whiteman Pena.

Total 3

Absent or not voting: None.

Total 0

HB 675 - Representative Buttrey moved **HB 675** do pass. Motion carried as follows:

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

Total 82

Nays: Binkley, Fuller, Galloway, Gillette, Hinkle J, Lenz, Marshall, Mercer, Mitchell, Moore, Regier A, Regier M, Sheldon-Galloway, Skees, Tschida, Usher.

Total 16

Voted absentee: Sullivan, Whiteman Pena, Aye.

Excused: Nave, Noland, Sullivan, Whiteman Pena.

Total 4

Absent or not voting: None.

Total 0

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SB 191 - Representative Holmlund moved **SB 191** 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, 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, Zolnikov, Mr. Speaker.

Total 97

Nays: Windy Boy.

Total 1

Voted absentee: Whiteman Pena, Aye.

Excused: Nave, Noland, Whiteman Pena.

Total 3

Absent or not voting: None.

Total 0

Majority Leader Vinton moved the Committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Hill moved the Committee of the Whole report be adopted. Report adopted 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, 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, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Whitman, Zolnikov, Mr. Speaker.

Total 89

Nays: Harvey, Hill, Olsen, Tenenbaum, Windy Boy.

Total 5

Voted absentee: None.

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Excused: Nave, Noland, Whiteman Pena.

Total 3

Absent or not voting: Jones, Sullivan, Welch.

Total 3

MOTIONS

Majority Leader Vinton moved to re-refer **HB 340** to the Appropriations Committee. Without objection, do ordered.

Majority Leader Vinton moved to re-refer **HB 661** to the Appropriations Committee. Without objection, do ordered.

Majority Leader Vinton moved to re-refer **HB 675** to the Appropriations Committee. Without objection, do ordered.

House recessed.

House reconvened.

**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 Stromswold in the chair.

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

HB 691 - Representative Lenz moved consideration of **HB 691** be placed at the bottom of the second reading board. Without objection, so ordered.

HB 697 - Majority Leader Vinton moved consideration of **HB 697** be placed at the bottom of the second reading board. Without objection, so ordered.

HB 704 - Representative Buttrey moved **HB 704** 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, Fitzgerald, Fleming, France, Frazer, 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, Kortum, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Novak, Olsen, Patelis, Phalen, Putnam, Regier A, Regier M, Reksten, Running Wolf, Schillinger, Seekins-Crowe, Skees, Smith, Stafman,

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Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.
Total 89

Nays: Fielder, Fuller, Hayman, Lenz, Moore, Read, Ricci, Sheldon-Galloway.
Total 8

Voted absentee: Whiteman Pena, Aye.

Excused: Nave, Noland, Whiteman Pena.
Total 3

Absent or not voting: Tschida.
Total 1

HB 705 - Representative Buttrey moved **HB 705** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bartel, Bedey, Bertoglio, Bishop, Buckley, Buttrey, Carlson, Curdy, Custer, Dooling, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, France, Frazer, Funk, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Ler, Loge, Malone, Marshall, McKamey, Mercer, Novak, Patelis, Putnam, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Zolnikov, Mr. Speaker.
Total 72

Nays: Beard, Berglee, Binkley, Brewster, Caferro, Dunwell, Fielder, Fuller, Galloway, Hayman, Hill, Hinkle C, Hinkle J, Kortum, Lenz, Marler, Mitchell, Moore, Olsen, Phalen, Read, Regier A, Regier M, Sheldon-Galloway, Windy Boy.
Total 25

Voted absentee: Whiteman Pena, Aye.

Excused: Nave, Noland, Whiteman Pena.
Total 3

Absent or not voting: Tschida.
Total 1

HB 691 - Representative Lenz moved **HB 691** do pass.

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HB 691 - Representative Lenz moved **HB 691**, second reading copy, be amended as follows:

1. Page 3, line 5.

Strike: "\$476,725"

Insert: "\$359,000"

2. Page 3, line 6.

Strike: "\$476,725"

Insert: "\$359,000"

3. Page 3, line 17 through line 18.

Following: "of" on line 17

Strike: ":" on line 17 through "fund" on line 18

4. Page 3, line 20 through line 22.

Strike: "; and" on line 20 through "[section 1]" on line 22

5. Page 3, line 24 through line 25.

Strike: "funding" on line 24 through "funding" on line 25

Insert: "federal special revenue and general fund money"

Amendment adopted 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, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, 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, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted absentee: Whiteman Pena, Aye.

Excused: Nave, Noland, Whiteman Pena.

Total 3

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Absent or not voting: Kortum, Tschida.

Total 2

HB 691 - Representative Lenz moved **HB 691**, as amended, 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, 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, Lenz, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, 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, Usher, Vinton, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 94

Nays: Regier M.

Total 1

Voted absentee: Whiteman Pena, Aye.

Excused: Nave, Noland, Whiteman Pena.

Total 3

Absent or not voting: France, Kortum, Tschida.

Total 3

HB 697 - Representative Kassmier moved **HB 697** do pass.

HB 697 - Representative Kassmier moved **HB 697**, second reading copy, be amended as follows:

1. Title, line 5 through line 7.

Strike: "PROVIDING" on line 5 through "MCA" on line 7

Insert: "LIMITING TOTAL REIMBURSEMENTS PER YEAR TO \$3 MILLION; ALLOWING AUTOMATIC INCREASES IN TOTAL REIMBURSEMENTS; AND REQUIRING PUBLIC HUNTING TO OBTAIN A REIMBURSEMENT"

2. Page 1, line 18.

Strike: "and"

3. Page 1.

Following: line 18

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Insert: "(c) evidence that the landowner allows public hunting of the species for which the damage is being sought; and"

Renumber: subsequent subsection

4. Page 1, line 23.

Following: "requests."

Insert: "Total reimbursements are limited to \$3 million per calendar year. If the limit is reached in a calendar year, the department shall increase total reimbursements the next year by 20%."

5. Page 1, line 24.

Strike: subsection (4) in its entirety

Insert: "(4) The landowner seeking reimbursement must allow public hunting on the property for which a crop damage claim is made.

(5) For the purposes of this section, "public hunting" means hunting by one or more persons who hold a hunting license issued by the department for the species causing the damage."

6. Page 1, line 26 through page 2, line 23.

Strike: section 2 in its entirety

Renumber: subsequent section

Amendment adopted as follows:

Yeas: Anderson, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buckley, Buttrey, Carlson, Custer, Dooling, Dunwell, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hawk, Hill, Hinkle C, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Ler, Loge, Malone, Marler, Marshall, McKamey, Mercer, Mitchell, Moore, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Thane, Trebas, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 69

Nays: Abbott, Bartel, Bishop, Caferro, Curdy, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hayman, Hinkle J, Keane, Kelker, Lenz, Novak, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Usher, Weatherwax, Whiteman Pena, Windy Boy.

Total 27

Voted absentee: Whiteman Pena, No.

Excused: Nave, Noland, Whiteman Pena.

Total 3

Absent or not voting: Kortum, Tschida.

Total 2

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HB 697 - Representative Kassmier moved **HB 697**, as amended, do pass. Motion carried as follows:

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

Total 61

Nays: Abbott, Bishop, Caferro, Curdy, Dunwell, Duram, Farris-Olsen, Fern, France, Funk, Galloway, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Marler, Mercer, Moore, Novak, Olsen, Regier A, Regier M, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 36

Voted absentee: Whiteman Pena, No.

Excused: Nave, Noland, Whiteman Pena.

Total 3

Absent or not voting: Kortum.

Total 1

Majority Leader Vinton moved the Committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Stromswold 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, Harvey, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Lenz, Ler, Loge, Marler, Marshall, McKamey, Mitchell, Moore, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stafman, Stewart Peregoy, Thane, Trebas, Tschida, Walsh, Weatherwax, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 80

Nays: Hawk, Karjala, Keane, Olsen, Smith, Tenenbaum, Windy Boy.

Total 7

Voted absentee: None.

Excused: Nave, Noland, Whiteman Pena.

Total 3

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Absent or not voting: Anderson, Bartel, Kassmier, Kortum, Malone, Mercer, Stromswold, Sullivan, Usher, Vinton.
Total 10

MOTIONS

Majority Leader Vinton moved to re-refer **HB 697** to the Appropriations Committee. Without objection, do ordered.

Majority Leader Vinton moved to re-refer **HB 704** to the Appropriations Committee. Without objection, do ordered.

Representative Carlson arose for the purpose of an invitation to visit the display in the rotunda. The display, "Empty Place at the Table" a memorial for victims of crime, sponsored by the Montana Department of Corrections, victim services program.

House recessed.
House reconvened.

Majority Leader Vinton announced House Republicans would caucus.
Minority Leader Abbott announced House Democrats would caucus.

House reconvened.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Jones, Chair):

4/6/2021

HB 340, do pass. Report adopted.

HB 661, do pass. Report adopted.

HB 663, do pass. Report adopted.

HB 681, do pass. Report adopted.

HB 683, do pass. Report adopted.

**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 Ler in the chair.

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

HB 701 - Representative Hopkins moved **HB 701** do pass.

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HB 701 - Representative Hopkins moved **HB 701**, second reading copy, be amended as follows:

1. Page 38, line 6.

Following: "industry."

Insert: "(3) Marijuana and marijuana products are not agricultural products, and the cultivation, processing, manufacturing, or selling of marijuana or marijuana products is not considered agriculture subject to regulation by the department of agriculture unless expressly provided."

2. Page 40, line 25.

Strike: "is not exposed to natural sunlight and"

Insert: "protects the plants from"

3. Page 40, line 25.

Following: "conditions"

Insert: ", "

Following: "including"

Strike: ", "

Amendment adopted 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, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted absentee: None.

Excused: Whiteman Pena.

Total 1

Absent or not voting: None.

Total 0

HB 701 - Representative Hopkins moved **HB 701**, second reading copy, be further amended as follows:

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1. Title, line 12.

Following: "SECTIONS"

Insert: "5-5-223,"

2. Page 7, line 11.

Strike: "adult-dispensary"

Insert: "adult-use dispensary"

3. Page 7, line 11.

Following: "sell marijuana"

Insert: ", "

Strike: "or"

4. Page 7, line 11.

Following: "products"

Insert: ", and live marijuana plants"

5. Page 28.

Following: line 5

Insert: "**Section 29.** Section 5-5-223, MCA, is amended to read:

"5-5-223. Economic affairs interim committee. (1) The economic affairs interim committee has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the following executive branch agencies and the entities attached to agencies for administrative purposes:

(a) department of agriculture;

(b) department of commerce;

(c) department of labor and industry;

(d) department of livestock;

(e) office of the state auditor and insurance commissioner;

(f) office of economic development;

(g) the state compensation insurance fund provided for in 39-71-2313, including the board of directors of the state compensation insurance fund established in 2-15-1019;

(h) the division of banking and financial institutions provided for in 32-1-211; and

(i) the division of the department of revenue that administers the Montana Alcoholic Beverage Code and the Montana Marijuana Regulation and Taxation Act.

(2) The state compensation insurance fund shall annually provide to the committee a report on its budget as approved by the state compensation insurance fund board of directors.""

Renumber: subsequent sections

6. Page 58, line 21.

Following: "(d)"

Insert: "who"

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7. Page 58, line 23.

Following: "(e)"

Insert: "who"

8. Page 58, line 24.

Following: "(f)"

Insert: "who"

9. Page 86, line 2.

Following: "marijuana"

Insert: "business"

10. Page 88, line 6.

Following: "dispensaries"

Insert: "prohibit"

11. Page 89, line 19 through line 20.

Strike: "and Title" on line 19 through "part 4," on line 20

12. Page 100, line 13.

Strike: "[section 15]"

Insert: "16-12-102"

13. Page 100, line 16.

Strike: "[section 15]"

Insert: "16-12-102"

14. Page 100, line 19.

Strike: "[section 15]"

Insert: "16-12-102"

15. Page 103, line 23.

Strike: "[section 15]"

Insert: "16-12-102"

16. Page 103, line 26.

Strike: "[section 15]"

Insert: "16-12-102"

17. Page 104, line 1.

Strike: "[section 15]"

Insert: "16-12-102"

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18. Page 143, line 23.

