

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

Helena, Montana
March 31, 2017

Senate Chambers
State Capitol

Senate convened at 10:00 a.m. President Sales presiding. Invocation by Senator Howard. Pledge of Allegiance to the Flag.

Roll Call. Forty-eight members present. Senators MacDonald and Swandal excused. Quorum present.

BILLS AND JOURNALS (Keenan, Chair): 3/31/2017

Correctly printed: **SB 330, SB 335, SB 345, SB 346, SB 366, SB 374, SB 375, SB 376, SB 377.**

Correctly engrossed: **SB 363, SB 372, HB 99, HB 100.**

Transmitted to the House: **SB 95, SB 313, SB 317, SB 330, SB 333, SB 335, SB 337, SB 338, SB 339, SB 342, SB 345, SB 352, SB 353, SB 354, SB 359, SB 361, SB 362, SB 363, SB 366, SB 367, SB 368, SB 372, SB 374, SB 375, SB 376, SB 377, SJ 20, HB 108, HB 240, HB 280, HB 289, HB 306, HB 311, HB 355, HB 374, HB 415, HB 444, HB 494.**

Delivered to the Governor at 9:26 a.m., March 31, 2017: **SB 40, SB 58, SB 65, SB 113, SB 127, SB 149, SB 152, SB 155, SB 157, SB 164, SB 169, SB 178, SB 219, SB 222.**

Delivered to the Secretary of State at 8:30 a.m., March 31, 2017: **SJ 10.**

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK AND IRRIGATION (Hoven, Chair): 3/30/2017

HB 466, be concurred in.

Without objection, the committee report was adopted.

MESSAGES FROM THE GOVERNOR

March 30, 2017

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

Dear President Sales:

On Thursday, March 30, 2017, I signed the following bills:

SENATE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2017

SB 8 - T. Facey
SB 128 - D. Salomon

Sincerely,

STEVE BULLOCK
Governor

MESSAGES FROM THE OTHER HOUSE

House bills passed and transmitted to the Senate for concurrence:

3/30/2017

HB 4, introduced by N. Ballance
HB 5, introduced by J. Keane
HB 6, introduced by J. Keane
HB 7, introduced by J. Keane
HB 9, introduced by T. Woods
HB 11, introduced by J. Keane
HB 46, introduced by K. Dudik
HB 107, introduced by C. Glimm
HB 118, introduced by J. Windy Boy
HB 136, introduced by G. Custer
HB 473, introduced by F. Garner
HB 511, introduced by R. Cook
HB 550, introduced by J. Essmann
HB 572, introduced by A. Redfield
HB 589, introduced by D. Lenz
HB 597, introduced by A. Doane
HB 605, introduced by G. Hertz
HB 612, introduced by M. Hopkins
HB 623, introduced by K. White
HB 637, introduced by J. Knokey
HB 638, introduced by J. Knokey
HB 639, introduced by R. Cook
HB 642, introduced by B. Tschida
HB 649, introduced by V. Ricci
HB 650, introduced by R. Brodehl

FIRST READING AND COMMITMENT OF BILLS

The following Senate joint resolution was introduced and read first time:

SJ 23, introduced by F. Thomas, R. Ehli.

SENATE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2017

The following House bills were introduced and read first time:

