

**SENATE JOURNAL  
67TH LEGISLATURE  
SEVENTY-SECOND LEGISLATIVE DAY**

Helena, Montana  
April 15, 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):

4/15/2021

Correctly printed: **SJ 23, SJ 25, SJ 27, SJ 28, SR 76, SR 82, SR 85, SR 86, SR 92, SR 96, SR 98, HB 46, HB 92, HB 115, HB 206, HB 229, HB 273, HB 277, HB 341, HB 358, HB 380, HB 428, HB 429, HB 430, HB 447, HB 472, HB 475, HB 481, HB 497, HB 504, HB 506, HB 520, HB 537, HB 553, HB 559, HB 576, HB 578, HB 602, HB 610, HB 630, HB 632, HB 635, HB 644, HB 658, HB 663, HB 667, HB 669, HB 696, HB 709, HJ 5, HJ 16.**

Correctly engrossed: **HB 249, HB 255, HB 495, HB 522, HB 576, HB 588, HB 625, HB 640, HB 656, HB 689, HB 691, HJ 16.**

Correctly enrolled: **SB 63, SB 83, SB 99, SB 121, SB 136, SB 157, SB 166, SB 167, SB 190, SB 206, SB 216, SB 223, SB 234, SB 238, SB 239, SB 247, SB 253, SB 258, SB 261, SB 265, SB 266, SB 283, SB 286, SB 302, SB 307, SB 345, SB 348, SB 350, SB 351, SB 364, SJ 19, SJ 21, SR 74, SR 88, SR 95, SR 97.**

Transmitted to the House: **HB 67, HB 73, HB 131, HB 230, HB 233, HB 257, HB 260, HB 362, HB 398, HB 439, HB 445, HB 448, HB 468, HB 491, HB 572, HB 590, HB 599, HJ 21.**

Senator Ankney arose on a point of personal privilege to thank and extend best wishes to Sonja Nowakowski, Research Director with the Legislative Services Division, on her new position with the Executive Branch.

**REPORTS OF STANDING COMMITTEES**

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

4/15/2021

**SR 92**, be adopted.

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

4/14/2021

**HB 644**, be concurred in.

**PUBLIC HEALTH, WELFARE AND SAFETY** (Howard, Chair):

4/14/2021

**HB 495**, introduced bill, be amended as follows:

1. Title, line 8.

Strike: "ELIMINATE RULES"

Insert: "MAKE RECOMMENDATIONS ON STATUTES, RULES, AND POLICIES"

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2. Title, line 9.

**Following:** "PRACTICES;"

**Insert:** "CREATING A STATE SPECIAL REVENUE ACCOUNT;"

3. Title, line 9 through line 11.

Strike: "REVISING" on line 9 through "MCA;" on line 11

4. Page 2, line 1.

Following: "compensation"

Insert: "or reimbursement"

5. Page 2, line 1 through line 2.

Strike: "but" on line 1 through "2-18-503" on line 2

6. Page 2, line 9.

Following: "contradicts"

Insert: "state statutes,"

Following: "rules"

Insert: ", "

7. Page 2, line 15.

Following: "review"

Insert: "and recommend"

8. Page 3.

**Following:** line 2

**Insert:** "NEW SECTION. Section 2. Health care provider task force special revenue account.

- (1) There is a health care provider task force special revenue account to the credit of the department of labor and industry.
- (2) The account consists of grants, gifts, and donations from public and private sources that are made to the department of labor and industry for the purpose of supporting the health care provider task force provided for in [section 1].
- (3) Money in the account must be used by the department of labor and industry to support the activities carried out by the health care provider task force.
- (4) Money in the account that is unencumbered and unexpended at the end of the biennium must be transferred to the department of labor and industry. The department shall use the reverted money to provide administrative services to the health care provider task force.

**Renumber:** subsequent sections

9. Page 3, line 4 through page 5, line 17.

Strike: sections 2 through 6 in their entirety

Renumber: subsequent sections

10. Page 5, line 21.

**Strike:** "[Section 1] terminates"

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**Insert:** "[Sections 1 and 2] terminate"

And, as amended, be concurred in.

**HB 625**, be amended as follows:

1. Page 1, line 28.

Following: "recommendations"

Insert: "or justification as to why the department is not implementing the recommendations at that time"

2. Page 2, line 1.

Following: "required"

Insert: "or provides justification as to why it is not implementing the recommendations"

3. Page 2, line 5.

Following: "organizations"

Insert: ", consistent with the disclosure and confidentiality provisions of 41-3-1211(5)"

And, as amended, be concurred in. .

**HB 691**, be amended as follows:

1. Page 3, line 5.

Strike: "\$359,000"

Insert: "\$231,000"

2. Page 3, line 6.

Strike: "\$359,000"

Insert: "\$231,000"

3. Page 4, line 22.

Strike: "\$179,500"

Insert: "\$115,500"

4. Page 4, line 23.

Strike: "\$179,500"

Insert: "\$115,500"

And, as amended, be concurred in.

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

4/14/2021

**SJ 23**, do pass.

**SR 76**, be adopted.

**SR 82**, be adopted.

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**SR 85**, be adopted.

**SR 86**, be adopted.

**SR 96**, be adopted.

**HB 522**, be amended as follows:

1. Page 2, line 12.

Following: "consisting of"

Strike: "seven"

Following: "voting"

Insert: "eight members. Seven"

Following: "members"

Insert: "must be"

2. Page 2, line 13.

Strike: "subsection (1)(b)"

3. Page 2, line 14.

Following: "legislature"

Insert: "subsections (1)(b)(i) through (1)(b)(vii). One member must be appointed jointly by the president of the senate and the speaker of the house of representatives as provided in subsection (1)(b)(viii)"

4. Page 3, line 5.

Following: "forces;"

Strike: "and"

5. Page 3, line 7.

Following: "state"

Insert: "; and

(viii) a member representing the legislature who is a state senator or state representative at the time of appointment. The legislative representative must be selected jointly by the president of the senate and the speaker of the house of representatives"

And, as amended, be concurred in.

**HB 635**, be concurred in.

**HB 689**, be amended as follows:

1. Title, line 8.

Following: "APPROPRIATION;"

Insert: "REVISING REPORTING REQUIREMENTS APPLICABLE TO RELIGIOUS ORGANIZATIONS IN CAMPAIGNS TO PROTECT THE FREE EXERCISE OF RELIGION AS GUARANTEED BY THE FIRST AMENDMENT OF THE UNITED STATES CONSTITUTION AND ARTICLE II, SECTION 5, OF THE MONTANA CONSTITUTION; REVISING DEFINITIONS;"

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2. Title, line 9.

