

**SENATE JOURNAL
67TH LEGISLATURE
SIXTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana
April 9, 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):

4/9/2021

Correctly printed: **SR 97, HB 46, HB 72, HB 181, HB 206, HB 362, HB 403, HB 491, HB 590, HJ 21.**

Correctly engrossed: **HB 2, HB 449, HB 476, HB 483, HB 509, HB 525, HB 572.**

Correctly enrolled: **SB 215, SB 226, SB 277.**

Examined by the sponsor and found to be correct: **SB 215, SB 226, SB 277.**

Transmitted to the House: **HB 2.**

Signed by the Secretary of the Senate at 2:50 p.m., February 10, 2021: **SB 4.**

Signed by the Secretary of the Senate at 4:15 p.m., March 30, 2021: **SB 101.**

Signed by the Secretary of the Senate at 7:00 a.m., April 8, 2021: **SB 169, SB 196, SB 211, SB 230, SR 91, SR 94.**

Signed by the President at 2:45 p.m., April 8, 2021: **SB 4, SB 101.**

Signed by the President at 4:00 p.m., April 8, 2021: **SB 169, SB 196, SB 211, SB 230, SR 91, SR 94.**

Delivered to the Secretary of State at 12:00 p.m., April 9, 2021: **SR 91, SR 94.**

Delivered to the Governor for information, April 9, 2021: **SR 91, SR 94.**

SPECIAL ORDERS OF THE DAY

Senator Hertz read a proclamation from the 67th Legislature dedicating the 22nd Annual House and Senate Basketball Challenge to Colleen K. Brady in honor of her work with the Big Brothers and Big Sisters of Helena and Great Falls.

Senator Sweeney informed the Senate that the combined total of all donations to the Big Brothers and Big Sisters from the basketball challenge is \$16,694.

REPORTS OF STANDING COMMITTEES

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

4/9/2021

HB 445, be concurred in.

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ENERGY AND TELECOMMUNICATIONS (Ankney, Chair): 4/8/2021
HB 475, be concurred in.

JUDICIARY (Regier, Chair): 4/9/2021
SR 97, be adopted.
HB 230, be amended as follows:

1. Title, line 12.

Following: "DECLARATION;"

Insert: "PROVIDING FOR A CONTINUED STATE OF EMERGENCY OR DISASTER FOR A DROUGHT, EARTHQUAKE, FLOOD, OR WILDFIRE; PROHIBITING DISCRIMINATORY ACTION BY THE GOVERNMENT; PROVIDING FOR CIVIL RELIEF; PROHIBITING A GOVERNOR FROM SUSPENDING A STATUTE THAT AFFECTS THE EXERCISE OF AN INDIVIDUAL'S CONSTITUTIONAL RIGHTS; LIMITING THE ABILITY TO INTERFERE WITH THE COLLECTION OF RENT OR WITH ACTIONS FOR TERMINATION AND POSSESSION;"

2. Title, line 14.

Following: "DISASTER;"

Insert: "PROVIDING DEFINITIONS;"

3. Page 3.

Following: line 2

Insert: "**NEW SECTION. Section 2. Claim or defense against state action -- remedies -- limitations.** (1) A religious organization may assert a violation of 10-3-102 or [section 3] as a claim against a state, local, or interjurisdictional agency or public official in any judicial or administrative proceeding or as a defense in any judicial proceeding.

(2) In any civil action based on this section, the court may grant:

(a) declaratory relief;

(b) injunctive relief;

(c) compensatory damages for pecuniary and nonpecuniary losses;

(d) reasonable attorney fees and costs; and

(e) any other appropriate relief.

(3) A religious organization may not bring an action to assert a claim under this section later than 2 years after the date that it knew or could have known that a discriminatory action or other violation occurred."

