

**SENATE JOURNAL  
67TH LEGISLATURE  
SEVENTIETH LEGISLATIVE DAY**

Helena, Montana  
April 13, 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):

4/13/2021

Correctly printed: **SR 97, HB 7, HB 9, HB 92, HB 221, HB 391, HB 429, HB 450, HB 477, HB 483, HB 498, HB 503, HB 509, HB 517, HB 549, HB 554, HB 578.**

Correctly engrossed: **HB 5, HB 6, HB 8, HB 10, HB 11, HB 12, HB 14, HB 277, HB 358, HB 406, HB 447, HB 472, HB 481, HB 506, HB 537, HB 553, HB 559, HB 593, HB 630.**

Transmitted to the House: **HB 276, HB 300, HB 302, HB 365, HB 423, HB 449, HB 462, HB 479, HB 501, HB 539, HJ 8.**

Signed by the Speaker at 3:10 p.m., April 12, 2021: **SB 20, SB 33, SB 43, SB 49, SB 55, SB 57, SB 72, SB 135, SB 156, SB 168, SB 171, SB 175, SB 178, SB 217, SB 222, SB 240, SB 267, SB 275.**

Signed by the Speaker at 3:15 p.m., April 12, 2021: **SJ 9, SJ 15.**

Signed by the Speaker at 3:20 p.m., April 12, 2021: **SB 196, SB 211, SB 215, SB 226, SB 230, SB 277.**

Delivered to the Secretary of State at 11:49 a.m., April 13, 2021: **SJ 9, SJ 15.**

Delivered to the Governor for signature at 11:04 a.m., April 13, 2021: **SB 4, SB 20, SB 33, SB 43, SB 49, SB 55, SB 57, SB 72, SB 101, SB 135, SB 156, SB 168, SB 171, SB 175, SB 178, SB 196, SB 211, SB 215, SB 217, SB 222, SB 226, SB 230, SB 240, SB 267, SB 275, SB 277.**

**REPORTS OF STANDING COMMITTEES**

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

4/13/2021

**HB 624**, be concurred in.

**HB 669**, be concurred in.

**HB 688**, be amended as follows:

1. Page 2, line 2.

Following: "committee."

Insert: "The members shall elect a presiding officer and a vice presiding officer of opposite parties.

(3) A vacancy must be filled in the same manner as the original appointment.

(4) Committee members must be reimbursed for travel expenses as provided in 2-18-501 through 2-18-503 and be compensated as provided in 5-2-302."

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

**Renumber:** subsequent subsections

2. Page 2.

Following: line 22

Insert: "NEW SECTION. Section 4. Contingent voidness. (1) Pursuant to Joint Rule 40-65, if [this act] does not include an appropriation prior to being transmitted to the governor, then [this act] is void.

(2) If the appropriation in [section 3] is vetoed, then [this act] is void."

Renumber: subsequent sections

And, as amended, be concurred in.

**HB 704**, be concurred in.

**EDUCATION AND CULTURAL RESOURCES** (Salomon, Chair):

4/12/2021

**SR 98**, be adopted.

**HB 663**, be concurred in.

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

4/12/2021

**HB 5**, be amended as follows:

1. Page 11.

Following: line 11

Insert: "Department of Public Health and Human Services

Southwest Montana Veterans Home Sixth Cottage \$1,200,000 from state special revenue funds"

2. Page 13.

Following: line 8

Insert: "Canyon Ferry Fish Cleaning Station  
500,000

500,000

Tiber Reservoir Fish Cleaning Station  
500,000

500,000

Smith River Eden Site Improvement  
600,000

600,000"

3. Page 14, line 24.

Strike: "280,000" in two places

Insert: "780,000" in two places

4. Page 18.

Following: line 23

Insert: "COORDINATION SECTION. Section 14. Coordination instruction. If both House Bill No. 632 and [this act] are passed and approved, then the allocations for the capital projects in [section 33] of House Bill No. 632 are considered miscellaneous revenue to the major repair long-range

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

building program account as provided in 17-7-221(4) and apply toward meeting the minimum level of funding and appropriation required in 17-7-222."

Renumber: subsequent section

And, as amended, be concurred in.

**HB 6**, be amended as follows:

1. Page 1, line 23.

Strike: "and"

2. Page 1, line 24.

Following: "biennium"

Insert: "; and"

(f) \$250,000 for an emergency grant for water system repairs at the Savage elementary school"

And, as amended, be concurred in.

**HB 8**, be amended as follows:

1. Page 2, line 2.

Strike: "\$3,000,000"

Insert: "\$10,000,000"

2. Page 2, line 4.

Strike: "\$3,000,000"

Insert: "\$10,000,000"

3. Page 2, line 23.

Strike: "\$3,000,000"

Insert: "\$10,000,000"

4. Page 4, line 1.

Strike: "\$7,145,000"

Insert: "\$9,245,000"

And, as amended, be concurred in.

**HB 10**, be amended as follows:

1. Page 2, line 25.

Strike: "5,000,000" [State Special Revenue]

Insert: "5,000,000" [Federal Special Revenue]

2. Page 3, line 7.

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

Strike: "\$4,969,307 million"

Insert: "\$500,000"

And, as amended, be concurred in.

**HB 11**, be amended as follows:

1. Title, line 9.

Following: "CONDITIONS"

Insert: "AND PROVIDING CLARIFICATIONS"

2. Title, line 13.

Following: "PROJECTS;"

Insert: "AMENDING SECTION 90-6-710, MCA;"

3. Page 7.

Following: line 16

Insert: "**Section 10.** Section 90-6-710, MCA, is amended to read:

- "90-6-710. Priorities for projects -- procedure -- rulemaking.** (1) The department of commerce must receive proposals for infrastructure projects from local governments on a continual basis. The department shall work with a local government in preparing cost estimates for a project. In reviewing project proposals, the department may consult with other state agencies with expertise pertinent to the proposal. For the projects under 90-6-703(1)(a), the department shall prepare and submit two lists containing the recommended projects and the recommended form and amount of financial assistance for each project to the governor, prioritized pursuant to subsection (2) and this subsection. One list must contain the ranked and recommended bridge projects, and the other list must contain the remaining ranked and recommended infrastructure projects referred to in 90-6-701(3)(a). Each list must be prioritized pursuant to subsection (2) of this section, but the department may recommend up to 20% of the interest earnings anticipated to be deposited into the treasure state endowment fund established in 17-5-703 during the following biennium for bridge projects. Before making recommendations to the governor, the department may adjust the ranking of projects by giving priority to urgent and serious public health or safety problems. The governor shall review the projects recommended by the department and shall submit the lists of recommended projects and the recommended financial assistance to the legislature.
- (2) In preparing recommendations under subsection (1), preference must be given to infrastructure projects based on the following order of priority:
- (a) projects that solve urgent and serious public health or safety problems or that enable local governments to meet state or federal health or safety standards;
  - (b) projects that reflect greater need for financial assistance than other projects;
  - (c) projects that incorporate appropriate, cost-effective technical design and that provide thorough, long-term solutions to community public facility needs;
  - (d) projects that reflect substantial past efforts to ensure sound, effective, long-term planning and management of public facilities and that attempt to resolve the infrastructure problem with local resources;

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

- (e) projects that enable local governments to obtain funds from sources other than the funds provided under this part;
  - (f) projects that provide long-term, full-time job opportunities for Montanans, that provide public facilities necessary for the expansion of a business that has a high potential for financial success, or that maintain the tax base or that encourage expansion of the tax base; and
  - (g) projects that are high local priorities and have strong community support.
- (3) After the review required by subsection (1), the projects must be approved by the legislature.
- (4) The department shall adopt rules necessary to implement the treasure state endowment program.
- (5) The department shall report to each regular session of the legislature the status of all projects that have not been completed in order for the legislature to review each project's status and determine whether the authorized grant should be withdrawn.
- (6) A local government may begin construction of the proposed infrastructure project after submitting an application to the department and prior to legislative approval of a grant award, if the local government:
- (a) has secured the firm commitment of all funding necessary to finance the proposed project;
  - (b) assumes all risk, liability, and financing for the proposed project; and
  - (c) acknowledges that any project expenses incurred prior to legislative approval of a grant award may be rendered ineligible by the department if the local government fails to meet any program requirements set forth in this part or the rules adopted by the department pursuant to subsection (4)."