- HB 4**, introduced by N. Ballance (by request of the Office of Budget and Program Planning).
HB 5, introduced by J. Keane (by request of the Office of Budget and Program Planning).
HB 6, introduced by J. Keane (by request of the Department of Natural Resources and Conservation and the Office of Budget and Program Planning).
HB 7, introduced by J. Keane (by request of the Department of Natural Resources and Conservation and the Office of Budget and Program Planning).
HB 9, introduced by T. Woods (by request of the Office of Budget and Program Planning).
HB 11, introduced by J. Keane (by request of the Department of Commerce and the Office of Budget and Program Planning).
HB 46, introduced by K. Dudik.
HB 107, introduced by C. Glimm (by request of the Water Policy Interim Committee).
HB 118, introduced by J. Windy Boy (by request of the State Administration and Veterans' Affairs Interim Committee).
HB 136, introduced by G. Custer (by request of the Public Employees' Retirement Board).
HB 473, introduced by F. Garner, L. Jones.
HB 511, introduced by R. Cook.
HB 550, introduced by J. Essmann.
HB 572, introduced by A. Redfield.
HB 589, introduced by D. Lenz, M. Caferro, R. Ehli, J. Karjala, K. Kelker, A. Olszewski, C. Smith.
HB 597, introduced by A. Doane, S. Berglee, Z. Brown, R. Ehli, A. Hertz, M. Hopkins, T. Jacobson, J. Knokey, K. McCarthy, D. Mortensen, J. Patelis, A. Rosendale, L. Sheldon-Galloway, J. Trebas.
HB 605, introduced by G. Hertz.
HB 612, introduced by M. Hopkins, A. Hertz, G. Hertz, Karjala, Knokey, A. Knudsen, Lynch, Skees, Trebas, and Tschida.
HB 623, introduced by K. White.
HB 637, introduced by J. Knokey.
HB 638, introduced by J. Knokey.
HB 639, introduced by R. Cook.
HB 642, introduced by B. Tschida.
HB 649, introduced by V. Ricci.
HB 650, introduced by R. Brodehl, K. Dudik, R. Lynch, R. Osmundson, J. Patelis, C. Wolken.

MOTIONS

Senator Phillips moved the Senate reconsider its action on **SB 363** which passed second reading the previous legislative day. Motion **failed** as follows:

Yeas: Barrett, Boland, Caferro, Cohenour, Facey, Gross, Hoven, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Welborn, Whitford, Wolken.
Total 19

SENATE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2017

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

Total 29

Absent or not voting: None.

Total 0

Excused: MacDonald, Swandal.

Total 2

**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 Buttrey in the chair.

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

Senator MacDonald present at this time.

SB 372 - Senator Moore moved **SB 372** do pass.

SB 372 - Senator Moore moved **SB 372**, second reading copy, be amended as follows:

1. Page 3, line 4.

Strike: "minimum filing"

Insert: "administrative"

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

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

SENATE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2017

Excused: Swandal.

Total 1

SB 372 - Bill, as amended, passed as follows:

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

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Swandal.

Total 1

Senator Moore assumed the chair.

HB 97 - Senator Welborn moved **HB 97** 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, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Swandal.

Total 1

HB 99 - Senator Vincent moved **HB 99** be concurred in.

HB 99 - Senator Cohenour moved **HB 99**, second reading copy, be amended as follows:

SENATE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2017

1. Title, page 1, line 7.
Strike: "85-2-316, 85-2-319,"
2. Title, page 1, line 8.
Strike: "85-2-321,"
Following: "85-2-407,"
Insert: "AND"
Strike: "85-2-410, AND 85-2-427,"
3. Title, page 1, line 9.
Strike: "TERMINATION DATES"
Insert: "A TERMINATION DATE"
4. Page 7, line 21 through page 13, line 4.
Strike: section 3 through section 4 in their entirety
Renumber: subsequent sections
5. Page 14, line 19.
Strike: "prior"
6. Page 14, line 23 through page 15, line 13.
Strike: section 6 in its entirety
Renumber: subsequent sections
7. Page 26, line 25 through page 31, line 5.
Strike: section 11 through section 12 in their entirety
Renumber: subsequent sections
8. Page 31, line 7.
Strike: "(1) Except as provided in subsection (2), [this"
Insert: "[This"
9. Page 31, line 9.
Strike: subsection (2) in its entirety

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

Nays: None.

SENATE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2017

Total 0

Absent or not voting: None.

Total 0

Excused: Swandal.

Total 1

HB 99 - Bill, as amended, was concurred in 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, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr. President.

Total 47

Nays: Gross, Pomnichowski.

Total 2

Absent or not voting: None.

Total 0

Excused: Swandal.

Total 1

HB 100 - Senator Keenan moved **HB 100** be concurred in.

