

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

Helena, Montana
April 27, 2017

Senate Chambers
State Capitol

Senate convened at 1:00 p.m. President Pro-Tempore Keenan presiding.

Roll Call. Forty-five members present. Senators Brown, Fielder, Gauthier, Olszewski, and Osmundson excused. Quorum present.

BILLS AND JOURNALS (Keenan, Chair): 4/28/2017

Correctly enrolled: **SB 55, SB 95, SB 132, SB 167, SB 168, SB 261, SB 314, SB 359, SB 368, SB 374, SJ 3, SJ 5, SJ 9, SJ 19, SJ 20, SJ 21, SJ 23, SJ 25, SJ 27, SJ 28, SJ 29, SJ 31, SJ 32.**

Examined by the sponsor and found to be correct: **SB 132, SB 168, SB 359, SB 368, SJ 3, SJ 5, SJ 9, SJ 19, SJ 20, SJ 21, SJ 23, SJ 25, SJ 27, SJ 28, SJ 29.**

Transmitted to the House: **HJ 28.**

MESSAGES FROM THE OTHER HOUSE

Senate joint resolution concurred in and returned to the Senate: 4/27/2017

SJ 31, introduced by M. McNally

Governor's amendments to Senate bills concurred in and returned to the Senate: 4/27/2017

SB 55, introduced by D. Salomon

SB 314, introduced by C. Vincent

Senate amendments to House bill concurred in: 4/27/2017

HB 586, introduced by D. Lenz

Governor's amendments to House bills concurred in and transmitted to the Senate for consideration of the Governor's amendments: 4/27/2017

HB 405, introduced by R. Cook

HB 550, introduced by J. Essmann

Conference Committee Report No.1 adopted: 4/27/2017

SB 374, introduced by D. Ankney

Free Conference Committee Report No.1 adopted: 4/27/2017

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SB 95, introduced by L. Jones
SB 261, introduced by L. Jones

MOTIONS

Senator Moore moved to place **HB 405 GA**, currently on the second reading board, on second reading this day. Motion carried as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Cohenour, Connell, Facey, Gross, Hinebauch, Jones, MacDonald, Malek, McClafferty, McNally, Moore, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Welborn, Wolken.
Total 23

Nays: Blasdel, Caferro, Fitzpatrick, Hinkle, Hoven, Howard, Kary, Keenan, Lang, Regier, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Whitford, Mr.President.
Total 22

Absent or not voting: None.
Total 0

Excused: Brown, Fielder, Gauthier, Olszewski, Osmundson.
Total 5

President Sales assumed the chair.

**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. President Sales in the chair.

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

HB 550 - Governor's Amendments - Senator Hoven moved Governor's amendments to **HB 550** be concurred in. Motion carried as follows:

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

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Total 45

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Brown, Fielder, Gauthier, Olszewski, Osmundson.

Total 5

HB 405 - Governor's Amendments - Senator Moore moved Governor's amendments to **HB 405** be concurred in. Motion **failed** as follows:

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

Total 24

Nays: Buttrey, Caferro, Connell, Fielder, Fitzpatrick, Hinebauch, Hinkle, Hoven, Howard, Kary, Keenan, Lang, Olszewski, Regier, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Whitford, Mr.President.

Total 24

Paired: Gauthier, Salomon, Wolken, Aye; Fielder, Hoven, Olszewski, No.

Absent or not voting: None.

Total 0

Excused: Brown, Osmundson.

Total 2

Majority Leader Thomas moved the committee **rise and report**. Motion carried.

Majority Leader Thomas moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Barrett, Blasdel, Buttrey, Caferro, Connell, Facey, Fitzpatrick, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, McClafferty, McNally, Moore, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 38

Nays: Boland, Cohenour, Gross, MacDonald, Malek, Smith F, Vuckovich.

Total 7

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Absent or not voting: None.

Total 0

Excused: Brown, Fielder, Gauthier, Olszewski, Osmundson.

Total 5

Majority Leader Thomas moved the Senate reconsider the motion to rise and report and amend the motion to **rise, report and beg leave to sit again**. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Buttrey, Caferro, Connell, Facey, Fitzpatrick, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, 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 43

Nays: Boland, Cohenour.

Total 2

Absent or not voting: None.

Total 0

Excused: Brown, Fielder, Gauthier, Olszewski, Osmundson.

Total 5

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:

HJ 28 concurred in as follows:

Yeas: Barrett, Blasdel, Boland, Buttrey, Caferro, Cohenour, Facey, Gross, Hoven, Jones, MacDonald, Malek, McClafferty, McNally, Moore, Phillips, Pomnichowski, Salomon, Sands, Small, Smith F, Swandal, Tempel, Thomas, Vuckovich, Whitford, Wolken.

Total 27

Nays: Ankney, Connell, Fitzpatrick, Hinebauch, Hinkle, Howard, Kary, Keenan, Lang, Regier, Richmond, Sesso, Smith C, Vance, Vincent, Webb, Welborn, Mr.President.

Total 18

Absent or not voting: None.

Total 0

Excused: Brown, Fielder, Gauthier, Olszewski, Osmundson.

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Total 5

HB 550, as amended by the Governor, concurred in as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, 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 45

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Brown, Fielder, Gauthier, Olszewski, Osmundson.

Total 5

MOTIONS

Majority Leader Thomas moved the Senate stand in recess until 8:30 a.m., Friday, April 28, 2017. Senate recessed at 1:38 p.m.

Senate reconvened at 10:02 a.m., Friday, April 28, 2017. President Sales presiding.

MOTIONS

Senator Hinkle moved to change his third-reading vote on **HB 376** from Yes to No. Without objection, so ordered.

ANNOUNCEMENTS

Minority Leader Sesso and Majority Leader Thomas made closing remarks to the Senate. Senator Ankney presented Republican leadership with remembrances.

President Sales made closing remarks to the Senate.

Majority Leader Thomas **moved the Senate adjourn, sine die**. Motion carried.

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Senate adjourned at 10:28 a.m.

MARILYN MILLER
Secretary of the Senate

SCOTT SALES
President of the Senate