

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

Helena, Montana
February 23, 2017

Senate Chambers
State Capitol

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

Roll Call. All members present. Quorum present.

BILLS AND JOURNALS (Keenan, Chair):

2/23/2017

Mr. President: We, your committee on Bills and Journals, having examined the daily journals for the thirty-first, thirty-second, thirty-third, thirty-fourth, and thirty-fifth legislative days, find the same to be correct.

Correctly printed: **SB 104, SB 178, SB 198, SB 199, SB 213, SB 219, SB 224, SB 228, SB 234, SB 240, SB 241, SB 243, SB 252, SB 258, SB 261, SB 264, SB 270, SB 272, SB 274, SB 275, SB 278, SB 279, SB 282, SB 283, SB 291, SB 292, SB 297, SB 301, SB 303, SB 305, SB 307, SB 313, SB 327, SB 328, SB 329, SJ 16, HB 119, HB 247.**

Correctly engrossed: **SB 43, SB 96, SB 145, SB 164, SB 174, SB 197, SB 229, SB 233, SB 242, SB 248, SB 250, SB 260, SB 271, SB 281, SB 284, SB 289, SB 294, SB 298, SB 300, SB 306, SB 309, SB 321, SB 325, SJ 19.**

Correctly enrolled: **SB 50, SB 85, SB 131.**

Examined by the sponsor and found to be correct: **SB 50.**

Transmitted to the House: **SB 92, SB 99, SB 143, SB 155, SB 182, SB 206, SB 212, SB 216, SB 226, SB 227, SB 231.**

Signed by the President at 3:10 p.m., February 23, 2017: **SB 50.**

Signed by the Secretary of the Senate at 3:45 p.m., February 23, 2017: **SB 50.**

REPORTS OF STANDING COMMITTEES

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

2/22/2017

SB 298, introduced bill, be amended as follows:

1. Page 3, line 2.

Following: "more years."

Insert: To qualify for the exemption from the definition of "employer" under this subsection (5)(b), a religious corporation, religious organization, or religious trust must exclusively use the services of individuals meeting exemption from the definition of employee as provided in 39-71-118(2)(e)."

2. Page 5, line 18.

Following: "administration."

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Insert: "To qualify for the exemption from the definition of "employee" under this subsection (2)(e), the individual must exclusively perform services on behalf of the individual or a religious corporation, religious organization, or religious trust meeting the exemption from the definition of employer as provided in 39-71-117(5)(b)."

And, as amended, do pass.

EDUCATION AND CULTURAL RESOURCES (Salomon, Chair): 2/22/2017
SB 242, introduced bill, be amended as follows:

1. Title, page 1, line 5 through line 7.
Strike: "ENCOURAGING" on line 5 through "SCHOOLS;" on line 7

2. Page 1, line 14.

Strike: "(3)"

Insert: "(2)"

3. Page 1, line 17 through line 20.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

4. Page 1, line 28.

Strike: "(3)"

Insert: "(2)"

And, as amended, do pass.

FINANCE AND CLAIMS (Jones, Chair): 2/23/2017
SB 43, introduced bill, be amended as follows:

1. Page 3.

Following: line 22

Insert: "COORDINATION SECTION. **Section 3. Coordination instruction.** If House Bill No. 2 is passed and approved and does not include funding to the architecture and engineering division of the department of administration for compiling a statewide facility inventory and condition assessment, then [this act] is void."

Renumber: subsequent sections

And, as amended, do pass.

SB 145, introduced bill, be amended as follows:

1. Page 7.

Following: line 26

Insert: "NEW SECTION. **Section 5. Implementation.** The department shall implement [this act]"

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within existing resources."

Renumber: subsequent sections

And, as amended, do pass.

SB 197, introduced bill, be amended as follows:

1. Page 2.

Following: line 7

Insert: "COORDINATION SECTION. Section 3. Coordination instruction. If House Bill No. 2 is passed and approved and does not include funding for [this act], then [this act] is void."

And, as amended, do pass.

SB 233, introduced bill, be amended as follows:

1. Page 23.

Following: line 22

Insert: "NEW SECTION. Section 8. Implementation. The department shall implement [this act] within existing resources."

Renumber: subsequent sections

And, as amended, do pass.

SB 240, do pass.

SB 260, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Following: "FUND;"

Insert: "PROVIDING FOR TRANSFERS;"

2. Page 1, line 17.

Following: "legislature."

