

**SENATE JOURNAL  
65TH LEGISLATURE  
TWENTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana  
February 8, 2017

Senate Chambers  
State Capitol

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

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

**BILLS AND JOURNALS** (Keenan, Chair):

2/8/2017

Correctly printed: **SB 60, SB 64, SB 86, SB 119, SB 165, SR 36, HB 55, HB 59, HB 65, HB 80, HB 87, HB 146, HB 150, HB 166, HB 191.**

Correctly engrossed: **SB 126, SB 153, SB 157, HB 41, HB 184.**

Correctly enrolled: **SR 14.**

Examined by the sponsor and found to be correct: **SB 33, SB 36, SB 101, SJ 1.**

Transmitted to the House: **SB 58, SB 93, SB 116, SB 128, SB 135, HB 18, HB 125, HB 138, HB 191.**

Signed by the President at 4:10 p.m., February 7, 2017: **SB 56, SB 77, SB 84, SR 5, SR 9, SR 12.**

Signed by the Secretary of the Senate at 4:30 p.m., February 7, 2017: **SB 56, SB 77, SB 84, SR 5, SR 9, SR 12.**

Signed by the Speaker at 11:30 a.m., February 8, 2017: **SB 56, SB 77, SB 84.**

Delivered to the Secretary of State at 10:15 a.m., February 8, 2017: **SR 5, SR 9, SR 12.**

Delivered to the Governor at 2:40 p.m., February 8, 2017: **SB 56, SB 77, SB 84.**

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE, LIVESTOCK AND IRRIGATION** (Hoven, Chair):

2/7/2017

**SB 157**, introduced bill, be amended as follows:

1. Title, page 1, line 4.

**Strike:** "AGRICULTURE"

**Insert:** "LIVESTOCK"

And, as amended, do pass.

**HB 82**, be concurred in.

**HB 91**, be concurred in.

**HB 130**, be concurred in.

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

2/8/2017

**SB 108**, do pass.

**HB 26**, be amended as follows:

1. Title, page 1, line 7.

**Following:** "DATE"

**Insert:** "AND A TERMINATION DATE"

2. Page 3, line 23.

**Following:** line 22

**Insert:** "NEW SECTION. Section 3. Termination. [This act] terminates June 30, 2021."

And, as amended, be concurred in.

**HB 106**, be concurred in.

**HB 141**, be amended as follows:

1. Page 2, line 2.

**Strike:** "(4)"

**Insert:** "(1)(d)"

2. Page 2, line 23.

**Following:** "definitions."

**Insert:** "(1)"

3. Page 2, line 25.

**Strike:** "(1)"

**Insert:** "(a)"

4. Page 2, line 28.

**Strike:** "(2)"

**Insert:** "(b)"

5. Page 3, line 2.

**Strike:** "(3)"

**Insert:** "(c)"

6. Page 3, line 4.

**Strike:** "(4)"

**Insert:** "(d)"

7. Page 3, line 7.

**Strike:** "(4)"

**Insert:** "(1)(d)"

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8. Page 3, line 10.

**Strike:** "(4)"

**Insert:** "(1)(d)"

9. Page 3, line 14.

**Following:** line 13

**Insert:** "(2) If the department disapproves or modifies any board action under subsection (1)(d), the department and not the board may be liable for claims resulting from the disapproval or modification."

10. Page 3, line 14.

**Strike:** "(5)"

**Insert:** "(3)"

11. Page 3, line 15.

**Strike:** "(4)"

**Insert:** "(1)(d)"

12. Page 3, line 20.

**Strike:** "(4)"

**Insert:** "(1)(d)"

13. Page 4, line 19.

**Strike:** "(4)"

**Insert:** "(1)(d)"

14. Page 5, line 3.

**Strike:** "(4)"

**Insert:** "(1)(d)"

15. Page 5, line 11.

**Strike:** "(4)"

**Insert:** "(1)(d)"

16. Page 5, line 15.

**Strike:** "(4)"

**Insert:** "(1)(d)"

17. Page 5, line 19.

**Strike:** "(4)"

**Insert:** "(1)(d)"

18. Page 5, line 22.

**Strike:** "(4)"

**Insert:** "(1)(d)"

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19. Page 6, line 2.

**Strike:** "(4)"

**Insert:** "(1)(d)"

And, as amended, be concurred in.

**HB 172**, be amended as follows:

1. Page 1, line 26.

**Following:** "means"

**Insert:** ": (i) in one calendar year,"

2. Page 1, line 28.

**Following:** "YEAR"

**Insert:** "; or

(ii) in the aggregate within 10 years, 20% or more of the net book value of the telephone cooperative as disclosed in its audited financial statements"

And, as amended, be concurred in.

**HB 233**, be concurred in.

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

2/7/2017

**HB 191**, be concurred in.

**HIGHWAYS AND TRANSPORTATION** (Vance, Chair):

2/7/2017

**HB 41**, be amended as follows:

1. Page 1, line 27.

**Strike:** "THE" through "31111"

**Insert:** "80 feet in length plus a maximum 4 feet of front overhang and 6 feet of rear overhang"

And, as amended, be concurred in.

