

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

Helena, Montana  
March 21, 2017

Senate Chambers  
State Capitol

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

Roll Call. All members present. Quorum present.

**BILLS AND JOURNALS** (Keenan, Chair): 3/21/2017

Correctly printed: **SB 57, SB 173, SB 187, SB 354, SB 355, SB 356, SR 54, HB 175, HB 183, HB 471, HB 485, HB 509, HB 539.**

Correctly engrossed: **SB 313, SB 340, SB 344, HB 70, HB 168, HB 266, HB 364.**

Correctly enrolled: **SB 62.**

Transmitted to the House: **SB 299, HB 20, HB 137, HB 145, HB 156, HB 208, HB 297, HB 421, HB 470.**

Signed by the President at 5:00 p.m., March 20, 2017: **SB 107, SB 182, SB 189, SB 228, SB 229, SB 318.**

Signed by the Secretary of the Senate at 7:18 a.m., March 21, 2017: **SB 107, SB 182, SB 189, SB 228, SB 229, SB 318.**

Signed by the Speaker at 4:50 p.m., March 20, 2017: **SB 2, SB 6, SB 28, SB 67, SB 91, SB 165.**

Signed by the Speaker at 11:30 a.m., March 21, 2017: **SB 107, SB 182, SB 189, SB 228, SB 229, SB 318.**

Delivered to the Governor at 10:30 a.m., March 21, 2017: **SB 2, SB 6, SB 28, SB 67, SB 91, SB 165.**

Delivered to the Governor at 12:47 p.m., March 21, 2017: **SB 107, SB 182, SB 189, SB 228, SB 229, SB 318.**

**REPORTS OF STANDING COMMITTEES**

**BUSINESS, LABOR, AND ECONOMIC AFFAIRS** (Buttrey, Chair): 3/21/2017

**SB 340**, introduced bill, be amended as follows:

1. Page 13, line 24 through line 26.

**Strike:** ":" on line 24 through "(B)" on line 26

And, as amended, do pass.

**SB 344**, introduced bill, be amended as follows:

1. Page 3, line 5 through line 12.

**Strike:** line 5 through line 12

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**Insert:** "(b) A person claiming a security interest in a liquor license may submit to the department copies of documents evidencing the security interest, the license number, and a \$30 notification fee. The department shall deposit the fee as provided in 16-2-108. The department may create and provide a form to be used for this purpose.

(c) The department shall notify by certified mail those that have filed information provided in subsection (4)(b):

(i) at least 20 days prior to issuance of an order of default for revocation, nonrenewal, or lapse of a license; or

(ii) immediately after the department's office of dispute resolution has issued a decision to uphold the department's revocation or nonrenewal of a license under 16-4-406 or lapse of a license under 16-3-310."

And, as amended, do pass.

**HB 496**, be amended as follows:

1. Title, page 1, line 4.

**Following:** "EMPLOYEES OF"

**Insert:** "CERTAIN"

2. Title, page 1, line 5.

**Strike:** "MINIMUM WAGE AND"

3. Page 2, line 23.

**Following:** "or"

**Insert:** "or"

4. Page 2, line 25 through line 26.

**Strike:** "; or" on line 25 through "provider" on line 26

5. Page 5.

**Following:** line 4

**Insert:** "(u) a person employed by a seasonal outdoor recreation service provider that operates a dude ranch, guest ranch, or outfitting business licensed under Title 37 or an unlicensed outfitting business;"

**Renumber:** subsequent subsections

And, as amended, be concurred in.

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

3/21/2017

**SB 94**, introduced bill, be amended as follows:

1. Title, page 1, line 9 through line 12.

**Following:** "DEFINITIONS;"

**Strike:** "PROVIDING " on line 9 through "JURISDICTIONS;" on line 12

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2. Page 2, line 1.