Strike: "[section 60]"

Insert: "16-12-301"

19. Page 144, line 13.

Strike: "83(2) and (8)(b), 84, 85, 101, 104,"

Insert: "84(2) and (8)(b), 85, 86, 102, 105,"

20. Page 144, line 15.

Strike: "48, 60, 82, 83(11), 86 through 88, 99, 100, and 102"

Insert: "49, 61, 83, 84(11), 87 through 89, 100, 101, and 103"

21. Page 144, line 18.

Strike: "[Section 40(14)(b)(ii)]"

Insert: "Section 16-12-102(15)(b)(ii)"

Amendment adopted 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, Garner, Gillette, Gist, 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, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Weatherwax, Welch, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 96

Nays: Galloway, Sheldon-Galloway.

Total 2

Voted absentee: None.

Excused: Whiteman Pena.

Total 1

Absent or not voting: Greef.

Total 1

HB 701 - Representative Dunwell moved **HB 701**, second reading copy, be further amended as follows:

1. Title, line 10.

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Following: "TAX"

Insert: "ON ADULT-USE DISPENSARIES"

2. Title, line 11.

Following: "JURISDICTION;"

Insert: "REPEALING THE TAX ON MEDICAL MARIJUANA;"

3. Page 10, line 27.

Following: the first "dispensary"

Strike: "or medical marijuana dispensary"

4. Page 11, line 12.

Following: the first "dispensary"

Strike: "or medical marijuana dispensary"

5. Page 11, line 21.

Following: the first "dispensary"

Strike: "or medical marijuana dispensary"

6. Page 12, line 27.

Following: the first "license"

Strike: "or medical marijuana dispensary license"

7. Page 14, line 20.

Following: "products"

Strike: "at the tax rate specified in 15-64-102"

8. Page 30, line 12.

Strike: subsection (5) in its entirety

Renumber: subsequent subsections

9. Page 30, line 17.

Following: the first "dispensary"

Strike: "or medical marijuana dispensary"

10. Page 30, line 23 through line 27.

Following: "~~There~~" on line 23

Strike: remainder of line 23 through line 27 in their entirety

11. Page 31, line 4.

Strike: "(2) (a)"

12. Page 31, line 5.

Strike: "(2)(b)"

Insert: "(1)(b)"

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13. Page 31, line 6.

Following: "subsection"

Strike: "(2)"

Insert: "(1)"

14. Page 31, line 7.

Strike: "(3)"

Insert: "(2)"

ReNUMBER: subsequent subsections

15. Page 31, line 7.

Strike: "taxes"

Insert: "tax"

16. Page 31, line 7.

Strike: "subsections"

Insert: "subsection"

17. Page 31, line 7.

Strike: "and (2) are"

Insert: "is"

18. Page 31, line 10.

Strike: "A"

Insert: "An adult-use"

19. Page 31, line 15.

Following: "filed, the"

Insert: "adult-use"

20. Page 31, line 16.

Following: "subsection (1)(b)"

Strike: "or (2)(b)"

21. Page 32, line 18.

Strike: "(8)(a)"

Insert: "(7)(a)"

22. Page 33, line 2.

Strike: "marijuana"

Insert: "adult-use"

23. Page 34, line 13.

Strike: "a marijuana"

Insert: "an adult-use"

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24. Page 36, line 22.

Strike: "gross sales on"

25. Page 36, line 23.

Strike: "medical marijuana dispensaries and"

Amendment **not** adopted as follows:

Yeas: Abbott, Bishop, Caferro, Carlson, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hawk, 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 33

Nays: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buckley, Buttrey, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle, 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.

Total 67

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 701 - Representative Tschida moved **HB 701**, second reading copy, be further amended as follows:

1. Page 2.

Following: line 3

Insert: "(2) An individual making a complaint must be a resident and shall provide the individual's name, street address, and phone number.

(3) (a) The department shall provide a copy of the complaint to the person or licensee that is the subject of the complaint.

(b) The department may not redact the individual's name or city of residence from the complaint copy."

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2. Page 2, line 4.

Strike: "(2)"

Insert: "(4)"

3. Page 84, line 8 through line 10.

Strike: subsection (5) in its entirety

Renumber: subsequent subsections

4. Page 85, line 4.

Strike: "(9)(b)"

Insert: "(8)(b)"

Amendment adopted 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, 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, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 67

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hawk, 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 33

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 701 - Representative Harvey moved **HB 701**, second reading copy, be further amended as follows:

1. Title, line 10 through line 11.

Strike: "REQUIRING" on line 10 through "JURISDICTION;" on line 11

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2. Page 5, line 28 through page 6, line 1.

Strike: subsection (c) in its entirety

Renumber: subsequent subsections

3. Page 6, line 4 through line 7.

Strike: subsection (e) in its entirety

4. Page 7, line 2 through line 4.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

5. Page 7, line 23.

Strike: "(8)(c)"

Insert: "(7)(c)"

6. Page 8, line 10.

Strike: "(8)"

Insert: "(7)"

7. Page 8, line 23 through line 24.

Following: "located" on line 23

Strike: "." on line 23 through "(a)" on line 24

8. Page 8, line 24 through line 25.

Following: "reservation" on line 24

Strike: "; and" on line 24 through "16-12-301" on line 25

9. Page 11, line 12 through line 13.

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

10. Page 37, line 16 through line 17.

Strike: "authority" on line 16 through "standards for" on line 17

Insert: "a role in establishing standards for"

11. Page 75, line 12 through line 14.

Strike: subsection (3) in its entirety

Renumber: subsequent subsections

12. Page 76, line 1 through line 4.

Strike: subsection (c) in its entirety

13. Page 85, line 26 through line 27.

Strike: "-- opt-in" on line 26 through "licensees" on line 27

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14. Page 85, line 27 through page 86, line 8.

Following: "(1)" on page 85, line 27

Strike: "(a) Except" on page 85, line 27 through "(c)" on page 86, line 8

15. Page 86, line 8.

Strike: "that must be approved by a"

Insert: "subject to regulation by a"

16. Page 86, line 9.

Strike: "subsections (3) or (4) before a business may operate are"

Insert: "this section are"

17. Page 86, line 10.

Strike: "(i)"

Insert: "(a)"

Renumber: subsequent subsections

18. Page 86, line 12.

Following: "dispensary"

Strike: ", except as provided in subsection (1)(b)"

19. Page 86, line 24 through line 25.

Strike: subsection (b) in its entirety

Insert: "(b) A local government may not adopt ordinances or regulations that are unduly burdensome."

20. Page 86, line 27.

Following: "subsection"

Insert: "(2)"

21. Page 87, line 2 through line 12.

Strike: subsection (3) in its entirety

22. Page 87.

Following: line 15

Insert: "(3) The qualified electors of an incorporated municipality, county, or consolidated city-county may request an election on whether to prohibit by ordinance a marijuana business from being located within the jurisdiction of the local government by filing a petition in accordance with 7-5-131 through 7-5-135 and 7-5-137."

Renumber: subsequent subsections

23. Page 87, line 16 through line 20.

Strike: subsection (4) in its entirety

Renumber: subsequent subsections

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24. Page 87.

Following: line 24

Insert: "(b) An election held pursuant to this section may not be held within 70 days before or after a primary, general, or regular local election."

Renumber: subsequent subsections

25. Page 87, line 28.

Strike: "approve"

Insert: "prohibit"

26. Page 88, line 1.

Strike: "approval"

Insert: "prohibition"

27. Page 88, line 6.

Strike: "a"

Insert: "prohibit a"

28. Page 88, line 11.

Strike: "approve"

Insert: "prohibit"

29. Page 88, line 14 through line 17.

Following: "(c)" on line 14

Strike: "(i) If" on line 14 through "If a" on line 17

Insert: "A"

30. Page 88, line 20.

Following: "subsection"

Strike: "(7)"

Insert: "(6)"

31. Page 88, line 23.

Strike: "approve"

Insert: "disapprove"

32. Page 88, line 24.

Strike: "prohibit the"

Insert: "discontinue the prohibition and to allow the"

33. Page 88, line 25.

Strike: "approved"

Insert: "prohibited"

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34. Page 88, line 27.

Strike: "the approval"

Insert: "a prohibition on operation"

35. Page 143, line 22 through line 23.

Strike: "begin" on line 22 through "60]," on line 23

Amendment **not** adopted as follows:

Yeas: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Frazer, Funk, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Novak, Olsen, Patelis, Running Wolf, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Weatherwax, Whiteman Pena, Windy Boy, Zolnikov.

Total 37

Nays: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, 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, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Mr. Speaker.

Total 63

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 701 - Representative Mercer moved **HB 701**, second reading copy, be further amended as follows:

1. Title, line 11.

Following: "APPROPRIATION;"

Insert: "PROVIDING A STATUTORY APPROPRIATION;"

2. Title, line 15 through line 16.

Strike: "17-6-" on line 15 through "17-6-610," on line 16

Insert: "17-7-502,"

3. Page 37, line 20.

Strike: "provide compensation for the economic and social costs of"

Insert: "generate revenue for the state"

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4. Page 37, line 20.

Following: "current"

Strike: "marijuana"

5. Page 61, line 19.

Following: "transfer"

Insert: ", in accordance with the provisions of 17-2-124,"

6. Page 61, line 20 through line 21.

Strike: "in" on line 20 through "order" on line 21

Insert: "to the following state pension trust funds for the purpose of reducing unfunded pension liabilities"

7. Page 61, line 22 through page 62, line 4.

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

Insert: "(a) 2.5% to be deposited to the credit of the firefighters' unified retirement system;

(b) 0.9% to be deposited to the credit of the Montana state game wardens' and peace officers' retirement system;

(c) 4.2% to be deposited to the credit of the municipal police officers' retirement system;

(d) 46.95% to be deposited to the credit of the public employees' retirement system defined benefit trust fund;

(e) 2% to be deposited to the credit of the sheriffs' retirement system;

(f) 43.35% to be deposited to the credit of the teachers' retirement system of the state of Montana; and

(g) 0.1% to be deposited to the credit of the volunteer firefighters' pension trust fund.

(5) Money in the account is statutorily appropriated, as provided in 17-7-502, for the purposes described in subsection (3)."