Renumber: subsequent sections

And, as amended, be concurred in.

**HB 12**, be amended as follows:

1. Title, line 7.

Following: "PROJECTS;"

Insert: "REQUIRING MATCHING FUNDS FOR GRANTS;"

2. Page 1, line 14.

Strike: "\$3,190,121"

Insert: "\$5,490,121"

3. Page 1, line 26.

Strike: "\$63,250"

Insert: "\$50,600"

4. Page 1, line 28.

Strike: "\$72,981"

Insert: "\$58,385"

5. Page 2, line 12.

Strike: "\$261,300"

Insert: "\$229,690"

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

6. Page 2, line 20.  
Strike: "\$154,025"  
Insert: "\$123,220"

7. Page 2, line 22.  
Strike: "\$75,300"  
Insert: "\$60,240"

8. Page 3, line 3 through line 8.  
Strike: line 3 through line 8 in their entirety

9. Page 3, line 10.  
Strike: "\$500,000"  
Insert: "\$450,000"

10. Page 3, line 13 through line 14.  
Strike: line 13 through line 14 in their entirety

11. Page 3, line 16.  
Strike: "\$354,189"  
Insert: "\$341,189"

12. Page 3, line 22.  
Strike: "\$455,000"  
Insert: "\$419,000"

13. Page 3, line 23 through line 26.  
Strike: line 23 through line 26 in their entirety

14. Page 4, line 18.  
Strike: "\$36,000"  
Insert: "\$28,800"

15. Page 4, line 28.  
Strike: "\$432,000"  
Insert: "\$345,600"

16. Page 5, line 1 through line 2.  
Strike: line 1 through line 2 in their entirety

17. Page 5, line 14.  
Strike: "\$40,168"  
Insert: "\$32,134"

18. Page 5, line 18.

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

Strike: "\$31,150"  
Insert: "\$24,920"

19. Page 5, line 26.  
Strike: "\$243,000"  
Insert: "\$216,800"

20. Page 6, line 3 through line 4.  
Strike: line 3 through line 4 in their entirety

21. Page 6, line 10.  
Strike: "\$218,000"  
Insert: "\$174,400"

22. Page 6, line 14.  
Strike: "\$132,100"  
Insert: "\$125,560"

23. Page 6, line 20.  
Strike: "\$60,000"  
Insert: "\$53,000"

24. Page 6, line 24.  
Strike: "\$24,188"  
Insert: "\$19,350"

25. Page 6, line 26.  
Strike: "\$200,000"  
Insert: "\$176,000"

26. Page 7, line 6.  
Strike: "\$100,000"  
Insert: "\$80,000"

27. Page 7, line 14.  
Strike: "\$135,030"  
Insert: "\$128,024"

28. Page 7, line 18.  
Strike: "\$35,000"  
Insert: "\$30,100"

29. Page 7, line 20.  
Strike: "\$183,975"  
Insert: "\$183,315"

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

30. Page 7, line 22.  
Strike: "\$5,075"  
Insert: "\$4,060"

31. Page 7, line 28.  
Strike: "\$490,540"  
Insert: "\$392,432"

32. Page 8, line 2.  
Strike: "\$180,000"  
Insert: "\$164,000"

33. Page 8, line 3 through line 4.  
Strike: line 3 through line 4 in their entirety

34. Page 8, line 6.  
Strike: "\$61,266"  
Insert: "\$50,088"

35. Page 8, line 8.  
Strike: "\$62,610"  
Insert: "\$50,088"

36. Page 8, line 23.  
Following: "withdrawn."  
Insert: "Projects requested by a local government must provide a 20% match of the total estimated project costs. Projects requested by other entities must provide a 20% match of the recommended grant amount."

And, as amended, be concurred in.

**HB 14**, be amended as follows:

1. Page 3, line 17.  
Strike: "\$1,552,575"  
Insert: "\$798,659"

And, as amended, be concurred in.

**HB 630**, be amended as follows:

1. Title, line 11.  
Following: "2021;"  
Insert: "ALLOWING MODIFICATIONS RELATED TO APPROPRIATIONS AND AUTHORIZATIONS;"



SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

2. Page 9, line 5.

Strike: "\$163 million"

Insert: "\$183 million"

3. Page 9.

Strike: line 6 through line 7 in their entirety

4. Page 10, line 24 through line 25.

Following: "(4)" on line 24

Strike: "The" on line 24 through "revenue." on line 25

Insert: "The department of commerce shall consult with the department of public health and human services regarding the implementation and expenditure of the Emergency Rental Assistance appropriation relating to utility assistance, case management, or other matters. The department of commerce may subgrant funds as appropriate for implementation and expenditure of the funds."

5. Page 11.

Following: line 13

Insert: "**NEW SECTION. Section 8. Modifications to appropriations and authorizations. (1)**

The governor, or the budget director under the direction of the governor, is authorized to redirect appropriations and authorizations to other projects or appropriations within [this act] to ensure conformity with applicable federal laws, regulations, and guidance issued by federal agencies.

(2) (a) If a proposed line-item transfer or a fund switch in [this act] exceeds \$100,000, the budget director shall submit a legal analysis and detailed description of the requested line-item transfer or fund switch to the legislative fiscal analyst 30 days prior to the next scheduled meeting of the legislative finance committee.

(b) For the purposes of this section, the following definitions apply:

(i) "Fund switch" means a change in a line-item fund source or account to another fund source or account.

(ii) "Line-item transfer" means the transfer of appropriation authority from one line item to a different line item.

(3) The legislative finance committee shall review the proposed line-item transfer or fund switch at the next meeting. A representative of the office of budget and program planning must be present at the meeting to discuss the proposal. The legislative finance committee may take up to 15 days following its meeting to review and comment on the proposal. The office of budget and program planning may provide a response to the comments within 15 days of receiving the committee's comments.

(4) The governor, or the budget director at the direction of the governor, is authorized to adjust the parameters of a program or service appropriated in [this act] to ensure conformity with applicable federal laws, regulations, and guidance issued by federal agencies. If the parameters of a program are adjusted, the office of budget and program planning shall notify the legislative finance committee of the change at its next scheduled meeting. The legislative finance committee may take up to 15 days following its meeting to review and comment on the proposal. The office of budget and program planning may provide a response to the comments within 15 days of receiving the committee's comments.

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

(5) If a proposed line-item transfer or a fund switch or a modification to the parameters of a program or service is of an urgent nature, the budget director shall notify the legislative fiscal analyst as soon as possible and the 30-day notice is not required. The legislative finance committee shall convene as soon as possible to review the proposal and provide comment. The meeting may be held in a virtual setting."

Renumber: subsequent sections

And, as amended, be concurred in.

**HB 632**, be amended as follows:

1. Title, line 5.

Following: "APPROPRIATIONS"

Insert: "AND ALLOCATIONS"

2. Title, line 15.

Following: the second "FOR"

**Strike:** "COMMUNICATIONS AND"

3. Title, line 21.

Following: the first "TO"

**Insert:** "CERTAIN"

4. Title, line 23.

Following: "STATE;

**Insert:** "PROVIDING FOR ADMINISTRATION AND AUDIT COSTS;"

5. Page 2.

Following: line 16

Insert: "(5) The department of natural resources and conservation shall serve as lead staff with the departments of administration and commerce assisting.

(6) Funding for the commission is allocated from the administrative costs allowed in [section 3]."