**Following:** "taxation"

**Strike:** "SUBJECT TO THE LIEN AND REPAYMENT PROVISIONS OF [SECTIONS 2 THROUGH 10]"

3. Page 2, line 14.

**Following:** "residence;"

**Strike:** "and"

**Insert:** "(ii) an affirmation that the land has been owned by the applicant or a family member of the applicant within the third degree of consanguinity for at least 30 consecutive years; and"

**Renumber:** subsequent subsections

4. Page 2, line 21 through line 23.

**Strike:** subsection (7) in its entirety

**Renumber:** subsequent sections

5. Page 2, line 24.

**Strike:** "[SECTIONS 1 THROUGH 10],"

**Insert:** "this section"

6. Page 2, line 30.

**Strike:** "(8)(A)(I)"

**Insert:** "(7)(a)(i)"

7. Page 3, line 3 through page 3, line 5.

**Strike:** subsection (b) in its entirety

**Renumber:** subsequent subsections

8. Page 3, line 17 through page 9, line 23.

**Strike:** section 2 through section 10 in their entirety

**Renumber:** subsequent sections

9. Page 14, line 14.

**Strike:** "[SECTIONS 1 THROUGH 10] ARE"

**Insert:** "[Section 1] is"

10. Page 14, line 16.

**Strike:** "[SECTIONS 1 THROUGH 10] "

**Insert:** "[section 1]"

And, as amended, do pass.

**HB 22**, be amended as follows:

1. Page 2, line 27.

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**Strike:** "GENERAL FUND"

**Insert:** "coal natural resource account established in 90-6-1001(2)"

2. Page 3, line 2.

**Strike:** "GENERAL FUND"

**Insert:** "coal natural resource account established in 90-6-1001(2)"

And, as amended, be concurred in.

**HB 64**, be concurred in.

**HB 209**, be concurred in.

**JUDICIARY** (Regier, Chair):

3/21/2017

**HB 70**, be amended as follows:

1. Page 2, line 20.

**Following:** "as guardians"

**Insert:** ", to public defenders and district court judges who are handling guardianship cases,"

2. Page 2, line 25.

**Following:** line 25

**Insert:** "(3) Grant funds may not be allocated to or used by any organization or individual that serves on the working interdisciplinary network of guardianship stakeholders."

**Renumber:** subsequent subsection

And, as amended, be concurred in.

**HB 168**, be amended as follows:

1. Page 1, line 11.

**Following:** "(1)"

**Insert:** "(a)"

**Following:** "offense"

**Insert:** "or offenses"

2. Page 1, line 12.

**Following:** "offense"

**Insert:** "or offenses"

3. Page 1, line 14.

**Following:** line 14

**Insert:** "(b) The district court must determine whether a victim is entitled to notification of the request for expungement as provided in Article II, section 36, subsection(1)(q), of the Montana constitution. If a victim is identified by the district court, the prosecution office responsible for the conviction for which expungement is being requested must attempt to

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notify the victim. If the victim appears, the victim must be given an opportunity to respond."

4. Page 1, line 24.

**Following:** "offense"

**Insert:** ", or does not have charges pending for the commission of a new offense, as verified by the prosecution office responsible for the conviction for which expungement is being requested"

5. Page 1, line 28.

**Following:** "PART 4."

**Insert:** "The prosecution office that prosecuted the offense for which expungement is being requested must be notified of the request and be given an opportunity to respond and argue against the expungement. In making the determination of whether expungement should be granted, the district court must consider, in addition to any other factors, the age of the petitioner at the time the offense was committed, the length of time between the offense and the request, the rehabilitation of the petitioner, and the likelihood that the person will reoffend."

6. Page 2, line 10.

**Strike:** "DETERMINING PRIOR CONVICTIONS"

**Insert:** "validating the person's identity"

And, as amended, be concurred in.

**NATURAL RESOURCES** (Vincent, Chair):

3/20/2017

**SB 313**, introduced bill, be amended as follows:

1. Title, page 1, line 4.

**Strike:** "CREATING EXEMPTIONS FROM FLOOD PLAIN PERMITTING"

**Insert:** "ALLOWING VARIANCES"

2. Title, page 1, line 5.

**Following:** "STREAM RESTORATION PROJECTS"

**Insert:** "LOCATED IN A FLOOD PLAIN"

**Following:** "RULEMAKING;"

**Insert:** "PROVIDING LEGISLATIVE INTENT; REQUIRING AN APPLICATION FEE;"

3. Page 1, line 20.

**Strike:** "Stream"

**Insert:** "Variance for stream"

**Strike:** "-- exemption"

**Following:** "rulemaking"

**Insert:** "-- legislative intent"

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4. Page 1, line 21.