Insert: "**NEW SECTION. Section 3. Protections against government discrimination.** An agency or a political subdivision of the state may not take discriminatory action against a religious organization wholly or partially on the basis that the organization is religious, operates or seeks to operate during an emergency or disaster, or engages in the exercise of religion as protected under the first amendment to the United States constitution. Discriminatory action means to:

(1) alter in any way the tax treatment of a religious organization, or cause any tax, fine, civil or criminal penalty, payment, damages award, or injunction to be assessed against a religious organization;

(2) deny, delay, revoke, or otherwise make unavailable an exemption from taxation for a

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religious organization; or

(3) withhold, reduce, exclude, terminate, materially alter the terms or conditions of, or otherwise make unavailable or deny any grant, contract, scholarship, license, accreditation, certification, entitlement, or other benefit under any government program."

Renumber: subsequent sections

4. Page 5, line 16.

Following: "services;"

Strike: "and"

5. Page 5, line 20.

Following: "declarations"

Insert: "; and"

(11) ensure the continuity of religious services as essential services to the welfare of the people of the state"

6. Page 6, line 4.

Following: "at"

Insert: "a religious service"

7. Page 6, line 5.

Strike: "facility, church, synagogue, or other place of worship"

Insert: "organization"

8. Page 6, line 15.

Following: "chapter;"

Strike: "or"

9. Page 6, line 18.

Following: "chapter"

Insert: "; or"

(6) except in areas evacuated or subject to control of ingress pursuant to 10-3-104, and for no more than 60 days without legislative approval, interfere with the collection of rent or with actions for termination and possession pursuant to Title 70, chapter 24, part 4, chapter 27, or chapter 33"

10. Page 8, line 1.

Following: page 7, line 28

Insert: "(12) "Religious organization" means:

(a) a house of worship, including but not limited to churches, mosques, shrines, synagogues, and temples; or

(b) a religious group, association, educational institution, ministry, order, society, or similar entity, regardless of whether it is integrated or affiliated with a house of worship.

(13) "Religious services" means a meeting, gathering, or assembly of multiple persons organized by a religious organization for the purpose of worship, teaching, training, providing educational services, conducting religious rituals, or other activities that involve the exercise of religion."

Renumber: subsequent subsections

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11. Page 8, line 18.

Following: "(a)"

Insert: "except as provided in subsection (4),"

12. Page 8, line 18.

Strike: "any"

Insert: "a"

13. Page 9.

Following: line 1

Insert: "(4) The governor may not suspend a statute that affects the exercise of an individual's constitutional rights under the United States constitution or the Montana constitution, including 13-19-104(3), even if the statute is otherwise considered a regulatory statute prescribing the procedures for conduct of state business."

14. Page 9, line 21.

Following: "(3)"

Insert: "(a) Except as provided in subsection (3)(b), a"

Strike: "A"

15. Page 9.

Following: line 25

Insert: "(b) A state of emergency or disaster may continue for a drought, an earthquake, flooding, or a wildfire as long as continuing conditions of the state of emergency or disaster exist unless terminated by the declaration of the legislature by joint resolution of termination of the state of emergency or disaster."

16. Page 10, line 25.

Strike: "Section"

Insert: "Sections"

17. Page 10, line 25.

Following: "1"

Insert: "through 3"

18. Page 10, line 25.

Strike: "is"

Insert: "are"

19. Page 10, line 26.

Strike: "section"

Insert: "sections"

20. Page 10, line 26.

Following: the third "1"

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Insert: "through 3"

21. Page 10.

Following: line 27

Insert: "COORDINATION SECTION. Section 16. Coordination instruction. (1) If both Senate Bill No. 172 and [this act] are passed and approved, then Senate Bill No. 172 is void.

(2) If both Senate Bill No. 173 and [this act] are passed and approved, then Senate Bill No. 173 is void.

(3) If both Senate Bill No. 185 and [this act] are passed and approved, then Senate Bill No. 185 is void."

Renumber: subsequent section

And, as amended, be concurred in.

HB 517, be concurred in.

HB 578, be concurred in.

