

**SENATE JOURNAL
67TH LEGISLATURE
FIFTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
March 19, 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):

3/19/2021

Mr. President: We, your committee on Bills and Journals, having examined the daily journals for the forty-sixth through the fiftieth legislative days, find the same to be correct.

Correctly printed: **SR 38, SR 57, HB 47, HB 57, HB 58, HB 71, HB 95, HB 97, HB 112, HB 131, HB 152, HB 163, HB 178, HB 195, HB 218, HB 224, HB 225, HB 243, HB 260, HB 280, HB 304, HB 309, HB 341, HB 349, HB 353, HB 427, HB 437, HB 454, HB 566, HB 594, HJ 15.**

Correctly engrossed: **SB 153, SB 320, HB 255, HB 276, HB 430.**

Correctly enrolled: **SR 29.**

Examined by the sponsor and found to be correct: **SR 29.**

Transmitted to the House: **SB 208, HB 20, HB 98, HB 198, HB 220, HB 232, HB 266, HB 268, HB 270, HB 271, HB 425.**

Signed by the Secretary of the Senate at 9:00 a.m., March 18, 2021: **SB 125.**

Signed by the Secretary of the Senate at 4:00 p.m., March 18, 2021: **SR 32.**

Signed by the President at 4:45 p.m., March 18, 2021: **SB 125, SR 32.**

Signed by the Speaker at 9:45 a.m., March 19, 2021: **SB 125.**

Delivered to the Secretary of State at 2:54 a.m., March 19, 2021: **SR 32.**

Delivered to the Governor for information, March 19, 2021: **SR 32.**

Delivered to the Governor for signature at 2:51 p.m., March 19, 2021: **SB 125.**

Senator Hoven arose on a point of personal privilege and apologized for presenting misinformation during the second-reading discussion of **SB 273.**

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK AND IRRIGATION (Lang, Chair):

3/18/2021

SB 326, introduced bill, be amended as follows:

1. Title, line 8 through line 9.

Strike: "PROVIDING" on line 8 through "ASSESSMENTS;" on line 9

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2. Title, line 9.

Following: "ASSESSMENTS;"

Insert: "REPEALING CERTAIN DISTRICT COURT REQUIREMENTS;"

3. Title, line 9.

Strike: "85-7-2016"

Insert: "85-7-2015,"

4. Title, line 9.

Following: "85-7-2016"

Strike: ", "

Following: "85-7-2019,"

Insert: "85-7-2031"

Title, line 9.

Strike: "AND"

6. Title, line 10.

Following: line 9

Insert: "AND 85-7-2115,"

Following: the first "MCA;"

Insert: "REPEALING SECTIONS 85-7-2016, 85-7-2017, AND 85-7-2018, MCA;"

8. Page 1, line 14.

Following: "**special**"

Insert: "taxes or"

9. Page 1, line 15.

Strike: "an irrigation district may adopt a resolution to"

Insert: "the board of commissioners may"

10. Page 1, line 16.

Following: "part"

Insert: "that may result in a resolution pursuant to [section 7]"

11. Page 1, line 17.

Following: "85-7-2012."

Insert: "The costs of improvements may include the costs of bond issuance and a debt service reserve securing the repayment of bonds."

12. Page 1, line 18.

Following: "part"

Strike: "to issue bonds by adopting a resolution"

13. Page 1, line 19.

Following: "improvements"

Strike: "in"

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14. Page 1, line 20.

Following: "acre"

Insert: "to repay the bonds"

15. Page 1, line 23 through line 26.

Strike: "The" on line 23 through "determine" on line 26

Insert: "If the board of commissioners determines to undertake special tax or assessment proceedings to authorize the issuance of bonds, the board shall first determine"

16. Page 1, line 28.

Strike: "(3)"

Insert: "(2)"

Renumber: subsequent subsections

17. Page 1, line 28.

Strike: "conditions in subsections (1) and (2) are"

Insert: "condition in subsection (1) is"

Renumber: subsequent subsections

18. Page 2, line 2.

Strike: "(4)"

Insert: "(3)"

Renumber: subsequent subsections

19. Page 2, line 4.

Following: "special"

Insert: "taxes or"

Following: "assessments"

Insert: ", and, if a subdistrict, include a map and description of the boundaries of the subdistrict"

21. Page 2, line 6 through line 7.

Following: "and" on line 6

Strike: remainder of line 6 through line 7 in their entirety

Insert: "the estimated costs of the improvements and of the estimated maximum principal amount of the bonds;"

