

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION SELECT COMMITTEE ON MARIJUANA LAW

Call to Order: Chair Jason W. Ellsworth, on April 21, 2021 at 4:42 P.M., in Room 335 Capitol

ROLL CALL

Members Present in the Committee Room:

Sen. Jason W. Ellsworth, Chair (R)
Sen. Jill Cohenour, Vice Chair (D)
Sen. Kenneth Bogner (R)
Sen. Bob Brown (R)
Sen. Chris Friedel (R)
Sen. Tom Jacobson (D)

Members Present by Zoom Video Conference:

Sen. Jason D. Small, Vice Chair (R)
Sen. Shane A. Morigeau (D)

Members Excused:

Sen. Steve Fitzpatrick (R)
Sen. David Howard (R)
Sen. Ryan Lynch (D)
Sen. Gordon Vance (R)

Members Absent: None

Staff Present: Corina Hach, Legislative Branch
Megan Moore, Legislative Branch
Coleen Street, Remote Meeting Coordinator
Lauren de Paepe, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Executive Action: HB 701 - Be Concurred in as Amended

EXECUTIVE ACTION ON HB 701

16:42:19 Chair Ellsworth
16:45:20 Cori Hach, Legislative Services Division (LSD)
16:45:29 Chair Ellsworth
16:45:37 Sen. Friedel
16:45:53 Sen. Jacobson
16:46:12 Chair Ellsworth

16:47:02 **Motion:** Sen. Ellsworth moved that **HB 701 BE AMENDED WITH AMENDMENT HB 701.2.35 AS AMENDED CONCEPTUALLY.**

EXHIBIT(sms76b01)

Discussion:

16:47:23 Sen. Brown
16:48:38 Chair Ellsworth
16:49:08 Sen. Brown
16:49:44 Sen. Jacobson
16:50:07 Ms. Hach, LSD
16:50:39 Chair Ellsworth
16:50:51 Sen. Brown
16:51:11 Sen. Jacobson
16:51:34 Sen. Brown
16:51:49 Chair Ellsworth

16:53:27 **Vote:** Motion carried 8-4 by roll call vote with Sen. Cohenour, Sen. Jacobson, Sen. Lynch and Sen. Morigeau voting no. Sen. Fitzpatrick, Sen. Howard, Sen. Lynch and Sen. Vance voted by proxy.

16:54:23 Chair Ellsworth
16:54:40 Sen. Jacobson
16:55:00 Chair Ellsworth

16:55:33 **Motion:** Sen. Jacobson moved that **AMENDMENT HB 701.2.34 BE AMENDED CONCEPTUALLY.**

Discussion:

16:56:34 Sen. Brown
16:56:35 Chair Ellsworth
16:56:37 Sen. Jacobson
16:57:34 Ms. Hach

16:58:04 **Vote:** Motion carried unanimously by voice vote. Sen. Fitzpatrick, Sen. Howard, Sen. Lynch and Sen. Vance voted by proxy.

16:58:22 Sen. Jacobson
16:58:29 Ms. Hach

- 16:59:01 **Motion:** Sen. Cohenour moved to **RECONSIDER THE MOTION TO AMEND HB 701.2.34 CONCEPTUALLY.**
- 16:59:12 **Motion:** Sen. Jacobson moved that **HB 701 BE AMENDED. EXHIBIT(sms76b02)**
- 16:59:40 **Motion/Vote:** Sen. Jacobson moved that **AMENDMENT HB 701.2.34 BE AMENDED CONCEPTUALLY.** Motion carried unanimously by voice vote. Sen. Fitzpatrick, Sen. Howard, Sen. Lynch and Sen. Vance voted by proxy.
- 17:00:35 **Motion:** Sen. Jacobson moved that **AMENDMENT HB 701.2.34 DO PASS AS AMENDED.**
- 17:00:42 Sen. Jacobson
- 17:01:40 Ms. Hach
- 17:01:47 Sen. Cohenour
- 17:01:59 Sen. Jacobson
- 17:02:04 Sen. Cohenour
- 17:02:22 Ms. Hach
- 17:02:25 Sen. Jacobson
- 17:02:32 Sen. Cohenour
- 17:02:34 **Motion:** Sen. Jacobson moved that **AMENDMENT HB 701.2.34 BE AMENDED CONCEPTUALLY.**

Discussion:

- 17:03:07 Sen. Friedel
- 17:03:17 Sen. Jacobson
- 17:03:47 **Vote:** Motion carried unanimously by voice vote. Sen. Fitzpatrick, Sen. Howard, Sen. Lynch and Sen. Vance voted by proxy.
- 17:04:13 **Motion:** Sen. Jacobson moved that **AMENDMENT HB 701.2.34 DO PASS AS AMENDED.**

Discussion:

- 17:04:39 Sen. Jacobson
- 17:04:56 Megan Moore, Legislative Services Division (LSD)
- 17:05:12 Chair Ellsworth
- 17:05:24 Ms. Moore, LSD
- 17:10:34 Sen. Jacobson
- 17:11:04 Ms. Moore
- 17:11:18 Sen. Cohenour
- 17:12:14 Chair Ellsworth
- 17:12:42 Ms. Moore
- 17:13:28 Chair Ellsworth
- 17:13:48 Sen. Jacobson
- 17:14:14 Chair Ellsworth
- 17:15:09 Ms. Moore
- 17:16:27 Chair Ellsworth

17:16:43 Sen. Jacobson
17:16:46 Chair Ellsworth
17:18:04 Ms. Moore
17:18:44 Chair Ellsworth

17:18:50 **Motion/Vote:** Sen. Cohenour moved that **AMENDMENT HB 701.2.34 BE AMENDED CONCEPTUALLY**. Motion carried unanimously by voice vote. Sen. Fitzpatrick, Sen. Howard, Sen. Lynch and Sen. Vance voted by proxy.