**Strike:** "stream restoration projects to be exempt"

**Insert:** "for variances"

5. Page 1, line 22.

**Following:** "regulations"

**Insert:** "for stream restoration projects"

6. Page 1, line 25.

**Following:** "not limited to"

**Insert:** ":

(a)"

**Following:** "establishment of"

**Insert:** "eligibility criteria, including"

7. Page 1, line 26.

**Strike:** subsection (a) in its entirety

8. Page 1, line 27.

**Strike:** "(b)"

**Insert:** "(i)"

**Strike:** "criteria for an exemption that includes"

9. Page 1, line 27 through line 28.

**Strike:** "more than" on line 27 through "1,000 linear feet" on line 28

10. Page 1, line 29.

**Strike:** "(c)"

**Insert:** "(ii)"

11. Page 1, line 30.

**Strike:** "to be eligible for an exemption,"

12. Page 2, line 1.

**Following:** "surrounding property"

**Insert:** ";

(b) the variance procedure used in 76-5-405;

(c) a procedure for the local flood plain administrator to approve a variance; and

(d) the establishment of a \$25 submission fee for a variance application.

(4) It is the legislature's intent that rules adopted under this part ensure eligibility for property owners under the national flood insurance program administered by the federal emergency management agency"

And, as amended, do pass.

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**SB 342**, do pass.

**HB 99**, be concurred in.

**HB 140**, be concurred in.

**HB 228**, be concurred in.

**HB 360**, be concurred in.

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

3/20/2017

**HB 266**, be amended as follows:

1. Page 2, line 22 through line 23.

**Following:** "individual" on line 22

**Strike:** "and" on line 22 through "is" on line 23

**Insert:** "that are provided through the children's health insurance program, medicaid, or medicare, including but"

And, as amended, be concurred in.

**HB 364**, be amended as follows:

1. Page 2, line 3.

**Following:** "asked"

**Insert:** "by a representative of the place or accommodation"

2. Page 2, line 21.

**Strike:** "PERSON"

**Insert:** "representative of a place or accommodation mentioned in 49-4-211"

**Following:** "DOG"

**Insert:** "at the place or accommodation"

And, as amended, be concurred in.

**STATE ADMINISTRATION** (Brown, Chair):

3/20/2017

**HB 103**, be concurred in.

Without objection, committee reports were adopted.

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**MESSAGES FROM THE GOVERNOR**

March 17, 2017

The Honorable Scott Sales  
President, Montana State Senate  
Capitol Station  
Helena, MT 59620

By Hand and Electronic Delivery

Dear President Sales:

In accordance with Montana Code Annotated 5-5-302, I submit to you and the Montana Senate my cabinet appointment for confirmation.

! Department of Commerce, Director, **Ms. Pam Haxby-Cote**, 109 Winke Way, Butte, MT 59701, appointed effective March 27, 2017.

If you need additional information, please call Stacey Otterstrom, Boards and Appointments Advisor at extension 4405.

Sincerely,

STEVE BULLOCK  
Governor

March 17, 2017

The Honorable Scott Sales  
President, Montana State Senate  
Capitol Station  
Helena, MT 59620

By Hand and Electronic Delivery

Dear President Sales:

In accordance with Montana Code Annotated 5-5-302, I submit to you and the Montana Senate the following board, council and commission appointments for confirmation.

**Commission for Human Rights**  
*MCA 2-15-1706*

! Theresa Doty, 2800 White Blvd., Butte, MT 59701, was appointed to serve a term starting April 3, 2017 and ending January 1, 2021. Ms. Doty fulfills the qualifications of Public Representative for the Commission.



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- ! Michael Murray, 607 W. Lawrence Street, Helena, MT 59601, was appointed to serve a term starting April 3, 2017 and ending January 1, 2021. Mr. Murray fulfills the qualifications of Public Representative for the Commission.
- ! Christopher Pope, 1508 South Willson Avenue, Bozeman, MT 59715, was appointed to serve a term starting April 3, 2017 and ending January 1, 2021. Mr. Pope fulfills the qualifications of Public Representative for the Commission.

