

**SENATE JOURNAL
65TH LEGISLATURE
SIXTY-FIRST LEGISLATIVE DAY**

Helena, Montana
March 24, 2017

Senate Chambers
State Capitol

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

Roll Call. All members present. Quorum present.

BILLS AND JOURNALS (Keenan, Chair): 3/24/2017

Correctly printed: **SB 94, SB 138, SB 324, SB 366, SB 367, SB 368, SB 369, SB 371, SR 32, SR 52, SR 55, SR 56, HB 30, HB 285, HB 288, HB 323, HB 328, HB 351, HB 372, HB 388, HB 396, HB 447, HB 456, HB 469, HB 476, HB 492, HB 494, HB 495, HB 521.**

Correctly engrossed: **SB 338, HB 61, HB 103, HB 219, HB 289, HB 355, HB 415, HJR 6.**

Correctly enrolled: **SB 8, SB 20, SB 79, SB 81, SB 103, SB 115, SB 121, SB 151.**

Transmitted to the House: **SB 280, HB 62, HB 64, HB 147, HB 149, HB 200, HB 201, HB 245, HB 251, HB 273, HB 316, HB 358, HB 405, HB 416, HB 422, HB 520.**

Signed by the President at 4:28 p.m., March 23, 2017: **SB 97, SB 128, SB 264.**

Signed by the Secretary of the Senate at 4:42 p.m., March 23, 2017: **SB 97, SB 128, SB 264.**

Senator Blasdel thanked the Pages for their service this week.

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK AND IRRIGATION (Hoven, Chair): 3/23/2017
HB 444, be concurred in.

ENERGY AND TELECOMMUNICATIONS (Ankney, Chair): 3/23/2017
SB 338, introduced bill, be amended as follows:

1. Title, page 1, line 18.

Following: "DATE"

Insert: "AND A RETROACTIVE APPLICABILITY DATE"

2. Page 3, line 11.

Following: "17-6-302,"

Insert: "or"

Strike: "chapter 3 or"

3. Page 3, line 11 through line 12.

Strike: ", an electric" on line 11 through "unit" on line 12

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4. Page 10, line 18.

Strike: "subsection (5)"

Insert: "[section 11(5)]"

5. Page 10, line 19 through line 20.

Strike: "the" on line 19 through "11]." on line 20

Insert: "[sections 1 through 12]."

6. Page 10, line 23.

Strike: "[section 10(5)]"

Insert: "subsection (5)"

7. Page 13.

Following: line 23

Insert: "NEW SECTION. **Section 20. Retroactive applicability.** [This act] applies retroactively, within the meaning of 1-2-109, to coal-fired generating units retired on or after January 1, 2017."

And, as amended, do pass.

SR 53, be adopted.

HB 61, be amended as follows:

1. Page 11.

Following: line 4

Insert: "NEW SECTION. **Section 15. Provider obligations -- limitations.** Nothing in this chapter:

(1) relieves a provider from its obligations pursuant to parts 1 through 3 of this chapter, including obligations pursuant to 10-4-201 to collect 9-1-1 fees from customers on a per access line basis; or

(2) grants the department the authority to regulate the services offered by an originating service provider."

Renumber: subsequent sections

2. Page 13.

Following: line 28

Insert: "(12) "Originating service provider" means an entity that provides capability for a retail customer to initiate emergency communications.

Renumber: subsequent subsections

3. Page 23, line 19.

Strike: "SECTION"

Insert: "sections"

Following: "14"

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Insert: "and 15"

4. Page 23, line 21.

Strike: "SECTION"

Insert: "sections"

Following: "14"

Insert: "and 15"

5. Page 24, line 4.

Strike: "18, 22, AND 24"

Insert: "19, 23, and 25"

And, as amended, be concurred in.

HB 219, be amended as follows:

1. Page 6.

Following: line 5

Insert: "COORDINATION SECTION. Section 8. Coordination instruction. If both Senate Bill No. 78 and [this act] are passed and approved, then Senate Bill No. 78 is void."

Insert: "COORDINATION SECTION. Section 9. Coordination instruction. If Senate Bill No. 12 is not passed and approved and if both Senate Bill No. 7 and [this act] are passed and approved and if both contain a section that amends 69-8-602, then:

(1) the amendments to 69-8-602 in Senate Bill No. 7 are effective on passage and approval of Senate Bill No. 7 and are void on occurrence of the contingency in [section 13 of this act]; and

(2) effective on occurrence of the contingency in [section 13], 69-8-602 must be amended as follows:

"69-8-602. Utility Public utility net metering requirements. (1) A public utility shall: ~~_____~~(1) allow net metering systems to be interconnected using a standard kilowatt-hour meter capable of registering the flow of electricity in two directions; ~~unless.~~

~~_____~~(2)(a) If the commission determines, after appropriate notice and opportunity for comment: ~~_____~~(a) that the use of additional metering equipment to monitor the flow of electricity in each direction is necessary and appropriate for the interconnection of net metering systems, the commission may establish additional metering equipment requirements.