Insert: "In fiscal years 2018 and 2019, the state treasurer shall transfer from this account to the public employees' retirement system defined benefit plan trust fund an amount to satisfy the provisions of 15-35-108(9)(b)(iv).

(3) A school district that receives funds from the school facilities account shall, within 30 days of receiving the funds, file with the office of the superintendent of public instruction a document acknowledging it has received funds from the coal severance tax trust fund."

3. Page 2, line 24.

Following: "fund."

Insert: "The budget director shall certify to the state treasurer when the balance of the school facilities fund is \$200 million. Beginning with the quarter following this certification, the state treasurer shall instead transfer to the coal severance permanent fund 75% of the amount

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in the coal severance tax bond fund that exceeds the amount that is specified pursuant to subsection (2) to be retained in the fund."

4. Page 4, line 5.

Following: "fund."

Insert: "The budget director shall certify to the state treasurer when the balance of the school facilities fund is \$200 million. Beginning with the quarter following this certification, the state treasurer shall instead transfer to the coal severance permanent fund 75% of the amount in the coal severance tax bond fund that exceeds the amount that is specified pursuant to subsection (2) to be retained in the fund."

And, as amended, do pass.

SB 271, introduced bill, be amended as follows:

1. Page 6, line 4.

Following: "community"

Insert: ", not to exceed the amount of medicaid waiver appropriations in House Bill No. 2"

2. Page 6, line 5.

Following: "individual;"

Insert: "and"

3. Page 6, line 7.

Following: "crisis"

Strike: "; and"

Insert: "."

4. Page 6, line 8 through line 9.

Strike: subsection (d) in its entirety

And, as amended, do pass.

SB 294, introduced bill, be amended as follows:

1. Page 2, line 29.

Following: "occupation."

Insert: "The minimum salary for an employee may not be greater than the employee's base salary as of [the effective date of this act]."

2. Page 6, line 23.

Following: "salary."

Insert: "The minimum salary for an employee may not be greater than the employee's base salary as of [the effective date of this act]."

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And, as amended, do pass.

HIGHWAYS AND TRANSPORTATION (Vance, Chair): 2/22/2017
SB 241, do pass.

LOCAL GOVERNMENT (Webb, Chair): 2/22/2017
SB 274, do pass.
SB 278, do pass.
SB 306, introduced bill, be amended as follows:

1. Title, page 1, line 9.

Following: "STATE"

Insert: "AND LOCAL"

Following: "REVIEW"

Strike: "OF WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS"

2. Title, page 1, line 10.

Following: "70-23-102"

Insert: ", 76-3-203,"

3. Page 3, line 4.

Following: "[section 1(5)(a)(v)]"

Insert: ", "

4. Page 5, line 28.

Following: line 28

Insert: "**Section 4.** Section 76-3-203, MCA, is amended to read:

"76-3-203. Exemption for certain condominiums and townhouses. Condominiums, townhomes, ~~or townhouses, or conversions from condominiums to townhomes or townhouses,~~ as those terms are defined in 70-23-102, constructed on land subdivided in compliance with parts 5 and 6 of this chapter or on lots within incorporated cities and towns are exempt from the provisions of this chapter if:

(1) the approval of the original subdivision of land expressly contemplated the construction of the condominiums, townhomes, or townhouses and any applicable park dedication requirements in 76-3-621 are complied with; or

(2) the condominium, townhome, or townhouse proposal is in conformance with applicable local zoning regulations when local zoning regulations are in effect."

Renumber: subsequent subsections

And, as amended, do pass.

NATURAL RESOURCES (Vincent, Chair): 2/22/2017
SB 281, introduced bill, be amended as follows:

1. Page 1, line 22.

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Following: "(d)"

Insert: "grants for"

Following: "equipment"

Insert: "for county cooperatives"

2. Page 1, line 24.

Strike: subsection (f) in its entirety

Renumber: subsequent subsections

3. Page 1, line 25.

Following: "representative of"

Strike: "a"

Insert: "an affected"

4. Page 1, line 26.

Following: "project"

Insert: "and for local governments engaged in litigation related to federal forest projects"

Following: ";i:"

Insert: "and"

5. Page 1 through page 27.

Strike: ";and"

Insert: "."

