

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

Helena, Montana
March 22, 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. Forty-nine members present, Senator Welborn excused. Quorum present.

BILLS AND JOURNALS (Keenan, Chair):

3/22/2021

Correctly printed: **SB 285, SB 336, SB 386, SB 387, SJR 14, SR 87, SR 89, SR 94, HB 34, HB 37, HB 39, HB 43, HB 81, HB 88, HB 208, HB 258, HB 275, HB 276, HB 295, HB 306, HB 346, HB 396, HB 432, HB 438, HB 482, HB 548, HJ 6, HJ 10.**

Correctly engrossed: **SB 326, HB 176, HB 223, HB 325, HB 379, HB 504.**

Transmitted to the House: **HB 35, HB 47, HB 58, HB 71, HB 95, HB 97, HB 163, HB 178, HB 224, HB 225, HB 304, HB 309, HB 353.**

Signed by the Secretary of the Senate at 3:30 p.m., March 19, 2021: **SR 29.**

Signed by the President at 9:50 a.m., March 22, 2021: **SR 29.**

Delivered to the Secretary of State at 12:32 p.m., March 22, 2021: **SR 29.**

Delivered to the Governor for information March 22, 2021: **SR 29.**

REPORTS OF STANDING COMMITTEES

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

3/22/2021

HB 121, be concurred in.

HB 201, be concurred in.

HB 289, be concurred in.

HB 435, be concurred in.

HB 440, be concurred in. .

JUDICIARY (Regier, Chair):

3/22/2021

HB 211, be concurred in.

HB 541, be amended as follows:

1. Title, line 5.

Following: "PERSONS"

Insert: "OR TRESPASSERS"

2. Title, line 9.

Following: "DEFINITIONS;"

Strike: "AND"

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3. Title, line 11.

Strike: "70-33-422,"

Insert: "70-33-430,"

4. Title, line 12.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

5. Page 1, line 16.

Following: "**person**"

Insert: "**or trespasser**"

Following: "An unauthorized person"

Insert: "or trespasser"

6. Page 1, line 18.

Following: "unauthorized person"

Insert: "or trespasser"

7. Page 2, line 2.

Following: "premises"

Insert: "unless the landlord does not accept abandonment or surrender"

Following: "70-24-426"

Insert: "or unless the rental agreement has been terminated as provided by law"

8. Page 3.

Following: line 23

Insert: "(17) "Single-family residence" means a structure maintained and used as a single dwelling unit. A dwelling unit that shares one or more walls with another dwelling unit is a single-family residence if it has direct access to a street or thoroughfare and does not share heating facilities, hot water equipment, or any other essential facility or service with another dwelling unit."

Renumber: subsequent subsections

9. Page 3, line 28.

Following: the first "person"

Insert: "or trespasser"

10. Page 4, line 1.

Following: "remains"

Strike: "for more than 24 hours"

11. Page 6, line 2.

Following: "subsection"

Insert: "(1)(g)"

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12. Page 6, line 8.

Following: "and tenant"

Strike: "of a one-, two-, or three-family residence"

13. Page 6, line 12.

Following: "and tenant"

Strike: "of a one-, two-, or three-family residence"

14. Page 8, line 12 through line 13.

Strike: subsection (d) in its entirety

Re-number: subsequent subsections

15. Page 8, line 14.

Following: "subsection (1)(b)"

Insert: ", "

Strike: "or"

16. Page 8, line 14.

Following: "(1)(c)"

Insert: ", or (1)(f)"

17. Page 8, line 18.

Following: "tenant"

Strike: "or guest"

18. Page 8, line 21 through line 22.

Strike: subsection (h) in its entirety

19. Page 11, line 9 through line 10.

Strike: "in any lease" on line 9 through "notification" on line 10

20. Page 12, line 11.

Following: "premises"

Insert: "unless the landlord does not accept abandonment or surrender"

Following: "70-33-426"

Insert: "or unless the rental agreement has been terminated as provided by law"

21. Page 13, line 23.

Following: the first "person"

Insert: "or trespasser"

22. Page 13, line 24.

Following: "remains"

Strike: "for more than 24 hours"

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23. Page 14, line 25.