6. Page 2, line 18.

Strike: "**Appropriations**"

Insert: "**Appropriation**"

7. Page 2, line 18.

Following: "**for**"

Strike: "**capital projects and**"

8. Page 2, line 20 through line 21.

Strike: "infrastructure" on line 20 through "infrastructure" on line 21

Insert: "and local water and wastewater"

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

9. Page 2, line 23.

Strike: "500,000,000"

Insert: "450,000,000"

10. Page 2, line 24.

Strike: line 24 in its entirety

11. Page 2, line 27 through line 28.

Strike: "tribe," on line 27 through "district" on line 28

Insert: "city, county, consolidated city-county, school district, or other political subdivision or local government body of the state, including an authority as defined in 75-6-304, water district, sewer district, irrigation district, water users association, conservation district, or tribal government"

12. Page 3, line 1.

Strike: "" state infrastructure projects""

Insert: "state water and wastewater projects"

13. Page 3, line 2.

Following: "facilities"

Insert: "and associated infrastructure,"

14. Page 3, line 5 through line 6.

Strike: "or" on line 5 through "604" on line 6

15. Page 3.

Following: line 6

Insert: "(6) Funds appropriated under this section that are not otherwise allocated are allocated to the office of budget and program planning to provide grants pursuant to [section 3]."

16. Page 3, line 8 through line 9.

Strike: "**Eligibility**" on line 8 through "**recommendations**" on line 9

Insert: "**Competitive grant program**"

17. Page 3, line 9.

Strike: "State"

Insert: "For the first round of grants, state"

18. Page 3, line 10.

Following: "available"

Insert: "for water and wastewater projects"

19. Page 3, line 15.

Following: "recommended"

Insert: "water and wastewater"

Following: "a"

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

Strike: "final"

20. Page 3.

Following: line 16

Insert: "(4) The applicable agency is authorized to present additional rounds of grant proposals to the commission as needed."

**Renumber:** subsequent subsections

21. Page 3, line 17 through line 19.

Strike: "In" on line 17 through "COVID-19." on line 19

22. Page 3, line 19.

Following: "government"

Insert: "water and wastewater"

23. Page 3, line 23.

Following: the first "the"

Strike: "final"

24. Page 3, line 24.

Following: "2021."

Insert: "If the governor modifies the list of recommended projects submitted by the commission, the office of budget and program planning shall report and explain the changes to the advisory commissions and the legislative finance committee at its next scheduled meeting.

(7)"

25. Page 3, line 25.

Strike: "another"

Insert: "a different"

26. Page 3, line 28.

Strike: "another"

Insert: "a different"

27. Page 4.

Following: line 1

Insert: "(8) No project may receive more than \$25 million in grant proceeds from this section.

(9) Up to 2.5% of the funds appropriated in [section 2] may be allocated for administrative costs."

28. Page 4, line 4.

Strike: "LOCAL"

Insert: "state"

29. Page 4, line 5.

Strike: "INFRASTRUCTURE"

Insert: "water and wastewater"

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

30. Page 4, line 5.

Following: "PROJECTS"

Insert: "eligible for funding under the American Rescue Plan Act"

31. Page 4, line 6.

Following: the first "IN"

Insert: "water and wastewater"

32. Page 4, line 9.

Strike: "INFRASTRUCTURE"

Insert: "water or wastewater"

33. Page 4, line 10.

Following: "QUALIFYING"

Insert: "water or wastewater"

34. Page 4, line 12.

Strike: "GREATER"

Insert: "lesser"

35. Page 4, line 17.

Strike: "CLAIMED"

Insert: "applied for and awarded or in a pending status"

36. Page 4, line 19.

Following: "PROGRAM"

Insert: "established in [section 3]"

37. Page 4, line 26.

Following: "FUNDS"

Strike: "TO BE COMPRISED OF LOANS SECURED BY COAL SEVERANCE TAX BONDS MADE PURSUANT TO HOUSE BILL NO. 8"

38. Page 4, line 27.

Strike: "MUST"

Insert: "may"

39. Page 5, line 2.

Strike: "**Outreach**"

Insert: "**Technical assistance**"

40. Page 5, line 3.

Strike: "an outreach"

Insert: "a technical assistance"

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

41. Page 5, line 4 through line 5.

Strike: "communications," on line 4 through "infrastructure" on line 5

Insert: "water and wastewater"

42. Page 5, line 6.

Strike: "outreach"

Insert: "technical assistance"

43. Page 5, line 6.

Following: line 5

Insert: "limited"

44. Page 5, line 8.

Strike: "outreach"

Insert: "technical assistance"

45. Page 5, line 9.

Strike: "must be an appropriation of administrative funds"

Insert: "is allocated \$750,000 from the funds appropriated in [section 2] for the technical assistance team"

46. Page 5.

Following: line line 10

Insert: **NEW SECTION. Section 7. Appropriation for capital projects.** (1) There are federal funds received pursuant to the American Rescue Plan Act of 2021, Public Law 117-2, appropriated to the office of budget and program planning for state infrastructure projects as follows:

Amount	ARPA Section
119,300,000	604

(2) For the purposes of [this act], "state infrastructure projects" includes projects for state-owned buildings and facilities and associated infrastructure as well as within the Montana university system, including community colleges in the state.

(3) The department of administration shall submit a list of recommended state capital projects to the advisory commission.

(4) The advisory commission shall review the lists of recommended capital projects and issue a list of recommended projects to the executive.

(5) The applicable agency is authorized to present additional rounds of grant proposals to the commission as needed.

(6) In preparing recommendations for capital projects, preference must be given to projects that are geographically dispersed throughout the state, carry out critical capital projects directly enabling work, education, and health monitoring, including remote options, in response to the public health emergency with respect to COVID-19.

(7) The recommendations of the advisory commission must be considered by the governor and reviewed to comply with the American Rescue Plan Act and all applicable guidance. The governor may modify recommendations and shall provide the list of approved projects to the legislative finance committee by October 15, 2021. If the governor modifies the list of

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

recommended projects submitted by the commission, the office of budget and program planning shall report and explain the changes to the legislative finance committee at its next scheduled meeting.

(8) If it is later determined that a project cannot be completed, the governor may authorize a different project and provide a report to the legislative finance committee. If it is determined at any time that a project is identified not to be eligible based on federal guidance or regulation and, if completed, would result in a reduction in funds from the American Rescue Plan Act or require the state to repay or refund money to the federal government pursuant to the American Rescue Plan Act, the governor may authorize a different project and provide a report to the legislative finance committee.

(9) References to "ARPA Section" mean references to section 9901 of the American Rescue Plan Act of 2021, Public Law 117-2, which amends Title VI of the Social Security Act to include section 604.

(10) Up to 2% of the funds appropriated in this section may be allocated for administrative costs."

Renumber: subsequent sections

47. Page 5, line 19.

Strike: "applications"

Insert: "recommendations"

48. Page 5, line 19.

Following: "funding"

Strike: "for grants for"

49. Page 5.

Following: line 23

Insert: "(5) The department of commerce shall staff the commission.

(6) Funding for the commission is allocated from the administrative costs allowed in [section 9]."

50. Page 5, line 25.

Strike: "**Appropriations**"

Insert: "**Appropriation**"

51. Page 5, line 25.

Strike: "**project grants**"

Insert: "**projects**"

52. Page 5, line 27.

Strike: "governor"

Insert: "department of commerce"

53. Page 5, line 28 through page 6, line 1.

Strike: "project" on line 28 through "are" on page 6, line 1

Insert: "projects. The appropriation is"

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

54. Page 6, line 3.  
Strike: "250,000,000"  
Insert: "275,000,000"

55. Page 6, line 4.  
Strike: the first ", "  
Insert: "infrastructure, including"

56. Page 6, line 4.  
Following: "safety"  
Insert: ", if eligible"

57. Page 6, line 5.  
Strike: "any grant"  
Insert: "projects"

58. Page 6, line 8 through line 9.  
Following: "602" on line 8  
Strike: remainder of line 8 through "604" on line 9

59. Page 6.  
Following: line 9  
Insert: "(5) Up to 3% of the funds appropriated in this section may be allocated for administrative costs."