(b) The commission shall after taking into account consider the benefits and costs to a public utility and a customer-generator of purchasing and installing additional metering equipment; and

(b) how the costs of additional net metering equipment are to be allocated between the customer-generator and the public utility; and.

(2) (3)(a) The commission, in accordance with 69-8-601(2), shall charge the customer-generator a minimum monthly fee that is the same as other customers of the electric utility in the same rate class an appropriate rate pursuant to 69-3-306.

(b) The Notwithstanding [sections 1 through 3 of HB 219], if the commission shall determine determines, after appropriate notice and opportunity for comment, if:

(a) the that a public utility will incur is incurring direct costs associated with interconnecting

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or administering net metering systems that exceed any offsetting benefits associated with these net metering systems,¹ and

~~_____ (b) public policy is best served by imposing the commission may impose these costs on the customer-generator, rather than allocating these costs among the public utility's entire customer base."~~

Insert: "COORDINATION SECTION. Section 10. Coordination instruction. If Senate Bill No. 7 is not passed and approved and if both Senate Bill No. 12 and [this act] are passed and approved and if both contain a section that amends 69-8-602, then:

 (1) the amendments to 69-8-602 in Senate Bill No. 12 are effective on passage and approval of Senate Bill No. 12 and are void on occurrence of the contingency in [section 13 of this act]; and

 (2) effective on occurrence of the contingency in [section 13], 69-8-602 must be amended as follows:

~~_____ "**69-8-602. Utility Public utility net metering requirements.**(1) A public utility shall:~~
~~_____ (1) allow net metering systems to be interconnected using a standard kilowatt-hour meter capable of registering the flow of electricity in two directions, unless the commission determines, after appropriate notice and opportunity for comment:~~

~~_____ (a) that the use of additional metering equipment to monitor the flow of electricity in each direction is necessary and appropriate for the interconnection of net metering systems, after taking into account the benefits and costs of purchasing and installing additional metering equipment; and~~

~~_____ (b) how the costs of net metering are to be allocated between the customer-generator and the utility; and makes a determination in accordance with 69-8-604 that alternative net metering equipment should be used.~~

 (2)(a) The commission shall charge the customer-generator a minimum monthly fee that is the same as other customers of the electric utility in the same rate class an appropriate rate pursuant to 69-3-306.

(b) The Notwithstanding [sections 1 through 3 of HB 219], if the commission shall determine determines, after appropriate notice and opportunity for comment, if:

~~_____ (a) the that a public utility will incur is incurring direct costs associated with interconnecting or administering net metering systems that exceed any offsetting benefits associated with these net metering systems,¹ and~~

~~_____ (b) public policy is best served by imposing the commission may impose these costs on the customer-generator, rather than allocating these costs among the public utility's entire customer base."~~

Insert: "COORDINATION SECTION. Section 11. Coordination instruction. (1) If Senate Bill No. 7, Senate Bill No. 12, and [this act] are all passed and approved and contain sections that amend 69-8-602, then effective on passage and approval of [this act], 69-8-602 must be amended as follows:

~~_____ "**69-8-602. Utility Public utility net metering requirements.** A public utility shall:~~
~~(1) allow net metering systems to be interconnected using a standard kilowatt-hour meter capable of registering the flow of electricity in two directions, unless the commission makes a determination in accordance with 69-8-604(3) that alternative net metering equipment should be used determines, after appropriate notice and opportunity for comment:~~

~~_____ (a) that the use of additional metering equipment to monitor the flow of electricity in each direction is necessary and appropriate for the interconnection of net metering systems, after taking~~

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into account the benefits and costs of purchasing and installing additional metering equipment; and
~~_____ (b) how the costs of net metering are to be allocated between the customer-generator and the utility; and~~

(2) charge the customer-generator a minimum monthly fee that is the same as other customers of the electric public utility in the same rate class. The commission shall ~~determine, in accordance with 69-8-601(2) and~~ after appropriate notice and opportunity for comment, determine if:

(a) the public utility will incur direct costs associated with interconnecting or administering net metering systems that exceed any offsetting benefits associated with these net metering systems; and

(b) public policy is best served by imposing these costs on the customer-generator, rather than allocating these costs among the public utility's entire customer base."

