

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

Helena, Montana
February 14, 2019

Senate Chambers
State Capitol

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

Roll Call. All members present. Quorum present.

BILLS AND JOURNALS (Keenan, Chair):

2/14/2019

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

Correctly printed: **SB 84, SB 148, SB 152, SB 158, SB 167, SB 174, SB 191, SB 205, SB 244, SB 245, SB 246, SB 247, SB 248, SB 249, SB 250, SB 251, SB 252, SB 254, SB 255, SB 256, SB 257, SR 6, SR 7, HB 43, HB 103, HB 104, HB 143, HB 200.**

Correctly engrossed: **SB 40, SB 60, SB 93, SB 108, SB 116, SB 130, SB 132, SB 139, SB 140, HB 201.**

Correctly enrolled: **SB 28, SR 10, SR 20, SR 21, SR 22, SR 23, SR 25.**

Examined by the sponsor and found to be correct: **SB 28, SR 10, SR 20.**

Transmitted to the House: **SB 8, SB 47, SB 160, SB 179, SB 192, HB 47, HB 79, HB 83, HB 119.**

Signed by the Secretary of the Senate at 8:20 a.m., February 14, 2019: **SB 28.**

Signed by the President at 8:25 a.m., February 14, 2019: **SB 28.**

Signed by the Speaker at 8:59 a.m., February 14, 2019: **SB 28.**

Delivered to the Governor at 10:37 a.m., February 14, 2019: **SB 10, SB 11, SB 16.**

Delivered to the Governor at 10:38 a.m., February 14, 2019: **SB 28.**

REPORTS OF STANDING COMMITTEES

BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Fitzpatrick, Chair):

2/14/2019

SB 71, introduced bill, be amended as follows:

1. Page 1, line 19.

Strike: "and"

2. Page 1, line 20.

Following: "protection"

Insert: "; and"

(c) listed as a brand-name drug on a published, independent national pricing source that is readily available to any person"

3. Page 2, line 6.

SENATE JOURNAL
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 14, 2019

Following: "name, that"

Insert: "is"

4. Page 2, line 7.

Strike: "is"

5. Page 2, line 8.

Following: "intended use;"

Strike: "and"

6. Page 2, line 9.

Strike: "is"

Following: "patent protection"

Insert: "; and

(c) listed as a generic drug on a published, independent national pricing source that is readily available to any person"

7. Page 4, line 1.

Strike: "single"

8. Page 4, line 2 through line 3.

Strike: "A health" on line 2 through "for each provider" on line 3

Insert: "The amount paid by a health insurance issuer for a prescription drug must be the same amount received by the provider"

9. Page 4, line 6.

Strike: "given"

Insert: "accessible"

10. Page 4, line 29.

Following: "identified by a"

Insert: "published, independent"

11. Page 5, line 4.

Following: "listed by the"

Insert: "published, independent"

12. Page 5, line 8.

Following: "use only one"

Insert: "published, independent"

13. Page 5, line 10.

Following: "use the same"

Insert: "published, independent"

SENATE JOURNAL
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 14, 2019

14. Page 5, line 11.

Following: "name of the"

Insert: "published, independent"

15. Page 5, line 13.

Following: "more than one"

Insert: "published, independent"

16. Page 6, line 7.

Following: "A health insurance issuer shall"

Strike: "display"

Insert: "provide electronic access to"

17. Page 6, line 7 through line 8.

Following: "health benefit plan and" on line 7

Strike: "the" on line 7 through "accessible to" on line 8

18. Page 6, line 8 through line 9.

Strike: "The formulary" on line 8 through "commissioner by rule." on line 9

19. Page 6, line 10.

Strike: "(a)"

20. Page 6, line 11.

Strike: "(i)"

Insert: "(a)"

21. Page 6, line 13.

Strike: "(ii)"

Insert: "(b)"

22. Page 6, line 14.

Following: "limitations on coverage;"

Insert: "and"

23. Page 6, line 15.

Strike: "(iii)"

Insert: "(c)"

Following: "has been placed"

Strike: ";

Insert: "."

