

**SENATE JOURNAL  
67TH LEGISLATURE  
THIRTY-NINTH LEGISLATIVE DAY**

Helena, Montana  
February 24, 2021

Senate Chambers  
State Capitol

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

Roll Call. All members present. Quorum present.

**BILLS AND JOURNALS** (Keenan, Chair):

2/24/2021

Correctly printed: **SB 100, SB 159, SB 163, SB 174, SB 182, SB 184, SB 193, SB 194, SB 196, SB 206, SB 218, SB 221, SB 225, SB 227, SB 231, SB 238, SB 240, SB 245, SB 258, SB 286, SB 294, SB 335, SB 336, SB 337, SB 338, SB 339, SB 340, SB 341, SB 342, SB 343, SB 344, SB 345, SB 346, SB 347, SB 348, SB 349, SB 350, SB 351, SB 352, SB 353, SB 354, SB 355, SB 356, SB 357, SB 358, SB 359, SJ 6, SJ 8, SJ 9, SJ 15, SJ 16, SJ 17, SJ 18, SR 72, SR 77, SR 78, SR 79, SR 80, SR 82, HB 197, HB 215.**

Correctly engrossed: **SB 220, SB 237, SB 242.**

Correctly enrolled: **SB 15, SB 17, SB 54, SB 74, SB 102, SB 110.**

Examined by the sponsor and found to be correct: **SB 17, SB 54, SB 74, SB 102, SB 110, SR 69, SR 73.**

Transmitted to the House: **SB 99, SB 128, SB 162, SB 186, SB 191, SB 203.**

**THIRD READING OF BILLS**

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

**SB 163** passed as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.

Total 49

Nays: Lynch.

Total 1

Voted absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 174** passed as follows:

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

Total 32

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

Total 18

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 182** passed as follows:

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

Total 31

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

Total 19

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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**SB 184** passed as follows:

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

Total 32

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

Total 18

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 190** passed as follows:

Yeas: Ankney, Bogner, Boldman, Cuffe, Ellsworth, Fitzpatrick, Flowers, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, McGillvray, Molnar, Osmundson, Sales, Salomon, Small, Smith C, Tempel, Vance, Welborn, Mr. President.

Total 30

Nays: Bennett, Boland, Brown, Cohenour, Ellis, Esp, Fox, Gross, Hinebauch, Manzella, McClafferty, McNally, Morigeau, O'Brien, Pomnichowski, Pope, Regier K, Sands, Sweeney, Webber.

Total 20

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 193** passed as follows:

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

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Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.  
Total 50

Nays: None.  
Total 0

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 196** passed as follows:

Yeas: Ankney, Brown, Cuffe, Ellsworth, Esp, Fitzpatrick, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hinebauch, Hoven, Howard, Kary, Keenan, Manzella, McGillvray, Osmundson, Regier K, Sales, Salomon, Sands, Smith C, Vance, Welborn, Mr. President.  
Total 27

Nays: Bennett, Bogner, Boland, Boldman, Cohenour, Ellis, Flowers, Fox, Gross, Jacobson, Lang, Lynch, McClafferty, McNally, Molnar, Morigeau, O'Brien, Pomnichowski, Pope, Small, Sweeney, Tempel, Webber.  
Total 23

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 231** passed as follows:

Yeas: Ankney, Bogner, Boldman, Brown, Cuffe, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Osmundson, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Welborn, Mr. President.  
Total 41

Nays: Bennett, Boland, Cohenour, Ellis, Gross, Morigeau, O'Brien, Pomnichowski, Webber.  
Total 9

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Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Senator Lang excused at this time.

**REPORTS OF STANDING COMMITTEES**

**BUSINESS, LABOR, AND ECONOMIC AFFAIRS** (Fitzpatrick, Chair):  
**SB 247**, introduced bill, be amended as follows:

2/23/2021

1. Title, line 7.

Following: "PROPERTY;"

Strike: "AND"

2. Title, line 8.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 5.

Following: line 26

Insert: "NEW SECTION. Section 6. {standard} Effective date. [This act] is effective on passage and approval."

And, as amended, do pass.

**ENERGY AND TELECOMMUNICATIONS** (Ankney, Chair):  
**SB 237**, introduced bill, be amended as follows:

2/23/2021

1. Page 10.

Following: line 22

Insert: "NEW SECTION. Section 6. Existing projects and contracts -- grandfather clause. [This act] does not affect a public utility's continued recovery of costs, or rate base treatment of investment, associated with any existing community renewable energy project and may not be construed to alter, amend, diminish, or invalidate rights or duties governed by a contract, agreement, or lease entered into prior to [the effective date of this act]."