60. Page 6, line 12 through line 15.  
Strike: subsection (1) in its entirety  
Renumber: subsequent subsections

61. Page 6, line 16.  
Following: "a"  
Strike: "final"

62. Page 6, line 17.  
Following: "projects"  
Strike: "to the executive by September 1, 2021"

63. Page 6, line 19.  
Following: the first "to"  
Insert: "unserved,"  
Following: "underserved"  
Insert: ", "  
Following: "areas"  
Insert: "as designated by the department of commerce"



SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

64. Page 6, line 23.

Following: the first "the"

Strike: "final"

65. Page 6, line 24.

Following: "2021."

Insert: "If the governor modifies the list of recommended projects submitted by the commission, the office of budget and program planning shall report and explain the changes to the advisory commission and the legislative finance committee at its next scheduled meeting.

(4)"

66. Page 6, line 25.

Strike: "another"

Insert: "a different"

67. Page 6, line 28.

Strike: "another"

Insert: "a different"

68. Page 7, line 16.

Following: "REQUIRE"

Insert: "business"

67. Page 7.

Following: "line 22

Insert: "(6) The department of commerce shall staff the commission.

(7) Funding for the commission is allocated from the administrative costs allowed in [section 12]."

68. Page 7, line 24.

Strike: "**Appropriations**"

Insert: "**Appropriation**"

69. Page 7, line 25.

Following: line 24

Strike: "**grants**"

Following: "**grants.**"

Insert: "(1)"

70. Page 7, line 26.

Following: "planning"

Strike: "and allocated to the governor"

71. Page 7, line 28.

Strike: "Appropriation authority is intended to be allocated to the following items. Appropriations are"

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

Insert: "The appropriation is"

72. Page 8.

Following: line 3

Insert: "(2) \$10 million of the funds appropriated in this section must be used for rapid retraining jobs training.

(3) The appropriation in this section may be used for workforce development and business transformation and stabilization programs including but not limited to workforce training including rapid retraining, return-to-work bonuses, or short-term wage subsidies, business assistance for hiring or rehiring employees, business assistance for training or retraining employees, business technology grants, agricultural resiliency, and business transformation or stabilization grants.

(4) Up to 3% of the funds appropriated in this section may be allocated for administrative costs."

73. Page 8, line 6.

Following: "(1)"

Insert: "Applicable agencies shall recommend programs and funding amounts to the advisory commission for review and comment.

(2) Within the programs established by the applicable agencies,"

Strike: "Businesses"

Insert: "businesses or other organizations"

74. Page 8, line 7.

Following: the first "agency"

Strike: "by July 1, 2021,"

75. Page 8, line 7.

Strike: "11"

Insert: "12"

76. Page 8, line 9.

Strike: "10"

Insert: "11"

77. Page 8, line 9.

Following: "10"

Strike: "BY AUGUST 15, 2021"

78. Page 8, line 10.

Strike: "(2)"

Insert: "(3)"

79. Page 8, line 11.

Following: "a"

Strike: "final"

80. Page 8, line 11 through line 12.

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

Strike: "by" on line 11 through "2021" on line 12

81. Page 8.

Following: line 12

Insert: "(4) The applicable agency is authorized to present additional rounds of grant proposals to the commission as needed."

82. Page 8, line 13.

Following: "(3)"

Insert: "(5)"

83. Page 8, line 14.

Strike: "[SECTION 14 13 THROUGH 14 16]"

Insert: "[sections 14, 16, and 17]"

84. Page 8, line 14.

Following: "16."

Insert: "The department of commerce shall report to the advisory commission on loans made in accordance with the federal requirements of the state small business credit initiative in [section 15]."

85. Page 8, line 15.

Strike: "(4)"

Insert: "(6)"

86. Page 8, line 17.

Following: the first "the"

Strike: "final"

87. Page 8, line 18.

Following: "2021."

Insert: "If the governor modifies the list of recommended projects submitted by the commission, the office of budget and program planning shall report and explain the changes to the advisory commission and to the legislative finance committee at its next scheduled meeting.

(7)"

88. Page 8, line 19.

Strike: "another"

Insert: "a different"

89. Page 8, line 22.

Strike: "another"

Insert: "a different"

90. Page 9, line 3.

Following: "3206"

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

Strike: ", 3208"

91. Page 9, line 4.  
Strike: "11,000,000"  
Insert: "11,459,768"

92. Page 9, line 4.  
Strike: "Revolving Fund for Low-Income Housing"  
Insert: "HOME Program Supplemental Allocation"

93. Page 9, line 5.  
Following: "3201"  
Strike: ", 3202, 3204"

94. Page 9, line 6  
**Strike:** "Workforce"

95. Page 9, line 7 through line 8.  
Strike: subsection (2) in its entirety  
**Renumber:** subsequent subsections

96. Page 9, line 11.  
Following: "facilities"  
Insert: ", if eligible"

97. Page 9, line 11.  
Following: "facilities."  
Insert: "If federal guidance allows for other uses of emergency rental assistance funds, these funds may be used for those additional authorized purposes."

98. Page 9, line 12.  
Strike: "10"  
Insert: "11"

99. Page 9, line 18.  
Following: "commerce"  
Strike: "up to"

100. Page 10, line 2.  
Strike: "Workforce"  
Insert: "Office of Community Service"

101. Page 10.  
Following: line 3  
Insert: "2,000,000                      Rapid Retraining for Veterans                      8006"

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

102. Page 10, line 20 through line 24.

Following: "of" on line 20

STRIKE: REMAINDER OF LINE 20 THROUGH LINE 24 IN THEIR ENTIRETY

INSERT: ":

(A) MEMBERS OF THE JOINT APPROPRIATIONS SUBCOMMITTEE FOR HEALTH AND HUMAN SERVICES FROM THE 67TH LEGISLATURE; AND"

103. PAGE 10, LINE 25.

FOLLOWING: "(c)"

Insert: "(b)"

104. Page 11.

Following: line 2

Insert: "(5) The department of public health and human services shall staff the commission.

(6) Funding for the commission is allocated from the administrative costs allowed in [section 20]."

105. Page 11, line 5.

Strike: "committee"

Insert: "commission"

106. Page 11, line 6.

Following: "2021"

Insert: ", or as otherwise identified by a majority of the commission"

107. Page 11.

Following: line 8

Insert: "(3) The recommendations of the advisory commission must be considered by the governor and reviewed to comply with the American Rescue Plan Act and all applicable guidance. The governor may modify recommendations and shall provide the list of approved projects to the legislative finance committee by October 15, 2021. If the governor modifies the list of recommendations submitted by the commission, the office of budget and program planning shall report and explain the change to the advisory commission and to the legislative finance committee at its next scheduled meeting.

(4) If it is later determined that a project cannot be completed, the governor may authorize a different project and provide a report to the legislative finance committee. If at any time it is determined that a project is identified not to be eligible based on federal guidance or regulation and, if completed, would result in a reduction in funds from the American Rescue Plan Act or require the state to repay or refund money to the federal government pursuant to the American Rescue Plan Act, the governor may authorize a different project and provide a report to the legislative finance committee."