8. Page 89, line 16 through page 92, line 10.

Strike: sections 62 and 63 in their entirety

9. Page 92.

Following: line 11

Insert: "Section 62. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403; 5-13-404; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-2-807; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-3-802; 10-3-1304; 10-4-304; 15-1-121; 15-1-218; 15-31-

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1004; 15-31-1005; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-130; 15-70-433; 16-11-119; 16-11-509; 16-12-111; 17-3-106; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-215; 18-11-112; 19-3-319; 19-3-320; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; 20-9-905; 20-26-617; 20-26-1503; 22-1-327; 22-3-116; 22-3-117; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-50-209; 37-54-113; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-213; 44-13-102; 50-1-115; 53-1-109; 53-6-148; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-321; 61-3-415; 67-1-309; 69-3-870; 69-4-527; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 75-26-308; 76-13-151; 76-13-150; 76-17-103; 76-22-109; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 80-11-1006; 81-1-112; 81-1-113; 81-7-106; 81-7-123; 81-10-103; 82-11-161; 85-2-526; 85-20-1504; 85-20-1505; [85-25-102]; 87-1-603; 90-1-115; 90-1-205; 90-1-504; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 27, Ch. 285, L. 2015, and sec. 1, Ch. 292, L. 2015, the inclusion of 53-9-113 terminates June 30, 2021; pursuant to sec. 6, Ch. 291, L. 2015, the inclusion of 50-1-115 terminates June 30, 2021; pursuant to sec. 5, Ch. 383, L. 2015, the inclusion of 85-25-102 is effective on occurrence of contingency; pursuant to sec. 6, Ch. 423, L. 2015, the inclusion of 22-3-116 and 22-3-117 terminates June 30, 2025; pursuant to sec. 33, Ch. 457, L. 2015, the inclusion of 20-9-905 terminates December 31, 2023; pursuant to sec. 12, Ch. 55, L. 2017, the inclusion of 37-54-113 terminates June 30, 2023; pursuant to sec. 4, Ch. 122, L. 2017, the inclusion of 10-3-1304 terminates September 30, 2025; pursuant to sec. 55, Ch. 151, L. 2017, the inclusion of 30-10-1004 terminates June 30, 2021; pursuant to sec. 1, Ch. 213, L. 2017, the inclusion of 90-6-331 terminates June 30, 2027; pursuant to secs. 5, 8, Ch. 284, L. 2017, the inclusion of 81-1-112, 81-1-113, and 81-7-106 terminates June 30, 2023; pursuant to sec. 1, Ch. 340, L. 2017, the inclusion of 22-1-327 terminates July 1, 2023; pursuant to sec. 10, Ch. 374, L. 2017, the inclusion of 76-17-103 terminates June 30, 2027; pursuant to sec. 5, Ch. 50, L. 2019, the inclusion of 37-50-209 terminates September 30, 2023; pursuant to sec. 1, Ch. 408, L. 2019, the inclusion of 17-7-215 terminates June 30, 2029; pursuant to secs. 11, 12, and 14, Ch. 343, L. 2019, the inclusion of 15-35-108 terminates June 30, 2027; pursuant to sec. 7, Ch. 465, L. 2019, the inclusion of 85-2-526 terminates July 1, 2023; and pursuant to sec. 5, Ch. 477, L. 2019, the inclusion of 10-3-802 terminates June 30, 2023.)"

Renumber: subsequent sections

10. Page 141, line 17.

Following: "37"

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Insert: ", 38, 39, 50,"

Strike: "and"

11. Page 141, line 17.

Following: "52,"

Insert: "and 53,"

12. Page 142, line 5.

Strike: "(c)"

Insert: "(2)"

13. Page 142, line 7.

Strike: "(d)"

Insert: "(3)"

14. Page 142, line 7.

Following: "in"

Strike: "this"

15. Page 142, line 9 through line 22.

Strike: subsections (2) and (3) in their entirety

16. Page 144, line 13.

Strike: "83"

Insert: "82"

17. Page 144, line 13.

Strike: "84, 85, 101, 104,"

Insert: "83, 84, 100, 103,"

18. Page 144, line 15.

Strike: "82, 83(11), 86 through 88, 99, 100, and 102"

Insert: "81, 82(11), 85 through 87, 98, 99, and 101"

Amendment **not** adopted as follows:

Yeas: Anderson, Bartel, Beard, Berglee, Binkley, Brewster, Carlson, Fielder, Fuller, Gillette, Greef, Hinkle J, Kassmier, Knudsen R, Lenz, Ler, Malone, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Tschida, Vinton.

Total 35

Nays: Abbott, Bedey, Bertoglio, Bishop, Buckley, Buttrey, Caferro, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, France, Frazer, Funk, Galloway, Garner, Gist, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Holmlund, Hopkins, Jones, Karjala,

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Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Kortum, Loge, Marler, Marshall, Novak, Olsen, Putnam, Running Wolf, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Usher, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.

Total 65

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 701 - Representative Tschida moved **HB 701**, second reading copy, be further amended as follows:

1. Page 2, line 14.

Strike: "3"

Insert: "5"

2. Page 19, line 5.

Strike: "3"

Insert: "5"

3. Page 123, line 14.

Strike: "3"

Insert: "5"

Amendment adopted 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, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, 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, Welch, Whiteman Pena, Whitman, Zolnikov, Mr. Speaker.

Total 92

Nays: Caferro, Hamilton, Harvey, Hawk, Karjala, Olsen, Weatherwax, Windy Boy.

Total 8

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Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 701 - Representative Novak moved **HB 701**, second reading copy, be further amended as follows:

1. Page 10, line 4.

Strike: "18"

Insert: "21"

2. Page 52, line 22.

Strike: "18"

Insert: "21"

3. Page 53, line 8.

Strike: "18"

Insert: "21"

4. Page 55, line 18.

Strike: "18"

Insert: "21"

5. Page 80, line 21.

Strike: "18"

Insert: "21"

Amendment **not** adopted as follows:

Yeas: Berglee, Brewster, Buckley, Carlson, Curdy, Dunwell, Duram, Fitzgerald, France, Fuller, Funk, Gillette, Gist, Greef, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Marler, Marshall, Mitchell, Nave, Novak, Putnam, Read, Reksten, Running Wolf, Seekins-Crowe, Smith, Stafman, Stewart Peregoy, Thane, Usher, Vinton, Weatherwax, Whiteman Pena, Windy Boy.

Total 42

Nays: Abbott, Anderson, Bartel, Beard, Bedey, Bertoglio, Binkley, Bishop, Buttrey, Caferro, Custer, Dooling, Farris-Olsen, Fern, Fielder, Fleming, Frazer, Galloway, Garner, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, McKamey, Mercer, Moore, Noland, Olsen, Patelis, Phalen, Regier A,

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Regier M, Ricci, Schillinger, Sheldon-Galloway, Skees, Stromswold, Sullivan, Tenenbaum, Trebas, Tschida, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.
Total 58

Voted absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 701 - Representative Sullivan moved **HB 701**, second reading copy, be further amended as follows:

1. Page 81, line 3 through line 8.

Strike: subsection (b) in its entirety

Insert: "(b) (i) Packaging and outward labeling may contain only the following design elements and language on a white label:

(A) the seller's business name and any accompanying logo or design mark;

(B) the name of the product; and

(C) the THC content or CBD content, health warning messages, and ingredients.

(ii) All packaging and outward labeling, including business logos and design marks, must also comply with any standards or criteria established by the department, including but not limited to allowable symbols and imagery."

Amendment **not** adopted as follows:

Yeas: Abbott, Bishop, Buckley, Caferro, Carlson, Curdy, Dunwell, Farris-Olsen, Fern, France, Fuller, Funk, Galloway, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Novak, Olsen, Running Wolf, Seekins-Crowe, Sheldon-Galloway, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Trebas, Weatherwax, Whiteman Pena, Windy Boy.
Total 39

Nays: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Frazer, 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, Skees, Stromswold, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.
Total 61

Voted absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 701 - Representative Kerns moved **HB 701**, second reading copy, be further amended as follows:

1. Page 61, line 26.

Strike: "88%"

Insert: "83%"

2. Page 61, line 26.

Following: "fund"

Insert: ";

(ii) 5% to the veterans and surviving spouses state special revenue account provided for in [section 98]"

Renumber: subsequent subsections

3. Page 139.

Following: line 20

Insert: "NEW SECTION. **Section 98. Veterans and surviving spouses state special revenue account.** (1) There is a veterans and surviving spouses account in the state special revenue fund to be administered by the veterans' affairs division of the department of military affairs. The account consists of revenue deposited pursuant to [section 48].

(2) The account must be used to provide services and assistance for all Montana veterans and surviving spouses and dependents."

Renumber: subsequent sections

4. Page 144.

Following: line 9

Insert: "(6) [Section 98] is intended to be codified as an integral part of Title 10, chapter 2, and the provisions of Title 10, chapter 2, apply to [section 98]."

5. Page 144, line 13.

Strike: "101, 104,"

Insert: "102, 105,"

6. Page 144, line 15.

Strike: "99, 100, and 102"

Insert: "100, 101, and 103"

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Amendment **not** adopted as follows:

Yeas: Bedey, Buttrey, Dooling, Duram, Fielder, Garner, Gillette, Gist, Greef, Hawk, Hill, Hinkle J, Hopkins, Kerns, Lenz, Ler, Malone, Marshall, McKamey, Mitchell, Nave, Noland, Putnam, Read, Reksten, Schillinger, Sheldon-Galloway, Skees, Smith, Trebas, Tschida, Usher, Walsh, Welch, Whitman, Zolnikov.

Total 36

Nays: Abbott, Anderson, Bartel, Beard, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Caferro, Carlson, Curdy, Custer, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Galloway, Gunderson, Hamilton, Harvey, Hayman, Hinkle C, Holmlund, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Loge, Marler, Mercer, Moore, Novak, Olsen, Patelis, Phalen, Regier A, Regier M, Ricci, Running Wolf, Seekins-Crowe, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Vinton, Weatherwax, Whiteman Pena, Windy Boy, Mr. Speaker.

Total 64

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 701 - Representative Bartel moved **HB 701**, second reading copy, be further amended as follows:

1. Page 142, line 1.

Strike: "\$6,176,726"

Insert: "\$4,114,000"

2. Page 142, line 1.

Strike: "51" in two places

Insert: "34" in two places

3. Page 142, line 3.

Strike: "\$7,715,437"

Insert: "\$4,114,000"

4. Page 142, line 3.

Strike: "68" in two places

Insert: "34" in two places

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Amendment adopted 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, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, 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.

Total 66

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hawk, 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 33

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Marshall.

Total 1

HB 701 - Representative Abbott moved **HB 701**, second reading copy, be further amended as follows:

1. Page 61, line 8.

Strike: "~~operating~~" through "**funds**"

2. Page 61, line 17 through page 62, line 4.

Strike: subsections (3) through (4) in their entirety

Insert: "(3) Funds deposited into the account must be transferred in the following amounts to provide funding as set out below:

(a) 4.125% of the funds to be deposited into the nongame wildlife account established in 87-5-121;

(b) 4.125% of the funds to be deposited into the state park account established in 23-1-105(1);

(c) 4.125% of the funds to be deposited into the trails and recreational facilities account established in 23-2-108;

(d) 37.125% of the funds to be deposited to the credit of the department of fish, wildlife, and parks to be used solely as funding for wildlife habitat in the same manner as funding generated under 87-1-242(3) and used pursuant to 87-1-209;

(e) 10.5% to the state general fund; and

(f) the remainder in the subaccounts provided for in this subsection (3)(f). There are subaccounts

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in the marijuana state special revenue account established by subsection (1). Funding deposited into this account under subsection (2) is further deposited into subaccounts to be used only as follows:

(i) 10% of the funds to be deposited into a subaccount to be administered by the department of public health and human services to provide grants to existing agencies and not-for-profit organizations, whether government or community-based, to increase access to evidence-based low-barrier drug addiction treatment, prioritizing medically proven treatment and overdose prevention and reversal methods and public or private treatment options with an emphasis on reintegrating recipients into their local communities, to support overdose prevention education, and to support job placement, housing, and counseling for those with substance use disorders;

(ii) 10% of the funds to be deposited into a subaccount to be administered by the department of commerce for distribution to the local government representing the locality where the retail sales occurred;

(iii) 10% of the funds to be deposited into a subaccount to be administered by the veterans' affairs division of the department of military affairs to provide services and assistance for all Montana veterans and surviving spouses and dependents; and

(iv) 10% of the funds to be deposited into a subaccount to be administered by the Montana department of public health and human services to administer medicaid rate increases that provide for a wage increase to health care workers who provide direct medicaid-funded home and community health services for elderly and disabled persons.

(4) (a) Funds transferred from the accounts and subaccounts provided in subsection (3) may be used only to increase revenue for the purposes specified and may not be used to supplant other sources of revenue used for these purposes.

(b) Funds deposited into the account provided in subsection (1) may be used only to increase revenue to each special revenue account or subaccount set forth in subsection (3) and may not be used to supplant other sources of revenue for these purposes."

3. Page 141, line 27 through page 142, line 17.

Strike: subsections (1) and (2) in their entirety

4. Page 142, line 18.

Strike: "(3) If the funds are available, the"

Insert: "The"

5. Page 142, line 20.

Strike: "(a)"

Insert: "(1)"

Renumber: subsequent subsections

6. Page 142, line 20.

Strike: "Up to \$650,000"

Insert: "\$1,604,301"

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7. Page 142, line 21.