**Renumber:** subsequent sections

And, as amended, do pass.

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**SJ10**, do pass.

**JUDICIARY** (Regier, Chair):

2/24/2021

**SB 252**, do pass.

**SB 261**, do pass.

**SB 282**, introduced bill, be amended as follows:

1. Page 2, line 6.

Following: "pharmaceuticals;"

Strike: "or"

2. Page 2, line 7.

Following: "setting"

Insert: "; or

(e) vaccination administration"

And, as amended, do pass.

Without objection, committee reports were adopted.

**MESSAGES FROM THE GOVERNOR**

February 23, 2021

The Honorable Mark Blasdel  
President of the Senate  
State Capitol  
Helena, Montana 59601

Dear President Blasdel:

On Tuesday, February 23, 2021, I signed the following bills:

**Senate Bill 1** - Kary

**Senate Bill 5** - Tempel

**Senate Bill 6** - Cohenour

**Senate Bill 23** - Salomon

**Senate Bill 25** - Salomon

**Senate Bill 30** - Blasdel

**Senate Bill 34** - Cohenour

**Senate Bill 35** - Hoven

**Senate Bill 36** - Hertz

**Senate Bill 45** - Blasdel

**Senate Bill 61** - Flowers

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

Sincerely,

GREG GIANFORTE  
Governor

**MESSAGES FROM THE OTHER HOUSE**

**House bills** passed and transmitted to the Senate for concurrence:

2/23/2021

**HB 152**, introduced by . Duram  
**HB 186**, introduced by S. Kerns  
**HB 192**, introduced by L. Reksten  
**HB 246**, introduced by M. Bertoglio  
**HB 252**, introduced by L. Jones  
**HB 267**, introduced by . Duram  
**HB 294**, introduced by R. Fitzgerald  
**HB 299**, introduced by M. Dunwell  
**HB 306**, introduced by M. Funk  
**HB 349**, introduced by M. Hopkins  
**HB 382**, introduced by W. Curdy

**FIRST READING AND COMMITMENT OF BILLS**

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

**SB 360**, introduced by M. Lang, referred to Fish and Game.  
**SB 361**, introduced by B. Hoven, referred to Judiciary.  
**SB 362**, introduced by B. Hoven, referred to Business, Labor, and Economic Affairs.  
**SB 363**, introduced by S. Fitzpatrick, referred to Business, Labor, and Economic Affairs.  
**SB 364**, introduced by S. Fitzpatrick, referred to Business, Labor, and Economic Affairs.  
**SB 365**, introduced by K. Regier, referred to Judiciary.  
**SB 366**, introduced by C. Glimm, referred to Judiciary.  
**SB 367**, introduced by S. Morigeau, referred to Business, Labor, and Economic Affairs.  
**SB 368**, introduced by T. Manzella, M. Binkley, K. Bogner, B. Brown, J. Carlson, J. Ellsworth, S. Hinebauch, C. Hinkle, D. Kary, T. McGillvray, J. Read, J. Schillinger, referred to Public Health, Welfare and Safety.  
**SB 369**, introduced by J. Small, referred to Business, Labor, and Economic Affairs.  
**SB 370**, introduced by J. Ellsworth, referred to Judiciary.  
**SB 371**, introduced by B. Keenan, referred to Natural Resources.

The following Senate bills, previously introduced, were referred to committees:

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**SB 341**, introduced by D. Howard, referred to Public Health, Welfare and Safety.

**SB 355**, introduced by M. Lang, referred to Finance and Claims.

**SB 357**, introduced by J. Gross, referred to Public Health, Welfare and Safety.

**SB 359**, introduced by S. Hinebauch, referred to Agriculture, Livestock and Irrigation.

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

**SJ 19**, introduced by M. Cuffe, referred to State Administration.

**SJ 20**, introduced by S. O'Brien, C. Keogh, referred to Public Health, Welfare and Safety.

**SJ 21**, introduced by M. Cuffe, S. Gunderson, referred to Natural Resources.

The following Senate joint resolution, previously introduced, was referred to committee:

**SJ 18**, introduced by B. Gillespie, referred to Fish and Game.

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

**SR 83**, introduced by D. Salomon, referred to Education and Cultural Resources.

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

**HB 152**, introduced by . Duram, M. Cuffe, J. Ellis, D. Fern, referred to Natural Resources.

**HB 186**, introduced by S. Kerns, referred to Education and Cultural Resources.

**HB 192**, introduced by L. Reksten, referred to Education and Cultural Resources.

**HB 246**, introduced by M. Bertoglio, L. Jones, W. McKamey, F. Anderson, D. Bedey, referred to Education and Cultural Resources.