Following: "SECTIONS"

Insert: "13-1-101,"

Following: "13-37-208,"

Insert: "13-37-233,"

3. Page 2.

Following: line 4

Insert: "NEW SECTION. **Section 2. Religious organization exemptions to be broadly construed.** Pursuant to the first amendment to the United States constitution and to ensure the consistent application of the law, the commissioner shall broadly construe the exemptions concerning religious organizations provided in 13-1-101(9)(b)(ii), (14)(b)(v), (16)(b)(v), and (18)(b)(v)."

Insert: "**Section 3.** Section 13-1-101, MCA, is amended to read:

**"13-1-101. Definitions.** As used in this title, unless the context clearly indicates otherwise, the following definitions apply:

- (1) "Active elector" means an elector whose name has not been placed on the inactive list due to failure to respond to confirmation notices pursuant to 13-2-220 or 13-19-313.
- (2) "Active list" means a list of active electors maintained pursuant to 13-2-220.
- (3) "Anything of value" means any goods that have a certain utility to the recipient that is real and that is ordinarily not given away free but is purchased.
- (4) "Application for voter registration" means a voter registration form prescribed by the secretary of state that is completed and signed by an elector, is submitted to the election administrator, and contains voter registration information subject to verification as provided by law.
- (5) "Ballot" means a paper ballot counted manually or a paper ballot counted by a machine, such as an optical scan system or other technology that automatically tabulates votes cast by processing the paper ballots.
- (6) (a) "Ballot issue" or "issue" means a proposal submitted to the people at an election for their approval or rejection, including but not limited to an initiative, referendum, proposed constitutional amendment, recall question, school levy question, bond issue question, or ballot question.  
(b) For the purposes of chapters 35 and 37, an issue becomes a "ballot issue" upon certification by the proper official that the legal procedure necessary for its qualification and placement on the ballot has been completed, except that a statewide issue becomes a "ballot issue" upon preparation and transmission by the secretary of state of the form of the petition or referral to the person who submitted the proposed issue.
- (7) "Ballot issue committee" means a political committee specifically organized to support or oppose a ballot issue.
- (8) "Candidate" means:
  - (a) an individual who has filed a declaration or petition for nomination, acceptance of nomination, or appointment as a candidate for public office as required by law;
  - (b) for the purposes of chapter 35, 36, or 37, an individual who has solicited or received and retained contributions, made expenditures, or given consent to an individual, organization, political party, or committee to solicit or receive and retain contributions or make

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expenditures on the individual's behalf to secure nomination or election to any office at any time, whether or not the office for which the individual will seek nomination or election is known when the:

- (i) solicitation is made;
  - (ii) contribution is received and retained; or
  - (iii) expenditure is made; or
- (c) an officeholder who is the subject of a recall election.
- (9) (a) "Contribution" means:
- (i) the receipt by a candidate or a political committee of an advance, gift, loan, conveyance, deposit, payment, or distribution of money or anything of value to support or oppose a candidate or a ballot issue;
  - (ii) an expenditure, including an in-kind expenditure, that is made in coordination with a candidate or ballot issue committee and is reportable by the candidate or ballot issue committee as a contribution;
  - (iii) the receipt by a political committee of funds transferred from another political committee; or
  - (iv) the payment by a person other than a candidate or political committee of compensation for the personal services of another person that are rendered to a candidate or political committee.
- (b) The term does not mean:
- (i) services provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or political committee or meals and lodging provided by individuals in their private residences for a candidate or other individual; or
  - (ii) the cost of a communication by a religious organization exempt from federal income tax when compliance with Title 13 would burden the organization's sincerely held religious beliefs or practices.
- (c) This definition does not apply to Title 13, chapter 37, part 6.
- (10) "Coordinated", including any variations of the term, means made in cooperation with, in consultation with, at the request of, or with the express prior consent of a candidate or political committee or an agent of a candidate or political committee.
- (11) "De minimis act" means an action, contribution, or expenditure that is so small that it does not trigger registration, reporting, disclaimer, or disclosure obligations under Title 13, chapter 35 or 37, or warrant enforcement as a campaign practices violation under Title 13, chapter 37.
- (12) "Election" means a general, special, or primary election held pursuant to the requirements of state law, regardless of the time or purpose.
- (13) (a) "Election administrator" means, except as provided in subsection (13)(b), the county clerk and recorder or the individual designated by a county governing body to be responsible for all election administration duties, except that with regard to school elections not administered by the county, the term means the school district clerk.
- (b) As used in chapter 2 regarding voter registration, the term means the county clerk and recorder or the individual designated by a county governing body to be responsible for all election administration duties even if the school election is administered by the school district clerk.
- (14) (a) "Election communication" means the following forms of communication to support or oppose a candidate or ballot issue:
- (i) a paid advertisement broadcast over radio, television, cable, or satellite;
  - (ii) paid placement of content on the internet or other electronic communication network;
  - (iii) a paid advertisement published in a newspaper or periodical or on a billboard;

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- (iv) a mailing; or
- (v) printed materials.
- (b) The term does not mean:
  - (i) an activity or communication for the purpose of encouraging individuals to register to vote or to vote, if that activity or communication does not mention or depict a clearly identified candidate or ballot issue;
  - (ii) a communication that does not support or oppose a candidate or ballot issue;
  - (iii) a bona fide news story, commentary, blog, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, internet website, or other periodical publication of general circulation;
  - (iv) a communication by any membership organization or corporation to its members, stockholders, or employees;
  - (v) a communication by a religious organization exempt from federal income tax when compliance with Title 13 would burden the organization's sincerely held religious beliefs or practices;  
or
  - (vi) a communication that the commissioner determines by rule is not an election communication.
- (15) "Election judge" means a person who is appointed pursuant to Title 13, chapter 4, part 1, to perform duties as specified by law.
- (16) (a) "Electioneering communication" means a paid communication that is publicly distributed by radio, television, cable, satellite, internet website, newspaper, periodical, billboard, mail, or any other distribution of printed materials, that is made within 60 days of the initiation of voting in an election, that does not support or oppose a candidate or ballot issue, that can be received by more than 100 recipients in the district voting on the candidate or ballot issue, and that:
  - (i) refers to one or more clearly identified candidates in that election;
  - (ii) depicts the name, image, likeness, or voice of one or more clearly identified candidates in that election; or
  - (iii) refers to a political party, ballot issue, or other question submitted to the voters in that election.
- (b) The term does not mean:
  - (i) a bona fide news story, commentary, blog, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, internet website, or other periodical publication of general circulation unless the facilities are owned or controlled by a candidate or political committee;
  - (ii) a communication by any membership organization or corporation to its members, stockholders, or employees;
  - (iii) a commercial communication that depicts a candidate's name, image, likeness, or voice only in the candidate's capacity as owner, operator, or employee of a business that existed prior to the candidacy;
  - (iv) a communication that constitutes a candidate debate or forum or that solely promotes a candidate debate or forum and is made by or on behalf of the person sponsoring the debate or forum; or
  - (v) a communication by a religious organization exempt from federal income tax when compliance with Title 13 would burden the organization's sincerely held religious beliefs or practices;  
or
  - (vi) a communication that the commissioner determines by rule is not an electioneering communication.