(2) The amendments to 69-8-602 in subsection (1) of this section are void on occurrence of the contingency in [section 13 of this act]."

Insert: "COORDINATION SECTION. Section 12. Coordination instruction. If Senate Bill No. 7, Senate Bill No. 12, and [this act] are all passed and approved and contain sections that amend 69-8-602, then effective on the occurrence of the contingency in [section 13 of this act], 69-8-602 must be amended as follows:

"69-8-602. Utility Public utility net metering requirements.(1) A public utility shall:
~~_____ (1) allow net metering systems to be interconnected using a standard kilowatt-hour meter capable of registering the flow of electricity in two directions, unless the commission determines, after appropriate notice and opportunity for comment:~~

~~_____ (a) that the use of additional metering equipment to monitor the flow of electricity in each direction is necessary and appropriate for the interconnection of net metering systems, after taking into account the benefits and costs of purchasing and installing additional metering equipment; and~~

~~(b) how the costs of net metering are to be allocated between the customer-generator and the utility; and~~ makes a determination in accordance with 69-8-604 that alternative net metering equipment should be used.

(2)(a) The commission, in accordance with 69-8-601(2), shall charge the customer-generator a minimum monthly fee that is the same as other customers of the electric utility in the same rate class an appropriate rate pursuant to 69-3-306.

~~(b) The Notwithstanding [sections 1 through 3 of HB 219], if the commission shall determine determines, after appropriate notice and opportunity for comment, if:~~

~~_____ (a) the that a public utility will incur is incurring direct costs associated with interconnecting or administering net metering systems that exceed any offsetting benefits associated with these net metering systems; and~~

~~_____ (b) public policy is best served by imposing the commission may impose these costs on the customer-generator, rather than allocating these costs among the public utility's entire customer base."~~

Renumber: subsequent sections

2. Page 6, line 7.

Following: "CONTINGENCY"

Insert: "-- contingent voidness"

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3. Page 6, line 9.

Strike: "AND"

Insert: ", "

Following: "6"

Insert: ", 9(2), 10(2), and 12"

4. Page 6.

Following: line 11

Insert: "(b) [Sections 9(1), 10(1), and 11] are void on occurrence of the contingency in subsection (2)(a)."

5. Page 6, line 12.

Strike: "(B)"

Insert: "(c)"

And, as amended, be concurred in.

FISH AND GAME (Fielder, Chair):

3/23/2017

HB 240, be concurred in.

HB 289, be amended as follows:

1. Page 2, line 11.

Following: "PRIOR TO"

Insert: "or during"

And, as amended, be concurred in.

HB 311, be concurred in.

HIGHWAYS AND TRANSPORTATION (Vance, Chair):

3/23/2017

SB 332, do pass.

HB 355, be amended as follows:

1. Title, page 1, line 6.

Following: "CERTAIN VEHICLES;"

Insert: "REQUIRING A COST-EFFECTIVENESS ANALYSIS BEFORE THE PURCHASE OF CERTAIN VEHICLES;"

2. Page 4, line 1 through line 2.

Strike: "A RATE EQUAL" on line 1 through "THE CURRENT YEAR" on line 2

Insert: "50 cents"

3. Page 4, following line 14.

Insert: "NEW SECTION. **Section 4. Cost-effectiveness analysis required before purchase of small school bus.** The trustees of a district may not purchase and operate a school

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bus as defined in 20-10-101(4)(a)(ii) until the trustees have:

(1) conducted an analysis of the costs associated with purchase and operation of the school bus compared to the costs associated with purchase or contract and operation of a school bus designed to carry more than 10 passengers; and

(2) adopted a written finding that the purchase and operation of a school bus as defined in 20-10-101(4)(a)(ii) is the most cost-effective means of transporting eligible transportees on the bus route or routes to which the school bus will be assigned."

Insert: "NEW SECTION. Section 5. Codification instruction. [Section 4] is intended to be codified as an integral part of Title 20, chapter 10, part 1, and the provisions of Title 20, chapter 10, part 1, apply to [section 4]."

Renumber: subsequent sections

And, as amended, be concurred in.

HB 415, be amended as follows:

1. Page 2, line 23.

Strike: "OR"

Insert: "(viii) road or vehicle conditions make it safer to drive in a lane other than the right-hand lane; or"

Renumber: subsequent subsection

And, as amended, be concurred in.