LOCAL GOVERNMENT (Gauthier, Chair):

3/31/2021

HB 450, be amended as follows:

1. Title, line 5.

Following: "THAT"

Insert: "COURT-ORDERED"

2. Title, line 6.

Strike: "MUST ADHERE TO APPLICABLE ZONING REGULATIONS"

Insert: "MAY NOT CREATE MORE THAN FOUR NEW LOTS OR PARCELS"

3. Page 1, line 28.

Following: "(1)"

Insert: "(a)"

4. Page 2, line 1.

Strike: "but is subject to applicable zoning regulations pursuant to Title 76, chapter 2"

Insert: "if not more than four new lots or parcels are created from the original lot or parcel"

And, as amended, be concurred in.

TAXATION (Hoven, Chair):

4/9/2021

HB 397, be concurred in.

REPORTS OF SELECT COMMITTEES

President Blasdel appointed a Select Committee on Marijuana Law as follows:

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Senator Ellsworth, Chair
Senator Cohenour, Vice Chair
Senator Small, Vice Chair
Senator Bogner
Senator Brown
Senator Fitzpatrick
Senator Friedel
Senator Howard
Senator Jacobson
Senator Lynch
Senator Morigeau
Senator Vance

MESSAGES FROM THE GOVERNOR

April 8, 2021

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

Dear President Blasdel:

On Thursday, April 8th I signed the following bills:

Senate Bill 13 - Cohenour
Senate Bill 38 - Gauthier
Senate Bill 53 - Welborn
Senate Bill 75 - Salomon
Senate Bill 109 - Salomon
Senate Bill 115 - Regier
Senate Bill 126 - Regier
Senate Bill 128 - Fitzpatrick
Senate Bill 152 - Hoven
Senate Bill 154 - Small
Senate Bill 170 - Kary
Senate Bill 200 - Sands
Senate Bill 205 - Hoven
Senate Bill 262 - Cuffe
Senate Bill 276 - Cuffe

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I have vetoed **Senate Bill 227** - Fitzpatrick.

Sincerely,

GREG GIANFORTE
Governor

April 8, 2021

The Honorable Mark Blasdel
President of the Senate
State Capitol
Helena, Montana 59620

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

Dear President Blasdel and Speaker Galt:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby **veto Senate Bill 227** "AN ACT GENERALLY REVISING THE MONTANA ADMINISTRATIVE PROCEDURE ACT; PROVIDING THAT THE LEGISLATURE MAY REPEAL RULES OR AMENDMENTS BY JOINT RESOLUTION; LIMITING THE REPEAL TO RULES ADOPTED OR AMENDED DURING THE INTERIM; AMENDING SECTION 2-4-412, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

Article III, Section 1 of the Montana Constiution provides:

The power of the government of this state is divided into three distinct branches -- legislative, executive, and judicial. No person or persons charged with the exercise of power properly belonging to the one branch shall exercise any power properly belonging to either of the others, except as in this constiitution expressly directed or permitted.

SB 227 is an unlawful violation of the separation of powers. It attempts to remove from the governor, the chief executive officer of the state with the final authority over the rulemaking activities of the executive branch, the power to approve or disapprove the legislature's review of the administrative rules implemented by the executive branch. It allows for the repeal of an administrative rule through a joint resolution, which does not have to be presented to the governor for signature and thus prevents the governor from exercising his final authority over the rulemaking activities of the executive branch.

Furthermore, SB 227 unlawfully exceeds the permitted scope of a joint resolution as set forth in

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Rule 40-60(1)(j) of the Joint Rules of the Montana Senate and House. Under the joint rules, a joint resolution may only "advise or request the repeal, amendment, or adoption of a rule in the Administrative Rules of Montana" as proposed under SB 227. The joint rules were so written to respect the constitutional separation of powers between the legislature and the executive branch.

The concerns SB 227 seeks to address regarding legislative oversight over administrative rules has been addressed in SB 82, which I signed into law.

For these reasons, I veto SB 227.