HB 100 - Senator Keenan moved **HB 100**, second reading copy, be amended as follows:

1. Page 3, line 11 through line 13.

Strike: "the poll determines that" on line 11

Strike: "A" on page 3, line 11 through "~~rule or~~" on page 3, line 13

Insert: "the votes cast by each house in the poll finds that the adopted rule is contrary to the intent of the legislature, with a quorum of each house having voted, the"

2. Page 3, line 16.

Following: "legislature." on line 16

Strike: remainder of line 16 through line 17

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,

SENATE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2017

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

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Swandal.
Total 1

HB 100 - Bill, as amended, was 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, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Swandal.
Total 1

HB 140 - Senator Cohenour moved **HB 140** be concurred in.

HB 140 - Senator Cohenour moved **HB 140**, second reading copy, be amended as follows:

1. Page 2.

Following: line 25

Insert: "(8) For the purposes of this section, the percentage of the flow rate of the water rights affected by a decree is calculated by using all flow rates included in the decree regardless of the period of use."

Motion **failed** as follows:

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

SENATE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2017

Vuckovich, Whitford, Wolken.

Total 22

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

Total 27

Absent or not voting: None.

Total 0

Excused: Swandal.

Total 1

HB 140 - Thereupon, the Senate reverted to the original motion of Senator Cohenour which 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, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 48

Nays: MacDonald.

Total 1

Absent or not voting: None.

Total 0

Excused: Swandal.

Total 1

HB 324 - Senator Vincent moved **HB 324** be concurred in. Motion carried as follows:

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

Total 34

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

Total 16

SENATE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2017

Paired: Swandal, Aye; Facey, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 333 - Senator Olszewski moved **HB 333** 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, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Swandal.

Total 1

HB 334 - Senator C. Smith moved **HB 334** 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, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Swandal.

Total 1

Senator Swandal present at this time.

SENATE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2017

HB 348 - Senator R. Webb moved **HB 348** be concurred in. 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, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.

Total 31

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

Total 19

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 360 - Senator Vincent moved **HB 360** 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 373 - Senator Gauthier moved consideration of **HB 373** be passed for the day. Without objection, so ordered.

HB 516 - Senator Malek moved **HB 516** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Osmundson, Phillips, Pomnichowski, Richmond, Salomon, Sands,

SENATE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2017

Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken.
Total 44

Nays: Cohenour, Fielder, Kary, Olszewski, Regier, Mr.President.
Total 6

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 402 - Senator Facey moved **HB 402** be concurred in. Motion carried as follows:

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

Nays: Fielder.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 404 - Senator R. Webb moved **HB 404** be concurred in. Motion **failed** as follows:

Yeas: Blasdel, Brown, Fielder, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Smith C, Swandal, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.
Total 24

Nays: Ankney, Barrett, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Salomon, Sands, Sesso, Small, Smith F, Tempel, Vuckovich, Whitford, Wolken.
Total 26

Absent or not voting: None.
Total 0

SENATE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2017

Excused: None.

Total 0

HB 404 - Senator Thomas moved **HB 404** be **indefinitely postponed**. Motion carried as follows:

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

Total 36

Nays: Blasdel, Brown, Hinebauch, Hinkle, Hoven, Howard, Kary, Keenan, Olszewski, Regier, Smith C, Swandal, Thomas, Mr.President.

Total 14

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 407 - Senator Keenan moved consideration of **HB 407** be passed for the day. Without objection, so ordered.

HB 427 - Senator Pomnichowski moved **HB 427** 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 456 - Senator Hoven moved **HB 456** be concurred in. Motion carried as follows:

SENATE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2017

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 469 - Senator Olszewski moved **HB 469** 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 482 - Senator Sands moved **HB 482** 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

SENATE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2017

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 492 - Senator Gauthier moved **HB 492** 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 495 - Senator Caferro moved **HB 495** 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 507 - Senator R. Webb moved **HB 507** be concurred in. Motion carried as follows:

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

SENATE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2017

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 510 - Senator Sesso moved **HB 510** 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 476 - Senator Sands moved **HB 476** 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