JUDICIARY (Regier, Chair):

3/24/2017

HB 348, be amended as follows:

1. Page 12, line 17.

Following: line 17

Insert: "COORDINATION SECTION. Section 20. Coordination instruction. If Senate Bill No. 176 and [this act] are both passed and approved and if both contain a section that amends 70-24-312, then the section in Senate Bill No. 176 that amends 70-24-312 is void."

2. Page 12, line 17.

Following: line 17

Insert: "COORDINATION SECTION. Section 21. Coordination instruction. If Senate Bill No. 176 and [this act] are both passed and approved and if both contain a section that amends 70-24-426, then the sections amending 70-24-426 are void and 70-24-426 must be amended as follows:

70-24-426. Remedies for absence or abandonment. (1) ~~If the rental agreement requires the tenant fails to give notice to the landlord of an anticipated extended absence in excess of 7 5 days, as provided for in 70-24-322, and the tenant fails to do so,~~ the landlord may recover actual damages from the tenant.

(2) During an absence of the tenant in excess of 7 5 days, the landlord may enter the dwelling unit at times reasonably necessary.

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(3) If the tenant abandons the dwelling unit, the landlord shall make reasonable efforts to rent it at a fair rental. If the landlord rents the dwelling unit for a term beginning before the expiration of the rental agreement, the rental agreement terminates as of the date of the tenancy. If the landlord fails to use reasonable efforts to rent the dwelling unit at a fair rental or if the landlord accepts the abandonment as a surrender, the rental agreement is terminated by the landlord as of the date the landlord has notice of the abandonment. If the tenancy is from month to month or week to week, the term of the rental agreement for this purpose is a month or a week, as the case may be."

3. Page 12, line 17.

Following: line 17

"COORDINATION SECTION. Section 22. Coordination instruction. If Senate Bill No. 176 and [this act] are both passed and approved and if both contain a section that amends 70-33-312, then the sections amending 70-33-312 are void and 70-33-312 must be amended as follows:

"70-33-312. Access to premises by landlord. (1) A tenant may not ~~unreasonably~~ withhold consent to the landlord or the landlord's agent to enter the lot in order to inspect the premises, make necessary or agreed repairs, alterations, or improvements, supply necessary or agreed services, or exhibit the lot to prospective or actual purchasers, mortgagees, tenants, workers, or contractors.

(2) (a) A landlord may immediately enter the lot without consent of the tenant in case of emergency.

(b) If there is not an emergency, the landlord shall give the tenant 24 hours' notice of the intent to enter the premises at reasonable times.

(3) A landlord may not abuse the right of access or use it to harass the tenant. ~~Except in case of emergency or unless it is impracticable to do so, the landlord shall give the tenant at least 24 hours' notice of the intent to enter and may enter only at reasonable times.~~

(4) A landlord has no other right of access except:

(a) pursuant to a court order;

(b) as permitted by 70-33-425 and 70-33-426(1)(b); or

(c) when the tenant has abandoned or surrendered the premises.

(5) A tenant may not remove a lock or replace or add a lock not supplied by the landlord to the premises without the written permission of the landlord. If a tenant removes a lock or replaces or adds a lock not supplied by the landlord to the premises, the tenant shall provide the landlord with a key to ensure that the landlord will have the right of access as provided by this chapter."

Renumber: subsequent sections

And, as amended, be concurred in.

HB 427, be concurred in.

Without objection, committee reports were adopted.

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MESSAGES FROM THE GOVERNOR

March 23, 2017

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

Dear President Sales:

On Thursday, March 23, 2017, I signed the following bills:

SB 86 - T. Richmond
SB 89 - G. Vance
SB 108 - G. Vance
SB 129 - M. Caferro
SB 142 - T. Facey
SB 228 - D. Ankney

I have vetoed **Senate Bill 100** - C. Smith.

Sincerely,

STEVE BULLOCK
Governor

March 23, 2017

The Honorable Scott Sales
President of the Senate
State Capitol
Helena, MT 59620

The Honorable Austin Knudsen
Speaker of the House
State Capitol
Helena, MT 59620

Dear President Sales and Speaker Knudsen:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby **veto Senate Bill 100** (SB 100), "AN ACT AUTHORIZING DIRECT

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PRIMARY CARE PROVIDER AGREEMENTS; ESTABLISHING REQUIREMENTS FOR DIRECT PRIMARY CARE PROVIDER AGREEMENTS; ESTABLISHING THAT DIRECT PRIMARY CARE PROVIDER AGREEMENTS ARE NOT HEALTH INSURANCE; MAKING DIRECT PRIMARY CARE PROVIDER AGREEMENTS SUBJECT TO CONSUMER PROTECTION LAWS; AND AMENDING SECTIONS 30-14-102, 33-1-102, 33-1-201, 33-1-207, 33-22-140, 33-30-101, 33-31-102, and 50-4-105, MCA."