**HB 92**, be concurred in.

**HB 241**, be concurred in.

**JUDICIARY** (Regier, Chair):

2/7/2017

**SB 153**, introduced bill, be amended as follows:

1. Page 1, line 16.

**Following:** "(2)"

**Insert:** "(a) A person convicted of a first offense of strangulation of a partner or family member shall be fined an amount not to exceed \$50,000 or be imprisoned in the state prison for a term not to exceed 5 years, or both.

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(b)"

2. Page 1, line 16.

**Strike:** "strangulation of a partner or family member"

**Insert:** "a second or subsequent offense under this section"

And, as amended, do pass.

Without objection, committee reports were adopted.

**MESSAGES FROM THE GOVERNOR**

February 8, 2017

Senator Scott Sales, President  
Montana Senate  
Capitol Building  
Helena, MT 59601

Dear President Sales:

On Wednesday, February 8, 2017, I signed the following bills:

**Senate Bill 5** - T. Facey

**Senate Bill 13** - S. Fitzpatrick

**Senate Bill 70** - G. Vuckovich

These bills were delivered to the Secretary of State's Office today.

Sincerely,

STEVE BULLOCK  
Governor

**MESSAGES FROM THE OTHER HOUSE**

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

2/7/2017

**HB 99**, introduced by Z. Brown

**HB 144**, introduced by Z. Brown

**HB 145**, introduced by Z. Brown

**HB 163**, introduced by G. Custer

**HB 213**, introduced by J. Essmann

**HB 248**, introduced by K. Dudik

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**HB 276**, introduced by E. Greef  
**HB 300**, introduced by A. Hertz  
**HB 304**, introduced by R. Cook  
**HB 307**, introduced by K. Kelker

**FIRST READING AND COMMITMENT OF BILLS**

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

**SB 217**, introduced by D. Sands, L. Bishop, C. Boland, M. Caferro, J. Cohenour, V. Court, A. Curtis, M. Dunwell, J. Eck, J. Ellis, T. Facey, J. Gross, D. Hayman, J. Karjala, K. Kelker, M. MacDonald, S. Malek, E. McClafferty, M. McNally, A. Olsen, J. Pomnichowski, J. Price, M. Ryan, L. Whitford, C. Wolken, referred to Business, Labor, and Economic Affairs.

**SB 218**, introduced by M. Blasdel, referred to Fish and Game.

**SB 219**, introduced by E. Buttrey, referred to Business, Labor, and Economic Affairs.

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

**SR 37**, introduced by D. Brown, referred to State Administration.

The following Senate bill was introduced and read first time:

**SB 220**, introduced by S. Sales.

The following Senate bills, previously introduced, were referred to committees:

**SB 209**, introduced by F. Smith, referred to Business, Labor, and Economic Affairs.

**SB 210**, introduced by S. Malek, referred to Energy and Telecommunications.

**SB 211**, introduced by D. Sands, referred to Education and Cultural Resources.

**SB 212**, introduced by J. Cohenour, referred to Highways and Transportation.

**SB 213**, introduced by J. Cohenour, referred to Finance and Claims.

**SB 214**, introduced by J. Cohenour, referred to Fish and Game.

**SB 215**, introduced by B. Keenan, M. Noland, referred to Natural Resources.

**SB 216**, introduced by F. Thomas, R. Ehli, referred to Business, Labor, and Economic Affairs.

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

**HB 99**, introduced by Z. Brown (by request of the Water Policy Interim Committee), referred to Natural Resources.

**HB 144**, introduced by Z. Brown (by request of the Department of Justice), referred to Highways and Transportation.

**HB 145**, introduced by Z. Brown (by request of the State Auditor), referred to Business, Labor, and Economic Affairs.

**HB 163**, introduced by G. Custer, F. Anderson, R. Cook, K. Dudik, M. Funk, W. McKamey, G.

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Pierson, referred to Public Health, Welfare and Safety.

**HB 213**, introduced by J. Essmann, referred to Highways and Transportation.

**HB 248**, introduced by K. Dudik, B. Bennett, referred to Education and Cultural Resources.

**HB 300**, introduced by A. Hertz, F. Mandeville, referred to Local Government.

**HB 304**, introduced by R. Cook, R. Osmundson, referred to Finance and Claims.

**HB 307**, introduced by K. Kelker, referred to Finance and Claims.

The following House bill was introduced and read first time:

**HB 276**, introduced by E. Greef.

The following House bills, previously introduced, were referred to committees:

**HB 148**, introduced by D. Zolnikov, referred to Judiciary.

**HB 294**, introduced by J. Price, referred to Finance and Claims.

**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 Lang in the chair.

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

**HB 89** - Senator MacDonald moved **HB 89** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, 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 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Gross.