108. Page 11, line 18.

Strike: "13,000,000"

Insert: "11,000,000"

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

109. Page 11, line 24.  
Strike: "111,000,000"  
Insert: "112,500,000"

110. Page 11, line 24.  
Following: "Care"  
Strike: "Stabilization &"

111. Page 11, line 27.  
Strike: line 27 in its entirety

112. Page 11, line 28.  
Strike: "17,000,000"  
Insert: "10,500,000"

113. Page 12, line 1.  
Following: "2701"  
Insert: ", 2702, 2703, 2705, 2706, 2707"

114. Page 12, line 2 through line 10.  
Strike: line 2 through line 10 in their entirety

115. Page 12, line 11.  
Following: "21,000,000"  
Insert: "31,775,000"

116. Page 12, line 13 through line 14.  
Strike: line 13 through line 14 in their entirety

117. Page 12.  
Following: line 19  
Insert: "1,130,000"

118. Page 12.  
Following: line 20

Insert: "1,223,000 IDEA Infants and toddlers 2014  
(2) There are federal funds received pursuant to section 9901 of the American Rescue Plan Act of 2021, Public Law 117-2, which amends Title VI of the Social Security Act to include section 602, appropriated to the office of budget and program planning and allocated to the department of public health and human services as follows:  
(a) \$15 million for nursing home supplemental payments; and  
(b) \$2.75 million for a medicaid rate study."

**Renumber:** subsequent subsections

119. Page 12, line 12.  
Following: "(2)"

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

Insert: "(3)"

120. Page 12, line 22.

Following: line 21

Strike: "contracted private sector"

Following: "training"

Insert: "through existing programs in the department of labor and industry or through contracted private sector vendors"

121. Page 12, line 23 through line 26.

Strike: subsection (3) in its entirety

122. Page 13, line 2.

Following: "Care"

Strike: "Stabilization"

123. Page 13, line 3.

Following: "funds"

Strike: "for a subgrant system"

124. Page 13, line 4.

Following: "care,"

Insert: "licensing,"

125. Page 13, line 5.

Following: "training"

Insert: "and professional development"

126. Page 13, line 7.

Strike: "**Appropriation**"

Insert: "**Allocation**"

127. Page 13, line 8.

Following: "(602),"

Insert: "to the office of budget and program planning and allocated"

128. Page 13, line 13.

Strike: "**Appropriation**"

Insert: "**Allocation**"

129. Page 13, line 13.

Following: "**justice.**"

Insert: "(1)"

130. Page 13, line 14.

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

Strike: "appropriated"  
Insert: "allocated"

131. Page 13, line 15.  
Following: "2020"  
Insert: "from the funds appropriated in [section 7]"

132. Page 13, line 15 through line 17.  
Strike: "Appropriation" on line 15 through line 17 in their entirety

133. Page 13, line 18.  
Strike: "ARPA Section"

134. Page 13, line 19.  
Strike: "9901, 604"

135. Page 13, line 20.  
Strike: "9901, 602"

136. Page 13.  
Following: line 20  
Insert: "(2) Authority is granted to construct the projects in this section."

137. Page 13, line 22.  
Following: "**instruction**"  
Insert: "**and office of budget and program planning**"

138. Page 14, line 10.  
Strike: line 10 in its entirety

139. Page 14, line 11  
Strike: "10,200,000"  
Insert: "9,241,420"

140. Page 14, line 11.  
Strike: "Individual"  
Insert: "Individuals"

141. Page 14, line 11.  
Following: "Disabilities"  
Insert: "Education"

142. Page 15.  
Following: line 14  
Insert: "(3) There is appropriated \$7 million to the office of budget and program planning for



SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

assistance to nonpublic schools from the funds received pursuant to section 2002 of the American Rescue Plan Act, Public Law 117-2."

143. Page 15, line 27.

Following: "602"

Strike: "r"

144. Page 15, line 28 through page 16, line 11.

Strike: line 28 through page 16, line 11 in their entirety

145. Page 16.

Following: line 11

Insert: "(2) There are federal funds received pursuant to section 2021 the American Rescue Plan Act of 2021, Public Law 117-2, in the amount of \$764,000 appropriated to the Montana arts council for the fiscal year beginning July 1, 2020. Appropriations are authorized to continue through the biennium beginning July 1, 2023.

(3) There are federal funds received pursuant to the American Rescue Plan Act of 2021, Public Law 117-2, appropriated to the state library for the fiscal year beginning July 1, 2020. Appropriation authority is intended to be allocated to the following items. Appropriations are authorized to continue through the biennium beginning July 1, 2023.

1,235,444 Hot Spot Lending Program 2023

1,000,000 E-Learning Digital Content 2023

(4) There is allocated \$120,000 to the state library for newslines from the funds appropriated in [section 20] for Supporting Older Americans and Families"

146. Page 16.

Following: line 12

Insert: "**NEW SECTION. Section 25. Appropriation -- coronavirus local fiscal recovery fund.**

There is appropriated to the office of budget and program planning \$81.8 million to distribute pursuant to section 9901 of the American Rescue Plan Act of 2021, Public Law, 117-2, which amends Title VI of the Social Security Act to include section 603."

Insert: "**NEW SECTION. Section 26. Audit appropriations.** (1) Of the federal funds appropriated to the office of budget and program planning in [section 14] and appropriated to the department of commerce in [section 15], the amount of \$20,500 is reserved for the legislative audit division as a restricted and biennial appropriation for the 2023 biennium.

(2) Of the federal funds appropriated to the office of budget and program planning in [sections 2, 7, and 12], the amount of \$47,150 is reserved for the legislative audit division as a restricted and biennial appropriation for the 2023 biennium as follows:

(a) American Rescue Plan Act testing, \$36,900; and

(b) single audit administration and reporting, \$10,250.

(3) Of the federal funds appropriated to the office of public instruction in [section 23], the amount of \$20,500 is reserved for the legislative audit division as a restricted and biennial appropriation for the 2023 biennium.

(4) Of the federal funds appropriated to the department of public health and human services in [section 20], the amount of \$12,300 is reserved for the legislative audit division as a restricted

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

and biennial appropriation for the 2023 biennium.

(5) The legislative audit division will include estimated audit costs associated with [this act] in the estimated audit costs provided for in 5-13-402 for the 2025 biennium.

(6) As provided for in 17-7-141, agencies appropriated funds through [this act] will reserve enough money from these federal funds to pay associated audit costs in the 2025 biennium."  
Renumber: subsequent sections

147. Page 16, line 13.

Strike: "**Authorization to modify or increase**"

Insert: "**Modifications to**"

148. Page 16, line 22.

Following: "line-item"

Insert: "appropriation"

149. Page 16, line 23.

Following: "line-item"

Insert: "appropriation within the same section of [this act]. Transfers are not authorized between appropriations made in different sections"

150. Ignore amendment, it is a duplicate of #151

Page 16, line 16 through line 17.

Strike: "(3)" on line 16 through "(3)" on line 17

Insert: "When federal guidance is issued related to the use of "reduction in revenue" funds pursuant to section 9901 of the American Rescue Plan Act of 2021, Public Law 117-2, amending Title VI of the Social Security Act to include section 602(c)(1)(C), otherwise known as "revenue replacement funds", the office of budget and program planning will calculate the amount of funds available pursuant to that section 602 and recommend to the governor and the legislative finance committee an amount to be allocated among the appropriations of 602 funds in [this act]."

151. Page 16.

Following: line 25

Insert: "(3) When federal guidance is issued related to the use of "reduction in revenue" funds pursuant to section 9901 of the American Rescue Plan Act of 2021, Public Law 117-2, amending Title VI of the Social Security Act to include section 602(c)(1)(C), otherwise known as "revenue replacement funds", the office of budget and program planning will calculate the amount of funds available pursuant to that section 602 and recommend to the governor and the legislative finance committee an amount to be allocated among the appropriations of 602 funds in [this act]."

Renumber: subsequent subsections

152. Page 16, line 26.

Following: "switch"

Insert: "or the recommendation on the use of revenue replacement funds as provided in subsection (3),"

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

153. Page 16, line 28.

Following: "proposal"

Insert: "or recommendation"

154. Page 17, line 1.

Following: "proposal"

Insert: "or recommendation"

155. Page 17, line 23.

Following: "**accountability.**"

Insert: "(1) Applicable agencies will propose a performance measurement plan to the commissions."