SB 100 authorizes "direct primary care provider plans" under which physicians charge patients prepaid fees for primary health care instead of billing claims under the patient's insurance policy. The bill exempts these plans from the Insurance Code and includes certain disclosures the provider must make.

Direct primary care provider plans offer little or no added value to most consumers. They charge fees for treatments already covered by a consumer's health insurance, such as preventative care that insurance covers at no out-of-pocket cost to the consumer. Moreover, many insurance policies already offer flat-fee office visits similar to what SB 100 contemplates.

SB 100 has been touted as cutting insurance-related administrative expenses. Yet the bill does not prevent providers from selling these plans to some patients while accepting insurance for others meaning the provider carries the same insurance-related overhead, but receives another income stream at the consumer's expense.

SB 100 is bad for Montanans, because it allows providers to charge unnecessary fees for service already covered by insurance and fails to deliver the administrative savings it promises.

For these reasons, I veto SB 100.

Sincerely,

STEVE BULLOCK
Governor

MESSAGES FROM THE OTHER HOUSE

Senate bills concurred in and returned to the Senate: 3/23/2017

SB 113, introduced by F. Moore
SB 152, introduced by J. Sesso
SB 155, introduced by M. Lang
SB 169, introduced by B. Hoven

Senate joint resolution concurred in and returned to the Senate: 3/23/2017

SJ 10, introduced by M. Lang

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Senate bills concurred in as amended and returned to the Senate for concurrence in House amendments: 3/23/2017

SB 27, introduced by F. Thomas
SB 144, introduced by R. Webb
SB 216, introduced by F. Thomas

House bills passed and transmitted to the Senate for concurrence: 3/23/2017

HB 554, introduced by B. Beard
HB 573, introduced by R. Cook
HB 574, introduced by G. Hertz

**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 Fitzpatrick 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 **HB 198** be concurred in.

HB 198 - Senator Facey moved **HB 198**, second reading copy, be amended as follows:

1. Title, page 1, line 4 through line 9.

Strike: "REDISTRIBUTING" on line 4 through "DATE" on line 9

Insert: "AMENDING SECTIONS 7-4-2631 AND 50-15-111; AND PROVIDING AN EFFECTIVE DATE"

2. Page 1, line 13 through page 2, line 19.

Strike: everything after the enacting clause

Insert: "**Section 1.** Section 7-4-2631, MCA, is amended to read:

"7-4-2631. (Temporary) Fees of county clerk. (1) Except as provided in 7-2-2803(4), 7-4-2632, and 7-4-2637, the county clerks shall charge, for the use of their respective counties:

(a) for filing and indexing each writ of attachment, execution, certificate of sale, lien, or other instrument required by law to be filed and indexed, \$5;

(b) for filing of subdivision and townsite plats, \$25 plus:

(i) for each lot up to and including 100, 50 cents;

(ii) for each additional lot in excess of 100, 25 cents;

(c) for filing certificates of surveys and amendments to the certificates of surveys, \$25 plus 50 cents for each tract or lot;

(d) for each page of a document required to be filed with a subdivision, townsite plat, or

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certificate of survey for which a filing fee is not otherwise set by law, \$1;

(e) for a copy of a record or paper:

(i) for the first page of any document, 50 cents, and 25 cents for each subsequent page; and

(ii) for each certification with seal affixed, \$2;

(f) for searching an index record of files of the office for each year when required in abstracting or otherwise, 50 cents;

(g) for administering an oath with certificate and seal, no charge;

(h) for taking and certifying an acknowledgment, with seal affixed, for signature to it, no charge;

(i) for filing, indexing, or other services provided for by Title 30, chapter 9A, part 5, the fees prescribed under those sections;

(j) for recording each stock subscription and contract, stock certificate, and articles of incorporation for water users' associations, \$3;

(k) for filing a copy of notarial commission and issuing a certificate of official character of such notary public, \$2;

(l) (i) for each certified copy of a birth certificate, \$5;

(ii) for each certified copy of a death certificate, \$15, and for each additional certified copy of the same record ordered at the same time as the first certified copy, \$6; and

(iii) for the filing of an original death certificate, an amount, if any, to be determined by the county by resolution and deposited in the county general fund;

(m) for electronic storage of minutes of an administrative board, district, or commission pursuant to 7-1-204, 7-11-1030, 7-13-2350, 7-22-2113, 7-33-2112, or 76-15-324, no charge;

(n) for filing, recording, or indexing any other instrument not expressly provided for in this section or 7-4-2632, the same fee provided in this section or 7-4-2632 for a similar service.