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- (17) "Elector" means an individual qualified to vote under state law.
- (18) (a) "Expenditure" means a purchase, payment, distribution, loan, advance, promise, pledge, or gift of money or anything of value:
- (i) made by a candidate or political committee to support or oppose a candidate or a ballot issue; or
  - (ii) used or intended for use in making independent expenditures or in producing electioneering communications.
- (b) The term does not mean:
- (i) services, food, or lodging provided in a manner that they are not contributions under subsection (9);
  - (ii) payments by a candidate for personal travel expenses, food, clothing, lodging, or personal necessities for the candidate and the candidate's family;
  - (iii) the cost of any bona fide news story, commentary, blog, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication of general circulation; or
  - (iv) the cost of any communication by any membership organization or corporation to its members or stockholders or employees; or
  - (v) the cost of a communication by a religious organization exempt from federal income tax when compliance with Title 13 would burden the organization's sincerely held religious beliefs or practices.
- (c) This definition does not apply to Title 13, chapter 37, part 6.
- (19) "Federal election" means an election in even-numbered years in which an elector may vote for individuals for the office of president of the United States or for the United States congress.
- (20) "General election" means an election that is held for offices that first appear on a primary election ballot, unless the primary is canceled as authorized by law, and that is held on a date specified in 13-1-104.
- (21) "Inactive elector" means an individual who failed to respond to confirmation notices and whose name was placed on the inactive list pursuant to 13-2-220 or 13-19-313.
- (22) "Inactive list" means a list of inactive electors maintained pursuant to 13-2-220 or 13-19-313.
- (23) (a) "Incidental committee" means a political committee that is not specifically organized or operating for the primary purpose of supporting or opposing candidates or ballot issues but that may incidentally become a political committee by receiving a contribution or making an expenditure.
- (b) For the purpose of this subsection (23), the primary purpose is determined by the commissioner by rule and includes criteria such as the allocation of budget, staff, or members' activity or the statement of purpose or goal of the person or individuals that form the committee.
- (24) "Independent committee" means a political committee organized for the primary purpose of receiving contributions and making expenditures that is not controlled either directly or indirectly by a candidate and that does not coordinate with a candidate in conjunction with the making of expenditures except pursuant to the limits set forth in 13-37-216(1).
- (25) "Independent expenditure" means an expenditure for an election communication to support or oppose a candidate or ballot issue made at any time that is not coordinated with a candidate or ballot issue committee.
- (26) "Individual" means a human being.
- (27) "Legally registered elector" means an individual whose application for voter registration was



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- accepted, processed, and verified as provided by law.
- (28) "Mail ballot election" means any election that is conducted under Title 13, chapter 19, by mailing ballots to all active electors.
- (29) "Person" means an individual, corporation, association, firm, partnership, cooperative, committee, including a political committee, club, union, or other organization or group of individuals or a candidate as defined in subsection (8).
- (30) "Place of deposit" means a location designated by the election administrator pursuant to 13-19-307 for a mail ballot election conducted under Title 13, chapter 19.
- (31) (a) "Political committee" means a combination of two or more individuals or a person other than an individual who receives a contribution or makes an expenditure:
- (i) to support or oppose a candidate or a committee organized to support or oppose a candidate or a petition for nomination;
  - (ii) to support or oppose a ballot issue or a committee organized to support or oppose a ballot issue; or
  - (iii) to prepare or disseminate an election communication, an electioneering communication, or an independent expenditure.
- (b) Political committees include ballot issue committees, incidental committees, independent committees, and political party committees.
- (c) A candidate and the candidate's treasurer do not constitute a political committee.
- (d) A political committee is not formed when a combination of two or more individuals or a person other than an individual makes an election communication, an electioneering communication, or an independent expenditure of \$250 or less.
- (32) "Political party committee" means a political committee formed by a political party organization and includes all county and city central committees.
- (33) "Political party organization" means a political organization that:
- (a) was represented on the official ballot in either of the two most recent statewide general elections; or
  - (b) has met the petition requirements provided in Title 13, chapter 10, part 5.
- (34) "Political subdivision" means a county, consolidated municipal-county government, municipality, special purpose district, or any other unit of government, except school districts, having authority to hold an election.
- (35) "Polling place election" means an election primarily conducted at polling places rather than by mail under the provisions of Title 13, chapter 19.
- (36) "Primary" or "primary election" means an election held on a date specified in 13-1-107 to nominate candidates for offices filled at a general election.
- (37) "Provisional ballot" means a ballot cast by an elector whose identity or eligibility to vote has not been verified as provided by law.
- (38) "Provisionally registered elector" means an individual whose application for voter registration was accepted but whose identity or eligibility has not yet been verified as provided by law.
- (39) "Public office" means a state, county, municipal, school, or other district office that is filled by the people at an election.
- (40) "Random-sample audit" means an audit involving a manual count of ballots from designated races and ballot issues in precincts selected through a random process as provided in 13-17-503.
- (41) "Registrar" means the county election administrator and any regularly appointed deputy or assistant election administrator.