Sincerely,

GREG GIANFORTE
Governor

MESSAGES FROM THE OTHER HOUSE

House bills passed and transmitted to the Senate for concurrence:

4/8/2021

HB 279, introduced by S. Berglee
HB 606, introduced by P. Fielder
HB 625, introduced by D. Lenz
HB 628, introduced by J. Kassmier
HB 629, introduced by D. Fern
HB 644, introduced by J. Windy Boy
HB 648, introduced by J. Kassmier
HB 651, introduced by M. Bertoglio
HB 656, introduced by J. Read
HB 658, introduced by G. Frazer
HB 670, introduced by D. Skees
HB 671, introduced by D. Bedey
HB 678, introduced by D. Bartel
HB 686, introduced by M. Regier
HB 689, introduced by J. Dooling
HB 691, introduced by D. Lenz
HB 693, introduced by B. Mercer
HB 694, introduced by S. Gist
HB 695, introduced by D. Loge
HB 696, introduced by B. Usher
HB 701, introduced by M. Hopkins
HB 703, introduced by J. Hinkle
HB 704, introduced by E. Buttrey
HB 707, introduced by B. Tschida
HB 708, introduced by J. Kassmier

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HB 709, introduced by M. Regier

SB 300 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Free** Conference Committee to meet with a like committee from the Senate to confer on **SB 300**:

4/8/2021

Representative Loge, Vice Chair
Representative J. Hinkle
Representative Novak

SB 354 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Free** Conference Committee to meet with a like committee from the Senate to confer on **SB 354**:

4/8/2021

Representative Usher, Vice Chair
Representative Berglee
Representative Bishop

FIRST READING AND COMMITMENT OF BILLS

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

SR 98, introduced by D. Salomon, referred to Education and Cultural Resources.

SR 99, introduced by S. Hinebauch, referred to Fish and Game.

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

HB 606, introduced by P. Fielder, S. Galloway, S. Gist, J. Schillinger, referred to Energy and Telecommunications.

HB 625, introduced by D. Lenz, referred to Public Health, Welfare and Safety.

HB 628, introduced by J. Kassmier, referred to Agriculture, Livestock and Irrigation.

HB 629, introduced by D. Fern, M. Blasdel, J. Hamilton, referred to Taxation.

HB 644, introduced by J. Windy Boy, referred to Education and Cultural Resources.

HB 648, introduced by J. Kassmier, W. Galt, C. Knudsen, referred to Natural Resources.

HB 651, introduced by M. Bertoglio, J. Read, S. Fitzpatrick, R. Osmundson, M. Blasdel, L. Jones, C. Glimm, W. Galt, S. Gunderson, J. Trebas, C. Knudsen, B. Usher, S. Vinton, J. Small, J. Ellsworth, B. Ler, S. Kerns, S. Galloway, K. Seekins-Crowe, C. Hinkle, R. Marshall, referred to State Administration.

HB 656, introduced by J. Read, D. Skees, K. Holmlund, M. Noland, B. Tschida, B. Usher, M. Hopkins, J. Fuller, S. Greef, B. Ler, L. Brewster, L. Reksten, E. Hill, J. Schillinger, C. Hinkle, referred to Judiciary.

HB 658, introduced by G. Frazer, E. Buttrey, L. Jones, W. Galt, F. Garner, K. Kelker, M. Noland, D. Loge, L. Sheldon-Galloway, J. Trebas, J. Patelis, E. Kerr-Carpenter, T. Running Wolf, D. Bedey, S. Greef, B. Putnam, B. Phalen, B. Mitchell, L. Reksten, M. Stromswold, J. Gillette, M. Bertoglio,

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S. Novak, referred to Judiciary.

HB 671, introduced by D. Bedey, L. Jones, referred to Finance and Claims.

HB 678, introduced by D. Bartel, V. Ricci, referred to Finance and Claims.

HB 689, introduced by J. Dooling, S. Fitzpatrick, referred to State Administration.

HB 691, introduced by D. Lenz, referred to Public Health, Welfare and Safety.

HB 693, introduced by B. Mercer, J. Patelis, J. Fuller, F. Nave, referred to Finance and Claims.