Strike: "Up to \$650,000"

Insert: "\$1,604,301"

8. Page 142, line 21.

Following: "23-2-108;"

Strike: "and"

9. Page 142, line 22.

Strike: "(c)"

Insert: "(3)"

10. Page 142, line 22.

Strike: "Up to \$650,000"

Insert: "\$1,604,301"

Following: "87-5-121"

Insert: ";

(4) \$14,438,715 to be used solely as funding for wildlife habitat in the same manner as funding generated under 87-1-242(3) and used pursuant to 87-1-209;

(5) \$1,555,687 to the department of public health and human services to provide grants to existing agencies and not-for-profit organizations, whether government or community-based, to increase access to evidence-based low-barrier drug addiction treatment, prioritizing medically proven treatment and overdose prevention and reversal methods and public or private treatment options with an emphasis on reintegrating recipients into their local communities, to support overdose prevention education, and to support job placement, housing, and counseling for those with substance use disorders;

(6) \$1,555,687 to the department of commerce for distribution to the local government representing the locality where the retail sales occurred;

(7) \$1,555,687 to the veterans' affairs division of the department of military affairs to provide services and assistance for all Montana veterans and surviving spouses and dependents; and

(8) \$1,555,687 to the Montana department of public health and human services to administer medicaid rate increases that provide for a wage increase to health care workers who provide direct medicaid-funded home and community health services for elderly and disabled persons"

Amendment **not** adopted as follows:

Yeas: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hawk, 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 33

Nays: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, 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,

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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.

Total 67

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 701 - Representative Usher moved **HB 701**, second reading copy, be further amended as follows:

1. Title, line 26.

Following: "DATES AND"

Strike: "A"

2. Title, line 26.

Strike: "DATE"

Insert: "DATES"

3. Page 61.

Following: line 23

Insert: "(b) for the biennium beginning July 1, 2023, \$300,000 must be distributed to the department of justice to administer grant funding to local and state law enforcement agencies for the purpose of purchasing and training drug-detection canines and canine handlers, including canines owned by local law enforcement agencies to replace canines who were trained to detect marijuana; and"

Renumber: subsequent subsections

4. Page 61, line 24.

Strike: "distribution to the marijuana HEART fund"

Insert: "the distributions made under subsections (4)(a) and (4)(b)"

5. Page 61, line 26.

Following: "fund;"

Strike: "and"

6. Page 62, line 2.

Following: "87-5-121"

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Strike: "."
Insert: "; and"

7. Page 62, line 3.
Strike: "If"
Insert: "if"

8. Page 142, line 9.
Following: "(2) "
Insert: "(a) (i)"

9. Page 142, line 12.
Strike: "(a)"
Insert: "(A)"
Renumber: subsequent subsections

10. Page 142, line 16.
Strike: "(c)"
Insert: "(ii)"

11. Page 142.
Following: line 17
Insert: "(b) For the 2023 biennium, \$300,000 is appropriated to the department of justice for the purposes described in [section 48(4)(b)]."

12. Page 144, line 18.
Following: "Termination."
Insert: "(1)"

13. Page 144.
Following: line 19
Insert: "(2) [Section 48(4)(b)] terminates June 30, 2025."

Amendment adopted 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, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Kerr-Carpenter, 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, Smith, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.
Total 69

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Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kortum, Marler, Novak, Olsen, Running Wolf, Stafman, 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 701 - Representative Beard moved **HB 701**, second reading copy, be further amended as follows:

1. Page 61, line 26.

Strike: "88%"

Insert: "44%"

2. Page 61, line 27 through page 62, line 4.

Following: "(ii)" on page 61, line 27

Strike: "12%," on page 61, line 27 through "fund" on page 62, line 4

Insert: "56% to the marijuana trust fund provided for in [section 98]"

3. Page 139.

Following: line 20

Insert: "NEW SECTION. **Section 98. Marijuana revenue trust fund -- interest retention.** (1)

There is a marijuana revenue trust fund within the permanent fund type. The trust fund is subject to legislative transfer and appropriation as provided in this section.

(2) Revenue received pursuant to 16-12-111 is deposited in the trust fund.

(3) Interest and income earned on money in the trust fund must be retained within the trust fund except as provided in this section. Until the year 2023, if assets in the trust fund reach the following amounts, money may be appropriated by the legislature and used in the following amounts:

(a) When the fund balance reaches \$20 million, 50% of the interest earned may be appropriated.

(b) When the fund balance reaches \$50 million, 60% of the interest earned may be appropriated.

(c) When the fund balance reaches \$100 million, 80% of the interest earned may be appropriated.

(d) When the fund balance reaches \$150 million, 90% of the interest earned may be appropriated.

(4) Appropriation of the principal balance of the fund may be authorized by a two-thirds vote of the members of each house of the legislature."

Renumber: subsequent sections

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4. Page 143, line 27.

Following: "through 2"

Insert: "and 98"

5. Page 144, line 1.

Following: "through 2"

Insert: "and 98"

6. Page 144, line 13.

Strike: "101, 104,"

Insert: "102, 105,"

7. Page 144, line 15.

Strike: "99, 100, and 102"

Insert: "98, 100, 101, and 103"

Amendment **not** adopted as follows:

Yeas: Beard, Berglee, Binkley, Brewster, Carlson, Duram, Fielder, Galloway, Gillette, Gist, Hill, Hinkle C, Hinkle J, Kerns, Knudsen R, Lenz, McKamey, Mercer, Mitchell, Noland, Read, Regier A, Regier M, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Tschida, Usher, Vinton, Welch.
Total 31

Nays: Abbott, Anderson, Bartel, Bedey, Bertoglio, Bishop, Buckley, Buttrey, Caferro, Curdy, Custer, Dooling, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Garner, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Kortum, Ler, Loge, Malone, Marler, Marshall, Moore, Nave, Novak, Olsen, Patelis, Phalen, Putnam, Reksten, Ricci, Running Wolf, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Walsh, Weatherwax, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.
Total 69

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 701 - Representative Tschida moved **HB 701**, second reading copy, be further amended as follows:

1. Page 5, line 8 through line 9.

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Strike: subsection (ii) in its entirety
Renumber: subsequent subsections

2. Page 5, line 10.

Following: "tier"

Strike: "2"

Insert: "1"

3. Page 5, line 12 through line 15.

Strike: subsections (iv) and (v) in their entirety

Renumber: subsequent subsections

4. Page 5, line 16.

Following: "tier"

Strike: "5"

Insert: "2"

5. Page 5, line 18 through line 21.

Strike: subsections (vii) and (viii) in their entirety

Renumber: subsequent subsections

6. Page 5, line 22.

Following: "tier"

Strike: "8"

Insert: "3"

7. Page 5, line 24 through line 25.

Strike: subsection (x) in its entirety

Renumber: subsequent subsections

8. Page 5, line 26.

Following: "tier"

Strike: "10"

Insert: "4"

9. Page 6, line 17.

Strike: subsection (b) in its entirety

Renumber: subsequent subsections

10. Page 6, line 18.

Following: "tier"

Strike: "2"

Insert: "1"

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11. Page 6, line 19 through line 20.
Strike: subsections (d) and (e) in their entirety
Renumber: subsequent subsections

12. Page 6, line 21.
Following: "tier"
Strike: "5"
Insert: "2"

13. Page 6, line 22 through line 23.
Strike: subsections (g) and (h) in their entirety
Renumber: subsequent subsections

14. Page 6, line 24.
Following: "tier"
Strike: "8"
Insert: "3"

15. Page 6, line 25.
Strike: subsection (j) in its entirety
Renumber: subsequent subsections

16. Page 6, line 26.
Following: "tier"
Strike: "10"
Insert: "4"

Amendment **not** adopted as follows:

Yeas: Berglee, Binkley, Brewster, Carlson, Fielder, Fleming, Fuller, Gillette, Hinkle C, Hinkle J, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Marshall, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Read, Regier A, Regier M, Reksten, Schillinger, Seekins-Crowe, Skees, Trebas, Tschida, Usher, Vinton, Mr. Speaker.
Total 35

Nays: Abbott, Anderson, Bartel, Beard, Bedey, Bertoglio, Bishop, Buckley, Buttrey, Caferro, Curdy, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, France, Frazer, Funk, Galloway, Garner, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Loge, Malone, Marler, McKamey, Novak, Olsen, Putnam, Ricci, Running Wolf, Sheldon-Galloway, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov.
Total 65

Voted absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 701 - Representative Noland moved **HB 701**, second reading copy, be further amended as follows:

1. Page 64, line 13.

Following: "labels"

Insert: "as set forth in [section 103]"

2. Page 142.

Following: line 22

Insert: "NEW SECTION. Section 103. Required warning labels. A person may not manufacture package, sell, or transfer any marijuana or marijuana product unless the package containing the marijuana or marijuana product bears the following statements in a form required by the department:

(1) "WARNING: Consumption of marijuana may cause anxiety, agitation, paranoia, psychosis, and cannabinoid hyperemesis."

(2) "WARNING: Consumption of marijuana by pregnant women may result in fetal injury and low birth weight."

(3) "WARNING: Consumption of marijuana by nursing mothers may result in infant hyperactivity and poor cognitive function.""

Renumber: subsequent sections

3. Page 144, line 2.

Following: "7"

Insert: "and 103"

4. Page 144, line 3.

Following: "7"

Insert: "and 103"

5. Page 144, line 13.

Strike: "104"

Insert: "105"

Amendment adopted 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, Hamilton, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, McKamey, Mercer, Mitchell,

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Moore, Nave, Noland, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 67

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

Total 33

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 701 - Representative Noland moved **HB 701**, second reading copy, be further amended as follows:

1. Page 7, line 10.

Following: "products"

Insert: "including edibles"

2. Page 7, line 11.

Following: "(5)"

Insert: "(a)"

3. Page 7, line 11.

Strike: "An adult-dispensary"

Insert: "Except as provided in subsection (5)(b), an adult-use dispensary"

4. Page 7, line 11.

Following: the first "marijuana"

Insert: ", "

Strike: "or"

5. Page 7, line 11.

Following: "products"

Insert: ", and live marijuana plants"

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6. Page 7.

Following: line 12

Insert: "(b) An adult-use dispensary may not sell edibles to consumers."

7. Page 8, line 2 through line 4.

Strike: subsection (iv) in its entirety

Renumber: subsequent subsections

8. Page 40.

Following: line 10

Insert: "(12) (a) "Edibles" means food or drink items infused with marijuana that can be eaten as an alternative to smoking or vaporizing marijuana.

(b) The term includes but is not limited to brownies, cookies, candies, and drinks."

Renumber: subsequent subsections

9. Page 42, line 2 through line 3.

Strike: "edible" on line 2 through "products," on line 3

Insert: "edibles for use by registered cardholders only,"

10. Page 51, line 26 through line 27.

Strike: "and" on line 26 through "form" on line 27

11. Page 52, line 2 through line 3.

Strike: "and" on line 2 through "form" on line 3

12. Page 53, line 16.

Following: "form"

Insert: "or edibles containing less than 800 milligrams of THC except by a registered cardholder"

13. Page 80, line 22.

Strike: "Edible ~~marijuana-infused~~ marijuana products"

Insert: "Edibles"

14. Page 80, line 22.

Following: "candy"

Insert: "for use by registered cardholders"

Amendment **not** adopted as follows:

Yeas: Bartel, Beard, Berglee, Binkley, Brewster, Duram, Fielder, Fuller, Galloway, Gillette, Gist, Hinkle J, Kassmier, Kerns, Lenz, Ler, Loge, Marshall, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Read, Regier A, Regier M, Reksten, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Tschida, Usher, Whiteman Pena.