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- (42) "Regular school election" means the school trustee election provided for in 20-20-105(1).
- (43) "School election" has the meaning provided in 20-1-101.
- (44) "School election filing officer" means the filing officer with whom the declarations for nomination for school district office were filed or with whom the school ballot issue was filed.
- (45) "School recount board" means the board authorized pursuant to 20-20-420 to perform recount duties in school elections.
- (46) "Signature envelope" means an envelope that contains a secrecy envelope and ballot and that is designed to:
- (a) allow election officials, upon examination of the outside of the envelope, to determine that the ballot is being submitted by someone who is in fact a qualified elector and who has not already voted; and
  - (b) allow it to be used in the United States mail.
- (47) "Special election" means an election held on a day other than the day specified for a primary election, general election, or regular school election.
- (48) "Special purpose district" means an area with special boundaries created as authorized by law for a specialized and limited purpose.
- (49) "Statewide voter registration list" means the voter registration list established and maintained pursuant to 13-2-107 and 13-2-108.
- (50) "Support or oppose", including any variations of the term, means:
- (a) using express words, including but not limited to "vote", "oppose", "support", "elect", "defeat", or "reject", that call for the nomination, election, or defeat of one or more clearly identified candidates, the election or defeat of one or more political parties, or the passage or defeat of one or more ballot issues submitted to voters in an election; or
  - (b) otherwise referring to or depicting one or more clearly identified candidates, political parties, or ballot issues in a manner that is susceptible of no reasonable interpretation other than as a call for the nomination, election, or defeat of the candidate in an election, the election or defeat of the political party, or the passage or defeat of the ballot issue or other question submitted to the voters in an election.
- (51) "Valid vote" means a vote that has been counted as valid or determined to be valid as provided in 13-15-206.
- (52) "Voted ballot" means a ballot that is:
- (a) deposited in the ballot box at a polling place;
  - (b) received at the election administrator's office; or
  - (c) returned to a place of deposit.
- (53) "Voter interface device" means a voting system that:
- (a) is accessible to electors with disabilities;
  - (b) communicates voting instructions and ballot information to a voter;
  - (c) allows the voter to select and vote for candidates and issues and to verify and change selections; and
  - (d) produces a paper ballot that displays electors' choices so the elector can confirm the ballot's accuracy and that may be manually counted.
- (54) "Voting system" or "system" means any machine, device, technology, or equipment used to automatically record, tabulate, or process the vote of an elector cast on a paper ballot."

Renumber: subsequent sections

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Following: line 28

Insert: "**Section 8.** Section 13-37-233, MCA, is amended to read:

**"13-37-233. Reports to be filed regardless of tax status.** (1) A person that makes an election communication, an electioneering communication, or an independent expenditure shall file reports required by this chapter regardless of the person's tax status under state or federal law.

(2) This section does not apply to the exemptions granted to a religious organization under the definitions of a contribution, election communication, electioneering communication, and expenditure as provided in 13-1-101."

Renumber: subsequent sections

6. Page 6, line 24.

Following: "**instruction.**"

Insert: "(1)"

7. Page 6.

Following: line 25

Insert: "(2) [Section 2] is intended to be codified as an integral part of Title 13, chapter 37, part 2, and the provisions of Title 13, chapter 37, part 2, apply to [section 2]."

8. Page 6.

Following: line 26

Insert: "COORDINATION SECTION. **Section 14. Coordination instruction.** If both Senate Bill No. 319 and [this act] are passed and approved and if both include a section that amends 13-37-208, then:

(1) [section 7 of this act], amending 13-37-208, is void; and

(2) [section 11(3) of Senate Bill No. 319], amending 13-37-208, must be amended as follows: "(3) Accounts kept by a campaign treasurer of a candidate, or political committee, or joint fundraising committee must be preserved by the campaign treasurer for a period coinciding with the term of office for which the person was a candidate, the longest term of office for which a participant was a candidate, or for a period of 4 years, whichever is longer."

Renumber: subsequent sections

And, as amended, be concurred in.

**TAXATION** (Hoven, Chair):

4/15/2021

**SJ 25**, do pass.

**HB 667**, be concurred in.

Without objection, committee reports were adopted.

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**REPORTS OF SELECT COMMITTEES**

FREE CONFERENCE COMMITTEE  
on House Amendments to **Senate Bill 300**  
Report No. 001, April 15, 2021

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 300** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 300** (reference copy -- salmon) be amended as follows:

1. Title, line 7.

**Strike:** "ALTERNATIVE"

**Insert:** "PRIVATE"

2. Title, line 7.

**Following:** "COURSES"

**Strike:** "THAT MEET CRITERIA"

3. Title, line 11.

**Following:** "ALLOWING"

**Insert:** "A PARENT OR GUARDIAN OF A STUDENT WHO COMPLETES THE TRAFFIC EDUCATION CLASSROOM INSTRUCTION TO INSTRUCT THE STUDENT IN THE HANDS-ON DRIVING PORTION OF THE TRAFFIC EDUCATION COURSE; ALLOWING"

4. Title, line 13 through line 14.

**Strike:** "REQUIRING" on line 13 through "COURSE;" on line 14

5. Page 2, line 2 through line 3.

**Strike:** "FLEXIBILITY" on line 2 through "APPROVAL" on line 3

**Insert:** "a commercially available private traffic education course"

6. Page 2, line 8.

**Following:** "reviews;"

**Strike:** "AND"

7. Page 2, line 10.

**Following:** "20-7-503(2)(a)"

**Insert:** "; and"

8. Page 2.

**Following:** line 13

**Insert:** "(11) establish any alternative course requirements necessary to allow the student's parents or guardian to instruct the student in the hands-on driving component of a traffic

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education course pursuant to 20-7-503(2)(b)"

9. Page 3, line 2 through line 6.

**Following:** "guardian" on line 28

**Strike:** remainder of line 2 through "NIGHT." on line 6

**Insert:** "When a student completes the classroom portion of a traffic education course pursuant to subsection (2)(a), the student is authorized to take the hands-on driving portion of the traffic education course under the instruction of the student's parent or guardian."

10. Page 5, line 16 through line 17.

**Strike:** "pursuant" on line 16 through "20-7-503(2)(b)" on line 17

**Insert:** "by the department of justice"

For the Senate:

Glimm, Chair  
Sands  
Vance

For the House:

Loge, Vice Chair  
J. Hinkle  
Novak

Without objection, the select committee report was adopted.

**MESSAGES FROM THE OTHER HOUSE**

**Senate bills** concurred in and returned to the Senate: 4/14/2021

**SB 301**, introduced by T. Manzella

**SB 314**, introduced by B. Brown

**SB 337**, introduced by M. Lang

**SB 338**, introduced by M. Lang

**SB 360**, introduced by M. Lang

**Senate joint resolutions** concurred in and returned to the Senate: 4/14/2021

**SJ 8**, introduced by K. Regier

**SJ 10**, introduced by J. Small

**Senate bills not** concurred in and returned to the Senate: 4/14/2021

**SB 164**, introduced by C. Glimm

**SB 260**, introduced by S. Fitzpatrick

**Senate amendments to House bills** concurred in: 4/14/2021

**HB 90**, introduced by D. Lenz

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**HB 179**, introduced by D. Bedey

**HB 331**, introduced by C. Knudsen

**HB 333**, introduced by B. Usher

**HB 63** - The House failed to concur in Senate amendments to **HB 63**, authorized the Speaker to appoint the following Conference Committee, and requested that the Senate appoint a like committee to confer on Senate amendments to **HB 63**:

4/14/2021

Representative Dooling, Vice Chair

Representative Sullivan

Representative Vinton

**HB 178** - The House failed to concur in Senate amendments to **HB 178**, authorized the Speaker to appoint the following Conference Committee, and requested that the Senate appoint a like committee to confer on Senate amendments to **HB 178**:

4/14/2021

Representative Bedey, Vice Chair

Representative Bertoglio

Representative Running Wolf

**HB 555** - The House failed to concur in Senate amendments to **HB 555**, authorized the Speaker to appoint the following Conference Committee, and requested that the Senate appoint a like committee to confer on Senate amendments to **HB 555**:

4/14/2021

Representative M. Regier, Vice Chair

Representative Farris-Olsen

Representative Mercer

**FIRST READING AND COMMITMENT OF BILLS**

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

**SJ 27**, introduced by M. Lang, referred to Agriculture, Livestock and Irrigation.

**SJ 28**, introduced by M. Blasdel, referred to Natural Resources.

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

**HB 340**, introduced by W. Galt, G. Hertz, C. Knudsen, referred to Finance and Claims.

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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 Hinebauch in the chair.

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

Senator Morigeau excused at this time.

**HB 475** - Senator Small moved **HB 475** 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: Morigeau, No.

Excused: Morigeau.  
Total 1

Absent or not voting: None.  
Total 0

**HB 229** - Senator K. Regier moved **HB 229** 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: Morigeau, No.

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Excused: Morigeau.

Total 1

Absent or not voting: None.

Total 0

**HB 428** - Senator Esp moved **HB 428** 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, Salomon, Small, Smith C, Tempel, Vance, Welborn, Mr. President.

Total 30

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

Total 20

Voted absentee: Morigeau, No.

Excused: Morigeau.

Total 1

Absent or not voting: None.

Total 0

**HB 380** - Senator K. Regier moved **HB 380** be concurred in. Motion carried as follows:

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

Total 30

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

Total 20

Voted absentee: Morigeau, No.

Excused: Morigeau.

Total 1



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Absent or not voting: None.

Total 0

**HB 244** - Senator Glimm moved **HB 244** be concurred in. Motion **failed** as follows:

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

Total 24

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

Total 26

Voted absentee: Morigeau, No.

Excused: Morigeau.

Total 1

Absent or not voting: None.

Total 0

Senator Morigeau present at this time.

**HB 244** - Majority Leader Smith moved **HB 244** be **indefinitely postponed**. Motion carried as follows:

Yeas: Ankney, Bennett, Boland, Boldman, Cohenour, Ellis, Flowers, Fox, Gillespie, Gross, Hertz, Jacobson, Kary, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Morigeau, O'Brien, Pomnichowski, Pope, Sales, Salomon, Sands, Small, Sweeney, Webber, Welborn.

Total 30

Nays: Bogner, Brown, Cuffe, Ellsworth, Esp, Fitzpatrick, Friedel, Gauthier, Glimm, Hinebauch, Hoven, Howard, Keenan, Lang, Osmundson, Regier K, Smith C, Tempel, Vance, Mr. President.

Total 20

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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**HB 520** - Senator Gross moved **HB 520** 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, 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: Esp.  
Total 1

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 341** - Senator Glimm moved **HB 341** 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 429** - Senator Kary moved **HB 429** 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.

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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

Senator Ellsworth excused at this time.

**HJ 5** - Senator Molnar moved **HJ 5** be concurred in. Motion carried as follows:

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

President.

Total 30

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

Total 19

Voted absentee: None.

Excused: Ellsworth.

Total 1

Absent or not voting: None.

Total 0

**HB 663** - Senator Salomon moved **HB 663** 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, 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

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Nays: Howard.

Total 1

Voted absentee: Ellsworth, Aye.

Excused: Ellsworth.

Total 1

Absent or not voting: None.

Total 0

**HB 430** - Senator Blasdel moved **HB 430** 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: Ellsworth, Aye.

Excused: Ellsworth.

Total 1

Absent or not voting: None.

Total 0

**SB 251 - House Amendments** - Majority Leader Smith moved House amendments to **SB 251** 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: Ellsworth, Aye.

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Excused: Ellsworth.

Total 1

Absent or not voting: None.

Total 0

**SB 199 - House Amendments** - Senator Hertz moved House amendments to **SB 199** 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, Small, Smith C, Sweeney, 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, Salomon, Sands, Webber.

Total 19

Voted absentee: Ellsworth, Aye.

Excused: Ellsworth.

Total 1

Absent or not voting: None.

Total 0

**SB 174 - House Amendments** - Senator Hertz moved House amendments to **SB 174** 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, Tempel, Vance, Welborn, Mr. President.

Total 33

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

Total 17

Voted absentee: Ellsworth, Aye.

Excused: Ellsworth.

Total 1

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Absent or not voting: None.

Total 0

**SB 306 - House Amendments** - Senator Lang moved House amendments to **SB 306** be **not** concurred in. Motion carried as follows:

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

Total 29

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

Total 21

Voted absentee: Ellsworth, Aye.

Excused: Ellsworth.

Total 1

Absent or not voting: None.

Total 0

**SB 327** - Majority Leader Smith moved consideration of **SB 327 HA** be placed at the bottom of the second reading board. Without objection, so ordered.

Senator Ellsworth present at this time.

**SJ 6 - House Amendments** - Senator Ellis moved House amendments to **SJ 6** 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.

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Total 0

Absent or not voting: None.

Total 0

**SJ 11 - House Amendments** - Senator Boldman moved House amendments to **SJ 11** 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

**SB 201 - House Amendments** - Senator Fitzpatrick moved House amendments to **SB 201** be concurred in. Motion carried as follows:

Yeas: Ankney, Bogner, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McGillvray, Molnar, Osmundson, Pomnichowski, Pope, Regier K, Sales, Salomon, Small, Smith C, Sweeney, Tempel, Vance, Welborn, Mr. President.  
Total 41

Nays: Bennett, Boland, Gross, McClafferty, McNally, Morigeau, O'Brien, Sands, Webber.