HB 694, introduced by S. Gist, J. Read, S. Gunderson, D. Fern, L. Sheldon-Galloway, J. Dooling, . Harvey, L. Brewster, K. Zolnikov, S. Kerns, S. Galloway, J. Schillinger, M. Malone, J. Gillette, M. Bertoglio, D. Hawk, R. Marshall, K. Whitman, M. Thane, referred to Local Government.

HB 695, introduced by D. Loge, referred to Natural Resources.

HB 696, introduced by B. Usher, K. Kelker, A. Regier, referred to Judiciary.

HB 703, introduced by J. Hinkle, S. Fitzpatrick, T. McGillvray, K. Regier, C. Smith, G. Vance, M. Blasdel, G. Hertz, D. Lenz, B. Brown, M. Noland, B. Tschida, S. Hinebauch, S. Gunderson, M. Regier, F. Anderson, L. Sheldon-Galloway, D. Bartel, B. Usher, J. Ellsworth, N. Duram, J. Fuller, B. Gillespie, B. Ler, B. Phalen, F. Nave, J. Carlson, B. Mitchell, A. Regier, S. Kerns, S. Galloway, S. Gist, E. Hill, J. Schillinger, C. Hinkle, M. Binkley, R. Marshall, referred to Public Health, Welfare and Safety.

HB 704, introduced by E. Buttrey, R. Fitzgerald, F. Anderson, D. Harvey, referred to Business, Labor, and Economic Affairs.

HB 708, introduced by J. Kassmier, F. Smith, A. Olsen, W. Curdy, M. Funk, W. McKamey, F. Anderson, C. Knudsen, B. Beard, J. Dooling, K. Sullivan, B. Ler, R. Whiteman Pena, M. Malone, K. Walsh, M. Binkley, R. Marshall, referred to Agriculture, Livestock and Irrigation.

HB 709, introduced by M. Regier, K. Regier, C. Glimm, F. Garner, J. Fuller, referred to Judiciary.

The following House bill, previously introduced, was referred to committee:

HB 702, introduced by J. Carlson, D. Skees, J. Read, D. Lenz, W. Galt, S. Berglee, J. Hinkle, M. Noland, V. Ricci, B. Tschida, S. Gunderson, M. Regier, L. Sheldon-Galloway, J. Trebas, D. Bartel, C. Knudsen, B. Usher, J. Patelis, S. Vinton, M. Hopkins, F. Fleming, J. Fuller, R. Knudsen, J. Kassmier, T. Moore, B. Ler, B. Phalen, F. Nave, L. Brewster, B. Mitchell, A. Regier, S. Kerns, S. Galloway, S. Gist, E. Hill, J. Schillinger, K. Seekins-Crowe, M. Stromswold, J. Gillette, C. Hinkle, M. Binkley, R. Marshall, referred to Public Health, Welfare and Safety.

The following House bills were introduced and read first time:

HB 279, introduced by S. Berglee, D. Skees, J. Read, W. Galt, J. Hinkle, W. McKamey, M. Noland, V. Ricci, B. Tschida, J. Trebas, C. Knudsen, S. Vinton, J. Fuller, R. Knudsen, J. Kassmier, B. Mercer, T. Moore, F. Nave, J. Carlson, K. Zolnikov, B. Mitchell, A. Regier, S. Gist, E. Hill, J. Schillinger, K. Seekins-Crowe, M. Stromswold, C. Hinkle, M. Binkley.

HB 670, introduced by D. Skees, B. Tschida, M. Regier, A. Regier.

HB 686, introduced by M. Regier.

HB 701, introduced by M. Hopkins, R. Marshall.

HB 707, introduced by B. Tschida, M. Blasdel, M. Noland, B. Phalen, M. Binkley.

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**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 Brown in the chair.

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

SR 95 - Senator K. Regier moved **SR 95** be adopted. 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 449 - Senator K. Regier moved **HB 449** 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

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Absent or not voting: None.

Total 0

HB 539 - Senator Sands moved **HB 539** 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

Vote totals include a change of vote from No to Yes, made by Senator Gross under Motions.