Total 36

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Nays: Abbott, Anderson, Bedey, Bertoglio, Bishop, Buckley, Buttrey, Caferro, Carlson, Curdy, Custer, Dooling, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fleming, France, Frazer, Funk, Garner, Greef, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Holmlund, Hopkins, Jones, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Malone, Marler, McKamey, Novak, Olsen, Putnam, Ricci, Running Wolf, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Vinton, Walsh, Weatherwax, Welch, Whitman, Windy Boy, Zolnikov, Mr. Speaker.
Total 64

Voted absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 701 - Representative Tschida moved **HB 701**, second reading copy, be further amended as follows:

1. Title, line 9 through line 10.

Strike: "PROVIDING" on line 9 through "TAX;" on line 10

2. Page 8, line 13.

Strike: "21"

Insert: "16"

3. Page 10, line 18 through page 13, line 17.

Strike: sections 8 through 12 in their entirety

Renumber: subsequent sections

4. Page 14, line 11.

Strike: "14 through 28"

Insert: "9 through 23"

5. Page 14, line 23.

Strike: "14 through 28"

Insert: "9 through 23"

6. Page 15, line 18.

Strike: "18"

Insert: "13"

7. Page 15, line 22.

Strike: "14 through 28"

Insert: "9 through 23"

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8. Page 15, line 24.

Strike: "14 through 28"

Insert: "9 through 23"

9. Page 15, line 25.

Strike: "14 through 28"

Insert: "9 through 23"

10. Page 18, line 8.

Strike: "18"

Insert: "13"

11. Page 19, line 8.

Strike: "18"

Insert: "13"

12. Page 21, line 16.

Strike: "14 through 28"

Insert: "9 through 23"

13. Page 22, line 28.

Strike: "14 through 28"

Insert: "9 through 23"

14. Page 23, line 14.

Strike: "14 through 28"

Insert: "9 through 23"

15. Page 23, line 17.

Strike: "14 through 28"

Insert: "9 through 23"

16. Page 24, line 2.

Strike: "14 through 28"

Insert: "9 through 23"

17. Page 24, line 5.

Strike: "14 through 28"

Insert: "9 through 23"

18. Page 24, line 8.

Strike: "14 through 28"

Insert: "9 through 23"

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19. Page 24, line 23.
Strike: "14 through 28"
Insert: "9 through 23"

20. Page 24, line 27.
Strike: "14 through 28"
Insert: "9 through 23"

21. Page 24, line 28.
Strike: "14 through 28"
Insert: "9 through 23"

22. Page 25, line 24.
Strike: "19"
Insert: "14"

23. Page 25, line 26.
Strike: "14 through 28"
Insert: "9 through 23"

24. Page 25, line 27.
Strike: "14 through 28"
Insert: "9 through 23"

25. Page 25, line 28.
Strike: "14 through 28"
Insert: "9 through 23"

26. Page 26, line 11.
Strike: "18"
Insert: "13"

27. Page 26, line 17.
Strike: "14 through 28"
Insert: "9 through 23"

28. Page 26, line 26.
Strike: "14 through 28"
Insert: "9 through 23"

29. Page 27, line 7.
Strike: "14 through 28"
Insert: "9 through 23"

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30. Page 27, line 22.

Strike: "14 through 28"

Insert: "9 through 23"

31. Page 28, line 1.

Strike: "17"

Insert: "12"

32. Page 42, line 10.

Strike: "14 through 28"

Insert: "9 through 23"

33. Page 43, line 24.

Strike: "16"

Insert: "11"

34. Page 53, line 13 through line 14.

Strike: "14" on line 13 through "28" on line 14

Insert: "9 through 23"

35. Page 61, line 14.

Following: "chapter;"

Insert: "and"

36. Page 61, line 15.

Strike: subsection (d) in its entirety

Renumber: subsequent subsections

37. Page 72, line 10.

Strike: "24"

Insert: "19"

38. Page 92, line 14.

Strike: "16"

Insert: "11"

39. Page 93, line 14.

Strike: "14 through 28"

Insert: "9 through 23"

40. Page 95, line 15.

Strike: "14 through 28"

Insert: "9 through 23"

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41. Page 96, line 17.

Strike: "15"

Insert: "10"

42. Page 96, line 18.

Strike: "14 through 28"

Insert: "9 through 23"

43. Page 100, line 9.

Strike: "15"

Insert: "35"

44. Page 100, line 13.

Strike: "15"

Insert: "35"

45. Page 100, line 16.

Strike: "15"

Insert: "35"

46. Page 100, line 19.

Strike: "15"

Insert: "35"

47. Page 103, line 19.

Strike: "15"

Insert: "35"

48. Page 103, line 23.

Strike: "15"

Insert: "35"

49. Page 103, line 26.

Strike: "15"

Insert: "35"

50. Page 104, line 1.

Strike: "15"

Insert: "35"

51. Page 107, line 23.

Strike: "16"

Insert: "11"

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52. Page 112, line 11.

Strike: "16"

Insert: "11"

53. Page 112, line 15.

Strike: "23"

Insert: "18"

54. Page 113, line 19.

Strike: "16"

Insert: "11"

55. Page 114, line 2.

Strike: "16"

Insert: "11"

56. Page 138, line 22.

Strike: "17"

Insert: "12"

57. Page 143, line 23.

Strike: "60"

Insert: "55"

58. Page 143, line 23 through line 24.

Following: "60]"

Strike: ", implement" on line 23 through "both" on line 24

59. Page 144, line 4 through line 5.

Strike: subsection (3) in its entirety

Renumber: subsequent subsections

60. Page 144, line 6.

Strike: "13"

Insert: "8"

61. Page 144, line 7.

Strike: "13"

Insert: "8"

62. Page 144, line 8.

Strike: "14 through 28"

Insert: "9 through 23"

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63. Page 144, line 9.

Strike: "14 through 28"

Insert: "9 through 23"

64. Page 144, line 13.

Following: "[Sections"

Strike: "43(1)(a)"

Insert: "38(1)(a)"

Following: "(12);"

Strike: "83(2)"

Insert: "78(2)"

Following: "(8)(b),"

Strike: "84, 85, 101, 104,"

Insert: "79, 80, 96, 99,"

65. Page 144, line 15.

Strike: "8 through 12, 48, 60, 82, 83(11), 86 through 88, 99, 100, and 102"

Insert: "43, 55, 77, 78(11), 81 through 83, 94, 95, and 97"

66. Page 144, line 18.

Following: "[Section"

Strike: "40(14)(b)(ii)"

Insert: "35(14)(b)(ii)"

Amendment adopted as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Custer, Dooling, 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, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stromswold, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 64

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

Total 36

Voted absentee: None.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 701 - Representative Usher moved **HB 701**, second reading copy, be further amended as follows:

1. Page 61.

Following: line 23

Insert: "(b) \$150,000 must be distributed to the board of crime control to fund crisis intervention team training as provided in 44-7-110; and"

Renumber: subsequent subsections

2. Page 61, line 24.

Strike: "distribution to the marijuana HEART fund"

Insert: "the distributions made under subsections (4)(a) and (4)(b)"

3. Page 61, line 26.

Following: "fund;"

Strike: "and"

4. Page 62, line 2.

Following: "87-5-121"

Strike: "."

Insert: "; and"

5. Page 62, line 3.

Strike: "If"

Insert: "if"

6. Page 62, line 4.

Following: "million"

Strike: "dollars shall be distributed"

7. Page 142, line 9.

Following: "(2) "

Insert: "(a) (i)"

8. Page 142, line 12.

Strike: "(a)"

Insert: "(A)"

Renumber: subsequent subsections

9. Page 142, line 16.

Strike: "(c)"

Insert: "(ii)"

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10. Page 142.

Following: line 17

Insert: "(b) (i) For each year of the 2023 biennium, \$150,000 is appropriated to the board of crime control for the purposes described in 44-7-110.

(ii) It is the intent of the legislature that this appropriation amount be included as part of the base budget for the board of crime control for the biennium beginning July 1, 2023."

Amendment adopted as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buckley, Buttrey, Carlson, Custer, Dooling, Duram, Fern, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Hawk, Hill, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Kassmier, Kerns, Knudsen C, Knudsen R, Lenz, Ler, Loge, Malone, Marshall, McKamey, Mitchell, 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.

Total 69

Nays: Abbott, Bishop, Caferro, Curdy, Dunwell, Farris-Olsen, France, Funk, Harvey, Hayman, Hinkle C, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Mercer, Moore, Novak, Olsen, Running Wolf, Smith, Stafman, 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 701 - Representative Sullivan moved **HB 701**, second reading copy, be further amended as follows:

1. Page 54, line 7.

Following: "enforceable."

Insert: "(8) A person may not be denied adoption, custody, or visitation rights relative to a minor solely for conduct that is permitted by this chapter.

(9) A person may not be denied access to or priority for an organ transplant or denied access to health care solely for conduct that is permitted by this chapter."

Amendment adopted as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Bishop, Buckley, Buttrey, Caferro, Carlson, Curdy,

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Custer, Dooling, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fleming, France, Frazer, Funk, Gist, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Karjala, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Ler, Loge, Malone, Marler, McKamey, Novak, Olsen, Patelis, Putnam, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Usher, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov.
Total 71

Nays: Berglee, Bertoglio, Binkley, Brewster, Duram, Fielder, Fuller, Galloway, Garner, Gillette, Greef, Kassmier, Lenz, Marshall, Mercer, Mitchell, Moore, Nave, Noland, Phalen, Read, Regier A, Regier M, Reksten, Sheldon-Galloway, Skees, Tschida, Vinton, Mr. Speaker.
Total 29

Voted absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 701 - Representative Tschida moved **HB 701**, second reading copy, be further amended as follows:

1. Page 19, line 9.

Following: the second "physician"

Insert: ", unless the minor's treating physician or referral physician is an oncologist, neurologist, or epileptologist"

2. Page 20, line 7.

Strike: subsection (f) in its entirety

Renumber: subsequent subsections

Amendment adopted 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, 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,

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Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Running Wolf, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.
Total 94

Nays: Hamilton, Karjala, Smith, Weatherwax, Whiteman Pena, Windy Boy.
Total 6

Voted absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 701 - Representative Zolnikov moved **HB 701**, second reading copy, be further amended as follows:

1. Title, line 12.

Following: "AUTHORITY;"

Insert: "PROVIDING FOR CRIMINAL CONVICTIONS RELATED TO MARIJUANA;"

Following: "SECTIONS"

Insert: "3-5-113, 3-5-115,"

2. Title, line 14.

Following: "16-12-112,"

Insert: "16-12-113,"

3. Page 28.

Following: line 5

Insert: **Section 29.** Section 3-5-113, MCA, is amended to read:

"3-5-113. Judges pro tempore -- special masters -- scope of authority in criminal and civil cases.

(1) (a) A civil action in the district court may be tried by a judge pro tempore or special master, who must be a member of the bar of the state, agreed upon in writing by the parties litigant or their attorneys of record, appointed by the court as provided in 3-5-115, or 3-20-102, or [section 102], and sworn to try the cause before entering upon the duties in trying the cause.

(b) The judge pro tempore or special master has the authority and power of an elected district court judge in the particular civil action tried in the manner provided for in this subsection (1). All proceedings before a judge pro tempore or special master must be conducted in accordance with the rules of evidence and procedure governing district courts.

(c) Any order, judgment, or decree made or rendered in a civil case by the judge pro tempore or special master has the same force and effect as if made or rendered by the district court with the regular judge presiding.

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(2) (a) Preliminary, nondispositive proceedings in criminal actions in a district court may be conducted by a judge pro tempore or special master. The judge pro tempore or special master in a criminal case must be appointed by a district court judge or judges as provided in 3-5-122.

(b) All proceedings before a judge pro tempore or special master in a criminal case must be conducted in accordance with the rules of evidence and procedure governing district courts.