Total 9

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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**SB 294 - House Amendments** - Senator Esp moved House amendments to **SB 294** 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, Salomon, Small, Smith C, Tempel, Vance, Welborn, Mr. President.  
Total 30

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

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 328 - House Amendments** - Senator Ankney moved House amendments to **SB 328** 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

**SB 358 - House Amendments** - Senator Esp moved House amendments to **SB 358** 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, 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: Lynch.  
Total 1

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 630** - Senator Osmundson moved **HB 630** be concurred in. Motion carried as follows:

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

Nays: Glimm, Hinebauch, Howard, Keenan, Manzella, McGillvray, Regier K, Smith C.  
Total 8

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 632** - Senator Osmundson moved **HB 632** be concurred in. Motion carried as follows:

Yeas: Ankney, Bennett, Bogner, Boldman, Brown, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Fox, Gauthier, Gillespie, Hertz, Hoven, Jacobson, Kary, Lang, Lynch, McClafferty, McNally, Morigeau, Osmundson, Sales, Salomon, Sands, Small, Sweeney, Tempel, Vance, Welborn, Mr. President.  
Total 32

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Nays: Boland, Cohenour, Flowers, Friedel, Glimm, Gross, Hinebauch, Howard, Keenan, Manzella, McGillvray, Molnar, O'Brien, Pomnichowski, Pope, Regier K, Smith C, Webber.  
Total 18

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HJ 16** - Senator Cuffe moved **HJ 16** 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, 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, Webber, Welborn, Mr. President.  
Total 48

Nays: Gross, Vance.  
Total 2

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 576** - Senator Ankney moved **HB 576** 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.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 327 - House Amendments** - Senator Ellsworth moved House amendments to **SB 327** be concurred in. Motion carried as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellsworth, Esp, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hinebauch, Hoven, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McClafferty, McGillvray, Molnar, O'Brien, Osmundson, Pope, Regier K, Sales, Salomon, Sands, Small, Smith C, Sweeney, Vance, Welborn, Mr. President.  
Total 41

Nays: Ellis, Fitzpatrick, Gross, Howard, McNally, Morigeau, Pomnichowski, Tempel, Webber.  
Total 9

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

Yeas: Ankney, Bennett, Bogner, Brown, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Lynch, Manzella, McNally, Molnar, Morigeau, O'Brien, Osmundson, Regier K, Sales, Salomon, Small, Smith C, Sweeney, Tempel, Vance, Welborn, Mr. President.  
Total 39

Nays: Boland, Boldman, Cohenour, Gross, Jacobson, McClafferty, McGillvray, Pomnichowski, Pope, Sands, Webber.  
Total 11

Voted absentee: None.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Majority Leader Smith moved that **HB 663**, heard on second reading this date, be re-referred to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Smith moved the Senate accede to the request of the House and appoint a Conference Committee on **HB 63**. Without objection, so ordered. President Blasdel appointed Senator Fitzpatrick, Chair, and Senators Gauthier and Pope.

Majority Leader Smith moved the President be authorized to appoint a Conference Committee on **SB 306** and request the House to appoint a like committee. Without objection, so ordered. President Blasdel appointed Senator Lang, Chair, and Senators Flowers and Hinebauch.

Majority Leader Smith moved the Senate accede to the request of the House and appoint a **Free** Conference Committee on **HB 2**. Without objection, so ordered. President Blasdel appointed Senator Osmundson, Chair, and Senators Ellis and Smith.

**REPORTS OF STANDING COMMITTEES**

**BUSINESS, LABOR, AND ECONOMIC AFFAIRS** (Fitzpatrick, Chair):  
**HB 705**, be amended as follows:

4/15/2021

1. Title, line 13.

Following: "SECTIONS"

Insert: "16-3-218, 16-3-301,"

2. Title, line 15.

Strike: "AN IMMEDIATE EFFECTIVE DATE"

Insert: "EFFECTIVE DATES"

3. Page 2.

Following: line 15

Insert: "**Section 1.** Section 16-3-218, MCA, is amended to read:

"**16-3-218. "Distribute" defined.** As used in 16-3-219, 16-3-220, 16-4-103, and 16-4-108, "distribute" means to deliver beer or wine to a retailer's premises licensed to sell beer, table wine, or sacramental wine as well as an alternate alcoholic beverage storage facility as allowed in 16-4-213(8)."

Insert: "**Section 2.** Section 16-3-301, MCA, is amended to read:

"**16-3-301. Unlawful purchases, transfers, sales, or deliveries -- presumption of legal age.**

(1) It is unlawful for a licensed retailer to purchase or acquire beer or wine from anyone

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except a brewery, winery, or wholesaler licensed under the provisions of this code except as allowed in 16-4-213(8).

(2) It is unlawful for a licensed retailer to transport beer or wine from one licensed premises or other facility to any other licensed premises owned by the licensee except as allowed in 16-4-213(8).

(3) It is unlawful for a licensed retailer to purchase or acquire liquor from anyone except an agency liquor store except as allowed in 16-4-213(8).

~~(3)~~(4) It is unlawful for a licensed wholesaler to purchase beer or wine from anyone except a brewery, winery, or wholesaler licensed or registered under this code.

~~(4)~~(5) It is unlawful for any licensee, a licensee's employee, or any other person to sell, deliver, or give away or cause or permit to be sold, delivered, or given away any alcoholic beverage to:

(a) any person under 21 years of age; or

(b) any person actually, apparently, or obviously intoxicated.

~~(5)~~(6) Any person under 21 years of age or any other person who knowingly misrepresents the person's qualifications for the purpose of obtaining an alcoholic beverage from the licensee is equally guilty with the licensee and, upon conviction, is subject to the penalty provided in 45-5-624. However, nothing in this section may be construed as authorizing or permitting the sale of an alcoholic beverage to any person in violation of any federal law.

~~(6)~~(7) All licensees shall display in a prominent place in their premises a placard, issued by the department, stating fully the consequences for violations of the provisions of this code by persons under 21 years of age.

~~(7)~~(8) For purposes of 45-5-623 and this title, the establishment of the following facts by a person making a sale of alcoholic beverages to a person under the legal age constitutes prima facie evidence of innocence and a defense to a prosecution for sale of alcoholic beverages to a person under the legal age:

(a) the purchaser falsely represented and supported with documentary evidence that an ordinary and prudent person would accept that the purchaser was of legal age to purchase alcoholic beverages;

(b) the appearance of the purchaser was such that an ordinary and prudent person would believe the purchaser to be of legal age to purchase alcoholic beverages; and

(c) the sale was made in good faith and in reasonable reliance upon the representation and appearance of the purchaser that the purchaser was of legal age to purchase alcoholic beverages. (See compiler's comments for contingent termination of certain text.)""

Renumber: subsequent sections

4. Page 2, line 17.

Following: "(1)"

Insert: "(a)"

5. Page 2.

Following: line 27

Insert: "(b) A resort retail all-beverages licensee or a retail all-beverages licensee within the boundaries of a resort area may also utilize an alternate alcoholic beverage storage facility as allowed in 16-4-213(8)."

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6. Page 2, line 28 through page 3, line 1.

