

**SENATE JOURNAL  
66TH LEGISLATURE  
TWENTY-FIRST LEGISLATIVE DAY**

Helena, Montana  
February 2, 2019

Senate Chambers  
State Capitol

Senate convened at 8:00 a.m. President Sales presiding. Invocation by Senator Ellsworth. Pledge of Allegiance to the Flag.

Roll Call. Forty-eight members present. Senators Esp and Sesso excused. Quorum present.

**BILLS AND JOURNALS** (Keenan, Chair): 2/2/2019  
Correctly printed: **SB 70, SB 79, SB 117, SB 144, SB 157, HB 46, HB 62, HB 89, HB 117.**

**REPORTS OF STANDING COMMITTEES**

**STATE ADMINISTRATION** (Brown, Chair): 2/1/2019  
**SR 4**, be adopted.  
**SR 5**, be adopted.

Without objection, committee reports were adopted.

**MESSAGES FROM THE OTHER HOUSE**

**House bills** passed and transmitted to the Senate for concurrence: 2/1/2019

**HB 35**, introduced by E. Buttrey  
**HB 86**, introduced by V. Ricci  
**HB 108**, introduced by G. Pierson  
**HB 176**, introduced by D. Bedey

**FIRST READING AND COMMITMENT OF BILLS**

The following Senate bills were introduced and read first time:

**SB 201**, introduced by D. Ankney.  
**SB 202**, introduced by R. Webb.  
**SB 203**, introduced by J. Pomnichowski, Z. Brown, P. Flowers, B. Grubbs, J. Hamilton, D. Hayman, M. Phillips, C. Pope, S. Sales, W. Sales, G. Vance, K. White, T. Woods.  
**SB 204**, introduced by M. MacDonald, K. Abbott, D. Barrett, B. Bennett, W. Curdy, J. Gross, A. Olsen, A. Olszewski, M. Ryan.  
**SB 205**, introduced by S. Fitzpatrick.

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

**SB 199**, introduced by T. Richmond, referred to Energy and Telecommunications.

**SB 200**, introduced by R. Webb, referred to Local Government.

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

**SR 25**, introduced by J. Welborn, referred to Natural Resources.

The following House bills were introduced and read first time:

**HB 35**, introduced by E. Buttrey (by request of the Economic Affairs Interim Committee).

**HB 86**, introduced by V. Ricci (by request of the Department of Justice).

**HB 108**, introduced by G. Pierson (by request of the Department of Administration).

**HB 176**, introduced by D. Bedey, N. Ballance, J. Ellsworth, J. Fuller, K. Holmlund.

**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 Kary in the chair.

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

**SB 59** - Senator McClafferty moved **SB 59** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Mr President, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn.

Total 48

Nays: None.

Total 0

Paired: None.

Excused: Esp, Sesso.

Total 2

Absent or not voting: None.

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Total 0

**SB 61** - Senator MacDonald moved **SB 61** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Mr President, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Small, Smith C, Smith F, Tempel, Thomas, Vuckovich, Webb, Webber.

Total 43

Nays: Brown, Hinebauch, Howard, Vance, Welborn.

Total 5

Paired: None.

Excused: Esp, Sesso.

Total 2

Absent or not voting: None.

Total 0

**SB 136** - Senator Thomas moved **SB 136** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Mr President, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn.

Total 48

Nays: None.

Total 0

Paired: None.

Excused: Esp, Sesso.

Total 2

Absent or not voting: None.

Total 0

**SJ 2** - Senator F. Smith moved **SJ 2** do pass. Motion carried as follows:

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Yeas: Ankney, Barrett, Bennett, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, Kary, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Small, Smith C, Smith F, Thomas, Vuckovich, Webber.  
Total 38

Nays: Blasdel, Hinebauch, Howard, Keenan, Lang, Mr President, Tempel, Vance, Webb, Welborn.  
Total 10

Paired: None.

Excused: Esp, Sesso.  
Total 2

Absent or not voting: None.  
Total 0

**SJ 3** - Senator Thomas moved **SJ 3** do pass. Motion carried as follows:

Yeas: Barrett, Bennett, Bogner, Boland, Cohenour, Cuffe, Ellis, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, Kary, Keenan, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Sands, Small, Smith C, Smith F, Thomas, Vuckovich, Webber, Welborn.  
Total 37

Nays: Ankney, Blasdel, Brown, Hinebauch, Howard, Lang, Mr President, Salomon, Tempel, Vance, Webb.  
Total 11

Paired: None.

Excused: Esp, Sesso.  
Total 2

Absent or not voting: None.  
Total 0

Majority Leader Thomas moved the committee **rise and report**. Motion carried. Committee arose. Senate resumed. President Sales presiding.

Senator Kary moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis,

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Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Mr President, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn.  
Total 48

Nays: None.  
Total 0

Paired: None.

Excused: Esp, Sesso.  
Total 2

Absent or not voting: 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 157** passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Mr President, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Small, Smith C, Smith F, Tempel, Thomas, Vuckovich, Webb, Webber, Welborn.  
Total 45

Nays: Brown, Kary, Vance.  
Total 3

Paired: None.

Excused: Esp, Sesso.  
Total 2

Absent or not voting: None.  
Total 0

**HB 46** concurred in as follows:

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Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Mr President, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn.  
Total 48

Nays: None.  
Total 0

Paired: None.

Excused: Esp, Sesso.  
Total 2

Absent or not voting: None.  
Total 0

**HB 62** concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Mr President, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn.  
Total 48

Nays: None.  
Total 0

Paired: None.

Excused: Esp, Sesso.  
Total 2

Absent or not voting: None.  
Total 0

**HB 89** concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Mr

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President, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn.

Total 48

Nays: None.

Total 0

Paired: None.

Excused: Esp, Sesso.

Total 2

Absent or not voting: None.

Total 0

**HB 117** concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Mr President, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn.

Total 48

Nays: None.

Total 0

Paired: None.

Excused: Esp, Sesso.

Total 2

Absent or not voting: None.

Total 0

**UNFINISHED BUSINESS**

Mr. President, I move that the following undersigned name be **ADDED** as sponsor to **SB 71** Without objection, so ordered.

**SB 71** (A. Olszewski, Chief Sponsor)  
Representative Pierson.

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**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved the Senate adjourn until 1:00 p.m., Monday, February 4, 2019, the twenty-second legislative day. Motion carried.

Senate adjourned at 8:39 a.m.

MARILYN MILLER  
Secretary of the Senate

SCOTT SALES  
President of the Senate