(2) The county clerks shall charge, for the use of their respective counties, the fee as provided in 7-4-2632 for recording and indexing the following:

(a) each certificate of location of a quartz or placer mining claim or millsite claim, including a certificate that the instrument has been recorded with the seal affixed; and

(b) each affidavit of annual labor on a mining claim, including a certificate that the instrument has been recorded with the seal affixed.

(3) State agencies submitting documents to be put of record shall pay the fees provided for in this section. If a state agency or political subdivision has requested an account with the county clerk, any applicable fees must be paid on a periodic basis.

(4) (a) A county shall transfer to the department of labor and industry for deposit as provided in 37-19-203 \$3 of each fee collected under subsection (1)(l)(ii) of this section.

(b) The fees must be transferred monthly unless the department of labor and industry and the county have agreed to a different period. (Terminates June 30, 2017--sec. 6, Ch. 380, L. 2015.)

7-4-2631. (Effective July 1, 2017) Fees of county clerk. (1) Except as provided in 7-2-2803(4), 7-4-2632, and 7-4-2637, the county clerks shall charge, for the use of their respective counties:

(a) for filing and indexing each writ of attachment, execution, certificate of sale, lien, or other instrument required by law to be filed and indexed, \$5;

(b) for filing of subdivision and townsite plats, \$25 plus:

(i) for each lot up to and including 100, 50 cents;

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- (ii) for each additional lot in excess of 100, 25 cents;
- (c) for filing certificates of surveys and amendments thereto, \$25 plus 50 cents per tract or lot;
- (d) for each page of a document required to be filed with a subdivision, townsite plat, or certificate of survey for which a filing fee is not otherwise set by law, \$1;
- (e) for a copy of a record or paper:
 - (i) for the first page of any document, 50 cents, and 25 cents for each subsequent page; and
 - (ii) for each certification with seal affixed, \$2;
- (f) for searching an index record of files of the office for each year when required in abstracting or otherwise, 50 cents;
- (g) for administering an oath with certificate and seal, no charge;
- (h) for taking and certifying an acknowledgment, with seal affixed, for signature to it, no charge;
- (i) for filing, indexing, or other services provided for by Title 30, chapter 9A, part 5, the fees prescribed under those sections;
- (j) for recording each stock subscription and contract, stock certificate, and articles of incorporation for water users' associations, \$3;
- (k) for filing a copy of notarial commission and issuing a certificate of official character of such notary public, \$2;
- (l) for each certified copy of a birth certificate, \$5, and for each certified copy of a death certificate, ~~\$3~~ \$6;
- (m) for electronic storage of minutes of an administrative board, district, or commission pursuant to 7-1-204, 7-11-1030, 7-13-2350, 7-22-2113, 7-33-2112, or 76-15-324, no charge;
- (n) for filing, recording, or indexing any other instrument not expressly provided for in this section or 7-4-2632, the same fee provided in this section or 7-4-2632 for a similar service.
- (2) The county clerks shall charge, for the use of their respective counties, the fee as provided in 7-4-2632 for recording and indexing the following:
 - (a) each certificate of location of a quartz or placer mining claim or millsite claim, including a certificate that the instrument has been recorded with the seal affixed; and
 - (b) each affidavit of annual labor on a mining claim, including a certificate that the instrument has been recorded with the seal affixed.
- (3) State agencies submitting documents to be put of record shall pay the fees provided for in this section. If a state agency or political subdivision has requested an account with the county clerk, any applicable fees must be paid on a periodic basis."

Insert: "Section 2. Section 50-15-111, MCA, is amended to read:

"50-15-111. (Temporary) Certified copy fee -- exceptions -- transfer. (1) Subject to a minimum charge required by subsection (1)(a)(ii), the department shall prescribe, by rule, a fee for:

- (a) (i) a certified copy of certificates or records other than a death certificate;
- (ii) a death certificate, which at a minimum must be:
 - (A) \$15 for each certified copy of a death certificate;
 - (B) \$8 for each additional certified copy of a death certificate requested at the same time as the first copy; and
 - (C) \$13 for each informational copy of a death certificate;