Following: "premises" on line 28

Strike: remainder of line 28 through "begin" on page 3, line 1

7. Page 3, line 1.

Strike: "(1)"

Insert: "(1)(a)"

8. Page 3, line 2.

Following: "provide"

Insert: "a copy of the revised floorplan with the proposed alteration for the licensed premises to the department within 7 days of beginning the alteration. Department approval may not be unreasonably withheld."

9. Page 3, line 2 through line 3.

Strike: "A" on line 2 through "COMPLETE" on line 3

10. Page 3, line 5.

Following: "alteration."

Insert: "If the completed alteration differs from the approved alteration due to modifications required for approval by other state or local government entities, such as compliance with fire or building codes, the department must be notified, but preapproval is not required for these modifications."

11. Page 3, line 8.

Following: "TO"

Insert: "beginning"

Following: "ALTERATION"

Strike: "OCCURRING"

12. Page 3, line 18 through line 19.

Strike: ", such" on line 18 through "impede" on line 19

Insert: "and impedes"

13. Page 3, line 21.

Following: "area"

Insert: "that is under the control of the licensed retailer"

14. Page 3, line 22.

Strike: "alcohol"

Insert: "alcoholic"

15. Page 3, line 26.

Strike: "FOR LICENSED RETAILERS"

Insert: "A licensed retailer"

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16. Page 3, line 26.

Strike: " "

Insert: "may apply to the department to allow for"

17. Page 3, line 27.

Strike: "ALCOHOL"

Insert: "alcoholic beverages"

18. Page 4, line 1.

Following: "SERVICE."

Insert: "The application fee is \$100."

19. Page 5, line 22 through line 23.

Strike: ", such" on line 22 through "impede" on line 23

Insert: "and impedes"

20. Page 5, line 27.

Following: "section,"

Insert: "a licensee may apply to the department to allow for"

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

Following: "units" on line 28

Strike: remainder of line 28 through "~~on~~" on page 6, line 1

22. Page 6, line 2.

Following: "~~intoxicated.~~"

Insert: "The application fee is \$100."

23. Page 6, line 9.

Strike: "resort area"

Insert: "licensees"

24. Page 6, line 9.

Strike: "for a"

Insert: "to use a"

25. Page 6, line 11.

Strike: "must"

Insert: "will"

26. Page 6, line 11.

Strike: "one of the"

Insert: "each licensee's"

27. Page 6, line 12.

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Following: "The"

Insert: "licensees using the"

28. Page 6, line 17.

Following: line 16

Insert: "licensee"

29. Page 6, line 17.

Strike: "licensee"

Insert: "to use the alternate storage facility"

30. Page 7, line 11.

Following: "protestor"

Insert: "when renewing the license"

31. Page 7, line 11.

Strike: "and"

Insert: "(v) the applicant has not been convicted of a felony or, if the applicant has been convicted of a felony, the applicant's rights have been restored; and"

32. Page 7, line 12.

Strike: "(v)"

Insert: "(vi)"

33. Page 8, line 10 through line 11.

Strike: "who" on line 10 through "partnership" on line 11

34. Page 9, line 8.

Following: "protestor"

Insert: "when renewing the license"

35. Page 9, line 23 through line 24.

Strike: "who" on line 23 through "partnership" on line 24

36. Page 10, line 19.

Following: "protestor"

Insert: "when renewing the license"

37. Page 11, line 12 through line 13.

Strike: "who" on line 12 through "partnership" on line 13

38. Page 12, line 17 through line 18.

Strike: "in" on line 17 through "manner" on line 18

Insert: "within 90 days"

39. Page 12, line 20.



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Strike: "45"

Insert: "90"

40. Page 12, line 22.

Following: "subsection"

Insert: "(9)"

41. Page 14, line 14 through line 16.

Following: "SAFETY" ON LINE 14

INSERT: ", "

STRIKE: REMAINDER OF LINE 14 THROUGH LINE 16 IN THEIR ENTIRETY

INSERT: "OR THERE IS NOT A PROPOSED CURE IN PLACE;"

42. PAGE 14, LINE 18.

FOLLOWING: "EXPIRATION"

INSERT: "ONLY IF THE VIOLATIONS JEOPARDIZE HEALTH, WELFARE, AND SAFETY, OR THERE IS NOT A PROPOSED CURE IN PLACE"

43. PAGE 15, LINE 18.

FOLLOWING: THE SECOND "A"

INSERT: "PRIVATELY HELD"

44. PAGE 15, LINE 19.

STRIKE: THE FIRST "1"

INSERT: "AND"

45. PAGE 15, LINE 19.

STRIKE: ", AND,"

Insert: "shall submit their fingerprints with the application to facilitate a fingerprint and background check by the department of justice and the federal bureau of investigation."

46. Page 15, line 20.

Following: "CORPORATION,"

Strike: "EACH officer responsible for operating the licensed establishment"

47. Page 15, line 21.

Following: "director"

Insert: "any person employed by the applicant as a location manager and an officer"

48. Page 16, line 24.

Following: "15%"

Insert: "or greater"

49. Page 16, line 26.

Following: "a"

Strike: "liquor"

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50. Page 17, line 11.

Following: "is"

Strike: "hereby"

51. Page 17, line 12.

Strike: "person, persons, partnership, firm, corporation, or association"

Insert: "individual or entity"

52. Page 17, line 13.

Strike: "person, persons, partnership, firm, corporation, or association"

Insert: "individual or entity"

53. Page 17, line 13.

Following: "maintaining"

Insert: ", operating, or leasing"

54. Page 17, line 14 through line 16.

Strike: ", for" on line 14 through "revenue" on line 16

Insert: "in which alcoholic beverages are kept for consumption by members of the public or for the purpose of providing a place for consuming alcoholic beverages by members of the public for a fee or other consideration"

55. Page 17, line 16.

Following: .

Insert: "For the purposes of this subsection, "consideration" includes but is not limited to a cover charge, the sale of food, ice, mixers, or any other fluids for alcoholic beverages, the furnishing of glassware or other containers for use in the consumption of alcoholic beverages, or the expectation of a purchase of a good or service.

(2) Nothing in this section prevents the service or consumption of alcoholic beverages at private gatherings. For the purposes of this subsection, "private gathering" means an event hosted by an individual that is not open to the general public and in which no fee or consideration is charged. The term does not include an event catered by a licensed retailer."