(4) The information provided for applicable benefit levels must include:"

24. Page 6, line 16.

Strike: "(iv)"

SENATE JOURNAL
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 14, 2019

Insert: "(a)"

25. Page 6, line 17.

Strike: "(v)"

Insert: "(b)"

26. Page 6, line 18.

Strike: "(b)"

Insert: "(5)"

Strike: "subsection (3)(a)"

Insert: "subsections (3) and (4)"

27. Page 6, line 20.

Following: line 19

Insert: "(6) A health insurance issuer shall review brand-name drugs newly approved by the United States food and drug administration for inclusion on the formulary of a health benefit plan no later than 90 days after approval by the United States food and drug administration."

And, as amended, do pass.

HB 160, be concurred in.

HB 162, be concurred in.

HB 163, be concurred in.

HB 196, be concurred in.

EDUCATION AND CULTURAL RESOURCES (Salomon, Chair):

2/13/2019

SB 35, do pass.

SB 40, introduced bill, be amended as follows:

1. Title, page 1, line 10.

Following: "GUARDIANS; "

Insert: "AUTHORIZING DEPARTMENT OF JUSTICE STAFF TO ACCESS THE REPOSITORY;
"

2. Page 2, following line 5.

Insert: "(5) The office of public instruction shall provide continuous access to the repository to designated missing persons clearinghouse staff at the department of justice. Access to the repository must include the necessary authority to upload and download photographs of students who have been reported missing."

And, as amended, do pass.

SB 130, introduced bill, be amended as follows:

1. Title, page 1, line 5.

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SENATE JOURNAL
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 14, 2019

Following: "ELECTION"

Insert: "AND HOLD AN ORGANIZATIONAL MEETING"

Strike: "SECTION"

Insert: "SECTIONS 20-3-321 AND"

2. Page 1, line 9.

Insert: "**Section 1.** Section 20-3-321, MCA, is amended to read:

"20-3-321. Organization and officers. (1) The trustees of each district shall annually organize as a governing board of the district after the regular school election day and after the issuance of the election certificates to the newly elected trustees, but not later than ~~45~~ 25 days after the election. In order to organize, the trustees of the district must be given notice of the time and place where the organization meeting will be held, and at the meeting they shall choose one of their number as the presiding officer. In addition, except for the trustees of a high school district operating a county high school, the trustees shall employ and appoint a competent person, who is not a member of the trustees, as the clerk of the district. The trustees of a high school district operating a county high school shall appoint a secretary, who must be a member of the board.

(2) The presiding officer of the trustees of any district shall serve until the next organization meeting and shall preside at all the meetings of the trustees in accordance with the customary rules of order. The presiding officer shall perform the duties prescribed by this title and any other duties that normally pertain to a presiding officer.

(3) The presiding officer of a board of trustees of an elementary district may be any trustee of the board, including an additional trustee as provided for in 20-3-352(2). If an additional trustee is chosen to serve as the presiding officer of the board of trustees of an elementary district described in 20-3-351(1)(a), the additional trustee may not vote on issues pertaining only to the elementary district."

Renumber: subsequent sections

And, as amended, do pass.

SB 132, introduced bill, be amended as follows:

1. Title, page 1, line 9.

Following: "DATE"

Insert: "AND AN APPLICABILITY DATE"

2. Page 2, line 24.

Strike: "currently has regular contact with students"

Insert: "has ever had instructional, supervisory, disciplinary, or other authority over the student"

3. Page 3, line 7.

Following: "if"

Insert: "the individuals are married to each other and"

4. Page 3, line 9 through line 12.

Strike: "and" on line 9 through "volunteer" on line 12

SENATE JOURNAL
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 14, 2019

5. Page 5, line 3.

Strike: "currently has regular contact with students"

Insert: "has ever had instructional, supervisory, disciplinary, or other authority over the student"

6. Page 5, line 15.

Following: "if"

Insert: "the individuals are married to each other and"

7. Page 5, line 17 through line 20.

Strike: "and" on line 17 through "volunteer" on line 20

8. Page 5, line 22.

Following: "assistance for"

Insert: "current or former"

9. Page 5, line 25.

Following: "believe that a"

Insert: "current or former"

10. Page 6, line 17.

Following: "applies to"

Insert: "current or former"

11. Page 6, line 20.

Following: "assists a"

Insert: "current or former"

12. Page 6.

Following: line 27

Insert: "NEW SECTION. Section 6. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent sections

13. Page 6.

Following: line 29

Insert: "NEW SECTION. Section 8. Applicability. [This act] applies to incidents occurring on or after [the effective date of this act]."