**Renumber:** subsequent subsections

156. Page 17, line 23 through line 24.

Strike: "BY" on line 23 through "MUST" on line 24

Insert: "in [this act] may"

157. Page 17, line 28.

Strike: "MUST"

Insert: "may"

158. Page 17, line 28 through page 18, line 1.

Strike: "OFFICE" on line 28 through "PLANNING" on page 18, line 1

Insert: "applicable agency"

159. Page 18, line 3.

Strike: "MUST"

Insert: "may"

160. Page 18, line 7.

Following: "act]."

Insert: "The online portal must also provide data and information on the website to provide transparency in how funds were spent and identify grant recipients for businesses, local or tribal governments, or nonprofit organizations."

161. Page 18.

Following: line 9

Insert: "(6) The office of budget and program planning is appropriated \$3.5 million to provide oversight, public interaction, reporting, transparency, and other services from 602 funds."

162. Page 18, line 12.

Strike: "pursuant to [this act]"

Insert: "appropriated in [section 2]"

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

163. Page 18, line 13.

Strike: "issued"

Insert: "current"

164. Page 18, line 14.

Following: "state"

Insert: "in effect at the time the grant is awarded"

165. Page 19.

Following: line 21

Insert: "NEW SECTION. **Section 32. Long-range projects funding.** (1) If any of the allocations for projects outlined in [section 33 through 36] are determined to be ineligible for funding through the American Rescue Plan Act, funding for each ineligible project is appropriated for the project from the source of funding designated in the introduced version of the respective long-range bill.

(2) If any of the allocations for projects outlined in [section 37] are determined to be ineligible for funding through the American Rescue Plan Act, funding for those projects shall be:

(a) appropriated from the capital developments long-range building program account provided for in 17-7-209 for projects funded [section 1] of House Bill No. 14;

(b) appropriated from the treasure state endowment special revenue account provided for in 17-5-703(3)(a) funded through [section 5] of House Bill No. 14; and

(c) appropriated from the natural resources projects state special revenue account provided for in 15-38-302 funded through [section 9] of House Bill No. 14."

Renumber: subsequent sections

166. Page 19, line 25.

Following: "is"

Strike: "appropriated to the office of budget and program planning and"

167. Page 19, line 26 through line 28.

Strike: "from" on line 26 through "projects" on line 28

Insert: "for those projects from the funds appropriated in [section 2]"

168. Page 20, line 2 through line 3.

Strike: "appropriated" on line 2 through the second "and" on line 3

169. Page 20, line 3 through line 5.

Strike: "from" on line 3 through "projects" on line 5

Insert: "for the following projects from the funds appropriated in [section 7]"

170. Page 20, line 16 through line 17.

Strike: "appropriated" on line 16 through the first "and" on line 17

171. Page 20, line 17 through line 19.

Strike: "from" on line 17 through "602)," on line 19

Insert: "from funds appropriated in [section 2] of House Bill No. 632,"

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

172. Page 20, line 22.

Following: "is"

Strike: "appropriated to the office of budget and program planning and"

173. Page 20, line 23 through line 25.

Strike: "federal" on line 23 through "602)," on line 25

Insert: "the funds appropriated in [section 2] of House Bill No. 632,"

174. Page 21, line 5 through line 6.

Strike: "to" on line 5 through "allocated" on line 6

175. Page 21, line 7 through line 8.

Strike: "appropriated" on line 7 through the second "and" on line 8

176. Page 21, line 9 through line 10.

Strike: line 9 through "602)," on line 10

Insert: "the funds appropriated in [section 2] of House Bill No. 632"

177. Page 21, line 19.

Following: "is"

Strike: "appropriated to the office of budget and program planning and"

178. Page 21, line 20 through line 22.

Strike: "federal" on line 20 through "602)," on line 22

Insert: "the funds appropriated in [section 2] of House Bill No. 632"

179. Page 21, line 25.

Strike: "appropriated"

Insert: "allocated"

180. Page 21, line 25 through line 27.

Strike: "from" on line 25 through "allocated" on line 27

Insert: "from the funds appropriated in [section 2] of House Bill No. 632"

181. Page 22, line 4.

Strike: "appropriated"

Insert: "allocated"

182. Page 22, line 4 through line 6.

Strike: "from" on line 4 through "allocated" on line 6

Insert: "from the funds appropriated in [section 2] of House Bill No. 632"

183. Page 22, line 4.

Strike: "appropriated"

Insert: "allocated"

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

184. Page 22, line 4 through line 6.

Strike: "from" on line 4 through "allocated" on line 6

Insert: "from the funds appropriated in [section 2] of House Bill No. 632"

185. Page 22, line 11.

Strike: "appropriated"

**Insert:** "allocated"

186. Page 22, line 11 through line 13.

Strike: "from" on line 11 through "allocated" on line 13

**Insert:** "from the funds appropriated in [section 2] of House Bill No. 632"

187. Page 22, line 18 through line 20.

Strike: "appropriated" on line 18 through the second "and" on line 20

188. Page 22, line 20.

Following: "allocated"

**Insert:** "from the funds appropriated in [section 7]"

189. Page 22, line 22.

Strike: subsection (a) in its entirety

Renumber: subsequent subsections

190. Page 22.

Following: line 24

Insert: "(2) (a) If both House Bill No. 14 and [this act] are passed and approved, then there is allocated \$26,200,000 from the funds appropriated in [section 20] to the department of administration for the MT Veterinarian Diagnostic & Ag Analytical Labs.

(b) If it determined that the project identified in (2)(a) is ineligible for funding from the appropriations in [section 20], the allocation in (2)(a) is void and there is allocated \$26,200,000 from the funds appropriated in [section 7] to the department of administration for the MT Veterinarian Diagnostic & Ag Analytical Labs."

191. Page 22, line 27.

Following: "is"

Strike: "appropriated to the office of budget and program planning and"

192. Page 22, line 28 through page 23, line 2.

Strike: "from" on line 28 through "602)," on page 23, line 2

Insert: "from the funds appropriated in [section 2] of House Bill No. 632"

193. Page 23, line 5 through line 7.

Strike: "appropriated" on line 5 through the second "and" on line 7

194. Page 23, line 8.

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

Following: "conservation"

Insert: "from the funds appropriated in [section 2] of House Bill No. 632"

195. Page 23, line 15 through page 24, line 6.

Strike: section 34 in its entirety

Insert: "NEW SECTION. Section 38. Coordination -- Senate Bill No. 297. If both Senate Bill No. 297 and [this act] are passed and approved, the appropriation in [section 9] shall be used for the purposes set forth in Senate Bill No. 297."

Insert: "NEW SECTION. Section 39. {standard} **Severability.** If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent section

And, as amended, be concurred in.

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

4/13/2021

**HB 67**, be concurred in.

**HB 73**, be concurred in.

**HB 131**, be concurred in.

**HB 233**, be concurred in.

**HB 260**, be concurred in.

**HB 620**, be concurred in.

**JUDICIARY** (Regier, Chair):

4/13/2021

**HB 520**, be concurred in.

**HB 641**, be concurred in.

**HB 665**, be concurred in.

**STATE ADMINISTRATION** (Kary, Chair):

4/12/2021

**HB 497**, be amended as follows:

1. Title, line 9.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

2. Page 1, line 28.

Following: "corrections;"

Strike: "and"

3. Page 2, line 3.

Following: "education"

Insert: "; and

(f) long-range planning budget committee to oversee the budget activities related to long-range program implementation issues considered by the subcommittee during the session"

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

4. Page 2, line 9 through line 12.

Strike: subsection (5) in its entirety

5. Page 2, line 14.

Strike: "**Appointment and composition**"

Insert: "**Composition**"

6. Page 2, line 15 through line 18.

Following: "(1)" on line 15

Strike: remainder of line 15 through line 18 in their entirety

7. Page 2, line 19.

Following: line 18

Strike: "(3)"

8. Page 2, line 19 through line 20.

Strike: "must" on line 19 through "(a)" on line 20

Insert: "is"

9. Page 2, line 21 through line 26.

Following: "session" on line 21

Insert: "."

