

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

Helena, Montana  
January 12, 2017

Senate Chambers  
State Capitol

Senate convened at 1:07 p.m. President Sales presiding. Invocation by Senator Blasdel. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**BILLS AND JOURNALS** (Keenan, Chair): 1/12/2017

Correctly printed: **SB 5, SB 6, SB 56, SB 70, SB 101, SB 102, SB 103, SB 104, SB 105, SB 106, SB 107, SR 2.**

Correctly engrossed: **SB 17, SB 25, SB 28, SB 68.**

Transmitted to the House: **SB 20, SB 21.**

**REPORTS OF STANDING COMMITTEES**

**PUBLIC HEALTH, WELFARE AND SAFETY** (Howard, Chair): 1/11/2017

**SB 4**, do pass.

**SB 62**, introduced bill, be amended as follows:

1. Page 1, line 22.

**Strike:** "mental"

**Insert:** "behavioral health"

2. Page 1, line 25.

**Strike:** "mental"

**Insert:** "behavioral health"

3. Page 2, line 3.

**Strike:** "or"

4. Page 2, line 5.

**Following:** "nursing"

**Insert:** "; or

(f) a marriage and family therapist licensed under Title 37, chapter 37"

5. Page 2, line 25.

**Following:** "by a"

**Strike:** "behavioral"

**Insert:** "mental"

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And, as amended, do pass.

**TAXATION** (Blasdel, Chair):

1/12/2017

**SB 10**, do pass.

**SB 53**, do pass.

Without objection, the committee reports were adopted.

**MESSAGES FROM THE OTHER HOUSE**

**House bills** passed and transmitted to the Senate for concurrence:

1/11/2017

**HB 20**, introduced by Keane

**HB 26**, introduced by Welch

**HB 88**, introduced by Funk

**HB 132**, introduced by McConnell

**FIRST READING AND COMMITMENT OF BILLS**

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

**SB 108**, introduced by G. Vance, referred to Business, Labor, and Economic Affairs.

**SB 109**, introduced by M. Phillips, referred to Natural Resources.

**SB 110**, introduced by M. Phillips, referred to Fish and Game.

**SB 111**, introduced by K. Regier, referred to Fish and Game.

**SB 112**, introduced by S. Malek, J. Essmann, referred to Taxation.

**SB 113**, introduced by F. Moore, M. Caferro, referred to Judiciary.

**SB 114**, introduced by M. Moe, F. Moore, referred to Education and Cultural Resources.

**SB 115**, introduced by M. Moe, F. Moore, referred to Education and Cultural Resources.

**SB 116**, introduced by M. Blasdel, referred to Business, Labor, and Economic Affairs.

**SB 117**, introduced by R. Webb, referred to Judiciary.

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

**SJ 4**, introduced by M. MacDonald, V. Court, K. Regier, D. Sands, N. Swandal, referred to Judiciary.

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

**HB 20**, introduced by J. Keane (by request of the Energy and Telecommunications Interim Committee), referred to Energy and Telecommunications.

**HB 26**, introduced by T. Welch (by request of the Department of Commerce), referred to Business,

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Labor, and Economic Affairs.

**HB 88**, introduced by M. Funk (by request of the Department of Labor and Industry), referred to Business, Labor, and Economic Affairs.

**HB 132**, introduced by N. McConnell (by request of the Department of Labor and Industry), referred to Business, Labor, and Economic Affairs.

**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. Senator Moore in the chair.

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

**SR 2** - Senator Swandal moved **SR 2** be adopted. Motion carried as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.

Total 33

Nays: Barrett, Caferro, Cohenour, Facey, Gross, MacDonald, Malek, McClafferty, McNally, Moe, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Whitford, Wolken.

Total 17

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SJ 1** - Senator Thomas moved **SJ 1** do pass. Motion carried as follows:

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

Total 39

Nays: Cohenour, Gross, MacDonald, Malek, McClafferty, Moe, Pomnichowski, Sesso, Smith F, Vuckovich, Whitford.

Total 11

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SR 1** - Senator Thomas moved **SR 1** be adopted. Motion carried as follows:

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

Total 40

Nays: Caferro, Cohenour, MacDonald, Malek, McNally, Moe, Pomnichowski, Sesso, Vuckovich, Whitford.

Total 10

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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

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

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

Total 43

Nays: Cohenour, MacDonald, Malek, Sesso, Smith F, Vuckovich, Whitford.

Total 7

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**SB 5** passed as follows:

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

Total 42

Nays: Brown, Hinebauch, Hinkle, Howard, Keenan, Olszewski, Vance, Vincent.

Total 8

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SB 6** passed 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, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SB 56** passed as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald,

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Malek, McClafferty, McNally, Moe, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.  
Total 48

Nays: Hinebauch, Vincent.  
Total 2

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**SB 70** passed 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, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.  
Total 50

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**MOTIONS**

Majority Leader Thomas moved **SB 16** be taken from the second reading board and re-referred to the State Administration Committee. Without objection so ordered.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved the Senate adjourn until 1:00 p.m., Friday, January 13, 2017, the 10th legislative day. Motion carried.

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Senate adjourned at 1:52 p.m.

MARILYN MILLER  
Secretary of the Senate

SCOTT SALES  
President of the Senate