Following: "building"

Insert: ", "

Strike: "and"

24. Page 14, line 25.

Following: "housing"

Insert: ", and health department"

25. Page 14, line 26.

Following: "safety"

Insert: "at the time of original construction"

26. Page 18, line 2 through line 22.

Strike: section 16 in its entirety

Insert: "**Section 16.** Section 70-33-430, MCA, is amended to read:

70-33-430. Disposition of abandoned personal property. (1)(a) If a tenancy terminates by court order, the personal property is considered abandoned and the landlord may immediately dispose of the personal property as allowed by law.

(b) If a tenancy terminates in any manner ~~except by~~ other than by court order, if the landlord reasonably believes that the tenant has abandoned all personal property that the tenant has left on the premises, and if at least ~~5 days~~ 48 hours have elapsed since the occurrence of the events upon which the landlord has based the belief of abandonment, the landlord may remove the property from the premises.

(2) The landlord shall inventory and store all personal property of the tenant in a place of safekeeping and shall exercise reasonable care for the property. The landlord may charge a reasonable storage and labor charge if the property is stored by the landlord, plus the cost of removal of the property to the place of storage. The landlord may store the property in a commercial storage company, in which case the storage cost includes the actual storage charge plus the cost of removal of the property to the place of storage.

(3) After complying with subsections (1) and (2), the landlord shall:

(a) make a reasonable attempt to notify the tenant in writing that the property must be removed from the place of safekeeping;

(b) notify the local law enforcement office of the property held by the landlord;

(c) make a reasonable effort to determine if the property is secured or otherwise encumbered; and

(d) send a notice by certified mail to the last-known address of the tenant and each known party having a lien or encumbrance of record, stating that at a specified time, not less than 15 days after mailing the notice, the property will be disposed of if not removed.

(4) The landlord may dispose of the property after complying with subsection (3) by:

(a) selling all or part of the property at a public or private sale; or

(b) destroying or otherwise disposing of all or part of the property if the landlord reasonably believes that the value of the property is so low that the cost of storage or sale exceeds the reasonable value of the property.

(5) (a) If the tenant, upon receipt of the notice provided in subsection (3), responds in writing

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to the landlord on or before the day specified in the notice that the tenant intends to remove the property and does not do so within 7 days after delivery of the tenant's response, the tenant's property is conclusively presumed to be abandoned.

(b) If the tenant removes the property, the landlord is entitled to storage costs for the period that the property remains in safekeeping, plus the cost of removal of the property to the place of storage. Reasonable storage costs are allowed to a landlord who stores the property, and actual storage costs are allowed to a landlord who stores the property in a commercial storage company. A landlord is entitled to payment of the storage costs allowed under this subsection before the tenant may remove the property.

(6) The landlord is not responsible for any loss to the tenant resulting from storage unless the loss is caused by the landlord's purposeful or negligent act, in which case the landlord is liable for actual damages.

(7) A public or private sale authorized by this section must be conducted under the provisions of 30-9A-610 or the sheriff's sale provisions of Title 25, chapter 13, part 7.

~~(7)(a)~~ (8) The landlord may deduct from the proceeds of the sale the reasonable costs of notice, storage, labor, and sale and, subject to any prior security interest of record, any delinquent rent or damages owing on the premises. The landlord shall remit to the tenant the remaining proceeds, if any, together with an itemized accounting.

~~(b)~~ If the tenant cannot after due diligence be found, the remaining proceeds must be deposited with the county treasurer of the county in which the sale occurred and, if not claimed within 3 years, must revert to the general fund of the county.

(9) The landlord shall ensure that the terms of this section are included in plain and understandable language as a notification upon termination of the lease or rental agreement." "

27. Page 21.

Following: line 8

Insert: "NEW SECTION. Section 19. {standard} Effective date. [This act] is effective on passage and approval."

And, as amended, be concurred in.

LOCAL GOVERNMENT (Gauthier, Chair):

3/19/2021

HB 259, be concurred in.

HB 444, be amended as follows:

1. Title, line 6.

Following: "REVIEW;"

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 2.