And, as amended, do pass.

SB 139, introduced bill, be amended as follows:

1. Title, page 1.

SENATE JOURNAL
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 14, 2019

Following: line 6

Insert: "REVISING REPORTING TO LEGISLATIVE COMMITTEES;"

2. Title, page 1, line 7.

Following: "DATE"

Strike: "AND"

Insert: ", "

3. Title, page 1, line 8.

Following: "DATE"

Insert: ", AND A TERMINATION DATE"

4. Page 1, line 17.

Strike: "4"

Insert: "3"

5. Page 1, line 19.

Strike: "25"

Insert: "27"

6. Page 1, line 24.

Strike: " ; "

Insert: ". The office of public instruction shall verify that the employer has advertised the position as required under this subsection (1)(a)(iii)."

7. Page 2, line 2.

Strike: "appropriate"

Insert: "education interim committee and the state administration and veterans' affairs interim"

8. Page 2.

Following: line 13

Insert: "(a) "Administrator" means a school principal or district administrator other than a superintendent."

Renumber: subsequent subsections

9. Page 2.

Following: line 20

Insert: "NEW SECTION. Section 4. Termination. [This act] terminates June 30, 2025."

And, as amended, do pass.

SB 140, introduced bill, be amended as follows:

1. Page 2, line 2.

Following: "Act"

SENATE JOURNAL
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 14, 2019

Insert: ", rules of the board of public education,"

2. Page 2, line 12.

Following: "child"

Insert: "who has not been previously screened by the district and"

3. Page 2, line 26.

Following: "(3)(b)"

Insert: "that:

(A) have minimal or no cost to a district; and

(B) are able to be integrated with a district's existing reading programs"

And, as amended, do pass.

SB 197, do pass.

HB 127, be concurred in.

HB 176, be concurred in.

LOCAL GOVERNMENT (Lang, Chair):

2/13/2019

HB 123, be concurred in.

HB 124, be concurred in.

STATE ADMINISTRATION (Brown, Chair):

2/13/2019

SB 72, do pass.

SB 116, introduced bill, be amended as follows:

1. Page 3, line 7 through line 8.

Strike: "make a reasonable effort to"

2. Page 3.

Following: line 8

Insert: "(e) If a qualified elector or designated agent provides a valid change document to an irrigation district within the 13 days prior to and including election day, the district must provide a notice, which the elector or designated agent may present to the election office and, if votes have not already been cast for the respective irrigable acres, receive a ballot from the election office."

And, as amended, do pass.

HJ 3, be concurred in.

Without objection, committee reports were adopted.

SENATE JOURNAL
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 14, 2019

MESSAGES FROM THE OTHER HOUSE

Senate bill concurred in and returned to the Senate: 2/13/2019

SB 28, introduced by T. Richmond

House bills passed and transmitted to the Senate for concurrence: 2/13/2019

HB 15, introduced by W. Curdy

HB 105, introduced by K. Sullivan

HB 153, introduced by K. Kelker

HB 288, introduced by M. Caferro

HB 296, introduced by C. Knudsen

HB 299, introduced by J. Krotkov

HB 304, introduced by S. Morigeau

HB 316, introduced by K. White

HB 334, introduced by B. Mercer

HB 347, introduced by S. Greef

HB 348, introduced by M. Noland

Senator Sesso arose on a point of personal privilege and informed the members of the Senate that follow-ups to the previous day's discussion of **SB 108** had been placed on each Senator's desk.

FIRST READING AND COMMITMENT OF BILLS

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

SB 258, introduced by M. Cuffe, referred to State Administration.

SB 259, introduced by D. Brown, referred to Fish and Game.

SB 260, introduced by S. Malek, referred to Highways and Transportation.

SB 261, introduced by D. Sands, referred to Judiciary.

SB 262, introduced by J. Cohenour, B. Bennett, C. Boland, J. Ellis, M. MacDonald, E. McClafferty, D. Sands, S. Webber, referred to Judiciary.

SB 263, introduced by J. Ellsworth, referred to Local Government.

