

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

Helena, Montana  
March 23, 2017

Senate Chambers  
State Capitol

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

Roll Call. All members present. Quorum present.

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

3/23/2017

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

Correctly printed: **SB 336, SB 364, SB 365, SR 50, HB 62, HB 147, HB 149, HB 200, HB 201, HB 245, HB 251, HB 273, HB 280, HB 306, HB 316, HB 358, HB 367, HB 374, HB 405, HB 416, HB 422, HB 520.**

Correctly engrossed: **SB 185, SB 236, SR 33, HB 37, HB 108, HB 129, HB 298, HB 333, HB 381, HB 407, HB 510.**

Examined by the sponsor and found to be correct: **SB 97, SB 128, SB 264.**

Transmitted to the House: **SB 172, SB 276, SB 341, HB 126, HB 248, HB 338, HB 345, HB 349, HB 350, HB 393, HB 500, HB 523.**

Signed by the President at 3:47 p.m., March 22, 2017: **SB 62.**

Signed by the Secretary of the Senate at 3:55 p.m., March 22, 2017: **SB 62.**

Signed by the Speaker at 10:50 a.m., March 23, 2017: **SB 62.**

Delivered to the Governor at 3:35 p.m., March 23, 2017: **SB 62.**

**REPORTS OF STANDING COMMITTEES**

**EDUCATION AND CULTURAL RESOURCES** (Salomon, Chair):

3/22/2017

**SR 32**, be adopted.

**SR 33**, introduced resolution, be amended as follows:

1. Page 1, line 14.

**Strike:** line 14 in its entirety

And, as amended, be adopted.

**SR 52**, be adopted.

**HB 37**, be amended as follows:

1. Page 3, line 23.

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**Following:** "\$1"

**Insert:** "million"

2. Page 4, line 1.

**Insert:** "COORDINATION SECTION. Section 7. Coordination instruction. If House Bill No. 2 and [this act] are passed and approved and House Bill No. 2 has an appropriation for the Montana Indian language preservation program, then [section 5 of this act] is void."

**Renumber:** subsequent sections

And, as amended, be concurred in.

**HB 298**, be amended as follows:

1. Title, page 1, line 5.

**Strike:** "REQUIRING"

**Insert:** "ENCOURAGING"

2. Page 1, line 15.

**Strike:** "shall"

**Insert:** "is encouraged to"

3. Page 1, line 19.

**Strike:** "No" through "2018, the"

**Insert:** "The"

**Strike:** the second "the"

**Insert:** "any"

4. Page 1, line 28.

**Strike:** "The"

**Insert:** "Any"

And, as amended, be concurred in.

**HB 372**, be concurred in.

**HB 381**, be amended as follows:

1. Title, page 1, line 5.

**Following:** "RESPONSE;"

**Insert:** "PROVIDING IMMUNITY;"

2. Page 2, line 1.

**Following:** line 1

**Insert:** "(6) No cause of action may be brought for any loss or damage caused by any act or omission resulting from the implementation of the provisions of this section, or resulting from any training, or lack of training, related to this section. Nothing in this section shall be

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construed to impose a specific duty of care."

3. Page 2, line 2.

**Insert:** "NEW SECTION. Section 2. Two-thirds vote required. Because [section 1] limits governmental liability, Article II, section 18, of the Montana constitution requires a vote of two-thirds of the members of each house of the legislature for passage."

**Renumber:** subsequent sections

And, as amended, be concurred in.

**JUDICIARY** (Regier, Chair):

3/23/2017

**HB 351**, be concurred in.

**HB 494**, be concurred in.

**HB 521**, be concurred in.

**LOCAL GOVERNMENT** (Webb, Chair):

3/22/2017

**HB 407**, be amended as follows:

1. Page 4, line 18.

**Following:** "76-3-207(1)(b)."

**Insert:** "Nothing in this section is intended to prohibit the extension, construction, reconstruction, or other improvements to a public sewage system within a well isolation zone that extends onto land that is dedicated for use as a right-of-way for roads, railroads, or utilities."

And, as amended, be concurred in.

**HB 456**, be concurred in.

**HB 492**, be concurred in.

**HB 510**, be amended as follows:

1. Title, line 7.

**Strike:** "AND"

2. Title, line 8.

**Following:** "MCA"

**Insert:** "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 2, line 4.

**Following:** "available or"

**Insert:** ", unless subsection (3) applies,"

**Following:** "76-3-507"

**Strike:** ";

**Insert:** ". If subsection (3) applies, the requirements of 76-3-507 do not apply."

4. Page 2.

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**Following:** line 13

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

And, as amended, be concurred in.