17:20:37 **Motion:** Sen. Jacobson moved that **AMENDMENT HB 701.2.34 DO PASS AS AMENDED**.

17:21:13 Ms. Hach

17:22:07 **Motion/Vote:** Sen. Cohenour moved that **AMENDMENT HB 701.2.34 BE AMENDED CONCEPTUALLY**. Motion carried unanimously by voice vote. Sen. Fitzpatrick, Sen. Howard, Sen. Lynch and Sen. Vance voted by proxy.

17:22:34 Ms. Hach
17:23:15 Chair Ellsworth
17:23:31 Sen. Cohenour
17:23:48 Sen. Jacobson
17:23:59 Sen. Cohenour
17:24:18 Chair Ellsworth
17:25:43 Sen. Morigeau
17:27:28 Sen. Friedel
17:29:35 Chair Ellsworth
17:31:02 Sen. Friedel
17:31:11 Sen. Cohenour
17:32:27 Sen. Morigeau
17:36:00 Chair Ellsworth
17:36:10 Sen. Morigeau
17:36:34 Sen. Jacobson
17:36:46 Ms. Hach
17:38:23 Chair Ellsworth
17:39:34 Sen. Cohenour
17:39:35 Chair Ellsworth
17:39:42 Ms. Hach
17:40:31 Sen. Cohenour
17:42:05 Ms. Hach
17:42:40 Sen. Morigeau
17:42:50 Chair Ellsworth
17:42:55 Sen. Morigeau
17:43:30 Sen. Cohenour
17:43:57 Sen. Morigeau
17:44:15 Ms. Hach
17:45:26 Chair Ellsworth
17:45:51 Sen. Cohenour
17:45:58 Sen. Morigeau
17:47:06 Ms. Hach

17:47:15 Chair Ellsworth

17:47:19 **Motion/Vote:** Sen. Cohenour moved that **AMENDMENT HB 701.2.34 BE AMENDED CONCEPTUALLY**. Motion carried unanimously by voice vote. Sen. Fitzpatrick, Sen. Howard, Sen. Lynch and Sen. Vance voted by proxy.

17:47:57 **Motion:** Sen. Jacobson moved that **AMENDMENT HB 701.2.34 DO PASS AS AMENDED**.

17:48:09 Chair Ellsworth

17:48:13 Ms. Hach

17:48:16 Chair Ellsworth

17:48:19 Ms. Moore

17:48:43 Sen. Morigeau

17:48:50 Ms. Moore

17:49:38 Chair Ellsworth

17:49:45 Sen. Morigeau

17:50:35 Chair Ellsworth

17:51:16 Sen. Cohenour

17:51:42 Chair Ellsworth

17:52:16 Recess

18:07:31 Reconvene

Sen. Bogner did not return from recess.

18:07:41 Sen. Jacobson

18:08:20 Ms. Moore

18:08:33 Chair Ellsworth

18:08:42 Sen. Jacobson

18:08:56 Chair Ellsworth

18:09:13 Ms. Moore

18:09:22 **Motion/Vote:** Sen. Jacobson moved that **AMENDMENT HB 701.2.34 BE AMENDED CONCEPTUALLY**. Motion carried unanimously by voice vote. Sen. Bogner, Sen. Fitzpatrick, Sen. Howard, Sen. Lynch and Sen. Vance voted by proxy.

18:10:15 Chair Ellsworth

18:10:26 **Motion:** Sen. Brown moved that **AMENDMENT HB 701.2.34 BE AMENDED CONCEPTUALLY**.

18:11:38 Sen. Cohenour

18:12:18 **Vote:** Motion failed 4-8 by roll call vote with Sen. Bogner, Sen. Brown, Sen. Jacobson and Sen. Small voting aye. Sen. Bogner, Sen. Fitzpatrick, Sen. Howard, Sen. Lynch and Sen. Vance voted by proxy.

18:13:18 Chair Ellsworth

18:14:02 Sen. Cohenour
18:14:11 Sen. Jacobson
18:14:19 Chair Ellsworth
18:14:46 Ms. Hach
18:15:23 Chair Ellsworth
18:17:22 Ms. Moore
18:17:42 Chair Ellsworth
18:19:18 Sen. Brown
18:19:28 Chair Ellsworth
18:21:23 Ms. Hach
18:21:28 Sen. Brown
18:21:35 Chair Ellsworth
18:23:16 Sen. Jacobson

18:23:43 **Vote:** Motion that **AMENDMENT HB 701.2.34 DO PASS AS AMENDED** carried unanimously by voice vote. Sen. Bogner, Sen. Fitzpatrick, Sen. Howard, Sen. Lynch and Sen. Vance voted by proxy.

18:24:06 **Motion/Vote:** Sen. Jacobson moved that **HB 701 BE CONCURRED IN AS AMENDED**. Motion carried 11-1 by voice vote with Sen. Bogner voting no. Sen. Bogner, Sen. Fitzpatrick, Sen. Howard, Sen. Lynch and Sen. Vance voted by proxy. Sen. Small will carry the bill.

18:24:59 Chair Ellsworth
18:25:03 Sen. Cohenour
18:25:22 Chair Ellsworth
18:26:21 Sen. Jacobson
18:27:00 Chair Ellsworth
18:27:08 Sen. Morigeau
18:27:49 Chair Ellsworth
18:28:00 Ms. Hach
18:28:07 Chair Ellsworth

ADJOURNMENT

Adjournment: 6:28 PM

Lauren de Paepe, Secretary

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Additional Documents:

EXHIBIT([sms76bad.pdf](#))