HB 479 - Senator Bogner moved **HB 479** 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 501 - Senator K. Regier moved **HB 501** 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, Vance, Welborn, Mr. President.
Total 30

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

Voted absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 450 - Majority Leader Smith moved consideration of **HB 450** be passed for the day. Without objection, so ordered.

HB 423 - Senator McNally moved **HB 423** 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 276 - Senator Glimm moved **HB 276** be concurred in. Motion carried 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, Welborn, Mr. President.
Total 50

Nays: None.
Total 0

Voted absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJ 8 - Senator Fitzpatrick moved **HJ 8** 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, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.
Total 49

Nays: Pomnichowski.
Total 1

Voted absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 300 - Senator Manzella moved **HB 300** 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.

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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 462 - Senator Friedel moved **HB 462** be concurred in. Motion carried as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, 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, Webber, Welborn, Mr. President.

Total 47

Nays: Esp, Kary, Vance.

Total 3

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 188 - Senator Glimm moved **HB 188** be concurred in. Motion carried as follows:

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

Total 29

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

Total 21

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Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 365 - Senator McGillvray moved **HB 365** 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 476 - Senator Friedel moved **HB 476** be concurred in. Motion carried as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Ellis, Ellsworth, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Gross, Hertz, Hoven, Howard, Jacobson, Keenan, Lang, McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Pomnichowski, Pope, Sales, Salomon, Sands, Small, Sweeney, Tempel, Webber, Welborn, Mr. President.
Total 39

Nays: Cuffe, Esp, Glimm, Hinebauch, Kary, Lynch, Manzella, Osmundson, Regier K, Smith C, Vance.

Total 11

Voted absentee: None.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 302 - Senator Lang moved **HB 302** 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, 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

SB 309 - House Amendments - Senator Sales moved House amendments to **SB 309** 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, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Small, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.

Total 47

Nays: Lynch, Sands, Smith C.

Total 3

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 106 - House Amendments - Senator Sales moved House amendments to **SB 106** be

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concurring 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

SB 163 - House Amendments - Senator Glimm moved House amendments to **SB 163** be concurring 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 Brown moved the Committee of the Whole report be adopted. Report adopted as follows:

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Yeas: Ankney, Bogner, Boldman, Brown, 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, O'Brien, Osmundson, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Welborn, Mr. President.
Total 44

Nays: Bennett, Boland, Cohenour, Morigeau, Pomnichowski, Webber.
Total 6

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 525 concurred in as follows:

Yeas: Ankney, Bennett, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hoven, Howard, Jacobson, Kary, Lang, Manzella, McClafferty, McNally, Molnar, Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Sweeney, Vance, Webber, Welborn, Mr. President.
Total 42

Nays: Bogner, Esp, Hinebauch, Keenan, Lynch, McGillvray, Smith C, Tempel.
Total 8

Voted absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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MOTIONS

Senator Gross moved to change her second reading vote on **HB 539** from No to Yes. Without objection, so ordered.

Senator Fitzpatrick moved the Senate **override the Governor's veto of SB 227**. 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 that **HB 188**, heard on second reading this date, be re-referred to the Finance and Claims Committee. Without objection, so ordered.

FIRST READING AND COMMITMENT OF BILLS

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

HB 670, introduced by D. Skees, B. Tschida, M. Regier, A. Regier, referred to the Select Committee on Marijuana Law.

HB 683, introduced by B. Mercer, M. Regier, T. Moore, referred to the Select Committee on Marijuana Law.

HB 686, introduced by M. Regier, referred to Finance and Claims.

HB 701, introduced by M. Hopkins, R. Marshall, referred to the Select Committee on Marijuana Law.

HB 707, introduced by B. Tschida, M. Blasdel, M. Noland, B. Phalen, M. Binkley, referred to the Select Committee on Marijuana Law.

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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, April 12, 2021, the sixty-ninth legislative day. Motion carried.

Senate adjourned at 2:28 p.m.

MARILYN MILLER
Secretary of the Senate

MARK BLASDEL
President of the Senate