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

3/22/2017

**HB 469**, be concurred in.

**HB 476**, be concurred in.

**HB 495**, be concurred in.

**HJ 6**, be amended as follows:

1. Title, page 1, line 5.

**Following:** "USE"

**Insert:** "AND ILLEGAL USE OF OPIOIDS"

2. Page 1, line 18.

**Following:** "parents"

**Insert:** "and that opioid addiction and illegal drug use are factors contributing to children experiencing child abuse and neglect"

3. Page 1, line 26.

**Following:** "committee"

**Insert:** "or committees"

4. Page 1, line 28.

**Following:** "use"

**Insert:** "and illegal use of opioids"

5. Page 1, line 29.

**Following:** "use"

**Insert:** "and illegal use of opioids"

6. Page 2, line 1.

**Following:** "methamphetamine use"

**Insert:** "or illegal use of opioids"

**Strike:** "drug"

**Insert:** "drugs"

7. Page 2, line 2.

**Following:** "use"

**Insert:** "or illegal use of opioids"

8. Page 2, line 6.

**Following:** "use"

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**Insert:** "and illegal use of opioids"

**Strike:** "its impact"

**Insert:** "their impacts"

9. Page 2, line 8.

**Following:** "committee"

**Insert:** "or committees"

10. Page 2, line 9.

**Following:** "use"

**Insert:** "and illegal use of opioids"

11. Page 2, line 10.

**Following:** "use"

**Insert:** "and illegal use of opioids"

12. Page 2, line 12.

**Following:** "use"

**Insert:** "and illegal use of opioids"

**Strike:** "its"

**Insert:** "their"

13. Page 2, line 17.

**Following:** "methamphetamine"

**Insert:** "or the illegal use of opioids"

14. Page 2, line 21.

**Following:** "committee"

**Insert:** "or committees"

And, as amended, be concurred in.

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

3/22/2017

**HB 333**, be amended as follows:

1. Page 3, line 22.

**Following:** "officer;"

**Strike:** "or"

2. Page 3, line 23.

**Following:** "representative"

**Insert:** "; or

(i) a veterans' organization or its representative"

3. Page 5, line 11.

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**Strike:** "(5)(h)"

**Insert:** "(5)(i)"

And, as amended, be concurred in.

Without objection, committee reports were adopted.

**MESSAGES FROM THE GOVERNOR**

March 22, 2017

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

Dear President Sales:

On Wednesday, March 22, 2017, I signed the following bill:

**SB 54** - J. Gross

Sincerely,

STEVE BULLOCK  
Governor

**MESSAGES FROM THE OTHER HOUSE**

**Senate bills** concurred in and returned to the Senate:

3/22/2017

**SB 8**, introduced by T. Facey

**SB 20**, introduced by N. Swandal

**SB 79**, introduced by S. Fitzpatrick

**SB 81**, introduced by N. Swandal

**SB 103**, introduced by L. Jones

**SB 115**, introduced by M. Moe

**SB 121**, introduced by E. Buttrey

**SB 151**, introduced by D. Brown

**Senate bills** concurred in as amended and returned to the Senate for concurrence in House amendments:

3/22/2017

**SB 58**, introduced by M. McNally

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**SB 127**, introduced by M. Moe

**Senate amendments to House bill** concurred in: 3/22/2017

**HB 307**, introduced by K. Kelker

**House bills** passed and transmitted to the Senate for concurrence: 3/22/2017

**HB 134**, introduced by J. Essmann

**HB 528**, introduced by T. Welch

**FIRST READING AND COMMITMENT OF BILLS**

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

**SB 366**, introduced by J. Cohenour, J. Essmann, J. Sesso, F. Thomas, B. Usher, referred to State Administration.

**SB 367**, introduced by F. Moore, D. Ankney, D. Barrett, E. Buttrey, M. Caferro, P. Connell, R. Cook, T. Facey, S. Fitzpatrick, F. Garner, T. Gauthier, B. Hoven, L. Jones, R. Lynch, M. MacDonald, S. Malek, M. McNally, J. Pomnichowski, T. Richmond, D. Salomon, J. Sesso, J. Small, N. Swandal, F. Thomas, J. Welborn, referred to Finance and Claims.

**SB 368**, introduced by T. Richmond, D. Ankney, D. Brown, D. Kary, D. Sands, J. Sesso, F. Thomas, referred to State Administration.

