

**SENATE JOURNAL
65TH LEGISLATURE
SEVENTH LEGISLATIVE DAY**

Helena, Montana
January 10, 2017

Senate Chambers
State Capitol

Senate convened at 1:00 p.m. President Sales presiding. Invocation by Senator Whitford. Pledge of Allegiance to the Flag.

Roll Call. Forty-nine members present, Senator Sesso excused. Quorum present.

BILLS AND JOURNALS (Keenan, Chair): 1/10/2017
Correctly printed: **SB 6, SB 8, SB 13, SB 19, SB 93, SB 94, SB 95, SB 96, SB 97, SB 98, SB 99, SB 100.**
Correctly engrossed: **SB 5, SB 16.**

REPORTS OF STANDING COMMITTEES

BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Buttrey, Chair): 1/10/2017
SB 77, do pass.

JUDICIARY (Regier, Chair): 1/10/2017
SB 30, do pass.

RULES (Thomas, Chair): 1/9/2017
SJ 1, introduced joint resolution, be amended as follows:

1. Page 6, line 11.

Following: "kept"

Insert: "that includes but is not limited to:

(a) the date, time, and place of the meeting;

(b) a list of the individual members of the public body, agency, or organization who were in attendance;

(c) the substance of all matters proposed, discussed, or decided; and

(d) at the request of any member, a record of votes by individual members for any votes taken"

2. Page 8, line 11.

Following: "revenue."

Insert: "(1)"

3. Page 8.

Following: line 13

Insert: "(2) (a) The committee must have prepared by December 1 for introduction during each

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regular session of the Legislature in which a revenue bill is under consideration an estimate of the amount of revenue projected to be available for legislative appropriation.

(b) The committee may prepare for introduction during a special session of the Legislature in which a revenue bill or an appropriation bill is under consideration an estimate of the amount of projected revenue. The revenue estimate is considered a subject specified in the call of a special session."

4. Page 8, line 22.

Strike: "Federal Relations, Energy, and Telecommunications"

Insert: "Energy, Technology, and Federal Relations"

5. Page 9, line 25.

Strike: "Federal Relations, Energy, and Telecommunications"

Insert: "Energy, Technology, and Federal Relations"

6. Page 16, line 26.

Strike: "presiding officer"

Insert: "chair of the first committee in the originating chamber considering the bill"

7. Page 16, line 28.

Strike: "presiding officer of the originating chamber"

Insert: "first committee in the originating chamber considering the bill"

8. Page 19, line 2.

Following: "house"

Insert: "within 1 legislative day,"

9. Page 19, line 3 through line 8.

Strike: subsection (4) in its entirety

Insert: "(4)(a) A bill that has passed both houses of the Legislature and that has been enrolled, clerically corrected by the presiding officers if necessary, and signed by the presiding officers before the second-to-last legislative day must be delivered within 5 legislative days after both presiding officers have signed the bill to the Governor or, in the case of a bill proposing a referendum, to the Secretary of State.

(b) A bill that has passed both houses of the Legislature and that has been enrolled, clerically corrected by the presiding officers if necessary, and signed by the presiding officers on or after the second-to-last legislative day must be delivered within 5 working days after both presiding officers have signed the bill to the Governor or, in the case of a bill proposing a referendum, to the Secretary of State."

10. Page 22.

Following: line 24

Insert: "**60-05. Source and precedent of legislative rules of the Montana Legislature.** (1) The legislative rules of the Montana Legislature are derived from several sources listed below and take precedence in the following order:

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- (a) constitutional provisions and judicial decisions on the constitution;
 - (b) adopted legislative rules of the Montana Legislature;
 - (c) statutory provisions;
 - (d) adopted parliamentary authority; and
 - (e) parliamentary law.
- (2) Legislative rules passed by one legislature or statutory provisions governing the legislative process are not binding on a subsequent legislature."

And, as amended, do pass.

SR 1, introduced resolution, be amended as follows:

1. Page 9, line 6.

Following: "quorum."

Insert: "As ex officio nonvoting members of a committee, the majority leader and minority leader have the privileges of a committee member pursuant to S30-70(13)(a), (13)(c), and (13)(d)."

2. Page 12, line 21.

Following: "(2)"

Insert: "(a)"

3. Page 12.

Following: line 24

Insert: "(b) A person who is an employee of the state or a political subdivision of the state that is offering testimony on behalf of the state or political subdivision shall state in the person's oral or written testimony the specific entity or state officeholder that they are representing."

And, as amended, be adopted.

STATE ADMINISTRATION (Brown, Chair):

1/9/2017

SB 13, do pass.

Without objection, the committee reports were adopted.

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced and read first time:

SB 101, introduced by T. Richmond.

SB 102, introduced by T. Richmond.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. President Sales in the chair.

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

SB 20 - Senator Swandal moved **SB 20** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moe, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Sesso.
Total 1

SB 21 - Senator Buttrey moved **SB 21** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moe, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Sesso.

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Total 1

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

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

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moe, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Sesso.

Total 1

SPECIAL ORDERS OF THE DAY

Senator Blasdel introduced the Pages for the current week:

Julia Vercella, from Butte, sponsored by Senator Keenan.
Alexis Canen, from Glendive, sponsored by Senator Hinebauch.
Kortny Maurer, from Billings, sponsored by Senator Webb.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Thomas announced the Senate Republicans would caucus immediately upon adjournment.

Majority Leader Thomas moved the Senate adjourn until 1:00 p.m., Wednesday, January 11, 2017, the 8th legislative day. Motion carried.

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Senate adjourned at 1:20 p.m.

MARILYN MILLER
Secretary of the Senate

SCOTT SALES
President of the Senate