22. Page 2, line 9.

Following: the first "acre"

Insert: "; and

(e) provide an estimate of the dollar amount proposed to be assessed against each irrigable acre based on the estimated maximum principal amount of the bonds"

23. Page 2, line 10.

Strike: "(5)"

Insert: "(4)"

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Renumber: subsequent subsections

24. Page 2, line 11.

Strike: "the"

Insert: "this"

25. Page 2, line 12.

Strike: "(6)"

Insert: "(5)"

Renumber: subsequent subsections

26. Page 2, line 16.

Following: "**special**"

Insert: "taxes or"

27. Page 2, line 18.

Strike: "[section 1]"

Insert: "[section 2]"

28. Page 2, line 20.

Following: the third "the"

Strike: "proposed"

Following: "district"

Insert: "or subdistrict"

30. Page 2, line 24.

Following: "improvements"

Insert: "and the estimated maximum principal amount of the bonds"

31. Page 2, line 25.

Strike: "generally that the costs of the improvements will be taxed or assessed"

Insert: "that the debt service on the bonds will be repaid by a tax or assessment levied"

32. Page 2, line 26.

Following: the first "acre"

Insert: ";

(iv) state the dollar amount to be levied against each irrigable acre based on the estimated maximum principal amount of the bonds;

(v) state that the deadline for the receipt of protests against the proposed issuance of the bonds or levy of special taxes or assessment, or both, is 5 p.m. on the date of the end of the protest period pursuant to [section 4]"

33. Page 2, line 27.

Strike: "(iv)"

Insert: "(vi)"

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34. Page 2, line 28.

Following: the first "the"

Insert: "proposed issuance of the bonds or"

Following: "assessments"

Insert: ", or both"

36. Page 3, line 7.

Strike: "any proceeding pursuant to [section 1]"

Insert: "the notice and protest"

38. Page 3, line 7.

Following: "protest"

Insert: "proceedings if the error or mistake is corrected in a timely manner"

39. Page 3, line 9.

Following: "**special**"

Insert: "taxes or"

40. Page 3, line 11.

Strike: "work"

Insert: "costs of improvements"

41. Page 3, line 11.

Strike: "[section 3]"

Insert: "[section 2]"

42. Page 3, line 12.

Strike: "work"

Insert: "issuance of the bonds"

43. Page 3, line 12.

Following: "levy"

Insert: "of special taxes or assessments"

44. Page 3, line 19.

Following: "assessed."

Insert: "The term does not include a tenant or other holder of a leasehold interest in the irrigable acres."

45. Page 3, line 26.

Strike: "[section 1]"

Insert: "[section 6]"

46. Page 4, line 1.

Following: the first "**to**"

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Insert: "bar the issuance of bonds and to"

Following: "**bar**"

Strike: "**the**"

Following: "**special**"

Insert: "tax or"

48. Page 4, line 2.

Strike: "Further proceedings pursuant to [section 1] may not be taken"

Insert: "The board of commissioners may not authorize or hold further special tax or assessment proceedings to seek the authorization of the issuance of bonds"

49. Page 4, line 4.

Strike: "cost of the proposed improvements"

Insert: "costs of improvements to be financed with the bonds"

50. Page 4, line 6.

Following: "**special**"

Insert: "taxes or"

51. Page 4, line 6 through line 7.

Strike: "--" on line 6 through the first "improvements" on line 7

52. Page 4, line 7 through line 16.

Following: "(1)" on line 7

Strike: remainder of line 7 through line 16 in their entirety

Insert: "If the board of commissioners finds that a protest is made by the owners of irrigable acres to be assessed for not more than 50% of the costs of improvements to be financed with the bonds, the board of commissioners following the public hearing described in [section 5] may adopt a resolution approving the levy of a special tax or assessment to repay the bonds in accordance with the resolution of intention that was introduced and passed by the board.

(2)"

53. Page 4, line 16.

Following: "(2) "

Insert: "The board may issue bonds to pay or reimburse the costs of the improvements when:

(a)sufficient protests have not been delivered to the secretary within the protest period pursuant to [section 4];

(b)protests have been found by the board to be insufficient or have been overruled;

(c)conditions for proceeding with the improvements have been or will be satisfied to the satisfaction of the board of commissioners; and

(d)the requirements of 85-7-2014 and 85-7-2015 are satisfied."

54. Page 4, line 19.

Strike: "related to [section 1]"

Insert: "on a special tax or assessment for the repayment of bonds"

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55. Page 4, line 21.