SENATE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2017

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 426 - Senator R. Webb moved **HB 426** 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 533 - Senator D. Brown moved **HB 533** be concurred in. Motion carried as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, McNally, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.
Total 34

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

Total 16

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 537 - Senator Swandal moved **HB 537** be concurred in. Motion carried as follows:

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

SENATE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2017

Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Keenan, Lang, 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 45

Nays: Facey, Kary, MacDonald, Malek, Whitford.
Total 5

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 Moore 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, 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 the Senate **suspend rule S50-190** to allow **SB 372** to be placed on third reading this day. Motion carried as follows:

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

SENATE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2017

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

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 330 passed as follows:

Yeas: Ankney, Barrett, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Gauthier, Gross, Jones, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Salomon, Sands, Sesso, Small, Smith F, Swandal, Vance, Vincent, Vuckovich, Welborn, Whitford, Wolken.
Total 31

Nays: Blasdel, Fitzpatrick, Hinebauch, Hinkle, Hoven, Howard, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Smith C, Tempel, Thomas, Webb, Mr.President.
Total 19

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 335 passed as follows:

Yeas: Ankney, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hoven, Jones, Kary, Keenan, Lang, MacDonald, McClafferty, McNally, Phillips, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Thomas, Vuckovich, Welborn, Whitford, Wolken.
Total 31

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

SENATE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2017

Total 19

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 345 passed 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, Webb, Welborn, Mr.President.

Total 31

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

Total 19

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 346 failed as follows:

Yeas: Ankney, Barrett, Boland, Caferro, Cohenour, Connell, Facey, Gauthier, Gross, Jones, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Smith F, Welborn, Whitford, Wolken.

Total 24

Nays: Blasdel, Brown, Buttrey, Fielder, Fitzpatrick, Hinebauch, Hinkle, Hoven, Howard, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Mr.President.

Total 26

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SENATE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2017

SB 363 passed as follows:

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

Total 32

Nays: Barrett, Boland, Caferro, Cohenour, Fielder, Gross, Hinebauch, Hinkle, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sesso, Smith F, Whitford, Wolken.

Total 18

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 366 passed as follows:

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

Total 31

Nays: Blasdel, Brown, Fielder, Hinebauch, Hinkle, Howard, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Sands, Smith C, Vance, Vincent, Webb, Mr.President.

Total 19

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 374 passed as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, 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 C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken.

Total 46

SENATE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2017

Nays: Hinebauch, Hinkle, Kary, Mr.President.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 375 passed as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Caferro, Connell, Facey, Fielder, Gauthier, Hinebauch, Hinkle, Jones, Keenan, Moore, Olszewski, Osmundson, Phillips, Richmond, Sands, Sesso, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Welborn, Whitford, Wolken, Mr.President.

Total 31

Nays: Barrett, Boland, Cohenour, Fitzpatrick, Gross, Hoven, Howard, Kary, Lang, MacDonald, Malek, McClafferty, McNally, Pomnichowski, Regier, Salomon, Smith F, Vuckovich, Webb.

Total 19

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 376 passed as follows:

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

Total 28

Nays: Blasdel, Brown, Buttrey, Fielder, Fitzpatrick, Hinebauch, Hinkle, Hoven, Howard, Kary, Keenan, Lang, Olszewski, Osmundson, Regier, Salomon, Smith C, Swandal, Vance, Vincent, Webb, Mr.President.

Total 22

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SENATE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2017

SB 377 passed as follows:

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

Total 35

Nays: Blasdel, Brown, Fielder, Hinebauch, Hinkle, Howard, Keenan, Olszewski, Osmundson, Regier, Smith C, Vance, Vincent, Webb, Mr.President.

Total 15

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 372 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, Whitford, Wolken, Mr.President.

Total 49

Nays: Welborn.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Sands moved to change her third-reading vote on **SB 366** from Yes to No. Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved the Senate adjourn until 8:00 a.m., Saturday, April 1, 2017, the

SENATE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 31, 2017

sixty-eighth legislative day. Motion carried.

Senate adjourned at 11:58 a.m.

MARILYN MILLER
Secretary of the Senate

SCOTT SALES
President of the Senate