6. Page 1, line 28.

Strike: subsection (i) in its entirety

7. Page 2, line 11.

Following: "\$40 million,"

Insert: "the excess, up to"

Following: "\$5 million"

Insert: " ,"

Strike: "in the account"

Strike: "(4)(h)."

Insert: "(4)(g). Of that amount, no more than 5% may be used for the purposes of subsection (4)(f)."

And, as amended, do pass.

SB 284, introduced bill, be amended as follows:

1. Page 2.

Following: line 22

Insert: "(k) translocation of sage grouse to augment or reestablish populations in suitable but underutilized or unoccupied habitat;"

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Renumber: subsequent subsections

2. Page 3, line 5.

Strike: "(1)(l)(ii)"

Insert: "(1)(m)(ii)"

And, as amended, do pass.

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

2/22/2017

SB 272, do pass.

SB 321, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: "LICENSED PHYSICIAN"

Insert: "OR PODIATRIST"

2. Page 1, line 14.

Following: "A physician"

Insert: "or podiatrist"

3. Page 2, line 5.

Following: "A licensed physician"

Insert: "or podiatrist"

And, as amended, do pass.

SJ 19, introduced joint resolution, be amended as follows:

1. Page 1, line 12 through line 13.

Strike: "WHEREAS" on line 12 through "; and" on line 13

And, as amended, do pass.

STATE ADMINISTRATION (Brown, Chair):

2/22/2017

SB 270, do pass.

SB 279, do pass.

SB 297, do pass.

SB 303, do pass.

SB 305, do pass.

SJ 16, do pass.

Without objection, committee reports were adopted.

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MESSAGES FROM THE OTHER HOUSE

Senate bill concurred in and returned to the Senate: 2/22/2017

SB 85, introduced by M. Moe

House bills passed and transmitted to the Senate for concurrence: 2/22/2017

HB 30, introduced by J. Essmann
HB 44, introduced by J. Essmann
HB 94, introduced by F. Garner
HB 244, introduced by T. Jacobson
HB 325, introduced by N. Ballance
HB 346, introduced by W. Curdy
HB 348, introduced by P. Webb
HB 360, introduced by B. Hamlett
HB 362, introduced by E. Hill Smith
HB 367, introduced by B. Beard
HB 373, introduced by B. Grubbs
HB 381, introduced by D. Lenz
HB 384, introduced by A. Knudsen
HB 432, introduced by B. Hamlett
HB 433, introduced by B. Hamlett

FIRST READING AND COMMITMENT OF BILLS

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

SB 327, introduced by R. Webb, T. Gauthier, referred to Taxation.
SB 328, introduced by L. Whitford, D. Barrett, S. Webber, referred to Taxation.
SB 329, introduced by K. Regier, E. Buttrey, referred to Public Health, Welfare and Safety.

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

HB 30, introduced by J. Essmann (by request of the Revenue and Transportation Interim Committee), referred to Taxation.
HB 44, introduced by J. Essmann (by request of the Supreme Court), referred to Judiciary.
HB 94, introduced by F. Garner (by request of the Public Safety Officer Standards and Training Council), referred to Judiciary.
HB 244, introduced by T. Jacobson, K. Dudik, J. Essmann, K. McCarthy, L. Sheldon-Galloway, B. Usher, referred to Public Health, Welfare and Safety.
HB 325, introduced by N. Ballance, referred to Agriculture, Livestock and Irrigation.

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HB 346, introduced by W. Curdy, D. Barrett, referred to Business, Labor, and Economic Affairs.

HB 348, introduced by P. Webb, referred to Judiciary.

HB 360, introduced by B. Hamlett, B. Brown, Z. Brown, P. Connell, C. Glimm, S. Stewart-Peregoy, C. Vincent, G. Vuckovich, J. Welborn, referred to Natural Resources.

HB 362, introduced by E. Hill Smith, referred to Public Health, Welfare and Safety.

HB 367, introduced by B. Beard, A. Doane, R. Fitzgerald, K. Flynn, W. Galt, F. Garner, T. Gauthier, C. Glimm, S. Gunderson, B. Harris, S. Hinebauch, J. Hinkle, G. Pierson, A. Redfield, M. Regier, T. Richmond, L. Sheldon-Galloway, S. Staffanson, F. Thomas, G. Vuckovich, P. Webb, R. Webb, T. Welch, K. White, referred to Fish and Game.

HB 373, introduced by B. Grubbs, Z. Brown, referred to Local Government.