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- (b) a search of files or records when a copy is not made;
 - (c) a copy of information provided for statistical or administrative purposes as allowed by law;
 - (d) the replacement of a birth certificate subsequent to adoption, legitimation, paternity determination or acknowledgment, or court order;
 - (e) filing a delayed registration of a vital event;
 - (f) the amendment of a vital record, after 1 year from the date of filing; and
 - (g) other services specified by this chapter or by rule.
- (2) Except as provided in subsection (3), fees received under subsection (1) must be deposited in the state special revenue fund to be used by the department for:
- (a) the maintenance of indexes to vital records;
 - (b) the preservation of vital records; and
 - (c) the administration of the system of vital statistics.
- (3) The department shall transfer to the department of labor and industry for use as specified in 37-19-203 §3 of each fee charged under subsection (1)(a)(ii) of this section. (Terminates June 30, 2017--sec. 6, Ch. 380, L. 2015.)

50-15-111. (Effective July 1, 2017) Certified copy fee. (1) The department shall prescribe, by rule, a fee for:

- (a) a certified copy of certificates or records, except that the fee for a death certificate must be at least \$6;
 - (b) a search of files or records when a copy is not made;
 - (c) a copy of information provided for statistical or administrative purposes as allowed by law;
 - (d) the replacement of a birth certificate subsequent to adoption, legitimation, paternity determination or acknowledgment, or court order;
 - (e) filing a delayed registration of a vital event;
 - (f) the amendment of a vital record, after 1 year from the date of filing; and
 - (g) other services specified by this chapter or by rule.
- (2) Fees Except as provided in subsection (3), fees received under subsection (1) must be deposited in the state special revenue fund to be used by the department for:
- (a) the maintenance of indexes to vital records;
 - (b) the preservation of vital records; and
 - (c) the administration of the system of vital statistics.
- (3) The department shall transfer, on a monthly basis, to the clerk and recorder of the county in which the death occurred \$3 of each fee charged under subsection (1)(a)."

Insert: "NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 2017."

Amendment **not** adopted as follows:

Yeas: Barrett, Boland, Brown, Caferro, Cohenour, Facey, Gauthier, Gross, Hoven, Lang, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Thomas, Vuckovich, Welborn, Whitford, Wolken.
Total 24

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Nays: Ankney, Blasdel, Buttrey, Connell, Fielder, Fitzpatrick, Hinebauch, Hinkle, Howard, Jones, Kary, Keenan, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Vance, Vincent, Webb, Mr.President.

Total 26

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 198 - Thereupon, the Senate reverted to the original motion of Senator Facey which passed as follows:

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

Total 27

Nays: Barrett, Boland, Brown, Cohenour, Facey, Gross, Kary, Lang, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Tempel, Vuckovich, Webb, Welborn, Whitford, Wolken.

Total 23

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SR 35 - Senator Salomon moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 35**. Resolution 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

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Excused: None.

Total 0

SR 47 - Senator Salomon moved the nomination transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 47**. Resolution 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

SR 49 - Senator Hoven moved the nomination transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 49**. Resolution 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

HB 496 - Senator D. Brown moved **HB 496** be concurred in. Motion carried as follows:

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

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Richmond, Salomon, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn,
Mr.President.
Total 30

Nays: Ankney, Barrett, Boland, Caferro, Cohenour, Facey, Gross, MacDonald, Malek,
McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Small, Smith F, Vuckovich,
Whitford, Wolken.
Total 20

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 340 - Senator C. Smith moved **SB 340** 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, Vuckovich,
Webb, Welborn, Mr.President.
Total 33

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

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 344 - Senator Moore moved **SB 344** 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

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 22 - Senator Ankney moved **HB 22** 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 209 - Senator Ankney moved **HB 209** 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 108 - Majority Leader Thomas moved consideration of **HB 108** be passed for the day.
Motion carried as follows:

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

Total 34

Nays: Brown, Fielder, Hinebauch, Hinkle, Howard, Jones, Kary, Keenan, Lang, Olszewski, Osmundson, Regier, Smith C, Swandal, Webb, Mr.President.

Total 16

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 367 - Senator Vuckovich moved **HB 367** be concurred in. Motion carried as follows:

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

Total 39

Nays: Barrett, Boland, Cohenour, Gross, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Wolken.

Total 11

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 185 - Senator Kary moved **SB 185** do pass. Motion carried as follows:

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

Total 41

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

Total 9

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 362 - Senator Gross moved **HB 362** 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 329 - Senator K. Regier moved **SB 329** 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, Vuckovich, Webb, Welborn, Mr.President.
Total 33

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

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 266 - Senator Olszewski moved **HB 266** be concurred in. Motion carried as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch,

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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 and report**. Motion carried. Committee arose. Senate resumed. President Sales presiding.