**HB 252**, introduced by L. Jones, D. Salomon, R. Osmundson, W. Galt, S. Berglee, K. Holmlund, D. Loge, J. Dooling, J. Kassmier, D. Bedey, referred to Taxation.

**HB 267**, introduced by . Duram, D. Skees, M. Blasdel, C. Glimm, F. Garner, M. Noland, R. Fitzgerald, S. Vinton, J. Fuller, referred to Highways and Transportation.

**HB 294**, introduced by R. Fitzgerald, referred to Agriculture, Livestock and Irrigation.

**HB 299**, introduced by M. Dunwell, referred to Public Health, Welfare and Safety.

**HB 306**, introduced by M. Funk, referred to Highways and Transportation.

**HB 349**, introduced by M. Hopkins, J. Read, J. Fuller, D. Bedey, referred to Judiciary.

**HB 382**, introduced by W. Curdy, referred to Judiciary.

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

Majority Leader Smith moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator McGillvray in the chair.

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



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**SB 133** - Senator Hertz moved **SB 133** do pass.

**SB 133** - Senator Hertz moved **SB 133**, second reading copy, be amended as follows:

1. Page 5, line 18.

**Following:** "VALUE"

**Insert:** "from the department's appealed value"

2. Page 5, line 20.

**Strike:** "APPRAISED VALUE ESTABLISHED BY THE DEPARTMENT"

**Insert:** "value in the department's original appeal from the county tax appeal board proceeding"

3. Page 5, line 21.

**Following:** "TAXPAYER"

**Insert:** "for the state tax appeal board or court proceeding"

Amendment **adopted** as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.  
Total 50

Nays: None.

Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 133** - As amended, **SB 133** passed as follows:

Yeas: Ankney, Bogner, Brown, Cuffe, Ellsworth, Esp, Fitzpatrick, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McGillvray, McNally, Molnar, Osmundson, Regier K, Sales, Salomon, Small, Smith C, Sweeney, Tempel, Vance, Welborn, Mr. President.  
Total 35

Nays: Bennett, Boland, Boldman, Cohenour, Ellis, Flowers, Fox, Gross, McClafferty, Morigeau,

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O'Brien, Pomnichowski, Pope, Sands, Webber.

Total 15

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 51** - Senator Ellsworth moved **SB 51** do pass. Motion carried as follows:

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

Total 34

Nays: Bennett, Boland, Cohenour, Flowers, Fox, Gross, Jacobson, Lynch, McClafferty, Morigeau, O'Brien, Pomnichowski, Pope, Sands, Sweeney, Webber.

Total 16

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 211** - Senator Fitzpatrick moved **SB 211** do pass. Motion carried as follows:

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

Total 32

Nays: Bennett, Boland, Boldman, Cohenour, Ellis, Flowers, Fox, Gross, Jacobson, Lynch, McClafferty, McNally, Morigeau, O'Brien, Pomnichowski, Pope, Sands, Webber.

Total 18

Voted absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 216** - Senator Small moved **SB 216** do pass. Motion carried as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.

Total 50

Nays: None.

Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 219** - Senator Howard moved **SB 219** do pass. Motion carried as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.

Total 50

Nays: None.

Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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**SB 222** - Senator Gauthier moved **SB 222** do pass. Motion carried as follows:

Yeas: Ankney, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Fox, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, O'Brien, Osmundson, Regier K, Sales, Salomon, Small, Smith C, Sweeney, Tempel, Vance, Welborn, Mr. President.

Total 42

Nays: Bennett, Flowers, Gross, Morigeau, Pomnichowski, Pope, Sands, Webber.

Total 8

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 223** - Senator Gauthier moved **SB 223** do pass. Motion carried as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.

Total 50

Nays: None.

Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 183** - Senator Hertz moved **SB 183** do pass. Motion carried as follows:

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

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McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.  
Total 50

Nays: None.  
Total 0

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 154** - Senator Small moved **SB 154** do pass. Motion carried as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McGillvray, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pope, Regier K, Sales, Salomon, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.  
Total 45

Nays: Ellis, Gross, McClafferty, Pomnichowski, Sands.  
Total 5

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 158** - Senator Hinebauch moved **SB 158** do pass. Motion carried as follows:

Yeas: Ankney, Bogner, Brown, Cuffe, Ellsworth, Fitzpatrick, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Manzella, McGillvray, Molnar, Osmundson, Regier K, Salomon, Small, Smith C, Vance, Mr. President.  
Total 27

Nays: Bennett, Boland, Boldman, Cohenour, Ellis, Esp, Flowers, Fox, Gross, Jacobson, Lynch, McClafferty, McNally, Morigeau, O'Brien, Pomnichowski, Pope, Sales, Sands, Sweeney, Tempel, Webber, Welborn.