HB 381, introduced by D. Lenz, F. Garner, E. McClafferty, L. Sheldon-Galloway, referred to Education and Cultural Resources.

HB 384, introduced by A. Knudsen, A. Doane, S. Hinebauch, C. Knudsen, M. Lang, R. Osmundson, A. Redfield, B. Smith, S. Staffanson, G. Vance, referred to Energy and Telecommunications.

HB 432, introduced by B. Hamlett, P. Connell, C. Glimm, C. Knudsen, C. Vincent, G. Vuckovich, referred to Natural Resources.

HB 433, introduced by B. Hamlett, P. Connell, T. Richmond, C. Vincent, G. Vuckovich, referred to Natural Resources.

**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 D. Brown in the chair.

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

SB 283 - Senator Olszewski moved **SB 283** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, 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 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.

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Total 0

SB 234 - Senator Caferro moved **SB 234** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, 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 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 307 - Senator L. Jones moved **SB 307** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, 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.
Total 49

Nays: Mr.President.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 104 - Senator Sands moved **SB 104** do pass. Motion carried as follows:

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

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Total 43

Nays: Blasdel, Fielder, Hinebauch, Hinkle, Regier, Vincent, Mr.President.

Total 7

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 151 - Senator Facey moved consideration of **SB 151** be placed at the bottom of the second reading board. Without objection, so ordered.

SB 178 - Senator Swandal moved **SB 178** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, 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, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 49

Nays: Smith F.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 222 - Senator Fitzpatrick moved **SB 222** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, 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 50

Nays: None.

Total 0

Absent or not voting: None.

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Total 0

Excused: None.

Total 0

SB 248 - Senator Blasdel moved **SB 248** do pass.

SB 248 - Senator Blasdel moved **SB 248**, second reading copy, be amended as follows:

1. Page 2, line 15.

Strike: "35"

Insert: "20"

Strike: "10"

Insert: "2"

Amendment adopted as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Gauthier, Gross, 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.

Total 48

Nays: Fitzpatrick, Mr.President.

Total 2

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 248 - Bill, as amended, passed as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Caferro, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, McClafferty, Olszewski, Osmundson, Regier, Richmond, Salomon, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vuckovich, Webb, Welborn, Wolken, Mr.President.

Total 35

Nays: Barrett, Boland, Cohenour, Facey, Gross, Lang, MacDonald, Malek, McNally, Moore, Phillips, Pomnichowski, Sands, Vincent, Whitford.

Total 15

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 264 - Senator Swandal moved **SB 264** do pass. Motion carried as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, 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, Webb, Welborn, Mr.President.

Total 32

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

Total 18

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 292 - Senator Facey moved **SB 292** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, 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: Howard.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 300 - Senator Sands moved **SB 300** do pass.

SB 300 - Senator Sands moved **SB 300**, second reading copy, be amended as follows:

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1. Page 1, line 12.

Strike: "Pediatric physicians"

Insert: "Physicians"

Following: "advise"

Insert: "elderly and immunocompromised individuals,"

Amendment adopted as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hoven, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Olszewski, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Thomas, Vuckovich, Webb, Welborn, Whitford, Wolken.

Total 36

Nays: Blasdel, Brown, Fielder, Hinebauch, Hinkle, Howard, Moore, Osmundson, Regier, Smith C, Swandal, Vance, Vincent, Mr.President.

Total 14

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 300 - Bill, as amended, passed as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Jones, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Phillips, Pomnichowski, Richmond, Sands, Sesso, Small, Smith F, Tempel, Vuckovich, Welborn, Whitford, Wolken.

Total 32

Nays: Blasdel, Brown, Fielder, Hinebauch, Hinkle, Hoven, Howard, Kary, Osmundson, Regier, Salomon, Smith C, Swandal, Thomas, Vance, Vincent, Webb, Mr.President.

Total 18

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 164 - Senator K. Regier moved **SB 164** do pass.

SB 164 - Senator Barrett moved **SB 164**, second reading copy, be amended as follows:

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1. Page 2, line 18.

Strike: "CUSTOMER"

Insert: "resident"

Following: "SERVED"

Insert: "in whole or in part"

Amendment adopted as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hinkle, Hoven, Jones, Keenan, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Swandal, Tempel, Thomas, Vuckovich, Welborn, Whitford, Wolken.

Total 39

Nays: Brown, Fielder, Hinebauch, Howard, Kary, Lang, Smith C, Vance, Vincent, Webb, Mr.President.