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

Total 41

Nays: Boland, Cohenour, Gross, MacDonald, McClafferty, McNally, Pomnichowski, Smith F, Wolken.

Total 9

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 65, as amended by the House, passed as follows:

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Yeas: Ankney, Barrett, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Gauthier, Gross, Hoven, Jones, Lang, 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 36

Nays: Blasdel, Brown, Fielder, Fitzpatrick, Hinebauch, Hinkle, Howard, Kary, Keenan, Smith C, Vance, Vincent, Webb, Mr.President.

Total 14

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 94 passed 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, Thomas, Vance, Vincent, Webb, Mr.President.

Total 33

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

Total 17

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 138 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 324 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 30 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, 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: Olszewski, Tempel.

Total 2

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 129 failed as follows:

Yeas: None.

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Total 0

Nays: Ankney, Barrett, Bladel, 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

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 285 concurred in as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hinkle, Hoven, Howard, Jones, MacDonald, Malek, McClafferty, McNally, Olszewski, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Thomas, Vuckovich, Webb, Whitford, Wolken.
Total 34

Nays: Bladel, Brown, Fielder, Hinebauch, Kary, Keenan, Lang, Moore, Osmundson, Regier, Smith C, Swandal, Vance, Vincent, Welborn, Mr.President.
Total 16

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 288 concurred in as follows:

Yeas: Ankney, Barrett, Bladel, 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 323 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 328 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 388 concurred in 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

HB 396 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 447 concurred in as follows:

Yeas: Ankney, Barrett, Blasdel, 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, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Whitford, Wolken, Mr.President.
Total 46

Nays: Fielder, Hinebauch, Hinkle, Welborn.
Total 4

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

FIRST READING AND COMMITMENT OF BILLS

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

SB 372, introduced by F. Moore, referred to Local Government.

SB 373, introduced by D. Barrett, referred to Taxation.

SB 374, introduced by D. Ankney, referred to Energy and Telecommunications.

SB 375, introduced by S. Sales, referred to Judiciary.

The following Senate bill, previously introduced, was referred to committee:

SB 370, introduced by S. Fitzpatrick, referred to Highways and Transportation.

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

HB 554, introduced by B. Beard, K. Abbott, F. Anderson, D. Bartel, Z. Brown, S. Gunderson, T. Jacobson, D. Lenz, A. Redfield, W. Sales, L. Sheldon-Galloway, S. Staffanson, S. Vinton, P. Webb, T. Welch, referred to Taxation.

HB 573, introduced by R. Cook, referred to Taxation.

HB 574, introduced by G. Hertz, referred to Taxation.

MOTIONS

Majority Leader Thomas moved that **SB 346** be taken from the Business, Labor, and Economic Affairs Committee and re-referred to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Thomas moved that **SB 338** be taken from the second reading board and re-referred to the Finance and Claims Committee. Without objection, so ordered.

President Sales moved to change his third-reading vote from Yes to No on **SB 65**. Without objection so ordered.

Senator Keenan moved that **SB 215** be taken from the table in the Natural Resources Committee and placed on second reading Tuesday, March 28, 2017, the sixty-fourth legislative day. The motion **failed** as follows:

Yeas: Blasdel, Boland, Brown, Caferro, Facey, Fielder, Gauthier, Hinebauch, Hinkle, Howard,

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Keenan, Lang, Malek, Olszewski, Regier, Salomon, Swandal, Vincent, Webb.

Total 19

Nays: Ankney, Barrett, Buttrey, Cohenour, Connell, Fitzpatrick, Gross, Hoven, Jones, Kary, MacDonald, McClafferty, McNally, Moore, Osmundson, Phillips, Pomnichowski, Richmond, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Welborn, Whitford, Wolken, Mr.President.

Total 31

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Brown moved the Senate reconsider its third-reading action on **HB 200** and place it on third reading the following legislative day. The motion **failed** as follows:

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

Total 24

Nays: Barrett, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Gauthier, Gross, Hoven, Kary, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Salomon, Sands, Sesso, Smith F, Tempel, Vincent, Vuckovich, Whitford, Wolken.

Total 26

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Boland moved to change her vote on the motion to bring **SB 215** out of committee from No to Yes. Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved the Senate adjourn until 8:30 a.m., Saturday, March 25, 2017, the sixty-second legislative day. Motion carried.

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Senate adjourned at 2:50 p.m.

MARILYN MILLER
Secretary of the Senate

SCOTT SALES
President of the Senate