(c) The judge pro tempore or special master in a criminal case has the authority and power of a district court judge to issue orders pursuant to Title 46, chapter 9, concerning bail and conditions of release or detention of persons pending trial, and to conduct arraignments, initial appearances on warrants, and initial appearances on probation revocations. An order made by the judge pro tempore or special master in a criminal case has the same force and effect as if made by a district court judge.

(d) Within 10 days after issuance of an order by a judge pro tempore or special master in a criminal case, a party may object to the order as provided by rules of court and a district court judge shall make a de novo determination of that portion of the order to which objection is made. The district court judge may accept, reject, or modify the order in whole or in part. The district court judge may also receive further evidence or recommit the matter to the judge pro tempore or special master with instructions.

(e) All proceedings before a judge pro tempore or special master in a criminal case must be conducted in a suitable room in the courthouse, subject to the provisions of Title 46 relating to the use of two-way electronic audio-video communication. All records must be filed and kept in accordance with the rules governing the district court." "

Insert: "Section 30. Section 3-5-115, MCA, is amended to read:

"3-5-115. Agreement, petition, and appointment of judge pro tempore -- waiver of jury trial. (1) Prior to trial and upon written agreement of all the parties to a civil action, the parties may petition for the appointment of a judge pro tempore. Except as provided in 3-20-102, if the district court judge having jurisdiction over the case where the action was filed finds that the appointment is in the best interest of the parties and serves justice, the district court judge may appoint the judge pro tempore nominated by the parties to preside over the whole action or any aspect of the action as if the regular district court judge were presiding.

(2) Except as provided in 3-20-102, an appointment of a judge pro tempore constitutes a waiver of the right to trial by jury by any party having the right.

(3) The supreme court shall appoint the asbestos claims judge as provided in 3-20-102.

(4) The supreme court shall appoint a judge to determine the expungement or resentencing of marijuana convictions as provided in [section 102].""

Renumber: subsequent sections

4. Page 65.

Following: line 10

Insert: "Section 52. Section 16-12-113, MCA, is amended to read:

"16-12-113. Decriminalized acts -- petition for expungement or resentencing -- retroactive application. (1) A person currently serving a sentence for an act that is permitted under this chapter or is punishable by a lesser sentence under this chapter than the person was awarded may petition for an expungement of the conviction or resentencing.

(2) Upon receiving a petition under subsection (1), the expungement or resentencing of marijuana conviction court, as provided in [sections 101 through 103], shall presume the petitioner satisfies

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the criteria in subsection (1) unless the county attorney proves by clear and convincing evidence that the petitioner does not satisfy the criteria. If the petitioner satisfies the criteria in subsection (1), the court shall grant the petition unless the court determines that granting the petition would pose an unreasonable risk of danger to public safety.

(3) A person who is serving a sentence and is resentenced pursuant to subsection (1) must be given credit for any time already served and may not be subject to supervision.

(4) Resentencing under this section may not result in the imposition of a term longer than the original sentence or the reinstatement of charges dismissed pursuant to a negotiated plea agreement.

(5) (a) A person who has completed a sentence for an act that is permitted under this chapter or is punishable by a lesser sentence under this chapter than the person was awarded may petition the sentencing court to:

(i) expunge the conviction; or

(ii) redesignate the conviction as a misdemeanor or civil infraction in accordance with this chapter.

(b) The petition must be served on the county attorney for the county where the petition is filed.

(6) Upon receiving a petition under subsection (5), the court shall presume the petitioner satisfies the criteria in subsection (5) unless the county attorney proves by clear and convincing evidence that the petitioner does not satisfy the criteria. Once the applicant satisfies the criteria in subsection (5), the court shall redesignate the conviction as a misdemeanor or civil infraction or expunge the conviction as legally invalid pursuant to this chapter.

(7) Unless requested by the applicant, no hearing is necessary to grant or deny an application filed under subsection (5).

(8) Any felony conviction that is recalled under subsection (1) or designated as a misdemeanor or civil infraction under subsection (5) must be considered a misdemeanor or civil infraction for all purposes. Any misdemeanor conviction that is recalled and resentenced under subsection (1) or designated as a civil infraction under subsection (5) must be considered a civil infraction for all purposes.

(9) Nothing in this section constitutes a waiver of any right or remedy otherwise available to the petitioner or applicant.

(10) Nothing in this chapter is intended to impact the finality of judgment in any case not falling within the purview of this chapter.

(11) The provisions of this section apply equally to juvenile cases if the juvenile would not have been guilty of an offense or would have been guilty of a lesser offense under this chapter."''

Renumber: subsequent sections

5. Page 139.

Following: line 20

Insert: "NEW SECTION. **Section 101. Definitions.** As used in [sections 101 through 103], unless the context clearly indicates otherwise, the following definitions apply:

(1) "Decriminalized or resentenced marijuana conviction" means a marijuana conviction described in 16-12-113 that no longer constitutes a criminal act, or a marijuana conviction that must be resentenced.

(2) "Expungement or resentencing of marijuana conviction court" means the court that is responsible for determining petitions for expungement and resentencing as provided in 16-12-113.

(3) "Petition for expungement or resentencing" means a petition filed pursuant to 16-12-113

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seeking expungement or resentencing of a marijuana conviction."

Insert: "NEW SECTION. **Section 102. Appointment of judge.** (1) A petition for expungement or resentencing of a marijuana conviction filed as provided in 16-12-113 may be determined by a judge pro tempore or special master, who must be a member of the bar of the state, agreed on in writing by the petitioner and the county attorney, appointed by the supreme court as provided in 3-5-115, and sworn to determine whether the petitioner meets the criteria for expungement or resentencing as provided in 16-12-113. On appointment, the individual must be designated as the decriminalized marijuana conviction expungement judge.

(2) A judge appointed under subsection (1) has the authority and power of an elected district court judge in the civil action involving petitions filed as provided in 16-12-113. All proceedings must be conducted in accordance with the rules of evidence and procedure governing district courts.

(3) Any determination rendered in a petition by the judge has the same force and effect as if determined by the district court with the regular judge presiding.

(4) A party stipulating to have a petition determined by the judge appointed under subsection (1) may not file a motion for substitution of the judge pursuant to 3-1-804.

(5) All filings relating to a petition filed as provided in 16-12-113 must be filed with the clerk of court in the judicial district in which the marijuana conviction took place. The applicant and the county attorney shall provide a copy of each filing to the judge appointed as provided in subsection (1)."

Insert: "NEW SECTION. **Section 103. Petition for expungement -- venue.** When the applicant requests a hearing, as provided in 16-12-113, the judge appointed as provided in [section 102] may hear the petition in any venue stipulated by the petitioner and the county attorney, as provided in 25-2-202, or in any venue otherwise determined by the judge in accordance with a stipulation of the petitioner and the county attorney. In stipulating venue, the petitioner and the county attorney shall take into consideration the availability of courtroom facilities. The judge may prepare a list of available courtroom facilities for consideration."

Renumber: subsequent sections

6. Page 143, line 23.

Following: "[section"

Strike: "60"

Insert: "63"

7. Page 143, line 27.

Following: "[Sections 1"

Insert: ", "

Strike: "through"

Following: "2"

Insert: ", and 101 through 103"

8. Page 144, line 1.

Following: "[sections 1"

Insert: ", "

Strike: "through"

Following: "2"

Insert: ", and 101 through 103"

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9. Page 144, line 13.

Strike: "43(1)(a)"

Insert: "45(1)(a)"

10. Page 144, line 13.

Following: "(12);"

Strike: "83(2)"

Insert: "86(2)"

11. Page 144, line 13.

Strike: "84, 85, 101, 104"

Insert: "87, 88, 107, 110"

12. Page 144, line 15.

Strike: "48, 60, 82, 83(11), 86 through 88, 99, 100, and 102"

Insert: "50, 63, 85, 86(11), 89 through 91, 105, 106, and 108"

13. Page 144, line 18.

Following: "[Section"

Strike: "40(14)(b)(ii)"

Insert: "42(15)(b)(ii)"

Amendment **not** adopted as follows:

Yeas: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Frazer, Funk, Hamilton, Harvey, Hawk, Hayman, Hinkle C, Karjala, Kelker, Keogh, Kerr-Carpenter, Knudsen R, Kortum, Marler, Marshall, McKamey, Noland, Novak, Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Vinton, Weatherwax, Whiteman Pena, Windy Boy, Zolnikov, Mr. Speaker.

Total 43

Nays: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Custer, Dooling, Duram, Fielder, Fitzgerald, Fleming, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Keane, Kerns, Knudsen C, Lenz, Ler, Loge, Malone, Mercer, Mitchell, Moore, Nave, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Tschida, Usher, Walsh, Welch, Whitman.

Total 57

Voted absentee: None.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 701 - Representative Tschida moved **HB 701**, second reading copy, be further amended as follows:

1. Page 53, line 4 through line 6.

Strike: "the underage" on line 4 through "(a)" on line 6

2. Page 53, line 6 through line 7.

Following: "\$100" on line 6

Strike: "; or" on line 6 through "fine" on line 7

3. Page 53, line 10 through line 11.

Strike: "the underage" on line 10 through "(a)" on line 11

4. Page 53, line 11 through line 12.

Following: "\$100"

Strike: "; or" on line 11 through "fine" on line 12

5. Page 53, line 17.

Following: "violation,"

Strike: "the person's choice between"

6. Page 53, line 17 through line 18.

Strike: "or" on line 17 through "fine" on line 18

7. Page 53, line 19.

Following: "violation,"

Strike: "the person's choice between"

8. Page 53, line 19 through line 20.

Strike: "or" on line 19 through "fine" on line 20

9. Page 53, line 21.

Following: "violation,"

Strike: "the person's choice between"

10. Page 53, line 21 through line 22.

Following: "\$500" on line 21

Strike: "or" on line 21 through "fine" on line 22

11. Page 53, line 23.

Following: "age,"

Strike: "the person's choice between"

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12. Page 53, line 23 through line 24.

Strike: "or" on line 23 through "fine" on line 24

13. Page 64, line 22 through line 24.

Following: "16-12-211;" on line 22

Insert: "and"

14. Page 64, line 23 through line 24

Strike: subsection (o) in its entirety

Renumber: subsequent subsections

15. Page 79, line 5.

Following: "may"

Strike: "not"

16. Page 79, line 6.

Following: "window"

Insert: "."

Strike: "_ except that a"

Insert: "A"

17. Page 85, line 19 through line 21.

Following: "not" on line 19

Strike: ":" on line 19 through "(b)" on line 21

Amendment **not** adopted as follows:

Yeas: Anderson, Bartel, Beard, Berglee, Bertoglio, Binkley, Brewster, Carlson, Duram, Fielder, Fuller, Galloway, Gillette, Gist, Gunderson, Hill, Hinkle C, Hinkle J, Kerns, Knudsen R, Lenz, Ler, Marshall, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Read, Regier A, Regier M, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Tschida, Usher, Vinton, Zolnikov, Mr. Speaker.

Total 41

Nays: Abbott, Bedey, Bishop, Buckley, Buttrey, Caferro, Curdy, Custer, Dooling, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fleming, France, Frazer, Funk, Garner, Greef, Hamilton, Harvey, Hawk, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Kortum, Loge, Malone, Marler, McKamey, Mercer, Novak, Olsen, Putnam, Ricci, Running Wolf, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy.

Total 58

Voted absentee: None.

Excused: None.

Total 0

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Absent or not voting: Reksten.

Total 1

HB 701 - Representative Tschida moved **HB 701**, second reading copy, be further amended as follows:

1. Page 83, line 10.

Following: "(1)"

Insert: "(a)"

2. Page 83.

Following: line 11

Insert: "(b) The department may not conduct more than two unannounced inspections of a licensed premises a year unless a citation has been issued to a licensee at the premises within the last 2 years or there is other just and reasonable cause."

Amendment adopted as follows:

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

Total 69

Nays: Abbott, Bishop, Caferro, Curdy, Dunwell, Farris-Olsen, France, Funk, Harvey, Hayman, Hill, Karjala, Keane, Kelker, Keogh, Marshall, McKamey, Mercer, Nave, Novak, Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 30

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Reksten.