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Total 23

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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

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

Yeas: Ankney, Bogner, Brown, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hinebauch, Hoven, Howard, Kary, Keenan, Manzella, McGillvray, Molnar, O'Brien, Osmundson, Regier K, Sales, Salomon, Small, Smith C, Tempel, Vance, Welborn, Mr. President.

Total 32

Nays: Bennett, Boland, Boldman, Cohenour, Flowers, Fox, Gross, Jacobson, Lynch, McClafferty, McNally, Morigeau, Pomnichowski, Pope, Sands, Sweeney, Webber.

Total 17

Voted absentee: None.

Excused: Lang.

Total 1

Absent or not voting: None.

Total 0

**REPORTS OF STANDING COMMITTEES**

**BUSINESS, LABOR, AND ECONOMIC AFFAIRS** (Fitzpatrick, Chair):

2/24/2021

**SB 76**, introduced bill, be amended as follows:

1. Title, line 7.

Following: line 6

Insert: "PROVIDING FOR FUND TRANSFERS;"

2. Page 2.

Following: line 1

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Insert: "NEW SECTION. Section 2. Transfer of funds. (1) For fiscal year 2022, the state auditor shall transfer \$229,500 from the state special revenue fund to the credit of the state auditor's office into the general fund.  
(2) For fiscal year 2023, the state auditor shall transfer \$237,000 from the state special revenue fund to the credit of the state auditor's office into the general fund."

And, as amended, do pass.

**SB 260**, introduced bill, be amended as follows:

1. Page 2, line 8.

Strike: "and beneficial water use permits or authorizations"

Insert: "as defined in 85-2-102"

2. Page 2, line 23.

Following: "law;"

Strike: "or"

3. Page 2, line 25.

Strike: "land use"

4. Page 2, line 26.

Following: "impacts"

Insert: "; or

(iii)an action taken by the department of natural resources and conservation under 85-2-310 on an application to change a water right filed pursuant to Title 85"

5. Page 3, line 1.

Following: "to"

Insert: ":"

(a)"

6. Page 3, line 2.

Following: "individuals"

Insert: ", licenses issued by a municipality"

7. Page 3, line 2.

Strike: "relating to"

Insert: "or business involving the growing, distribution, or sale of"

8. Page 3, line 3.

Strike: ".\_"

Insert: " ";"

9. Page 3.

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Following: line 3

Insert: " (b)department of transportation acquisition of interest in property authorized under Title 60, chapter 4, or Title 67, chapter 2;

(c) claims of inverse condemnation resulting from local government and municipal operations;  
or

(d) business entity filings with the secretary of state."

And, as amended, do pass.

**SB 265**, introduced bill, be amended as follows:

1. Page 2.

Following: line 6

Insert: "**NEW SECTION. Section 2. {standard} Severability.** If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

**Renumber:** subsequent sections

And, as amended, do pass.

**SB 266**, introduced bill, be amended as follows:

1. Page 3.

Following: line 15

Insert: "(4) All legal actions under this section must be brought in the county in which the electrical generation facility is located."

2. Page 3.

Following: line 20

Insert: "**NEW SECTION. Section 4. {standard} Severability.** If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

**Renumber:** subsequent sections

And, as amended, do pass.

**SR 75**, be adopted.

**FINANCE AND CLAIMS** (Osmundson, Chair):

2/24/2021

**SB 29**, do pass.

**SB 91**, do pass.

**SB 175**, do pass.

**SB 192**, do pass.



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**SB 230**, do pass.

**SB 249**, do pass.

**HB 143**, be concurred in.

Without objection, committee reports were adopted.

**MOTIONS**

Senator Manzella moved to change her second-reading vote made the previous legislative day on **SB 231** from No to Yes. Without objection, so ordered.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Smith moved the Senate adjourn until 1:00 p.m., Thursday, February 25, 2021, the fortieth legislative day. Motion carried.

Senate adjourned at 2:18 p.m.

MARILYN MILLER  
Secretary of the Senate

MARK BLASDEL  
President of the Senate