

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

Helena, Montana  
March 25, 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 Molnar excused. Quorum present.

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

3/25/2021

Correctly printed: **SB 393, SB 394, SB 395, SR 90, HB 50, HB 55, HB 89, HB 91, HB 121, HB 129, HB 152, HB 173, HB 211, HB 289, HB 401, HB 402, HB 407, HB 440, HB 454, HB 494, HB 541, HB 558.**

Correctly engrossed: **HB 63, HB 66, HB 115, HB 336, HJ 14.**

Correctly enrolled: **SB 52, SB 58, SB 113, SB 305.**

Transmitted to the House: **SB 326, HB 139, HB 176, HB 195, HB 223, HB 226, HB 242, HB 293, HB 306, HB 310, HB 349, HB 379, HB 438, HB 446, HJ 10.**

Signed by the Secretary of the Senate at 8:45 a.m., March 24, 2021: **SB 82.**

Signed by the Secretary of the Senate at 9:45 a.m., March 24, 2021: **SB 129, SB 133.**

Signed by the President at 12:30 p.m., March 24, 2021: **SB 82, SB 129, SB 133.**

Signed by the Speaker at 9:10 a.m., March 25, 2021: **SB 82, SB 129, SB 133.**

Delivered to the Governor for signature at 9:33 a.m., March 25, 2021: **SB 82, SB 129, SB 133.**

Senator Molnar present at this time.

**REPORTS OF STANDING COMMITTEES**

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

3/23/2021

**HB 63**, be amended as follows:

1. Title, line 8.

Strike: "AND"

Insert: "DEFINING CERTAIN UNFAIR TRADE PRACTICES RELATING TO LIFE INSURANCE;"

2. Title, line 9.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE, A RETROACTIVE APPLICABILITY DATE, AND A TERMINATION DATE"

3. Page 6.

Following: line 18

SENATE JOURNAL  
FIFTY-NINTH LEGISLATIVE DAY - MARCH 25, 2021

- Insert: "**NEW SECTION. Section 4. Unfair or deceptive acts or practices -- life insurance.** (1) A life insurance company that declines to pay a claim made by a life insurance policy beneficiary on the basis that the insured failed to disclose a treating health care provider when the purpose of the treatment or consultation had no direct causal relationship to what ultimately formed the medical basis for the insured's death is an unfair or deceptive act or practice in the conduct of trade or commerce subject to the provisions of Title 33, chapter 18.
- (2) (a) Whenever the department has reason to believe that a life insurance company is using, has used, or is about to knowingly use any method, act, or practice provided for in subsection (1) as an unfair or deceptive act or practice in the conduct of trade or commerce within the meaning of Title 33, chapter 18, and that proceeding would be in the public interest, the department may bring an action against the life insurance company to restrain by temporary or permanent injunction or temporary restraining order the unlawful method, act, or practice after giving appropriate notice to that life insurance company.
- (b) In an action brought under this section, the commissioner may assess a penalty as provided in 33-1-317 and 33-1-318 if:
- (i) a court finds that a life insurance company is willfully using or has willfully used a method, act, or practice declared unlawful by this section; or
- (ii) a court finds a common scheme or practice by a life insurance company declared unlawful by this section.
- (3) In addition to other remedies provided for by law, a beneficiary of an insured has a private right of action for a violation of this section that entitles the beneficiary to damages equal to three times the face value of the life insurance policy and attorney fees.
- (4) All private legal actions under this section must be brought in the county in which the insured was domiciled at the time of the insured's death.
- (5) For the purposes of this section, "life insurance company" means an insurer transacting insurance business subject to Title 33, chapter 20."

**Renumber:** subsequent sections

4. Page 15.

Following: line 9

Insert: "**NEW SECTION. Section 10. Codification instruction.** [Section 4] is intended to be codified as an integral part of Title 33, chapter 18, and the provisions of Title 33, chapter 18, apply to [section 4]."

Insert: "**NEW SECTION. Section 11. Effective Date.** [This act] is effective July 1, 2021."

Insert: "**NEW SECTION. Section 12. Retroactive applicability.** [This act] applies retroactively, within the meaning of 1-2-109, to life insurance policies issued or renewed or coverage determination made on or after January 1, 2019."

Insert: "**NEW SECTION. Section 13. Termination.** [Section 4] terminates December 31, 2026."

And, as amended, be concurred in.