Following: line 16

Insert: "NEW SECTION. Section 2. {standard} Effective date. [This act] is effective on passage and approval."

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And, as amended, be concurred in.

PUBLIC HEALTH, WELFARE AND SAFETY (Howard, Chair): 3/19/2021
HB 574, be concurred in.

STATE ADMINISTRATION (Kary, Chair): 3/19/2021
HB 146, be amended as follows:

1. Title, line 7.
Following: "DATE"
Insert: "AND A TERMINATION DATE"

2. Page 2.
Following: line 12
Insert: "NEW SECTION. Section 6. Termination. [This act] terminates December 31, 2025."

And, as amended, be concurred in.

HB 176, be amended as follows:

1. Title, line 13.
Following: "ELECTION;"
Strike: "AND"

2. Title, line 14.
Following: "MCA"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 5.
Following: line 25
Insert: "NEW SECTION. Section 6. {standard} **Effective date.** [This act] is effective on passage and approval."

And, as amended, be concurred in.

HB 221, be amended as follows:

1. Title, line 8.
Following: "CONTRIBUTIONS;"
Insert: "PROVIDING THAT IN-KIND CHILD CARE PROVIDED BY CERTAIN INDIVIDUALS IS NOT A CONTRIBUTION;"

2. Page 1.
Following: line 21
Insert: "(4) In-kind child care provided to the candidate while the candidate is engaging in campaign

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activity by the candidate's family or an individual known to the candidate is not a contribution and is not reportable under this chapter. The commissioner shall broadly construe this provision."

And, as amended, be concurred in.

Without objection, committee reports were adopted.

MESSAGES FROM THE OTHER HOUSE

Senate bills concurred in and returned to the Senate: 3/19/2021

SB 13, introduced by J. Cohenour

SB 52, introduced by J. Ellsworth

SB 58, introduced by M. Cuffe

SB 109, introduced by D. Salomon

SB 276, introduced by M. Cuffe

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments: 3/19/2021

SB 156, introduced by B. Bennett

House bill passed and transmitted to the Senate for concurrence: 3/19/2021

HB 329, introduced by S. Vinton

Senate amendments to House bills concurred in: 3/19/2021

HB 130, introduced by D. Bedey

HB 177, introduced by F. Garner

HB 313, introduced by J. Gillette

HB 337, introduced by C. Hinkle, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the House and was transmitted to the Senate with the following vote:

3/19/2021

Yeas - 66 Nays - 33

HB 384, introduced by S. Gunderson, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the House and was transmitted to the Senate with the following vote:

3/19/2021

Yeas - 66 Nays - 33

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HB 385, introduced by S. Gunderson, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the House and was transmitted to the Senate with the following vote:

3/19/2021

Yeas - 66 Nays - 33

FIRST READING AND COMMITMENT OF BILLS

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

SB 388, introduced by G. Hertz, M. Blasdel, referred to Local Government.

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

SR 95, introduced by K. Regier, referred to Judiciary.

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

HB 337, introduced by C. Hinkle, E. Buttrey, D. Skees, J. Read, D. Kary, T. McGillvray, K. Regier, C. Smith, G. Vance, L. Jones, B. Keenan, B. Molnar, J. Fielder, D. Lenz, W. Galt, S. Berglee, B. Brown, J. Hinkle, K. Holmlund, T. Manzella, W. McKamey, M. Noland, V. Ricci, B. Tschida, S. Hinebauch, S. Gunderson, M. Regier, L. Sheldon-Galloway, J. Trebas, D. Bartel, C. Knudsen, B. Usher, J. Patelis, S. Vinton, M. Hopkins, F. Fleming, N. Duram, J. Fuller, R. Knudsen, J. Dooling, K. Bogner, J. Kassmier, T. Moore, S. Greef, B. Ler, B. Phalen, F. Nave, J. Carlson, L. Brewster, B. Mitchell, A. Regier, P. Fielder, S. Kerns, S. Galloway, S. Gist, E. Hill, J. Schillinger, K. Seekins-Crowe, M. Malone, J. Gillette, G. Frazer, M. Binkley, R. Marshall, referred to Judiciary.