Total 1

HB 701 - Representative Beard moved **HB 701**, second reading copy, be further amended as follows:

1. Title, line 15 through line 16.

Strike: "17-6-" on line 15 through "17-6-610," on line 16

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2. Page 61, line 23.

Strike: "17-6-606"

Insert: "[section 96]"

3. Page 89, line 16 through page 92, line 10.

Strike: sections 62 and 63 in their entirety

Renumber: subsequent sections

4. Page 139.

Following: line 20

Insert: "NEW SECTION. **Section 96. Healing and ending addiction through recovery and treatment account.** (1) There is a healing and ending addiction through recovery and treatment account in the state special revenue fund. The account consists of money transferred to the account pursuant to 16-12-111.

(2) Revenue in the account must be used to provide statewide programs for:

(a) substance use disorder prevention;

(b) mental health promotion; and

(c) crisis, treatment, and recovery services for substance use and mental health disorders.

(3) The programs must be designed to:

(a) increase the number of individuals choosing treatment over incarceration;

(b) improve access to, utilization of, and engagement and retention in prevention, treatment, and recovery support services;

(c) expand the availability of community-based services that reflect best practices or are evidence-based;

(d) leverage additional federal funds when available for the healthy Montana kids plan provided for in Title 53, chapter 4, part 11, and the medicaid program provided for in Title 53, chapter 6, for the purposes of this section;

(e) provide funding for programs and services that are described in subsections (2)(a) through (2)(c) and provided on an Indian reservation located in this state; and

(f) provide funding for grants and services to tribes for use in accordance with this section.

(4) (a) An amount not to exceed \$500,000, including eligible federal matching sources when applicable, must be used to provide funding for grants and services to tribes for tobacco prevention and cessation, substance use disorder prevention, mental health promotion, and substance use disorder and mental health crisis, treatment, and recovery services.

(b) The department of public health and human services shall manage the programs funded by the special revenue account and shall adopt rules to implement the programs.

(5) The legislature shall appropriate money from the state special revenue account provided for in this section for the programs referred to in this section.

(6) Programs funded under this section that are private in nature may be funded through contracted services."

Renumber: subsequent sections

5. Page 142, line 9.

Following: "(2)"

Insert: "(a)

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Strike: "The following amounts are"

Insert: "There is"

Following: "appropriated"

Insert: "\$6 million in state special revenue funds"

6. Page 142, line 11.

Strike: "17-6-606:"

Insert: "[section 96]."

7. Page 142, line 12 through line 15.

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

8. Page 142, line 16.

Strike: "(c)"

Insert: "(b)"

9. Page 144, line 8.

Following: "through 28"

Insert: "and 96"

10. Page 144, line 9.

Following: "through 28"

Insert: "and 96"

11. Page 144, line 13.

Strike: "83(2) and (8)(b), 84, 85, 101, 104,"

Insert: "81(2) and (8)(b), 82, 83, 100, 103,"

12. Page 144, line 15.

Strike: "82, 83(11), 86 through 88, 99, 100, and 102"

Insert: "80, 81(11), 84 through 86, 96, 98, 99, and 101"

Amendment adopted as follows:

Yeas: Abbott, Beard, Berglee, Bertoglio, Binkley, Bishop, Brewster, Caferro, Carlson, Dooling, Dunwell, Duram, Fielder, Fleming, France, Fuller, Funk, Gillette, Gist, Gunderson, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle J, Karjala, Kassmier, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Lenz, Ler, Loge, Marler, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Olsen, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stafman, Stromswold, Sullivan, Tenenbaum, Thane, Trebas, Tschida, Usher, Vinton, Zolnikov, Mr. Speaker.

Total 67

Nays: Anderson, Bartel, Bedey, Buckley, Buttrey, Curdy, Custer, Farris-Olsen, Fern, Fitzgerald, Frazer, Galloway, Garner, Greef, Hinkle C, Holmlund, Hopkins, Jones, Keane, Kelker, Kortum,

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Malone, Marshall, Reksten, Running Wolf, Smith, Stewart Peregoy, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy.
Total 33

Voted absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 701 - Representative Mercer moved **HB 701**, second reading copy, be further amended as follows:

1. Page 47, line 5 through line 6.

Strike: "of the first" on line 5 through "district" on line 6

Insert: "in the county in which the person operates or proposes to operate. If a person operates or seeks to operate in more than one county, the person may seek judicial review in the district court with jurisdiction over actions arising in any of the counties where it operates or seeks to operate"

2. Page 59, line 24.

Strike: "of the first judicial district"

Insert: "in the county in which the person operates or proposes to operate. If a person operates or seeks to operate in more than one county, the person may seek judicial review in the district court with jurisdiction over actions arising in any of the counties where it operates or seeks to operate"

3. Page 85, line 2 through line 3.

Strike: "of the first" on line 2 through "district" on line 3

Insert: "in the county in which the person operates or proposes to operate. If a person operates or seeks to operate in more than one county, the person may seek judicial review in the district court with jurisdiction over actions arising in any of the counties where it operates or seeks to operate"

Amendment adopted 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, Marshall, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Novak, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe,

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Sheldon-Galloway, Skees, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Thane, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.
Total 93

Nays: Marler, Olsen, Running Wolf, Tenenbaum, Weatherwax, Whiteman Pena, Windy Boy.
Total 7

Voted absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 701 - Representative Mercer moved **HB 701**, second reading copy, be further amended as follows:

1. Page 55, line 26.

Following: "50-5-101;"
Strike: "or"

2. Page 55, line 27.

Following: "facility;"
Insert: "or
(v) in a hotel or motel room;"

Amendment adopted as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Caferro, Carlson, Curdy, Custer, Duram, Fern, Fielder, Fleming, Frazer, Fuller, Galloway, Gillette, Gist, Greef, Gunderson, Hinkle J, Jones, Kassmier, Kerns, 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, Tschida, Usher, Vinton, Walsh, Whitman, Zolnikov, Mr. Speaker.
Total 58

Nays: Abbott, Bishop, Buckley, Buttrey, Dooling, Dunwell, Farris-Olsen, Fitzgerald, France, Funk, Garner, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Holmlund, Hopkins, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Marler, Novak, Olsen, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Trebas, Weatherwax, Welch, Whiteman Pena, Windy Boy.
Total 42

Voted absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 701 - Representative Tschida moved **HB 701**, second reading copy, be further amended as follows:

1. Page 90, line 7.

Following: "11,"

Strike: "and the medicaid program provided for in Title 53, chapter 6,"

2. Page 129, line 22 through line 24.

Strike: subsection (c) in its entirety

Renumber: subsequent subsections

3. Page 130, line 5.

Strike: "(3)(d)"

Insert: "(3)(c)"

4. Page 130, line 6.

Strike: "subsections"

Insert: "subsection"

5. Page 130, line 6.

Following: "(3)(a)"

Strike: "and (3)(c)"

6. Page 130, line 7 through line 9.

Strike: subsection (5) in its entirety

Renumber: subsequent subsections

Amendment adopted 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, 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, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 67

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk,

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Hamilton, Harvey, Hawk, 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 33

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 701 - Representative Mercer moved **HB 701**, second reading copy, be further amended as follows:

1. Page 58, line 21.

Following: "(d)"

Insert: "who"

2. Page 58, line 23.

Following: "(e)"

Insert: "who"

Following: "chapter;"

Strike: "or"

3. Page 58, line 24.

Following: "(f)"

Insert: "who"

4. Page 58, line 25.

Following: "age"

Insert: "; or

(g) who sells, distributes, or transfers marijuana or marijuana products to a person the licensee knows or should know will sell, distribute, or transfer the marijuana or marijuana products to a person who is under 21 years of age"

Amendment **not** adopted as follows:

Yeas: Bartel, Bedey, Berglee, Bertoglio, Binkley, Brewster, Carlson, Custer, Duram, Fielder, Fuller, Galloway, Gillette, Gist, Greef, Gunderson, Hamilton, Hill, Hinkle C, Hinkle J, Kassmier, Kerns, Lenz, Ler, Loge, Malone, Marshall, Mercer, Mitchell, Moore, Nave, Noland, Novak, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Skees, Trebas, Tschida, Usher, Vinton, Walsh, Whitman.

Total 49

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Nays: Abbott, Anderson, Beard, Bishop, Buckley, Buttrey, Caferro, Curdy, Dooling, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fleming, France, Frazer, Funk, Garner, Harvey, Hawk, Hayman, Holmlund, Hopkins, Jones, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Marler, McKamey, Olsen, Patelis, Running Wolf, Sheldon-Galloway, Smith, Stafman, Stewart Peregoy, Stromswold, Sullivan, Tenenbaum, Thane, Weatherwax, Welch, Whiteman Pena, Windy Boy, Zolnikov, Mr. Speaker.
Total 51

Voted absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 701 - Representative R. Knudsen moved **HB 701**, second reading copy, be further amended as follows:

1. Page 31, line 6.

Strike: "20%"

Insert: "15%"

Amendment **not** adopted as follows:

Yeas: Beard, Berglee, Binkley, Brewster, Carlson, Duram, Fern, Fielder, Galloway, Gillette, Gist, Gunderson, Hinkle C, Hinkle J, Knudsen C, Knudsen R, Ler, Marshall, Mercer, Nave, Noland, Patelis, Phalen, Read, Regier A, Regier M, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Stewart Peregoy, Sullivan, Trebas, Tschida, Usher, Vinton, Zolnikov, Mr. Speaker.
Total 38

Nays: Abbott, Anderson, Bartel, Bedey, Bertoglio, Bishop, Buckley, Buttrey, Caferro, Curdy, Custer, Dooling, Dunwell, Farris-Olsen, Fitzgerald, Fleming, France, Frazer, Fuller, Funk, Garner, Greef, Hamilton, Harvey, Hawk, Hayman, Hill, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Kortum, Lenz, Loge, Malone, Marler, McKamey, Mitchell, Moore, Novak, Olsen, Putnam, Reksten, Ricci, Running Wolf, Smith, Stafman, Stromswold, Tenenbaum, Thane, Walsh, Weatherwax, Welch, Whiteman Pena, Whitman, Windy Boy.
Total 62

Voted absentee: None.

Excused: None.
Total 0

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Absent or not voting: None.

Total 0

HB 701 - Representative Hopkins moved **HB 701**, as amended, do pass. Motion carried as follows:

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

Total 59

Nays: Abbott, Binkley, Bishop, Buckley, Caferro, Carlson, Curdy, Dunwell, Duram, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hawk, Hayman, Hill, Hinkle C, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Marshall, Mercer, Moore, Novak, Olsen, Regier M, Running Wolf, Smith, Stafman, Stewart Peregoy, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena.

Total 41

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 670 - Representative Skees moved **HB 670** do pass.

HB 670 - Representative Skees moved **HB 670**, second reading copy, be amended as follows:

1. Page 6, line 24.

Following: "card"

Strike: "or license"

2. Page 15, line 27.

Following: "of"

Strike: "licenses, endorsements, and"

Amendment adopted as follows:

Yeas: Abbott, Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Bishop, Brewster, Buckley, Buttrey, Caferro, Carlson, Custer, Dooling, Dunwell, Duram, Farris-Olsen, Fern, Fielder,

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Fitzgerald, Fleming, Frazer, Fuller, Funk, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hamilton, Harvey, Hawk, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Keane, Kelker, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Lenz, Ler, Loge, Malone, 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, Welch, Whiteman Pena, Whitman, Windy Boy, Zolnikov, Mr. Speaker.
Total 93

Nays: Curdy, France, Hayman, Karjala, Marler, Tenenbaum, Weatherwax.
Total 7

Voted absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 670 - Representative M. Regier moved **HB 670**, second reading copy, be further amended as follows:

1. Page 23.

Following: line 19

Insert: "(9) "Indoor cultivation" means live plants growing in an enclosed area that is:

(a) within a permanent structure using artificial light exclusively or to supplement natural sunlight;
or

(b) a greenhouse, hoop house, or similar structure that protects the plants from variable temperature, precipitation, and wind."