**EDUCATION AND CULTURAL RESOURCES** (Salomon, Chair):  
**HB 556**, be concurred in.

3/24/2021

SENATE JOURNAL  
FIFTY-NINTH LEGISLATIVE DAY - MARCH 25, 2021

**FINANCE AND CLAIMS** (Osmundson, Chair): 3/24/2021  
**HB 66**, be amended as follows:

1. Page 1, line 25.  
Strike: "4.5%"  
Insert: "3%"

And, as amended, be concurred in.

**FINANCE AND CLAIMS** (Osmundson, Chair): 3/25/2021  
**HB 49**, be concurred in.  
**HB 252**, be concurred in.

**JUDICIARY** (Regier, Chair): 3/25/2021  
**HB 368**, be concurred in.  
**HB 386**, be concurred in.  
**HB 428**, be concurred in.  
**HB 499**, be concurred in.

**PUBLIC HEALTH, WELFARE AND SAFETY** (Howard, Chair): 3/24/2021  
**HB 307**, be concurred in.  
**HB 328**, be concurred in.  
**HB 364**, be concurred in.  
**HB 459**, be amended as follows:

1. Page 3, line 2.  
Strike: "license"  
Insert: "certificate"

And, as amended, be concurred in.

Without objection, committee reports were adopted.

SENATE JOURNAL  
FIFTY-NINTH LEGISLATIVE DAY - MARCH 25, 2021

**MESSAGES FROM THE GOVERNOR**

March 23, 2021

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

Dear President Blasdel:

On Wednesday, March 23, 2021, I signed the following bills:

**Senate Bill 22** - Salomon  
**Senate Bill 62** - Brown  
**Senate Bill 69** - Fitzpatrick  
**Senate Bill 125** - Cuffe  
**Senate Bill 130** - Manzella

The bills have 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: 3/24/2021

**SB 33**, introduced by M. McNally  
**SB 43**, introduced by D. Sands  
**SB 171**, introduced by C. Friedel  
**SB 217**, introduced by J. Small  
**SB 222**, introduced by T. Gauthier

**Senate joint resolution** concurred in and returned to the Senate: 3/24/2021

**SJ 9**, introduced by G. Hertz

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

3/24/2021

**SB 230**, introduced by M. Lang

SENATE JOURNAL  
FIFTY-NINTH LEGISLATIVE DAY - MARCH 25, 2021

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

3/24/2021

**HB 4**, introduced by D. Bartel  
**HB 10**, introduced by K. Holmlund  
**HB 12**, introduced by M. Hopkins  
**HB 181**, introduced by K. Zolnikov  
**HB 464**, introduced by M. Regier

**FIRST READING AND COMMITMENT OF BILLS**

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

**SB 396**, introduced by B. Hoven, referred to Business, Labor, and Economic Affairs.  
**SB 397**, introduced by G. Hertz, S. Berglee, M. Blasdel, E. Boldman, J. Carlson, J. Ellsworth, D. Fern, S. Fitzpatrick, L. Jones, B. Mercer, B. Molnar, B. Phalen, D. Salomon, C. Smith, D. Tenenbaum, B. Tschida, referred to Local Government.

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

**HB 4**, introduced by D. Bartel (by request of the Office of Budget and Program Planning), referred to Finance and Claims.  
**HB 10**, introduced by K. Holmlund (by request of the Office of Budget and Program Planning), referred to Finance and Claims.  
**HB 12**, introduced by M. Hopkins (by request of the Department of Commerce), referred to Finance and Claims.  
**HB 181**, introduced by K. Zolnikov (by request of the Energy and Telecommunications Interim Committee), referred to Education and Cultural Resources.  
**HB 464**, introduced by M. Regier, K. Regier, C. Glimm, M. Lang, B. Tschida, D. Bartel, J. Patelis, M. Hopkins, J. Kassmier, B. Ler, L. Brewster, A. Regier, K. Walsh, R. Marshall, referred to Highways and Transportation.

**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 Ellsworth in the chair.

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

**SR 84** - Senator Salomon moved that the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 84**. Motion carried as follows:

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

SENATE JOURNAL  
FIFTY-NINTH LEGISLATIVE DAY - MARCH 25, 2021

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 67** - Senator Salomon moved **HB 67** 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, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.  
Total 49

Nays: Keenan.  
Total 1

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 179** - Senator Salomon moved **HB 179** 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, 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 48

SENATE JOURNAL  
FIFTY-NINTH LEGISLATIVE DAY - MARCH 25, 2021

Nays: Keenan, McGillvray.