HB 384, introduced by S. Gunderson, referred to State Administration.

HB 385, introduced by S. Gunderson, referred to State Administration.

The following House bill was introduced and read first time:

HB 329, introduced by S. Vinton, M. Cuffe, D. Skees, D. Salomon, D. Kary, T. McGillvray, D. Howard, C. Smith, J. Welborn, B. Hoven, M. Blasdel, B. Molnar, C. Glimm, D. Lenz, W. Galt, S. Berglee, B. Brown, K. Holmlund, W. McKamey, V. Ricci, B. Tschida, S. Gunderson, D. Loge, F. Anderson, L. Sheldon-Galloway, J. Trebas, C. Knudsen, W. Sales, T. Welch, B. Beard, N. Duram, R. Knudsen, K. Bogner, J. Kassmier, B. Mercer, T. Moore, D. Bedey, S. Greef, B. Ler, B. Phalen, F. Nave, J. Carlson, L. Brewster, K. Zolnikov, B. Mitchell, A. Regier, L. Reksten, P. Fielder, E. Hill, J. Schillinger, K. Seekins-Crowe, M. Stromswold, C. Hinkle, G. Frazer, M. Binkley, R. Marshall, K. Whitman.

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

Majority Leader Smith moved the Senate resolve itself into a Committee of the Whole for

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consideration of business on second reading. Motion carried. Senator Flowers in the chair.

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

SB 153 - Majority Leader Smith moved consideration of **SB 153** be passed for the day. Without objection, so ordered.

SR 38 - Senator Salomon moved that the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 38**. 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: Welborn, Aye.

Excused: Welborn.
Total 1

Absent or not voting: None.
Total 0

HJ 17 - Senator O'Brien moved **HJ 17** be concurred in. Motion carried as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Cohenour, Cuffe, 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, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.
Total 44

Nays: Brown, Esp, Howard, Keenan, McGillvray, Regier K.
Total 6

Voted absentee: Welborn, Aye.

Excused: Welborn.
Total 1

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Absent or not voting: None.

Total 0

HB 218 - Senator Friedel moved **HB 218** 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: Welborn, Aye.

Excused: Welborn.

Total 1

Absent or not voting: None.

Total 0

HB 243 - Senator Friedel moved **HB 243** 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: Welborn, Aye.

Excused: Welborn.

Total 1

Absent or not voting: None.

Total 0

HB 305 - Senator Ellsworth moved **HB 305** be concurred in. Motion carried as follows:

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Yeas: Bennett, Bogner, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Glimm, Hertz, Hoven, Howard, Jacobson, Kary, Keenan, Lang, McClafferty, McGillvray, McNally, Molnar, O'Brien, Osmundson, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Tempel, Welborn, Mr. President.

Total 37

Nays: Ankney, Boland, Esp, Gillespie, Gross, Hinebauch, Lynch, Manzella, Morigeau, Pomnichowski, Sweeney, Vance, Webber.

Total 13

Voted absentee: Welborn, Aye.

Excused: Welborn.

Total 1

Absent or not voting: None.

Total 0

HB 383 - Senator Vance moved **HB 383** 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, Morigeau, O'Brien, Osmundson, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.

Total 47

Nays: McNally, Molnar, Pomnichowski.

Total 3

Voted absentee: Welborn, Aye.

Excused: Welborn.

Total 1

Absent or not voting: None.

Total 0

HB 594 - Senator Gillespie moved **HB 594** be concurred in. Motion carried as follows:

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

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Total 47

Nays: Ellis, Lynch, O'Brien.

Total 3

Voted absentee: Welborn, Aye.

Excused: Welborn.

Total 1

Absent or not voting: None.

Total 0

HB 157 - Senator Vance moved **HB 157** be concurred in. Motion carried as follows:

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

Total 46

Nays: Cuffe, Howard, McGillvray, Smith C.

Total 4

Voted absentee: Welborn, Aye.

Excused: Welborn.

Total 1

Absent or not voting: None.