Strike: remainder of line 21 through line 26 in their entirety

10. Page 2, line 27.

Strike: "(5)"

Insert: "(2)"

11. Page 3, line 13.

Following: "committee"

Insert: "in [section 1(2)(a) through(2)(e)]"

12. Page 3, line 18.

Following: line 17

Strike: "and"

13. Page 3, line 19.

Following: "session"

Insert: ";

(d) review quarterly expenditures and budget transactions and compare those transactions to the budget adopted by the legislature;

(e) report budget observations and recommendations to the legislative finance committee at each quarterly meeting; and

(f) forward any recommendations for proposed legislation to the legislative finance committee or



SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

relevant interim committee and may not directly request legislation"

14. Page 3, line 20.

Strike: "Each"

Insert: "Beginning in September of each odd-numbered year, each"

15. Page 3, line 20.

Strike: "committee"

Insert: "committee in [section 1(2)(a) through (2)(e)]"

16. Page 3, line 20.

Strike: "quarterly"

Insert: "within the week prior to the quarterly legislative finance committee meetings"

17. Page 3, line 20 through line 21.

Strike: "AND" on line 20 through "VIDEOCONFERENCE" on line 21

18. Page 3.

Following: line 21

Insert: "(3) Beginning in September of each odd-numbered year, the interim budget committee provided for in [section 1(2)(f)] shall meet each December and June within the week prior to the quarterly legislative finance committee meetings to review project status implementation throughout the interim and report budget considerations and recommendations to the legislative finance committee."

**Renumber:** subsequent subsection

19. Page 3.

Following: line 24

Insert: "(5) If an interim budget committee produces a report or receives a report from an agency, the report must also be provided to the appropriate interim committee that has agency oversight over the subject matter discussed in the report.

(6) The legislative finance committee may delegate specific studies or analysis to an interim budget committee and must consider all recommendations for potential legislation."

20. Page 6, line 2.

Strike: " <sub>1</sub>"

Insert: "and"

21. Page 6, line 3 through line 4.

Strike: ", and" on line 3 through "5-11-210" on line 4

22. Page 6, line 10.

Following: the first "or"

Insert: "the appropriate"

23. Page 6, line 17.

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

Following: "interim"  
Strike: "budget"

24. Page 6, line 18.

Following: "2"

Insert: "program evaluation and monitoring functions for the agency pursuant to Title 5, chapter 5, part 2, and to the appropriate interim"

25. Page 6, line 19.

Strike: "oversight"

Insert: "committee"

26. Page 8, line 7.

Following: "interim"

Strike: "budget"

27. Page 8, line 8.

Following: "2"

Insert: "program evaluation and monitoring function for the agency pursuant to Title 5, chapter 5, part 2, and to the appropriate interim"

28. Page 8, line 8.

Strike: "oversight"

Insert: "committee"

29. Page 9.

Following: line 12

Insert: "NEW SECTION. Section 12. Termination. [This act] terminates December 31, 2025."

And, as amended, be concurred in.

**HB 588**, be amended as follows:

1. Page 4, line 20 through line 21.

Following: line 20

Insert: "(a) for agencies with a director appointed by the governor as provided in 2-15-111, exceed 1% of the number of full-time employees as defined in 2-18-601, or 10, whichever is less;"

2. Page 4, line 21.

Strike: "(a)"

Insert: "(b)"

Following: "agencies"

Insert: "with an elected official listed in Article VI, section 1, of the Montana constitution:

(i)"

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

3. Page 4, line 22.

Strike: "department" in two places

Insert: "agency" in two places

4. Page 4, line 23.

Strike: "(a)"

Insert: "(b)(i)"

5. Page 4, line 25.

Strike: "(b)"

Insert: "(ii)"

6. Page 4, line 25.

Following: "(b)(ii)"

Strike: "for agencies"

7. Page 4, line 25.

Strike: "10%"

Insert: "5%"

8. Page 4, line 26.

Strike: " "

Insert: ", unless otherwise approved by the agency according to criteria developed by the agency. Under no circumstances may the total exemptions allowed under this subsection (2)(a)(b)(ii) of each elected official or agency exceed 50."

9. Page 5, line 2.

Strike: "subsection (1)"

Insert: "this section"

And, as amended, be concurred in.

Without objection, committee reports were adopted.

**REPORTS OF SELECT COMMITTEES**

CONFERENCE COMMITTEE  
on House Amendments to **Senate Bill 39**  
Report No. 002, April 12, 2021

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 39** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

And, recommend that **Senate Bill 39** (reference copy -- salmon) be amended as follows:

1. Page 3, line 26.

**Strike:** "LICENSED SEXUAL OFFENDER EVALUATORS"

**Insert:** "licensees of the boards listed in subsection (1) who have been engaged in the practice of evaluating sexual offenders during the last 4 years"

2. Page 4, line 9.

**Following:** "(3) THE"

**Strike:** "EDUCATIONAL AND EXPERIENTIAL"

3. Page 4, line 19.

**Following:** "OFFENDERS"

**Strike:** "WITHIN THE LAST 4 YEARS"

4. Page 4, line 20.

**Following:** the second "OFFENDERS"

**Insert:** ". The provisions of this subsection (3)(b) do not apply when an evaluator is renewing the endorsement"

5. Page 4, line 21.

**Strike:** "10"

**Insert:** "2"

6. Page 4, line 20 through line 21.

**Strike:** "IN" on line 21 through "YEARS" on line 22

7. Page 4, line 22.

**Following:** "YEARS;"

**Strike:** "AND"

8. Page 4, line 24.

**Following:** "TREATMENT"

**Insert:** "; and

(e) must renew the license endorsement concurrent with the evaluator's professional license"

For the Senate:

K. Regier, Chair  
Hinebauch  
Sands

For the House:

Usher, Vice Chair  
Kelker  
A. Regier

Without objection, the select committee report was adopted.

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

**MESSAGES FROM THE OTHER HOUSE**

**Senate bills** concurred in and returned to the Senate: 4/12/2021

**SB 167**, introduced by S. Fitzpatrick  
**SB 190**, introduced by T. Gauthier  
**SB 216**, introduced by J. Small  
**SB 223**, introduced by T. Gauthier  
**SB 233**, introduced by D. Ankney  
**SB 234**, introduced by G. Vance  
**SB 239**, introduced by M. McNally  
**SB 253**, introduced by G. Hertz  
**SB 257**, introduced by J. Small  
**SB 258**, introduced by D. Ankney  
**SB 261**, introduced by S. Fitzpatrick  
**SB 270**, introduced by B. Hoven  
**SB 280**, introduced by C. Glimm  
**SB 283**, introduced by C. Glimm  
**SB 286**, introduced by S. Hinebauch  
**SB 302**, introduced by W. Sales  
**SB 307**, introduced by M. Lang  
**SB 345**, introduced by S. Fitzpatrick  
**SB 348**, introduced by W. Sales  
**SB 350**, introduced by G. Hertz  
**SB 351**, introduced by B. Bennett  
**SB 372**, introduced by E. McClafferty

**Senate joint resolutions** concurred in and returned to the Senate: 4/12/2021

**SJ 5**, introduced by S. Webber  
**SJ 21**, introduced by M. Cuffe

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

4/12/2021

**SB 40**, introduced by J. Ellis  
**SB 108**, introduced by D. Kary  
**SB 174**, introduced by G. Hertz  
**SB 306**, introduced by M. Lang  
**SB 327**, introduced by J. Ellsworth

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

4/12/2021

**SJ 6**, introduced by J. Ellis

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

**SJ 11**, introduced by E. Boldman

**Senate bill not** concurred in and returned to the Senate: 4/12/2021

**SB 186**, introduced by C. Friedel

**Senate amendments to House bill** not concurred: 4/12/2021

**HB 112**, introduced by J. Fuller

**SB 227** - The House, on motion duly carried, overrode the Governor's veto on **SB 227** and returned the bill to the Senate.