Total 2

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 233** - Senator Pope moved **HB 233** 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, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, 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 47

Nays: Glimm, Keenan, McGillvray.

Total 3

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 246** - Senator Salomon moved **HB 246** 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.

SENATE JOURNAL  
FIFTY-NINTH LEGISLATIVE DAY - MARCH 25, 2021

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 543** - Senator K. Regier moved **HB 543** be concurred in. Motion carried 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, Sweeney, Tempel, Vance, Welborn, Mr. President.

Total 33

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

Total 17

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 611** - Senator Tempel moved **HB 611** 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



SENATE JOURNAL  
FIFTY-NINTH LEGISLATIVE DAY - MARCH 25, 2021

**HB 207** - Senator Friedel moved **HB 207** 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 478** - Senator Esp moved **HB 478** 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 393** - Senator McGillvray moved **HB 393** 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,

SENATE JOURNAL  
FIFTY-NINTH LEGISLATIVE DAY - MARCH 25, 2021

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 331** - Senator Sands moved **HB 331** 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 115** - Senator Esp moved **HB 115** be concurred in. Motion carried as follows:

Yeas: Ankney, Brown, Cuffe, Ellsworth, Esp, Fitzpatrick, Fox, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hinebauch, Howard, Kary, Keenan, Lang, Manzella, McGillvray, McNally, Molnar, Osmundson, Regier K, Sales, Salomon, Sands, Small, Smith C, Tempel, Vance, Mr. President.  
Total 31

Nays: Bennett, Bogner, Boland, Boldman, Cohenour, Ellis, Flowers, Gross, Hoven, Jacobson, Lynch, McClafferty, Morigeau, O'Brien, Pomnichowski, Pope, Sweeney, Webber, Welborn.  
Total 19

SENATE JOURNAL  
FIFTY-NINTH LEGISLATIVE DAY - MARCH 25, 2021

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 292** - Senator Gauthier moved **HB 292** 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, Howard, Jacobson, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Webber, Welborn, Mr. President.

Total 45

Nays: Cuffe, Kary, Keenan, Osmundson, Vance.

Total 5

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 496** - Senator Esp moved **HB 496** 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

SENATE JOURNAL  
FIFTY-NINTH LEGISLATIVE DAY - MARCH 25, 2021

Absent or not voting: None.

Total 0

**HB 131** - Senator Brown moved **HB 131** 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 291** - Senator Gross moved **HB 291** 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, Hoven, Howard, Jacobson, Keenan, Lang, Lynch, McClafferty, McGillvray, McNally, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Sweeney, Tempel, Webber, Welborn, Mr. President.  
Total 44

Nays: Hinebauch, Kary, Manzella, Smith C, Vance.

Total 5

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Molnar.

Total 1

**SB 156 - House Amendments** - Senator Bennett moved House amendments to **SB 156** be concurred in. Motion carried as follows:

SENATE JOURNAL  
FIFTY-NINTH LEGISLATIVE DAY - MARCH 25, 2021

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, 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, Webber, Welborn, Mr. President.  
Total 46

Nays: Cuffe, Howard, Kary, Vance.  
Total 4

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 259** - Senator Glimm moved **HB 259** be concurred in. 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, Tempel, Vance, Mr. President.  
Total 30

Nays: Bennett, Boland, Boldman, Cohenour, Ellis, Flowers, Fox, Gross, Jacobson, Lynch, McClafferty, McNally, Morigeau, O'Brien, Pomnichowski, Pope, Sands, Sweeney, Webber, Welborn.  
Total 20

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

Yeas: Ankney, Bogner, Boldman, Brown, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Friedel,

SENATE JOURNAL  
FIFTY-NINTH LEGISLATIVE DAY - MARCH 25, 2021

Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Manzella, McClafferty, McGillvray, Molnar, Morigeau, O'Brien, Osmundson, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Welborn, Mr. President.  
Total 40

Nays: Bennett, Boland, Cohenour, Flowers, Fox, Lynch, McNally, Pomnichowski, Pope, Webber.  
Total 10

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 89** 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, 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, Welborn, Mr. President.  
Total 47

Nays: Hinebauch, Keenan, Vance.  
Total 3

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 91** concurred in as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Ellis, Esp, Fitzpatrick,

SENATE JOURNAL  
FIFTY-NINTH LEGISLATIVE DAY - MARCH 25, 2021

Flowers, Friedel, Gauthier, Gillespie, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Sweeney, Webber.  
Total 39

Nays: Cuffe, Ellsworth, Fox, Glimm, Keenan, Osmundson, Smith C, Tempel, Vance, Welborn, Mr. President.  
Total 11

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 121** 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 152** 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, Jacobson, Kary, Keenan, Lang, McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Webber, Welborn, Mr. President.  
Total 46

SENATE JOURNAL  
FIFTY-NINTH LEGISLATIVE DAY - MARCH 25, 2021

Nays: Howard, Lynch, Manzella, Vance.