Strike: "pursuant to [section 1]"

Insert: "to repay the bonds"

56. Page 4, line 26.

Strike: "pursuant to [section 1]"

Insert: "for the repayment of bonds"

57. Page 4, line 27.

Following: "secretary"

Insert: ", "

Following: the first "and"

Insert: "delivered to"

60. Page 4, line 27.

Strike: ", "

Insert: "and the irrigation district has issued or will issue the bonds pursuant to 85-7-2014 and"

61. Page 4, line 27.

Following: the second "and"

Insert: "85-7-2015,"

62. Page 5, line 7.

Following: "bonds"

Strike: "pursuant to [section 1]"

63. Page 5, line 12 through page 6, line 17.

Strike: line 12 through "year" on page 6, line 17

64. Page 6, line 19.

Strike: "14"

Insert: "10"

65. Page 6, line 20.

Strike: "resolution"

Insert: "protest"

66. Page 7, line 8.

Strike: "pursuant to [section 1] and"

Insert: "to repay bonds pursuant to [section 7] following"

67. Page 7, line 9.

Strike: "comprise"

Insert: "comprises"

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68. Page 7, line 10.

Strike: "cost"

Insert: "costs"

69. Page 7, line 24.

Strike: "[section 1]"

Insert: "[section 7]"

70. Page 7, line 26.

Strike: "or"

Insert: ", "

71. Page 7, line 26.

Following: "petition"

Insert: ", or resolution adopted pursuant to [section 7]"

72. Page 8.

Following: line 10

Insert: "**Section 12.** Section 85-7-2015, MCA, is amended to read:

"85-7-2015. Effect of contracting with United States. If contract is to be made with the United States as provided in 85-7-1906 and bonds are not to be deposited with the United States in connection with the contract, the board of commissioners need not authorize the issuance of bonds, or if bonds are required in addition to the contract, the commissioners may authorize bonds only for the amount needed in addition to the contract. ~~Such order or resolution shall also provide for the confirmation proceedings in the district court as provided in 85-7-2016 through 85-7-2018 ."~~ "

Renumber: subsequent sections

73. Page 8, line 11 through line 22.

Strike: section 17 in its entirety

Renumber: subsequent sections

76. Page 8, line 24.

Strike: "**Section 18.**"

Insert: "."

77. Page 9, line 3 through line 4.

Strike: ", " on line 3 through "indebtedness" on line 4

78. Page 9, line 4.

Following: "series."

Insert: "If the average annual interest rate of the refunding bonds is more than the average annual interest rate on the bonds being refunded or the term of the bonds being refunded is extended by the refunding bonds, a petition must be filed with the board of commissioners before proceeding with the refunding."

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79. Page 9.

Following: line 23

Insert: "**Section 14.** Section 85-7-2031, MCA, is amended to read:

"85-7-2031. Amending or supplementing United States contracts -- effect on indebtedness.

The board of commissioners of any irrigation district established and organized under and by virtue of the laws of Montana, whenever deemed advisable and to the interests of the district, shall have the power and authority to enter into any contract with the United States supplementing or amending any original contract with the United States, said original contract having been entered into pursuant to the provisions of 85-7-1906 and 85-7-2012 through ~~85-7-2018~~ 85-7-2015; provided, that such supplementary or amendatory contract does not increase the amount of the principal indebtedness of the district to the United States as it exists at the date of the supplementary or amendatory contract authorized under the provisions of 85-7-2012 through 85-7-2015."

Renumber: subsequent sections

81. Page 9, line 24.

Strike: "**16**"

Insert: "15"

83. Page 9, line 27 through page 10, line 1.

Following: "necessary" on line 27

Strike: remainder of line 27 through "contract" on page 10, line 1

84. Page 10.

Following: line 5

Insert: "**Section 16.** Section 85-7-2115, MCA, is amended to read:

"85-7-2115. Objection by landowner. If a landowner objects to the proceedings of the board in determining the irrigable area in the landowner's own or any other tract of land or the amount or rate per acre of the special tax and assessment to be levied against each irrigable acre in the district or subdistrict for the purposes of the proposed bond issue and the objection is overruled by the board, the objection without further proceedings must be regarded as appealed to the district court ~~and must, with the other proceedings of the board at the meeting, be heard at the proceedings to confirm the bonds, as provided in 85-7-2016 through 85-7-2018.~~ When confirmed, the order overruling the objection and confirming the order of the board determining the irrigable area of each tract of land and apportioning the cost of the improvement to each tract becomes final, binding, and conclusive upon the landowner and upon the district unless appealed ~~from as provided in 85-7-2018.~~"

Insert: "**NEW SECTION. Section 17. {standard} Repealer.** The following sections of the Montana Code Annotated are repealed:

85-7-2016. Confirmation by district court.