**Board of Oil and Gas Conservation**

*MCA 2-15-3303*

- ! Mac McDermott, 406 5th Ave S, Shelby, MT 59474, was appointed to serve a term starting March 17, 2017 and ending January 1, 2021. Mr. McDermott fulfills the qualifications of Member from the oil and gas industry for the Board.
- ! Peggy Ames Nerud, PO Box 118, Circle, MT 59215, was reappointed to serve a term starting March 17, 2017 and ending January 1, 2021. Mrs. Nerud fulfills the qualifications of Public Representative for the Board.
- ! Dennis Trudell, 34410 CR 147, Fairview, MT 59221, was appointed to serve a term starting March 17, 2017 and ending January 1, 2021. Mr. Trudell fulfills the qualifications of Landowner residing in oil or gas producing counties of the state, but not actively associated with the oil and gas industry, who owns the mineral rights with the surface for the Board.
- ! Corey Welter, 100 N 27th Street, Suite 520, Billings, MT 59101, was reappointed to serve a term starting March 17, 2017 and ending January 1, 2021. Mr. Welter fulfills the qualifications of Member from the oil and gas industry for the Board.

I have included the appointees' resumes, biography or other qualification documentation for your consideration.

I have asked Stacey Otterstrom, my Boards and Appointments Advisor to coordinate with your office and Legislative Services as these appointments move through the confirmation process. Thank you.

Sincerely,

STEVE BULLOCK  
Governor

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March 20, 2017

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

Dear President Sales:

On Monday, March 20, 2017, I signed the following bills:

**SB 4** - D. Sands  
**SB 82** - A. Olszewski

I also returned **SB 131**--F. Thomas to the Secretary of State's Office without signature.

Sincerely,

STEVE BULLOCK  
Governor

**MESSAGES FROM THE OTHER HOUSE**

**HB 131** - The House failed to concur in Senate amendments to **HB 131**, authorized the Speaker to appoint the following Conference Committee, and requested that the Senate appoint a like committee to confer on Senate amendments to **HB 131**:  
3/20/2017

Representative Cook  
Representative Lenz  
Representative Perry

**FIRST READING AND COMMITMENT OF BILLS**

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

**SB 359**, introduced by M. Blasdel, E. Buttrey, W. Galt, A. Hertz, J. Knokey, A. Knudsen, S. Lavin, R. Lynch, D. Mortensen, J. Patelis, F. Thomas, G. Vuckovich, R. Webb, referred to Taxation.  
**SB 360**, introduced by A. Olszewski, referred to Judiciary.  
**SB 361**, introduced by C. Vincent, referred to Education and Cultural Resources.  
**SB 362**, introduced by E. Buttrey, J. Sesso, C. Smith, referred to Business, Labor, and Economic Affairs.

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

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**SJ 21**, introduced by D. Sands, C. Boland, M. Caferro, J. Pomnichowski, J. Welborn, referred to Local Government.

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

**SB 357**, introduced by D. Kary, D. Ankney, D. Bartel, M. Blasdel, P. Connell, B. Harris, S. Hinebauch, M. Lang, F. Moore, D. Mortensen, J. Patelis, T. Richmond, D. Skees, S. Staffanson, R. Tempel, B. Tschida, B. Usher, S. Vinton, P. Webb, R. Webb, referred to Energy and Telecommunications.

**SB 358**, introduced by J. Cohenour, D. Barrett, C. Boland, M. Caferro, T. Facey, M. MacDonald, S. Malek, E. McClafferty, M. McNally, M. Phillips, J. Pomnichowski, D. Sands, J. Sesso, F. Smith, G. Vuckovich, L. Whitford, C. Wolken, referred to Highways and Transportation.

**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 Blasdel in the chair.

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

**HB 198** - Senator Facey moved consideration of **HB 198** be passed for the day. Without objection, so ordered.

**SB 190** - Senator Phillips moved **SB 190** do pass. 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

**SB 190** - Senator Phillips moved **SB 190** be **indefinitely postponed**. Motion carried as

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follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Caferro, 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 34

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

Total 16

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 126** - Senator Osmundson moved **HB 126** be concurred in. Before voting, Senator Connell disclosed he is a licensed professional applicator of pesticides. Motion carried as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hoven, Howard, Jones, Kary, 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.

Total 43

Nays: Blasdel, Brown, Hinkle, Keenan, Regier, Vincent, Mr.President.