Total 11

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 164 - Bill, as amended, passed as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, 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 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 203 - Senator Swandal moved **SB 203** do pass. Motion **failed** as follows:

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Yeas: Barrett, Blasdel, Boland, Caferro, Cohenour, Facey, Gross, Keenan, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Smith F, Swandal, Whitford, Wolken.

Total 23

Nays: Ankney, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Lang, Moore, Olszewski, Osmundson, Small, Smith C, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Mr.President.

Total 27

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 203 - Majority Leader Thomas moved **SB 203** be **indefinitely postponed**. Motion carried as follows:

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

Total 30

Nays: Barrett, Boland, Caferro, Cohenour, Facey, Gross, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Smith F, Swandal, Whitford, Wolken.

Total 20

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 250 - Senator Swandal moved **SB 250** do pass.

SB 250 - Senator Swandal moved **SB 250**, second reading copy, be amended as follows:

1. Title, line 5.

Strike: "LAW ENFORCEMENT"

Insert: "PUBLIC SAFETY"

2. Page 1, line 18.

Strike: "law enforcement"

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Insert: "public safety"

3. Page 1, line 23.

Strike: "law enforcement"

Insert: "public safety"

Amendment adopted as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, 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 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 250 - Bill, as amended, passed as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, 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 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 258 - Senator Swandal moved **SB 258** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey,

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Fielder, Fitzpatrick, Gauthier, Gross, 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 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 261 - Senator L. Jones moved **SB 261** do pass. Motion carried as follows:

Yeas: Ankney, Blasdel, Boland, Brown, Buttrey, Connell, Facey, Fitzpatrick, Gauthier, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, McNally, Moore, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Sesso, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Wolken.
Total 35

Nays: Barrett, Caferro, Cohenour, Fielder, Gross, Hinebauch, MacDonald, Malek, McClafferty, Pomnichowski, Sands, Smith F, Vuckovich, Whitford, Mr.President.
Total 15

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 275 - Senator Buttrey moved **SB 275** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, 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: Malek.
Total 1

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 282 - Senator Olszewski moved **SB 282** do pass. Motion carried as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, 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, Webb, Welborn, Mr. President.

Total 32

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

Total 18

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Majority Leader Thomas moved the committee **rise, report progress, and beg leave to sit again**. Motion carried. Committee arose. Senate resumed. President Sales presiding.

Chair D. Brown 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, Keenan, Lang, McClafferty, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Mr. President.

Total 39

Nays: Boland, Cohenour, Kary, MacDonald, Malek, McNally, Phillips, Pomnichowski, Sands, Whitford, Wolken.

Total 11

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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REPORTS OF STANDING COMMITTEES

HIGHWAYS AND TRANSPORTATION (Vance, Chair): 2/23/2017
SB 311, do pass.

JUDICIARY (Regier, Chair): 2/22/2017
SB 230, do pass.

JUDICIARY (Regier, Chair): 2/23/2017
SB 174, introduced bill, be amended as follows:

1. Title, page 1, line 5 through line 6.
Strike: "REVISING CERTAIN" on line 5 through "NONPAYMENT OF RENT;" on line 6

2. Title, page 1, line 7.
Following: "70-24-404,"
Strike: "70-24-421,"
Following: "70-33-403,"
Strike: "70-33-410,"

3. Page 1, line 30 through page 2, line 12.
Strike: section 2 in its entirety
Renumber: subsequent sections

4. Page 4, line 16 through line 30.
Strike: section 6 in its entirety
Renumber: subsequent sections

And, as amended, do pass.

SB 229, introduced bill, be amended as follows:

1. Page 4, line 7.
Following: "or"
Insert: "or"

2. Page 4, line 9 through line 13.
Following: "drugs" on line 9
Strike: "; or" on line 9 through "45-10-101" on line 13
Following: line 13

Insert: "(c)(i) The department shall promptly disclose the results of an investigation to an individual described in subsection (4)(a) or to a county interdisciplinary child information and school safety team established pursuant to 52-2-211 upon the determination that:
(A) there is reasonable cause to suspect that a child has been exposed to a Schedule I or Schedule II drug whose manufacture, sale, or possession is prohibited under state law; or

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(B) a child has been exposed to drug paraphernalia used for the manufacture, sale, or possession of a Schedule I or Schedule II drug that is prohibited by state law.