**SB 369**, introduced by J. Welborn, referred to Business, Labor, and Economic Affairs.

**SB 371**, introduced by F. Moore, referred to Business, Labor, and Economic Affairs.

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

**SR 55**, introduced by E. Buttrey, referred to Business, Labor, and Economic Affairs.

**SR 56**, introduced by E. Buttrey, referred to Business, Labor, and Economic Affairs.

The following Senate bill was introduced and read first time:

**SB 370**, introduced by S. Fitzpatrick.

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

**HB 134**, introduced by J. Essmann (by request of the School Funding Interim Commission), referred to Education and Cultural Resources.

**HB 528**, introduced by T. Welch, referred to Highways and Transportation.

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**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 K. Regier 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.

**HB 323** - Senator Olszewski moved **HB 323** 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 328** - Senator Olszewski moved **HB 328** 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



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Excused: None.

Total 0

**HB 288** - Senator Vance moved **HB 288** 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 388** - Senator Salomon moved **HB 388** 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 447** - Senator Swandal moved **HB 447** be concurred in. 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, 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 48

Nays: Hinkle, Howard.  
Total 2

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HB 103** - Senator Malek moved **HB 103** be concurred in.

**HB 103** - Senator Fitzpatrick moved **HB 103**, second reading copy, be amended as follows:

1. Title, page 1, line 18.  
**Following:** "13-10-404,"  
**Insert:** "13-10-602,"

2. Page 13.  
**Following:** line 17

**Insert:** "**Section 10.** Section 13-10-602, MCA, is amended to read:

**"13-10-602. Use of party name.** (1) A political party and its regularly nominated candidates, members, and officers have the sole and exclusive right to the use of the party name. A candidate for office may not use any word of the name of any other political party or organization other than that by which the candidate is nominated in a manner that indicates or implies the individual is a candidate of the nonnominating party.

(2) An independent or nonpartisan candidate may not use any word of the name of any existing political party or organization in the candidacy in a manner that indicates or implies that the individual is a candidate of that party or organization."

**Renumber:** subsequent sections

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

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 103** - 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, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 49

Nays: Vance.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Wolken excused at this time.

**SB 138** - Senator Ankney moved **SB 138** 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, Mr.President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Wolken.

Total 1

**SB 324** - Senator Tempel moved **SB 324** do pass. Motion carried as follows:

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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, Mr.President.  
Total 49

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Wolken.  
Total 1

**HB 30** - Senator Barrett moved **HB 30** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hoven, Howard, Jones, Kary, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vincent, Vuckovich, Webb, Welborn, Whitford.  
Total 44

Nays: Hinkle, Keenan, Olszewski, Vance, Mr.President.  
Total 5

Absent or not voting: None.  
Total 0

Excused: Wolken.  
Total 1

**HB 396** - Senator Cohenour moved **HB 396** 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, Mr.President.  
Total 49

Nays: None.  
Total 0

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Absent or not voting: None.

Total 0

Excused: Wolken.

Total 1

**SB 59 - House Amendments** - Senator Sesso moved House amendments to **SB 59** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hoven, Howard, Jones, 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, Welborn, Whitford, Mr.President.

Total 44

Nays: Fielder, Hinebauch, Hinkle, Kary, Webb.

Total 5

Absent or not voting: None.

Total 0

Excused: Wolken.

Total 1

**SB 65 - House Amendments** - Senator Sesso moved House amendments to **SB 65** be concurred in. Motion carried as follows:

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

Total 32

Nays: Blasdel, Brown, Buttrey, Connell, Fielder, Hinebauch, Hinkle, Howard, Kary, Keenan, Regier, Smith C, Thomas, Vance, Vincent, Webb, Mr.President.

Total 17

Absent or not voting: None.

Total 0

Excused: Wolken.

Total 1

Senator Vincent assumed the chair.

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**SB 94** - Senator K. Regier moved **SB 94** do pass. Motion carried as follows:

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

Total 34

Nays: Barrett, Boland, Cohenour, Facey, Gross, MacDonald, Malek, McClafferty, Phillips, Pomnichowski, Sesso, Smith F, Vuckovich, Welborn, Whitford.

Total 15

Absent or not voting: None.

Total 0

Excused: Wolken.

Total 1

**HB 285** - Senator Sands moved **HB 285** be concurred in. Motion carried as follows:

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

Total 37

Nays: Brown, Fielder, Hinebauch, Kary, Moore, Regier, Salomon, Smith C, Swandal, Vincent, Welborn, Mr.President.