Total 1

**SR 15** - Senator R. Webb moved the nomination transmitted by the Governor be concurred in

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and confirmed by the Senate in accordance with **SR 15**. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, 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 49

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Gross.  
Total 1

**SB 144** - Senator R. Webb moved **SB 144** do pass. Motion carried as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Mr.President.  
Total 32

Nays: Barrett, Boland, Caferro, Cohenour, Connell, Facey, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Whitford, Wolken.  
Total 17

Absent or not voting: None.  
Total 0

Excused: Gross.  
Total 1

**SB 42** - Senator Barrett moved **SB 42** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Hinebauch, Hinkle, Hoven, Howard, Keenan, MacDonald, Malek, McClafferty, McNally, Moore, Osmundson, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Swandal, Tempel, Thomas, Vincent, Vuckovich, Whitford, Wolken, Mr.President.  
Total 37

Nays: Blasdel, Brown, Gauthier, Jones, Kary, Lang, Olszewski, Regier, Smith C, Vance, Webb,



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Welborn.  
Total 12

Absent or not voting: None.  
Total 0

Excused: Gross.  
Total 1

**HB 105** - Senator C. Smith moved **HB 105** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, 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 49

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Gross.  
Total 1

**HB 67** - Senator Whitford moved **HB 67** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Hoven, Jones, Kary, MacDonald, Malek, McClafferty, McNally, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Sands, Sesso, Small, Smith F, Swandal, Tempel, Thomas, Vincent, Vuckovich, Welborn, Whitford, Wolken.  
Total 35

Nays: Blasdel, Gauthier, Hinebauch, Hinkle, Howard, Keenan, Lang, Moore, Olszewski, Salomon, Smith C, Vance, Webb, Mr.President.  
Total 14

Absent or not voting: None.  
Total 0

Excused: Gross.  
Total 1

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**HB 68** - Senator Malek moved **HB 68** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, MacDonald, Malek, McClafferty, McNally, Moore, 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 47

Nays: Lang, Olszewski.

Total 2

Absent or not voting: None.

Total 0

Excused: Gross.

Total 1

**SB 121** - Senator Buttrey moved **SB 121** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, 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 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Gross.

Total 1

**SB 140** - Senator Ankney moved **SB 140** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, 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 49

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Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Gross.  
Total 1

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

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

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, 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 49

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Gross.  
Total 1

**MOTIONS**

Majority Leader Thomas moved that **HB 191** be placed on third reading this date as provided in Senate Rule S50-95. Without objection, so ordered.

**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 86** passed as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, McNally, Moore, Osmundson, Regier,

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Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb,  
Welborn, Mr.President.  
Total 32

Nays: Barrett, Boland, Caferro, Cohenour, Facey, MacDonald, Malek, McClafferty, Olszewski,  
Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Whitford, Wolken.  
Total 17

Absent or not voting: None.  
Total 0

Excused: Gross.  
Total 1

**SB 119** passed as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey,  
Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang,  
MacDonald, Malek, McClafferty, McNally, 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 49

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Gross.  
Total 1

**SB 165** passed as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey,  
Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang,  
MacDonald, Malek, McClafferty, McNally, 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 49

Nays: None.  
Total 0

Absent or not voting: None.

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Total 0

Excused: Gross.

Total 1

**HB 55 failed** as follows:

Yeas: Ankney, Barrett, Brown, Buttrey, Connell, Gauthier, Hoven, Jones, Keenan, Lang, McNally, Moore, Osmundson, Regier, Richmond, Salomon, Small, Smith F, Swandal, Tempel, Thomas, Vuckovich, Welborn.

Total 23

Nays: Blasdel, Boland, Caferro, Cohenour, Facey, Fielder, Fitzpatrick, Hinebauch, Hinkle, Howard, Kary, MacDonald, Malek, McClafferty, Olszewski, Phillips, Pomnichowski, Sands, Sesso, Smith C, Vance, Vincent, Webb, Whitford, Wolken, Mr.President.

Total 26

Absent or not voting: None.

Total 0

Excused: Gross.

Total 1

**HB 59 concurred** in as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, 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 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Gross.

Total 1

**HB 65 concurred** in as follows:

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

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MacDonald, Malek, McClafferty, McNally, 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 49

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Gross.  
Total 1

**HB 80** concurred in as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, 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 49

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Gross.  
Total 1

**HB 87** concurred in as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, 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 49

Nays: None.  
Total 0

Absent or not voting: None.

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Total 0

Excused: Gross.

Total 1

**HB 146** concurred in as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Howard, Jones, Kary, Keenan, Lang, Malek, McClafferty, McNally, 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 45

Nays: Caferro, Cohenour, Hoven, MacDonald.

Total 4

Absent or not voting: None.

Total 0

Excused: Gross.

Total 1

**HB 150** concurred in as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, 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 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Gross.

Total 1

**HB 166** concurred in as follows:

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

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MacDonald, Malek, McClafferty, McNally, 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 49

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Gross.  
Total 1

**HB 191** concurred in as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, 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 49

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Gross.  
Total 1

**MOTIONS**

Majority Leader Thomas moved that **SB 197** be taken from the Judiciary Committee and referred to the Education and Cultural Resources 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., Thursday, February 9, 2017, the 29th legislative day. Motion carried.



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Senate adjourned at 2:02 p.m.

MARILYN MILLER  
Secretary of the Senate

SCOTT SALES  
President of the Senate