(ii) For the purposes of this subsection (4)(c), exposure occurs when a child is caused or permitted to inhale, have contact with, or ingest a Schedule I or Schedule II drug that is prohibited by state law or have contact with drug paraphernalia as defined in 45-10-101."

And, as amended, do pass.

SB 268, do pass.

SB 295, do pass.

Without objection, committee reports were adopted.

MOTIONS

Majority Leader Thomas moved that **SB 279** be taken from the second reading board and re-referred to the Finance and Claims Committee. Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved the Senate recess until 5:00 p.m. this day. Motion carried. Senate recessed at 3:01 p.m.

Senate reconvened at 5:00 p.m., President Sales presiding.

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK AND IRRIGATION (Hoven, Chair):

2/23/2017

SB 247, introduced bill, be amended as follows:

1. Title, line 4 through line 7.

Strike: "CREATING" on line 4 through "DATES" on line 7

Insert: "REQUIRING THE DEPARTMENT OF AGRICULTURE TO PREPARE A STATE POLLINATOR REPORT; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 1, line 10 through page 2, line 7.

Strike: "; and" on line 10 through "their risks" on page 2, line 7

3. Page 2, line 11 through page 4, line 13.

Strike: everything after the enacting clause

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Insert: "NEW SECTION. Section 1. Pollinator report -- requirements -- deadline.

(1) Before September 1, 2018, the department of agriculture shall prepare a state pollinator report, which must include but is not limited to:

- (a) an assessment of current applications of neonicotinoid insecticides to pollinators;
- (b) a proposal to efficiently and effectively create and enhance pollinator nesting and foraging habitat in the state, including the establishment of pollinator reserves or refuges; and
- (c) recommendations for best management practices and habitat restoration guidelines for pollinator habitat enhancement.

(2) The department shall:

(a) publish electronically the report prepared under subsection (1) and make it available for public comment; and

(b) address and incorporate public comment into the report and provide a final report to the environmental quality council and the legislature pursuant to 5-11-210.

(3) The department may seek federal or private funds to meet the requirements of this section."

Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass.

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

2/23/2017

SB 289, introduced bill, be amended as follows:

1. Page 3, line 10.

Strike: "delinquent"

Following: "fees"

Insert: "that have been delinquent for more than 30 days"

2. Page 3, line 11.

Following: "to the property"

Insert: "pertaining to forms issued to owners of title insurance relating to escrows, settlements, or closings"

And, as amended, do pass.

SB 309, introduced bill, be amended as follows:

1. Title, page 1, line 7 through line 8.

Strike: "REMOVING OPTIONS" on line 7 through "REDESIGN ITSELF;" on line 8

2. Page 4, line 9.

Strike: "63.5%"

Insert: "64.4%"

3. Page 4, line 18.

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Strike: "1.4%"

Insert: "0.5%"

4. Page 5, line 17.

Following: "(a)"

Insert: "in conjunction with the tourism advisory council provided for in 2-15-1816,"

And, as amended, do pass.

SB 318, do pass.

SB 325, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "AND AN APPLICABILITY DATE"

2. Page 1, line 25.

Strike: "-- applicability"

3. Page 1, line 25 through line 26.

Following: "July 1, 2017"

Strike: ", and" on line 25 through "July 1, 2017" on line 26

And, as amended, do pass. Report adopted.

SR 46, be adopted.

SJ 13, do pass.

ENERGY AND TELECOMMUNICATIONS (Ankney, Chair):

2/23/2017

SJ 10, do pass.

NATURAL RESOURCES (Vincent, Chair):

2/22/2017

SB 315, do pass.

Without objection, committee reports were adopted.

**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 Vincent in the chair.

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

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Senator F. Smith excused at this time.

SB 293 - Senator C. Smith moved **SB 293** do pass. Motion carried as follows:

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

Total 45

Nays: Facey, Gauthier, Pomnichowski, Sands.

Total 4

Absent or not voting: None.

Total 0

Excused: Smith F.

Total 1

Senator F. Smith joined the committee at this time.

SB 302 - Senator Buttrey moved **SB 302** do pass. Motion carried as follows:

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

Total 43

Nays: Hinkle, Howard, MacDonald, Malek, McClafferty, Pomnichowski, Smith C.