Total 0

HB 217 - Senator Small moved **HB 217** be concurred in. Motion carried as follows:

Yeas: Ankney, Bennett, Boland, Boldman, Cohenour, Cuffe, Ellis, Flowers, Fox, Friedel, Gauthier, Gillespie, Gross, Hinebauch, Howard, Jacobson, Lynch, McClafferty, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Sales, Sands, Small, Sweeney, Tempel, Webber, Welborn.

Total 32

Nays: Bogner, Brown, Ellsworth, Esp, Fitzpatrick, Glimm, Hertz, Hoven, Kary, Keenan, Lang, Manzella, McGillvray, Regier K, Salomon, Smith C, Vance, Mr. President.

Total 18

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Voted absentee: Welborn, Aye.

Excused: Welborn.

Total 1

Absent or not voting: None.

Total 0

HB 349 - Senator Friedel moved **HB 349** be concurred in.

HB 349 - Senator Friedel moved **HB 349**, second reading copy, be amended as follows:

1. Title, line 7.

Following: "ORGANIZATIONS;"

Insert: "REQUIRING PUBLIC POSTSECONDARY INSTITUTIONS TO ADOPT ANTI-HARASSMENT POLICIES;"

2. Page 2, line 8.

Strike: "Freedom"

Insert: "Anti-harassment and freedom"

3. Page 2, line 8.

Following: "students."

Insert: "(1) A public postsecondary institution shall adopt a policy prohibiting student-on-student discriminatory harassment."

4. Page 2, line 9.

Strike: "expel"

Insert: "enforce the policy by disciplining"

5. Page 2, line 9.

Following: "stemming from"

Insert: "an alleged violation of the policy for"

6. Page 2, line 10.

Following: "unless"

Insert: ":

(a)"

7. Page 2, line 10.

Following: "unwelcome and"

Insert: "is"

8. Page 2, line 12.

Following: "institution"

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Insert: "; or

(b) the speech or expression explicitly or implicitly conditions a student's participation in an education program or activity or bases an educational decision on the student's submission to unwelcome sexual advances or requests for sexual favors.

(2) This section may not be construed to prevent a public postsecondary institution from prohibiting, limiting, or restricting speech or expression that is not protected by the first amendment of the United States constitution or Article II, section 7, of the Montana constitution"

Amendment **adopted** as follows:

Yeas: Ankney, Bogner, Brown, 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 30

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

Total 20

Voted absentee: Welborn, Aye.

Excused: Welborn.

Total 1

Absent or not voting: None.

Total 0

HB 349 - As amended, **HB 349** was 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: Welborn, Aye.

Excused: Welborn.

Total 1

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Absent or not voting: None.

Total 0

HB 437 - Senator Sweeney moved **HB 437** 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: Welborn, Aye.

Excused: Welborn.

Total 1

Absent or not voting: None.

Total 0

HB 566 - Senator Gillespie moved **HB 566** 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: Welborn, Aye.

Excused: Welborn.

Total 1

Absent or not voting: None.

Total 0

HB 13 - Senator Gauthier moved **HB 13** be concurred in. Motion carried as follows:

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

Total 35

Nays: Bogner, Brown, Ellsworth, Esp, Friedel, Glimm, Hinebauch, Howard, Keenan, Manzella, McGillvray, Molnar, Regier K, Smith C, Vance.

Total 15

Voted absentee: Welborn, Aye.

Excused: Welborn.

Total 1

Absent or not voting: None.

Total 0

SB 39 - House Amendments - Senator K. Regier moved House amendments to **SB 39** be **not** concurred in. Motion carried as follows:

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

Total 42

Nays: Boland, Ellis, Flowers, Gillespie, Gross, Jacobson, Morigeau, Sweeney.

Total 8

Voted absentee: Welborn, Aye.

Excused: Welborn.

Total 1

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

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Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Mr. President.
Total 48

Nays: Gross.
Total 1

Voted absentee: None.