Total 4

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 173** 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 211** 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.



SENATE JOURNAL  
FIFTY-NINTH LEGISLATIVE DAY - MARCH 25, 2021

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 289** 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: Welborn.

Total 1

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 401** concurred in as follows:

Yeas: Ankney, Bogner, Brown, Cuffe, Ellsworth, Esp, Fitzpatrick, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hinebauch, 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, Ellis, Flowers, Fox, Gross, Hoven, Jacobson, Lynch, McClafferty, McNally, Morigeau, O'Brien, Pomnichowski, Pope, Sands, Sweeney, Webber.

Total 20

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

SENATE JOURNAL  
FIFTY-NINTH LEGISLATIVE DAY - MARCH 25, 2021

Total 0

**HB 402** concurred in as follows:

Yeas: Ankney, Bogner, Brown, Cuffe, Ellsworth, Esp, Fitzpatrick, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hinebauch, 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, Ellis, Flowers, Fox, Gross, Hoven, Jacobson, Lynch, McClafferty, McNally, Morigeau, O'Brien, Pomnichowski, Pope, Sands, Sweeney, Webber.

Total 20

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 440** concurred in as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Cohenour, Ellis, Ellsworth, Esp, Flowers, Fox, Gauthier, Gillespie, Gross, Hertz, Hoven, Jacobson, McClafferty, McNally, Molnar, Morigeau, O'Brien, Pomnichowski, Pope, Sales, Salomon, Sands, Small, Sweeney, Webber.

Total 30

Nays: Brown, Cuffe, Fitzpatrick, Friedel, Glimm, Hinebauch, Howard, Kary, Keenan, Lang, Lynch, Manzella, McGillvray, Osmundson, Regier K, Smith C, Tempel, Vance, Welborn, Mr. President.

Total 20

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Vote totals include a change of vote from Yes to No by Senator McGillvray under Motions the following legislative day.

SENATE JOURNAL  
FIFTY-NINTH LEGISLATIVE DAY - MARCH 25, 2021

**HB 454** 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 541** concurred in as follows:

Yeas: Ankney, Bogner, Brown, Cuffe, Ellsworth, Esp, Fitzpatrick, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hinebauch, Howard, Kary, Keenan, Lang, Manzella, McGillvray, Osmundson, Regier K, Sales, Salomon, Smith C, Tempel, Vance, Welborn, Mr. President.  
Total 28

Nays: Bennett, Boland, Boldman, Cohenour, Ellis, Flowers, Fox, Gross, Hoven, Jacobson, Lynch, McClafferty, McNally, Molnar, Morigeau, O'Brien, Pomnichowski, Pope, Sands, Small, Sweeney, Webber.  
Total 22

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 153** passed as follows:

Yeas: Ankney, Bogner, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Howard, Jacobson, Lynch, Manzella, McGillvray, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pope, Sales,

SENATE JOURNAL  
FIFTY-NINTH LEGISLATIVE DAY - MARCH 25, 2021

Salomon, Sands, Small, Smith C, Sweeney, Vance, Webber, Welborn.

Total 39

Nays: Bennett, Boland, Hoven, Kary, Keenan, Lang, McClafferty, Pomnichowski, Regier K, Tempel, Mr. President.

Total 11

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 263** passed as follows:

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

Total 50

Nays: None.

Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Smith moved that **HB 233**, heard on second reading this date, be re-referred to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Smith moved that **HB 67**, heard on second reading this date, be re-referred to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Smith moved that **HB 131**, heard on second reading this date, be re-referred to the Finance and Claims Committee. Without objection, so ordered.

SENATE JOURNAL  
FIFTY-NINTH LEGISLATIVE DAY - MARCH 25, 2021

Majority Leader Smith moved that **HB 115**, heard on second reading this date, be re-referred to the Finance and Claims Committee. 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., Friday, March 26, 2021, the sixtieth legislative day. Motion carried.

Senate adjourned at 2:37 p.m.

MARILYN MILLER  
Secretary of the Senate

MARK BLASDEL  
President of the Senate