

**SENATE JOURNAL  
65TH LEGISLATURE  
FIFTY-SECOND LEGISLATIVE DAY**

Helena, Montana  
March 13, 2017

Senate Chambers  
State Capitol

Senate convened at 1:02 p.m. President Sales presiding. Invocation by Senator Moore. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

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

3/13/2017

Correctly printed: **SB 344, SB 345, SB 346, SR 35, SR 47, HB 95, HB 163, HB 173, HB 220, HB 276, HB 342, HB 370.**

Correctly engrossed: **HB 83, HB 231**

Examined by the sponsor and found to be correct: **SR 27, SR 28, SR 37.**

Transmitted to the House: **SB 180, SB 196, SB 251, SB 254, SB 285, HB 3, HB 131, HB 148, HB 256, HB 286, HB 305, HB 346, HB 347, HB 377.**

Signed by the President at 9:52 a.m., March 13, 2017: **SB 4, SB 82.**

Signed by the Secretary of the Senate at 9:53 a.m., March 13, 2017: **SB 4, SB 82.**

Signed by the Speaker at 11:10 a.m., March 13, 2017: **SB 4, SB 82.**

Delivered to the Governor at 12:43 p.m., March 13, 2017: **SB 4, SB 82.**

Senator Blasdel introduced the Pages for the coming week:

Molly Yager from Lewistown, sponsored by Senator Osmundson  
Dustin Saxon from Stevensville, sponsored by Senator Thomas  
Justin Saxon from Stevensville, sponsored by Senator Thomas  
Zachary Smith from Wolf Point, sponsored by Senator F. Smith  
Khloe Krumwiede from Glasgow, sponsored by Senator Lang  
Cory Kelly from Chester, sponsored by former Senator Hanson

**FIRST READING AND COMMITMENT OF BILLS**

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

**SB 347**, introduced by J. Hinkle, referred to Taxation.

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

**HB 430**, introduced by A. Hertz, M. Blasdel, referred to Public Health, Welfare, and Safety.

**HB 462**, introduced by F. Garner, referred to Business, Labor, and Economic Affairs.

SENATE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2017

**MOTIONS**

Majority Leader Thomas moved to take **SB 185** from the second reading agenda this day and refer it to the Fish and Game Committee. Without objection, so ordered.

**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 Kary in the chair.

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

**HB 73** - Senator Vance moved **HB 73** be concurred in. 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

**HB 307** - Senator Sesso moved **HB 307** be concurred in.

**HB 307** - Senator Sesso moved **HB 307**, second reading copy, be amended as follows:

1. Page 3, line 15.

**Strike:** "[SECTION 1(3)]"

**Insert:** "[This act]"

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,

SENATE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2017

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 307** - Bill, as amended, 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

**HB 98** - Senator Fielder moved **HB 98** be concurred in.

**HB 98** - Senator Phillips moved a **substitute motion** that consideration of **HB 98** be passed for the day.

**HB 98** - Majority Leader Thomas moved a second **substitute motion** that consideration of **HB 98** be placed at the bottom of the second reading board. Without objection, so ordered.

**HB 128** - Senator Welborn moved **HB 128** be concurred in. 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,

SENATE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2017

Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.  
Total 49

Nays: Tempel.  
Total 1

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 211** - Senator Facey moved **HB 211** be concurred in. 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

**HB 214** - Senator Cohenour moved **HB 214** be concurred in. 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

SENATE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2017

Excused: None.

Total 0

**SJ 9** - Senator Phillips moved **SJ 9** do pass. Motion carried 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, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Thomas, Vuckovich, Welborn, Whitford, Wolken.

Total 42

Nays: Hinebauch, Howard, Smith C, Swandal, Vance, Vincent, Webb, Mr.President.

Total 8

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 267** - Senator Gross moved **HB 267** be concurred in. Motion **failed** as follows:

Yeas: Barrett, Boland, Buttrey, Caferro, Cohenour, Facey, Fitzpatrick, Gauthier, Gross, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Vuckovich, Whitford, Wolken.

Total 24

Nays: Ankney, Blasdel, Brown, Connell, Fielder, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.

Total 26

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 267** - Majority Leader Thomas moved **HB 267** be **indefinitely postponed**. Motion carried as follows:

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

SENATE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2017

Total 29

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

Total 21

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 152** - Senator Fitzpatrick moved **HB 152** be concurred in. 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

**HB 98** - Senator Fielder moved **HB 98** be concurred in.

**HB 98** - Senator Phillips moved **HB 98**, second reading copy, be amended as follows:

1. Title, page 1, line 7.

**Following:** "DEFINITIONS"

**Insert:** "BY ADDING STRIPED SKUNK AND REMOVING CIVET CAT"

2. Page 2, line 11.

**Strike:** "RACCOON, RED FOX, BADGER,"

3. Page 5, line 3.

**Strike:** "RACCOON, RED FOX, BADGER,"

SENATE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2017

Senator Phillips withdrew the motion to amend **HB 98** and moved that consideration of **HB 98** be passed for the day. Without objection, so ordered.

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

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

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

Total 43

Nays: Cohenour, Gross, MacDonald, Pomnichowski, Sands, Smith F, Whitford.

Total 7

Absent or not voting: None.

Total 0

Excused: None.

Total 0

### MOTIONS

Majority Leader Thomas moved **SB 339** be taken from the Energy and Telecommunications Committee and re-referred to the Natural Resources Committee. 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:

**HB 95** 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.

SENATE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2017

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 163** 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

**HB 173** 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

**ANNOUNCEMENTS**



SENATE JOURNAL  
FIFTY-SECOND LEGISLATIVE DAY - MARCH 13, 2017

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved the Senate adjourn until 1:00 p.m., Tuesday, March 14, 2017, the fifty-third legislative day. Motion carried.

Senate adjourned at 2:20 p.m.

MARILYN MILLER  
Secretary of the Senate

SCOTT SALES  
President of the Senate