85-7-2017. Hearing and procedure in the district court.

85-7-2018. District court findings and order -- appeal."

Renumber: subsequent sections

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85. Page 10, line 6.
Strike: "[Sections 1 through 13]"
Insert: "[Section 1 through 9]"

86. Page 10, line 8.
Strike: "[sections 1 through 13]"
Insert: "[sections 1 through 9]"

And, as amended, do pass.

SR 87, be adopted.

SR 89, be adopted.

BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Fitzpatrick, Chair):
HB 379, be amended as follows:

3/18/2021

1. Title, line 4.
Following: "SEX"
Insert: "OR MARITAL STATUS"

2. Page 1, line 22.
Following: "sex"
Insert: "or marital status"

3. Page 1, line 24.
Following: line 23
Insert: "or marital status"

And, as amended, be concurred in.

HIGHWAYS AND TRANSPORTATION (Vance, Chair):
SB 336, do pass.

3/18/2021

HB 306, be concurred in.

HB 438, be concurred in.

HB 482, be concurred in.

HJ 10, be concurred in.

JUDICIARY (Regier, Chair):
HB 223, be amended as follows:

3/19/2021

1. Page 1, line 28.
Strike: "who has provided proof"
Insert: "if presented with credible evidence"

2. Page 2.

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Following: line 1

Insert: "(5) To meet the duty established in this section, a public safety officer may not maintain custody of a person subject to a detainer for longer than 48 hours, excluding weekends and holidays, beyond the time that the person would otherwise have been released from custody."

And, as amended, be concurred in.

HB 258, be concurred in.

HB 325, be amended as follows:

1. Page 2, line 12.

Strike: "from"

Insert: "for"

And, as amended, be concurred in.

HB 504, be amended as follows:

1. Page 1, line 24.

Following: "seize"

Insert: ", "

2. Page 2, line 25.

Following: "conviction."

Insert: "(5) Nothing in this section may be construed to infringe on the rights of private landowners or the person who is in control of the property, including a tenant or lessee, to regulate firearms on their property."

And, as amended, be concurred in.

TAXATION (Hoven, Chair):

3/19/2021

HJ 6, be concurred in.

HB 346, be concurred in.

HB 432, be concurred in.

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MESSAGES FROM THE GOVERNOR

March 19, 2021

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

Dear President Blasdel:

On Thursday, March 18, 2021 I signed **Senate Bill 118** -- Gauthier.

The bill has been delivered to the Secretary of State's Office.

Sincerely,

GREG GIANFORTE
Governor

MESSAGES FROM THE OTHER HOUSE

Senate bills concurred in and returned to the Senate: 3/18/2021

SB 113, introduced by S. Fitzpatrick
SB 128, introduced by S. Fitzpatrick
SB 152, introduced by B. Hoven
SB 154, introduced by J. Small
SB 170, introduced by D. Kary
SB 200, introduced by D. Sands
SB 227, introduced by S. Fitzpatrick
SB 262, introduced by M. Cuffe

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

3/18/2021

SB 49, introduced by M. Blasdel

House bill passed and transmitted to the Senate for concurrence:

3/18/2021

HB 525, introduced by E. Buttrey

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FIRST READING AND COMMITMENT OF BILLS

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

SB 386, introduced by P. Flowers, referred to Taxation.

SB 387, introduced by B. Hoven, referred to State Administration.

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

SR 94, introduced by D. Howard, referred to Public Health, Welfare and Safety.

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

HB 525, introduced by E. Buttrey, M. Blasdel, T. Jacobson, W. Galt, J. Small, J. Ellsworth, D. Harvey, A. Buckley, referred to Business, Labor, and Economic Affairs.

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

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

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

SB 101 - House Amendments - Majority Leader Smith moved House amendments to **SB 101** be concurred in. 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.

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Total 0

HB 43 - Senator Hinebauch moved **HB 43** be concurred in. 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

HB 37 - Senator Sands moved **HB 37** be concurred in. 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

HB 208 - Senator McGillvray moved **HB 208** be concurred in. Motion carried as follows:

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

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Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McGillvray, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Welborn, Mr. President.