Total 12

Absent or not voting: None.

Total 0

Excused: Wolken.

Total 1

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, 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,

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

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Wolken.  
Total 1

**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 280** passed as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Caferro, Cohenour, Facey, Gauthier, Gross, Hinkle, Hoven, Jones, MacDonald, Malek, McClafferty, McNally, Olszewski, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Swandal, Vuckovich, Whitford.  
Total 29

Nays: Blasdel, Brown, Connell, Fielder, Fitzpatrick, Hinebauch, Howard, Kary, Keenan, Lang, Moore, Osmundson, Smith C, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.  
Total 20

Absent or not voting: None.  
Total 0

Excused: Wolken.  
Total 1

**HB 62** 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, Mr.President.  
Total 49

Nays: None.

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Total 0

Absent or not voting: None.

Total 0

Excused: Wolken.

Total 1

**HB 64** 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, Mr.President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Wolken.

Total 1

**HB 147** concurred in as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, 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, Mr.President.

Total 48

Nays: Facey.

Total 1

Absent or not voting: None.

Total 0

Excused: Wolken.

Total 1

**HB 149** concurred in as follows:



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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, Mr.President.  
Total 48

Nays: Smith F.  
Total 1

Absent or not voting: None.  
Total 0

Excused: Wolken.  
Total 1

**HB 200** concurred in as follows:

Yeas: Ankney, Barrett, Boland, Brown, Caferro, Cohenour, Connell, Facey, Gauthier, Gross, Hoven, MacDonald, Malek, McClafferty, McNally, Moore, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Smith F, Vuckovich, Whitford.  
Total 25

Nays: Blasdel, Buttrey, Fielder, Fitzpatrick, Hinebauch, Hinkle, Howard, Jones, Kary, Keenan, Lang, Olszewski, Osmundson, Regier, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.  
Total 24

Absent or not voting: None.  
Total 0

Excused: Wolken.  
Total 1

**HB 201** 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, Mr.President.  
Total 49

Nays: None.  
Total 0

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Absent or not voting: None.

Total 0

Excused: Wolken.

Total 1

**HB 245** 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, Mr.President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Wolken.

Total 1

**HB 251** concurred in as follows:

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

Total 38

Nays: Barrett, Boland, Cohenour, Gross, Malek, McClafferty, Phillips, Pomnichowski, Sesso, Tempel, Whitford.

Total 11

Absent or not voting: None.

Total 0

Excused: Wolken.

Total 1

**HB 273** concurred in as follows:

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

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Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Mr.President.

Total 45

Nays: Gross, Malek, McClafferty, Smith F.

Total 4

Absent or not voting: None.

Total 0

Excused: Wolken.

Total 1

**HB 316** 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, Mr.President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Wolken.

Total 1

**HB 358** concurred in 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, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.

Total 31

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

Total 18

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Absent or not voting: None.

Total 0

Excused: Wolken.

Total 1

**HB 405** 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, Mr.President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Wolken.

Total 1

**HB 416** 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, Mr.President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Wolken.

Total 1

**HB 422** concurred in as follows:

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

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Fitzpatrick, Gauthier, Gross, Hinebauch, Hoven, Jones, Kary, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Swandal, Tempel, Thomas, Vuckovich, Webb, Welborn, Whitford.

Total 41

Nays: Blasdel, Hinkle, Howard, Keenan, Smith C, Vance, Vincent, Mr.President.

Total 8

Absent or not voting: None.

Total 0

Excused: Wolken.

Total 1

**HB 520** concurred in as follows:

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

Total 48

Nays: Kary.

Total 1

Absent or not voting: None.

Total 0

Excused: Wolken.

Total 1

**MOTIONS**

Senator Thomas moved the President be authorized to appoint a **Free** Conference Committee on **SB 59** and request the House to appoint a like committee. Without objection, so ordered.  
President Sales appointed: 3/23/2017

Senator K. Regier, Chair  
Senator Vincent  
Senator Wolken

Majority Leader Thomas moved that **HB 37** and **HB 372** be taken from the second reading board and re-referred to the Finance and Claims Committee. Without objection, so ordered.

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**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved the Senate adjourn until 1:00 p.m., Friday, March 24, 2017, the sixty-first legislative day. Motion carried.

Senate adjourned at 2:30 p.m.

MARILYN MILLER  
Secretary of the Senate

SCOTT SALES  
President of the Senate