Renumber: subsequent subsections

2. Page 24.

Following: line 16

Insert: "(20) "Outdoor cultivation" means live plants growing in an area exposed to natural sunlight and environmental conditions including variable temperature, precipitation, and wind."

3. Page 24, line 24 through line 25.

Strike: "." on line 24 through "(a)" on line 25

4. Page 24, line 26 through page 25, line 2.

Following: "storerooms" on line 26

Strike: remainder of line 26 through "occupy" on page 25, line 2

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5. Page 29, line 11.

Following: the second "the"

Insert: "registered premises or"

6. Page 29, line 12 through line 13.

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

7. Page 29, line 18.

Strike: "shall"

Insert: "must"

8. Page 29, line 18.

Following: "types"

Insert: ", all restricted to indoor cultivation"

9. Page 31, line 5 through line 6.

Strike: ", " on line 5 through "cultivation" on line 6

10. Page 46, line 17.

Following: the second "provider"

Strike: "may"

11. Page 46, line 18.

Following: "(a)"

Insert: "may,"

12. Page 46, line 21.

Following: "(b)"

Insert: "may"

13. Page 46, line 23.

Following: "(c)"

Insert: "may"

14. Page 46, line 26.

Following: "(d)"

Insert: "may"

15. Page 46, line 27.

Following: "department;"

Strike: "and"

16. Page 47, line 2.

Following: "(e)"

Insert: "may"

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17. Page 47, line 3.

Following: "15-64-102(1)(b)(ii)"

Insert: "; and

(f) may not engage in outdoor cultivation of marijuana"

Amendment adopted as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Curdy, Custer, Dooling, Duram, Fern, Fielder, Fitzgerald, Fleming, Frazer, Fuller, Galloway, Garner, Gillette, Gist, Greef, Gunderson, Hill, Hinkle C, Hinkle J, Holmlund, Hopkins, Jones, Kassmier, Kerns, 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, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Mr. Speaker.

Total 66

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

Total 34

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 670 - Representative Olsen moved **HB 670**, second reading copy, be further amended as follows:

1. Title, line 10.

Strike: "INCREASING THE MEDICAL MARIJUANA TAX RATE TO 5%"

Insert: "ELIMINATING THE TAX ON MEDICAL MARIJUANA"

2. Title, page 2, line 2 through line 3.

Strike: "REPEALING" on line 2 through "2020;" on line 3

3. Page 2, line 10.

Following: "15-64-102(1)(b)"

Strike: "(i)"

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4. Page 2, line 13.

Following: "legislature"

Insert: ", and as provided in subsection (6)"

5. Page 2.

Following: line 23

Insert: "(6) Funds deposited into the account must be transferred in the following amounts to provide funding as set out below:

(a) 4.125% of the funds to be deposited into the nongame wildlife account established in 87-5-121;

(b) 4.125% of the funds to be deposited into the state park account established in 23-1-105(1);

(c) 4.125% of the funds to be deposited into the trails and recreational facilities account established in 23-2-108;

(d) 37.125% of the funds to be deposited to the credit of the department of fish, wildlife, and parks to be used solely as funding for wildlife habitat in the same manner as funding generated under 87-1-242(3) and used pursuant to 87-1-209;

(e) 10.5% to the state general fund; and

(f) the remainder in the subaccounts provided for in this subsection (6)(f). There are subaccounts in the marijuana revenue trust fund established by subsection (1). Funding deposited into this account under this subsection (6) is further deposited into subaccounts to be used only as follows:

(i) 10% of the funds to be deposited into a subaccount to be administered by the department of public health and human services to provide grants to existing agencies and not-for-profit organizations, whether government or community-based, to increase access to evidence-based low-barrier drug addiction treatment, prioritizing medically proven treatment and overdose prevention and reversal methods and public or private treatment options with an emphasis on reintegrating recipients into their local communities, to support overdose prevention education, and to support job placement, housing, and counseling for those with substance use disorders;

(ii) 10% of the funds to be deposited into a subaccount to be administered by the department of commerce for distribution to the local government representing the locality where the retail sales occurred;

(iii) 10% of the funds to be deposited into a subaccount to be administered by the veterans' affairs division of the department of military affairs to provide services and assistance for all Montana veterans and surviving spouses and dependents; and

(iv) 10% of the funds to be deposited into a subaccount to be administered by the Montana department of public health and human services to administer medicaid rate increases that provide for a wage increase to health care workers who provide direct medicaid-funded home and community health services for elderly and disabled persons."

6. Page 2, line 26.

Following: "15-64-102(1)(b)"

Strike: "(i)"

7. Page 3, line 7.

Strike: "(b) the medical marijuana tax collected pursuant to Title 15, chapter 64, part 1;"

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8. Page 3, line 8.

Strike: "(c)"

Insert: "(b)"

9. Page 4, line 2 through line 3.

Strike: "at" on line 2 through "15-64-102(1)(b)(ii)" on line 3

Insert: "with no tax"

10. Page 4, line 5.

Strike: "at the tax rate specified in 15-64-102(1)(b)(ii)"

Insert: "with no tax"

11. Page 6, line 20 through line 21.

Strike: "at" on line 20 through "15-64-102(1)(b)(ii)" on line 21

12. Page 12, line 4 through line 6.

Strike: ":" on line 4 through "(b)" on line 6

13. Page 12, line 10 through line 11.

Strike: "at" on line 10 through "15-64-102(1)(b)(ii)" on line 11

14. Page 17, line 17.

Following: "--"

Strike: "medical and"

15. Page 17, line 26.

Strike: "(i) Except as provided in subsection (1)(b)(ii), the"

Insert: "The"

16. Page 17, line 27.

Strike: "15%"

Insert: "20%"

17. Page 17, line 28.

Strike: "(A)"

Insert: "(i)"

18. Page 17, line 28.

Following: "under"

Insert: "this"

Following: "(1)(b)"

Strike: "(i)"

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19. Page 18, line 3.

Strike: "(B)"

Insert: "(ii)"

20. Page 18, line 3.

Following: "under"

Insert: "this"

Following: "(1)(b)"

Strike: "(i)"

21. Page 18, line 5 through line 8.

Strike: subsection (ii) in its entirety

22. Page 18, line 15 through line 16.

Strike: "." on line 15 through "(a)" on line 16

23. Page 18, line 16.

Following: "(1)(b)"

Strike: "(i)"

24. Page 18, line 17 through line 19.

Strike: "." on line 17 through "sales" on line 19

25. Page 28, line 9 through line 10.

Strike: "(i)" on line 9 through "15-64-102(1)(b)(ii)" on line 10

26. Page 28, line 17 through line 18.

Strike: "at" on line 17 through "15-64-102(1)(b)(ii)" on line 18

27. Page 42, line 7.

Following: "15-64-102(1)(b)"

Strike: "(i)"

28. Page 42, line 11.

Following: "15-64-102(1)(b)"

Strike: "(i)"

29. Page 47, line 2.

Following: "15-64-102(1)(b)"

Strike: "(i)"

30. Page 47, line 3.

Following: "cardholders"

Strike: "at the tax rate in 15-64-102(1)(b)(ii)"

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31. Page 88, line 27.

Strike: "(b) the medical marijuana tax collected pursuant to Title 15, chapter 64, part 1"

32. Page 88, line 28.

Strike: "(c)"

Insert: "(b)"

33. Page 93, line 21 through line 22.

Strike: section 73 in its entirety

Renumber: subsequent sections

34. Page 94, line 10.

Following: "15-64-102(1)(b)"

Strike: "(i)"

35. Page 95, line 1.

Strike: "74"

Insert: "73"

Amendment **not** adopted as follows:

Yeas: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hawk, 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 33

Nays: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, 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, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 67

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 670 - Representative Skees moved **HB 670**, as amended, do pass. Motion carried 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, 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, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 67

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, Fern, France, Funk, Hamilton, Harvey, Hawk, 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 33

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 707 - Representative Tschida moved **HB 707** do pass.

HB 707 - Representative Sheldon-Galloway moved **HB 707**, second reading copy, be amended as follows:

1. Page 33, line 8.

Following: "store"

Insert: "that is operated by a marijuana wholesaler"

Following: "center"

Insert: "as provided in [section 1]"

Amendment adopted as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, Carlson, Custer, Dooling, Duram, Fern, 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,

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Moore, Nave, Noland, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Ricci, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Smith, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 69

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, France, Funk, Hamilton, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Kortum, Marler, Novak, Olsen, Running Wolf, Stafman, 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 707 - Representative Tschida moved **HB 707**, as amended, do pass. Motion carried as follows:

Yeas: Anderson, Bartel, Beard, Bedey, Berglee, Bertoglio, Binkley, Brewster, Buttrey, 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, Smith, Stromswold, Trebas, Tschida, Usher, Vinton, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 67

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

Total 33

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 695 - Representative Loge moved **HB 695** do pass.

HB 695 - Representative Loge moved **HB 695**, second reading copy, be amended as follows:

1. Title, line 4 through line 5.

Following: "LAWS;" on line 4

Strike: remainder of line 4 through line 5 in their entirety

2. Title, line 6.

Following: "DISPUTES"

Insert: "AND REQUIRING A FEE"

3. Title, line 6 through line 7.

Strike: "PROVIDING" on line 6 through "AUTHORITY;" on line 7

4. Title, line 7.

Strike: "SECTIONS 75-1-202, 75-1-203, 75-1-205, AND"

Insert: "SECTION"

5. Page 1, line 11 through page 5, line 27.

Strike: sections 1 through 3 in their entirety

Renumber: subsequent sections

6. Page 6, line 14.

Following: "5."

Insert: "The parties shall each pay a \$50 fee to the department."

Amendment adopted as follows:

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

Total 78

Nays: Abbott, Bishop, Caferro, Dunwell, Harvey, Hawk, Hayman, Karjala, Keane, Kelker, Keogh, Kortum, Marler, Running Wolf, Stafman, Stromswold, Sullivan, Tenenbaum, Thane, Weatherwax, Whiteman Pena, Windy Boy.

Total 22

Voted absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 695 - Representative Loge moved **HB 695**, as amended, do pass. Motion carried as follows:

Yeas: Anderson, Bedey, Berglee, Bertoglio, Bishop, Brewster, Buttrey, 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, McKamey, Mercer, Mitchell, Moore, Nave, Noland, Patelis, Phalen, Putnam, Read, Regier A, Regier M, Reksten, Schillinger, Seekins-Crowe, Sheldon-Galloway, Skees, Trebas, Tschida, Usher, Walsh, Welch, Whitman, Zolnikov, Mr. Speaker.

Total 61

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

Total 39

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

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

Total 75

Nays: Abbott, Bishop, Buckley, Caferro, Curdy, Dunwell, Farris-Olsen, France, Hamilton, Harvey,

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Hawk, Hayman, Karjala, Keane, Ler, Marler, Olsen, Running Wolf, Stewart Peregoy, Sullivan, Tenenbaum, Weatherwax, Windy Boy.
Total 23

Voted absentee: None.

Excused: None.
Total 0

Absent or not voting: Buttrey, Whiteman Pena.
Total 2

MOTIONS

Majority Leader Vinton moved to re-refer **HB 670** to the Appropriations Committee. Without objection, do ordered.

Majority Leader Vinton moved to re-refer **HB 701** to the Appropriations Committee. Without objection, do ordered.

Majority Leader Vinton moved to re-refer **HB 707** to the Appropriations Committee. Without objection, do ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vinton moved the House adjourn until 10:00 a.m., Wednesday, April 7, 2021. Motion carried.

House adjourned at 5:16 p.m.

CAROLYN TSCHIDA
Chief Clerk of the House

WYLIE GALT
Speaker of the House