56. Page 17, line 17.

Following: "(2)"

Insert: "(3)"

Following: "retailer"

Insert: "or concessionaire"

57. Page 17, line 21.

Strike: "(3)"

Insert: "(4)"

58. Page 17, line 21.

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Following: "\$500"

Strike: "FOR VIOLATIONS"

Insert: "against individuals or entities serving alcoholic beverages or allowing consumption of alcoholic beverages in violation"

Following: "(1)"

Insert: "without a license or special permit"

59. Page 17, line 21 through line 22.

Strike: the second "THE" on line 21 through "ENTITIES." on line 22

60. Page 20.

Following: line 6

Insert: "NEW SECTION. Section 11. Coordination instruction. If both House Bill No. 525 and [this act] are passed and approved and if House Bill No. 525 contains a section that amends 16-4-418, then the final sentence in [section 4(7) of this act], amending 16-4-213, must be amended as follows: "~~The~~ Except for 16-4-418(1), the provisions of 16-4-418 apply.""

Renumber: subsequent sections

61. Page 20, line 12.

Strike: "**date**"

Insert: "**dates**"

62. Page 20, line 12.

Following: "**date.**"

Insert: "(1)"

Strike: "[This act] is"

Insert: "Except as provided in subsection (2), [this act] is"

63. Page 20.

Following: line 12

Insert: "(2) [Sections 3(6), 3(7), 4(5), and 4(8)] are effective July 1, 2021."

And, as amended, be concurred in.

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

4/15/2021

**HB 46**, be concurred in.

**HB 92**, be concurred in.

**HB 115**, be concurred in.

**HB 277**, be concurred in.

**HB 497**, be concurred in.

**HB 553**, be concurred in.

**HB 578**, be concurred in.

Without objection, committee reports were adopted.

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Senate recessed at 3:50 p.m. and reconvened at 4:12 p.m., Senator Blasdel presiding.

**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 206** 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 273** 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, Osmundson, Regier K, Sales, Salomon, Small, Smith C, Tempel, Vance, Welborn, Mr. President.  
Total 30

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

Voted absentee: None.

Excused: None.  
Total 0

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Absent or not voting: None.

Total 0

**HB 358** 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 444** 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 447** concurred in as follows:

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Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cuffe, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Lynch, Manzella, McClafferty, McGillvray, McNally, Molnar, Osmundson, Pope, Regier K, Sales, Salomon, Small, Smith C, Sweeney, Tempel, Vance, Welborn, Mr. President.  
Total 42

Nays: Cohenour, Ellis, Gross, Morigeau, O'Brien, Pomnichowski, Sands, Webber.  
Total 8

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 472** 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 481** 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

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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 504** concurred in as follows:

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

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

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 506** 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, Osmundson, Regier K, Sales, Salomon, Small, Smith C, Vance, Welborn, Mr. President.  
Total 29

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

Voted absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 537** 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, Webber, Welborn, Mr. President.

Total 32

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

Total 18

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 559** 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



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**HB 669** concurred in as follows:

Yeas: Ankney, Bogner, Brown, Cuffe, Ellsworth, Esp, Fitzpatrick, Friedel, Gauthier, Gillespie, Glimm, Hertz, Hoven, Howard, Kary, Keenan, Lang, McGillvray, Molnar, Osmundson, Regier K, Sales, Salomon, Smith C, Vance, Welborn, Mr. President.  
Total 27

Nays: Bennett, Boland, Boldman, Cohenour, Ellis, Flowers, Fox, Gross, Hinebauch, Jacobson, Lynch, Manzella, McClafferty, McNally, Morigeau, O'Brien, Pomnichowski, Pope, Sands, Small, Sweeney, Tempel, Webber.  
Total 23

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 475** 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 229** 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.

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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 428 failed** (due to 2/3 vote requirement) 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 380 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.

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Total 19

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 520** 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 341** 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.

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Total 0

Absent or not voting: None.

Total 0

**HB 429** 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

**HJ 5** 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

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**HB 430** 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

**SB 251, as amended by the House**, passed 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 199, as amended by the House**, passed 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, Small, Smith C, Tempel, Vance, Welborn,

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Mr. President.

Total 32

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

Total 18

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 174, as amended by the House**, passed 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.

Total 18

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 327, as amended by the House**, passed as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Glimm, Gross, Hertz, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, 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 48

Nays: Ellis, Pomnichowski.

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Total 2

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SJ 6, as amended by the House**, passed as follows:

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

Total 50

Nays: None.

Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SJ 11, as amended by the House**, passed as follows:

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

Total 50

Nays: None.

Total 0

Voted absentee: None.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

**SB 201, as amended by the House**, passed as follows:

Yeas: Ankney, Bogner, Brown, Cuffe, Ellsworth, Esp, Fitzpatrick, Flowers, 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 33

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

Total 17

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 294, as amended by the House**, passed 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, Salomon, Small, Smith C, Tempel, Vance, Welborn, Mr. President.

Total 30

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

Total 20

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0



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**SB 328, as amended by the House**, passed as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellsworth, Esp, Fitzpatrick, Flowers, Friedel, Gauthier, Gillespie, Glimm, 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 46

Nays: Ellis, Fox, Gross, Pomnichowski.

Total 4

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 358, as amended by the House**, passed as follows:

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

Total 48

Nays: McClafferty, Pomnichowski.

Total 2

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 630** concurred in as follows:

Yeas: Ankney, Bennett, Bogner, Boland, Boldman, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gauthier, Gillespie, Gross, Hertz, Hoven, Jacobson, Kary, Lang, Lynch, McClafferty, McNally, Morigeau, O'Brien, Osmundson, Pomnichowski,

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Pope, Sales, Salomon, Sands, Small, Sweeney, Tempel, Vance, Webber, Welborn, Mr. President.  
Total 41

Nays: Glimm, Hinebauch, Howard, Keenan, Manzella, McGillvray, Molnar, Regier K, Smith C.  
Total 9

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 632** concurred in as follows:

Yeas: Ankney, Bennett, Bogner, Boldman, Brown, Cuffe, Ellis, Ellsworth, Esp, Fitzpatrick, Fox, Gauthier, Gillespie, Gross, Hertz, Hoven, Jacobson, Kary, Lang, Lynch, McNally, Morigeau, Osmundson, Pomnichowski, Sales, Salomon, Sands, Small, Sweeney, Tempel, Vance, Welborn, Mr. President.  
Total 33

Nays: Boland, Cohenour, Flowers, Friedel, Glimm, Hinebauch, Howard, Keenan, Manzella, McClafferty, McGillvray, Molnar, O'Brien, Pope, Regier K, Smith C, Webber.  
Total 17

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HJ 16** 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.

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Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 576** 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

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Smith moved the Senate adjourn, subject to the call of the chair, or until 1:00 p.m., Friday, April 16, 2021, the seventh-third legislative day. Motion carried.

Senate adjourned at 4:32 p.m.

MARILYN MILLER  
Secretary of the Senate

MARK BLASDEL  
President of the Senate