4/12/2021

April 12, 2021

Mark Blasdel, President  
Montana State Senate  
Montana State Capitol

RE: Senate Bill 227 (Sen. Fitzpatrick) Governor's Veto

Dear President Blasdel:

By motion on this date, the Montana House of Representatives voted to override the Governor's veto of Senate Bill 227, sponsored by Senator Fitzpatrick, with a vote of 89-11.

Sincerely,

E. Wylie Galt, Speaker  
Montana House of Representatives

**FIRST READING AND COMMITMENT OF BILLS**

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

**SJ 26**, introduced by D. Sands, K. Kelker, D. Lenz, R. Lynch, S. Morigeau, B. Usher, S. Webber, J. Windy Boy, referred to Judiciary.

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

**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,

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

E. Hill, J. Schillinger, K. Seekins-Crowe, M. Stromswold, C. Hinkle, M. Binkley, referred to Finance and Claims.

**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 Glimm in the chair.

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

**HB 468** - Senator McGillvray moved **HB 468** 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, Osmundson, Regier K, Sales, Small, Smith C, Tempel, Vance, Mr. President.  
Total 28

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

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 444** - Senator Friedel moved **HB 444** be concurred in.

**HB 444** - Senator Friedel moved **HB 444**, second reading copy, be amended as follows:

1. Page 2, line 6 through line 12.  
**Strike:** line 6 through "parcel;" on line 12

2. Page 2, line 13.  
**Strike:** "(g)"  
**Insert:** "(f)"

3. Page 2.  
**Following:** line 17

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

**Insert:** "(3) At the request of the owner, the original certificate of subdivision approval shall be reissued for a parcel previously approved under this part if:

(a) the parcel was subsequently divided without review and approval under this part; and  
(b) the unapproved parcels are aggregated to return to the original divided parcel as originally approved."

Amendment **adopted** as follows:

Yeas: 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 49

Nays: Ankney.  
Total 1

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 444** - As amended, **HB 444** was 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



SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

**HB 599** - Senator Brown moved **HB 599** be concurred in. Motion carried as follows:

Yeas: Ankney, Bogner, Brown, Cuffe, Ellsworth, Esp, Fitzpatrick, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hinebauch, Hoven, Howard, Kary, Lang, Lynch, Manzella, McGillvray, Molnar, Osmundson, Sales, Salomon, Smith C, Tempel, Vance, Welborn, Mr. President.  
Total 29

Nays: Bennett, Boland, Boldman, Cohenour, Ellis, Flowers, Fox, Gross, Jacobson, Keenan, McClafferty, McNally, Morigeau, O'Brien, Pomnichowski, Pope, Regier K, Sands, Small, Sweeney, Webber.  
Total 21

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 445** - Senator Sweeney moved **HB 445** be concurred in. Motion carried as follows:

Yeas: Ankney, Bogner, Boland, Brown, Cuffe, Ellis, Ellsworth, Esp, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hoven, Howard, Jacobson, Lang, Manzella, McGillvray, McNally, Molnar, Osmundson, Pope, Regier K, Sales, Salomon, Sands, Smith C, Sweeney, Tempel, Vance, Webber.  
Total 35

Nays: Bennett, Boldman, Cohenour, Fitzpatrick, Hinebauch, Kary, Keenan, Lynch, McClafferty, Morigeau, O'Brien, Pomnichowski, Small, Welborn, Mr. President.  
Total 15

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 448** - Senator Tempel moved **HB 448** be concurred in. Motion carried as follows:

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

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

Total 29

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

Total 21

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 572** - Senator Bogner moved **HB 572** be concurred in. Motion carried as follows:

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

Total 33

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

Total 16

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Molnar.

Total 1

**HB 439** - President Blasdel moved **HB 439** 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, Tempel, Vance, Welborn, Mr. President.

Total 32

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

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

Total 18

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 230** - Senator K. Regier moved **HB 230** 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, Lynch, Manzella, McGillvray, Molnar, Osmundson, Regier K, Sales, Salomon, Small, Smith C, Sweeney, Tempel, Vance, Welborn, Mr. President.  
Total 34

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

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 362** - Senator Bogner moved **HB 362** 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.

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

Total 0

Absent or not voting: None.

Total 0

**HB 491** - Senator Cuffe moved **HB 491** 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 590** - Senator Fox moved **HB 590** 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  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

**HB 257** - President Blasdel moved **HB 257** 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 398** - Senator Gross moved **HB 398** 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

**HJ 21** - Senator Fox moved **HJ 21** 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  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 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 337** - Senator McGillvray moved **HB 337** be concurred in. Motion carried 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

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

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

Yeas: Ankney, Bogner, Brown, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Lang, Lynch,

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

Manzella, McGillvray, Molnar, O'Brien, Osmundson, Regier K, Sales, Salomon, Small, Smith C, Tempel, Vance, Welborn, Mr. President.  
Total 35

Nays: Bennett, Boland, Boldman, Cohenour, Fox, Gross, Keenan, McClafferty, McNally, Morigeau, Pomnichowski, Pope, Sands, Sweeney, Webber.  
Total 15

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:

**SB 47** 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, 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 221** concurred in as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Cohenour, Cuffe, Ellis, Fitzpatrick, Flowers, Fox, Gauthier, Gross, Hoven, Howard, Jacobson, Lynch, McClafferty, McNally, Molnar,

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

Morigeau, O'Brien, Osmundson, Pomnichowski, Pope, Sales, Salomon, Sands, Small, Sweeney, Webber.  
Total 31

Nays: Brown, Ellsworth, Esp, Friedel, Gillespie, Glimm, Hertz, Hinebauch, Kary, Keenan, Lang, Manzella, McGillvray, Regier K, Smith C, Tempel, Vance, Welborn, Mr. President.  
Total 19

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 391** 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 450** concurred in as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cuffe, 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, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.  
Total 47



SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

Nays: Cohenour, Ellis, O'Brien.

Total 3

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 477** 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 483** 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  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 498** 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 503** 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.

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

Total 0

**HB 509 failed** as follows:

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

Total 21

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

Total 29

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 517 concurred** in as follows:

Yeas: Ankney, 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 30

Nays: Bennett, Bogner, Boland, Boldman, Cohenour, Ellis, Flowers, Fox, Gross, 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 549 concurred** in as follows:

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

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 554** 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

**MOTIONS**

Senator Fitzpatrick moved that **HB 640** be taken from the Business, Labor and Economic Affairs Committee and placed on second reading the next legislative day. Motion carried as follows:

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

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

Senator Molnar moved that **HB 495** be taken from Public Health, Welfare, and Safety Committee and placed on second reading the next legislative day. Motion **failed** as follows.

Yeas: Bennett, Boland, Boldman, Cohenour, Ellis, Flowers, Fox, Gross, Hoven, Lynch, McClafferty, McNally, Molnar, Morigeau, O'Brien, Pomnichowski, Pope, Sands, Small, Sweeney, Webber.  
Total 21

Nays: Ankney, Bogner, Brown, Cuffe, Ellsworth, Esp, Fitzpatrick, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hinebauch, Howard, Jacobson, Kary, Keenan, Lang, Manzella, McGillvray, Osmundson, Regier K, Sales, Salomon, Smith C, Tempel, Vance, Welborn, Mr. President.  
Total 29

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Smith moved the Senate adjourn until 1:00 p.m., Wednesday, April 14, 2021, the seventy-first legislative day. Motion carried.

SENATE JOURNAL  
SEVENTIETH LEGISLATIVE DAY - APRIL 13, 2021

Senate adjourned at 3:29 p.m.

MARILYN MILLER  
Secretary of the Senate

MARK BLASDEL  
President of the Senate