Excused: Welborn.
Total 1

Absent or not voting: None.
Total 0

THIRD READING OF BILLS

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

SB 101, as amended by the House, passed as follows:

Yeas: Ankney, Bogner, Brown, Cuffe, Ellsworth, Esp, Fitzpatrick, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Manzella, McGillvray, Molnar, Osmundson, Regier K, Sales, Salomon, Small, Smith C, Tempel, Vance, Mr. President.
Total 33

Nays: Bennett, Boland, Boldman, Cohenour, Ellis, Flowers, Lynch, McClafferty, McNally, Morigeau, O'Brien, Pomnichowski, Pope, Sands, Sweeney, Webber.
Total 16

Voted absentee: None.

Excused: Welborn.
Total 1

Absent or not voting: None.
Total 0

SJ 14 passed as follows:

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Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, 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, Mr. President.
Total 49

Nays: None.
Total 0

Voted absentee: None.

Excused: Welborn.
Total 1

Absent or not voting: None.
Total 0

HB 34 concurred in as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, 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, Smith C, Sweeney, Vance, Webber, Mr. President.
Total 44

Nays: Gillespie, Howard, Keenan, McGillvray, Tempel.
Total 5

Voted absentee: None.

Excused: Welborn.
Total 1

Absent or not voting: None.
Total 0

HB 37 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, Mr. President.

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Total 49

Nays: None.

Total 0

Voted absentee: None.

Excused: Welborn.

Total 1

Absent or not voting: None.

Total 0

HB 39 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, Mr. President.

Total 49

Nays: None.

Total 0

Voted absentee: None.

Excused: Welborn.

Total 1

Absent or not voting: None.

Total 0

HB 43 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, Mr. President.

Total 49

Nays: None.

Total 0

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Voted absentee: None.

Excused: Welborn.

Total 1

Absent or not voting: None.

Total 0

HB 81 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, Mr. President.

Total 49

Nays: None.

Total 0

Voted absentee: None.

Excused: Welborn.

Total 1

Absent or not voting: None.

Total 0

HB 88 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, Mr. President.

Total 49

Nays: None.

Total 0

Voted absentee: None.

Excused: Welborn.

Total 1

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Absent or not voting: None.

Total 0

HB 208 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, McGillvray, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Mr. President.

Total 46

Nays: McClafferty, Pomnichowski, Webber.

Total 3

Voted absentee: None.

Excused: Welborn.

Total 1

Absent or not voting: None.

Total 0

HB 275 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, Mr. President.

Total 49

Nays: None.

Total 0

Voted absentee: None.

Excused: Welborn.

Total 1

Absent or not voting: None.

Total 0

HB 295 concurred in as follows:

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Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, 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, Mr. President.
Total 47

Nays: Cuffe, Kary.
Total 2

Voted absentee: None.

Excused: Welborn.
Total 1

Absent or not voting: None.
Total 0

HB 396 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, Mr. President.
Total 49

Nays: None.
Total 0

Voted absentee: None.

Excused: Welborn.
Total 1

Absent or not voting: None.
Total 0

HB 548 concurred in as follows:

Yeas: 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, Osmundson, Pomnichowski, Pope, Regier K, Sales, Sands, Small, Sweeney, Vance, Webber, Mr. President.
Total 39

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Nays: Ankney, Cuffe, Esp, Howard, Keenan, McGillvray, O'Brien, Salomon, Smith C, Tempel.
Total 10

Voted absentee: None.

Excused: Welborn.
Total 1

Absent or not voting: None.
Total 0

MOTIONS

Majority Leader Smith moved the President be authorized to appoint a conference committee on **SB 39** and request the House to appoint a like committee. President Blasdel appointed Senator Regier, chair, and Senators Hinebauch and Sands.

SPECIAL ORDERS OF THE DAY

Senator Kary introduced the Pages for the coming week:

Alyssa Boshart from Big Timber, Montana, sponsored by Senator Esp
Rainy Carroccia from Big Timber, Montana, sponsored by Senator Esp
Claire Downing from Helena, Montana, sponsored by Senator Gauthier

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Smith moved the Senate adjourn until 1:00 p.m., Tuesday, March 23, 2021, the fifty-seventh legislative day. Motion carried.

Senate adjourned at 2:26 p.m.

MARILYN MILLER
Secretary of the Senate

MARK BLASDEL
President of the Senate