Total 7

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 338** - Senator Lang moved **HB 338** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, 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 49

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Nays: Brown.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 345** - Senator Sands moved **HB 345** 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: Gross.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 523** - Senator Tempel moved **HB 523** 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, 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, Wolken, Mr.President.

Total 48

Nays: Malek, Whitford.

Total 2

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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**HB 393** - Senator Small moved **HB 393** be concurred in. Motion carried as follows:

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

Total 42

Nays: Boland, Brown, Caferro, Gross, McClafferty, Sesso, Vance, Whitford.

Total 8

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 500** - Senator Vuckovich moved **HB 500** 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 248** - Senator Boland moved **HB 248** 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

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Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SB 341** - Senator Olszewski moved **SB 341** do pass. Motion carried 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, 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: Cohenour, Gross, MacDonald.

Total 3

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 349** - Senator R. Webb moved **HB 349** be concurred in. Motion carried as follows:

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

Total 35

Nays: Boland, Caferro, Cohenour, Facey, Gross, MacDonald, Malek, McClafferty, McNally, Pomnichowski, Sesso, Tempel, Welborn, Whitford, Wolken.

Total 15

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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**HB 350** - Senator R. Webb moved **HB 350** 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

**SB 172** - Senator Lang moved **SB 172** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Boland, 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, Wolken, Mr.President.  
Total 46

Nays: Blasdel, Brown, Smith F, Whitford.  
Total 4

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**SB 276** - Senator R. Webb moved **SB 276** do pass. Motion carried as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Small, Smith C, Swandal, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.  
Total 29

Nays: Barrett, Boland, Caferro, Cohenour, Facey, Gross, Hoven, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Salomon, Sands, Sesso, Smith F, Tempel,



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Vuckovich, Whitford, Wolken.

Total 21

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SB 280** - Senator Malek moved **SB 280** do pass. Motion carried as follows:

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

Total 39

Nays: Caferro, Fitzpatrick, Howard, Kary, Keenan, Lang, Smith C, Thomas, Vance, Webb, Mr. President.

Total 11

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 Blasdel 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, 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 48

Nays: Cohenour, Malek.

Total 2

Absent or not voting: None.

Total 0

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Excused: None.

Total 0

**FIRST READING AND COMMITMENT OF BILLS**

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

**SB 363**, introduced by C. Vincent, referred to Natural Resources.

**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 57** passed as follows:

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

Total 38

Nays: Brown, Fielder, Hinebauch, Hinkle, Keenan, Regier, Smith C, Vance, Vincent, Webb, Welborn, Mr.President.

Total 12

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SB 173** 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

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SB 187** 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 175** 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 183** concurred in as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Cohenour, Connell, Facey, Fielder, Fitzpatrick,

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Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Malek, McNally, Moore, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Sands, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 42

Nays: Boland, Caferro, MacDonald, McClafferty, Pomnichowski, Sesso, Smith F, Vuckovich.

Total 8

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 471** 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 485** 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

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 509** concurred in as follows:

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

Total 42

Nays: Brown, Hinebauch, Hinkle, Kary, Smith C, Vincent, Welborn, Mr.President.

Total 8

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 539** 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

**MOTIONS**

Majority Leader Thomas moved that **SB 353** be taken from the Taxation Committee and referred to the Business, Labor, and Economic Affairs Committee. Without objection, so

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ordered.

Majority Leader Thomas moved the Senate accede to the request of the House and appoint a Conference Committee on **HB 131**. Without objection, so ordered. President Sales appointed:  
Senator Hoven, Chair  
Senator Osmundson  
Senator F. Smith

Majority Leader Thomas moved the Senate suspend the rules and reconsider its action on **HB 141** which was indefinitely postponed February 13, 2017. Motion passed as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr. President.  
Total 45

Nays: Brown, Kary, Olszewski, Osmundson, Vance.  
Total 5

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

Majority Leader Thomas moved that **HB 141** be referred to the Business, Labor, and Economic Affairs 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., Wednesday, March 22, 2017, the fifty-ninth legislative day. Motion carried.

Senate adjourned at 2:59 p.m.

MARILYN MILLER  
Secretary of the Senate

SCOTT SALES  
President of the Senate