Total 46

Nays: Boland, McClafferty, Pomnichowski, Webber.

Total 4

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 39 - Senator Sands moved **HB 39** be concurred in. 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

HB 275 - Senator Gross moved **HB 275** be concurred in. 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

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Nays: None.

Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 295 - Senator McGillvray moved **HB 295** be concurred in. 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, Keenan, 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 48

Nays: Kary, Lang.

Total 2

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJ 14 - Senator Sales moved **SJ 14** 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.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 88 - Senator Cuffe moved **HB 88** be concurred in. 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

HB 81 - Senator Osmundson moved **HB 81** be concurred in. 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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HB 34 - Senator Fox moved **HB 34** be concurred in. 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, 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: McGillvray.
Total 1

Voted absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 548 - Senator Lynch moved **HB 548** be concurred in. Motion carried as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Ellis, Ellsworth, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Jacobson, Kary, Lang, Lynch, Manzella, McClafferty, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Sweeney, Vance, Webber, Welborn, Mr. President.
Total 43

Nays: Cuffe, Esp, Howard, Keenan, McGillvray, Smith C, Tempel.
Total 7

Voted absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 285 - Senator Hinebauch moved **SB 285** 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

HB 396 - Senator Jacobson moved **HB 396** be concurred in. 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

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

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

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

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Total 50

Nays: None.

Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

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

HB 35 concurred in as follows:

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

Total 42

Nays: Bogner, Glimm, Hinebauch, Howard, Manzella, Regier K, Tempel, Vance.

Total 8

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 47 concurred in 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.

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Total 50

Nays: None.

Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 58 concurred in 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

HB 71 concurred in as follows:

Yeas: Ankney, Bogner, Brown, Cuffe, Ellis, 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, Webber, Welborn, Mr. President.
Total 33

Nays: Bennett, Boland, Boldman, Cohenour, Flowers, Fox, Gross, Jacobson, Lynch, McClafferty, McNally, Morigeau, O'Brien, Pomnichowski, Pope, Sands, Sweeney.
Total 17

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Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 95 concurred in 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

HB 97 concurred in as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Cohenour, Ellis, Flowers, Fox, Gillespie, Gross, Howard, Jacobson, Kary, Lynch, McClafferty, McNally, Morigeau, O'Brien, Pomnichowski, Pope, Salomon, Sands, Small, Sweeney, Webber.
Total 26

Nays: Brown, Cuffe, Ellsworth, Esp, Fitzpatrick, Friedel, Gauthier, Glimm, Hertz, Hinebauch, Hoven, Keenan, Lang, Manzella, McGillvray, Molnar, Osmundson, Regier K, Sales, Smith C, Tempel, Vance, Welborn, Mr. President.
Total 24

Voted absentee: None.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 163 concurred in 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

HB 178 concurred in as follows:

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

Total 46

Nays: Glimm, Keenan, Vance, Welborn.

Total 4

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 224 concurred in as follows:

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

Total 27

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

Total 23

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 225 concurred in 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

HB 304 concurred in as follows:

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

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Total 44

Nays: Glimm, Hinebauch, Keenan, Manzella, Regier K, Welborn.

Total 6

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 309 concurred in 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

HB 353 concurred in as follows:

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

Total 47

Nays: Gross, Pomnichowski, Pope.

Total 3

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Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Senator Flowers moved to change his third-reading vote on **HB 225** from Yes to No. Without objection, so ordered.

Senator McGillvray moved to change his third-reading vote on **HB 97** from Yes to No. Without objection, so ordered.

Senator McGillvray moved that **HB 276** be taken from the second reading board and re-referred to the Public Health, Welfare, and Safety Committee. Without objection, so ordered.

Senator Fitzpatrick moved the Senate reconsider its action on **HB 281**, indefinitely postponed the previous legislative day. Motion **failed** as follows:

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

Total 24

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

Total 26

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Senator Molnar moved to change his third-reading vote on **HB 97** from Yes to No. Without objection, so ordered.

Majority Leader Smith moved that **SB 285**, heard on second reading this date, be re-referred to the Finance and Claims Committee. Without objection, so ordered.

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SPECIAL ORDERS OF THE DAY

Senator Kary thanked the Pages for their service this week.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Smith moved the Senate adjourn until 1:00 p.m., Monday, March 22, 2021, the fifty-sixth legislative day. Motion carried.

Senate adjourned at 2:20 p.m.

MARILYN MILLER
Secretary of the Senate

MARK BLASDEL
President of the Senate