Total 7

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 310 - Senator Whitford moved **SB 310** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Boland, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hinebauch, Hoven, Howard, Jones, Kary, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Swandal, Tempel,

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Thomas, Vincent, Vuckovich, Welborn, Whitford, Wolken.

Total 35

Nays: Blasdel, Brown, Buttrey, Fielder, Hinkle, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Smith C, Vance, Webb, Mr.President.

Total 15

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SJ 15 - Senator Howard moved **SJ 15** do pass. Motion carried as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, 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, Webb, Welborn, Mr.President.

Total 32

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

Total 18

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 151 - Senator D. Brown moved **SB 151** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Richmond, Salomon, Sands, Sesso, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Whitford, Wolken.

Total 42

Nays: Cohenour, Fielder, Keenan, Pomnichowski, Regier, Smith F, Vuckovich, Mr.President.

Total 8

Absent or not voting: None.

Total 0

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Excused: None.

Total 0

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

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

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

Total 42

Nays: Boland, Cohenour, Facey, Malek, McClafferty, Pomnichowski, Sands, Whitford.

Total 8

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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 198 passed as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, 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 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

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Excused: None.

Total 0

SB 199 passed as follows:

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

Total 46

Nays: Hinebauch, Howard, Regier, Mr.President.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 213 passed as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, 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 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 219 passed as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Small, Smith C, Smith F, Swandal,

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Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 49

Nays: Sesso.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 224 passed as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 48

Nays: Lang, Tempel.
Total 2

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 228 passed as follows:

Yeas: Ankney, Barrett, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hinebauch, Hoven, Howard, Jones, Lang, MacDonald, Malek, McClafferty, McNally, Olszewski, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Swandal, Tempel, Thomas, Vuckovich, Welborn, Whitford, Wolken.
Total 38

Nays: Blasdel, Fielder, Hinkle, Kary, Keenan, Moore, Osmundson, Smith C, Vance, Vincent, Webb, Mr.President.
Total 12

Absent or not voting: None.
Total 0

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Excused: None.

Total 0

SB 243 passed as follows:

Yeas: Ankney, Brown, Buttrey, Caferro, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Keenan, McClafferty, Osmundson, Regier, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Mr.President.

Total 26

Nays: Barrett, Blasdel, Boland, Cohenour, Facey, Gross, Kary, Lang, MacDonald, Malek, McNally, Moore, Olszewski, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Smith F, Webb, Welborn, Whitford, Wolken.

Total 24

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 252 passed as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, 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 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 291 passed as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, 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,

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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 301 passed as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, 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 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 119 concurred in as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinkle, Hoven, Howard, Jones, Kary, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Whitford, Wolken.
Total 43

Nays: Brown, Hinebauch, Keenan, Smith C, Swandal, Welborn, Mr.President.
Total 7

Absent or not voting: None.
Total 0

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Excused: None.

Total 0

HB 247 concurred in as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, 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 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

REPORTS OF STANDING COMMITTEES

FISH AND GAME (Fielder, Chair):

2/23/2017

SB 314, do pass.

SJ 8, do pass.

Without objection, committee reports were adopted.

MOTIONS

Majority Leader Thomas moved the Senate **suspend rule** S40-60 related to the time period that must elapse between receiving legislation from printing and scheduling for second reading, and that the suspension apply to all bills and resolutions scheduled through the forty-fifth day. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, 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 50

Nays: None.

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Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Olszewski moved that **SB 319** be taken from the Public Health, Welfare, and Safety Committee and placed on second reading tomorrow. Motion carried as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinkle, Hoven, Jones, Keenan, MacDonald, Malek, McClafferty, McNally, Olszewski, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Thomas, Vincent, Vuckovich, Whitford, Wolken.

Total 35

Nays: Blasdel, Brown, Hinebauch, Howard, Kary, Lang, Moore, Osmundson, Regier, Smith C, Swandal, Vance, Webb, Welborn, Mr.President.

Total 15

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Sands moved that **SJ 17** be taken from the Natural Resources Committee and placed on second reading tomorrow. Motion **failed** as follows:

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

Total 18

Nays: Ankney, Blasdel, Brown, Buttrey, Connell, 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, Webb, Welborn, Mr.President.

Total 32

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved the Senate adjourn until 8:00 a.m., Friday, February 24, 2017, the forty-first legislative day. Motion carried.

Senate adjourned at 5:51 p.m.

MARILYN MILLER
Secretary of the Senate

SCOTT SALES
President of the Senate