SB 265, introduced by T. Jacobson, referred to Taxation.

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

SR 31, introduced by D. Howard, referred to Public Health, Welfare and Safety.

The following Senate bill was introduced and read first time:

SB 264, introduced by J. Small, D. Ankney, B. Bennett, T. Jacobson, J. Keane, R. Lynch, M. McNally, S. Stewart Peregoy, S. Webber.

SENATE JOURNAL
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 14, 2019

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

HB 15, introduced by W. Curdy, referred to Local Government.

HB 105, introduced by K. Sullivan (by request of the Department of Labor and Industry), referred to Business, Labor, and Economic Affairs.

HB 153, introduced by K. Kelker, K. Dudik, B. Grubbs, E. Kerr-Carpenter, M. Marler, C. Pope, T. Richmond, referred to Education and Cultural Resources.

HB 288, introduced by M. Caferro, referred to Taxation.

HB 296, introduced by C. Knudsen, B. Beard, M. Blasdel, B. Brown, G. DeVries, A. Doane, J. Dooling, D. Dunn, R. Fitzgerald, W. Galt, B. Grubbs, S. Hinebauch, M. Hopkins, T. Jacobson, J. Kassmier, J. Keane, C. Keogh, R. Knudsen, D. Lenz, F. Mandeville, T. Manzella, B. Mercer, S. Morigeau, D. Mortensen, Z. Perry, G. Pierson, R. Shaw, L. Sheldon-Galloway, D. Skees, B. Tschida, B. Usher, P. Webb, T. Welch, D. Zolnikov, referred to Judiciary.

HB 299, introduced by J. Krotkov, F. Anderson, B. Bessette, C. Boland, R. Fitzgerald, B. Hamlett, L. Sheldon-Galloway, referred to Local Government.

HB 304, introduced by S. Morigeau, referred to Judiciary.

HB 316, introduced by K. White, B. Hamlett, M. Hopkins, referred to State Administration.

HB 334, introduced by B. Mercer, referred to Judiciary.

HB 347, introduced by S. Greef, D. Bedey, D. Dunn, P. Webb, J. Windy Boy, referred to Judiciary.

HB 348, introduced by M. Noland, B. Brown, A. Doane, W. Galt, C. Glimm, S. Gunderson, C. Knudsen, B. Tschida, S. Vinton, K. White, Hertz, referred to Fish and Game.

**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 D. Brown in the chair.

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

SB 165 - Senator MacDonald moved **SB 165** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, 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, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn.

Total 50

Nays: None.

Total 0

SENATE JOURNAL
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 14, 2019

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 66 - Senator Gauthier moved **HB 66** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, 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, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 159 - Senator Salomon moved **HB 159** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, 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, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vuckovich, Webb, Webber, Welborn.

Total 49

Nays: Vance.

Total 1

Paired: None.

Excused: None.

SENATE JOURNAL
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 14, 2019

Total 0

Absent or not voting: None.

Total 0

HB 175 - Senator Gauthier moved **HB 175** be concurred in.

HB 175 - Senator Keenan moved **HB 175**, second reading copy, be amended as follows:

1. Page 9, line 20.

Following: "occur"

Strike: ", "

Insert: "or"

Following: "resources"

Strike: ", or other contingencies arise"

Amendment **adopted** as follows:

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

Total 39

Nays: Ankney, Bennett, Boland, Cohenour, Ellis, Jacobson, MacDonald, Sesso, Small, Vuckovich, Welborn.

Total 11

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Senator Cohenour disclosed she is a state employee affected by this bill.

HB 175 - As amended, **HB 175** concurred in as follows:

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

SENATE JOURNAL
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 14, 2019

Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber,
Welborn.
Total 50

Nays: None.
Total 0

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 168 - Senator Hoven moved **SB 168** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Bogner, Boland, Cohenour, Ellis, Ellsworth, Flowers, Gauthier,
Gillespie, Gross, Hoven, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally,
Olszewski, Phillips, Pomnichowski, Richmond, Sands, Sesso, Small, Smith F, Tempel, Thomas,
Vuckovich, Webb, Webber.
Total 32

Nays: Blasdel, Brown, Cuffe, Esp, Fielder, Fitzpatrick, Hinebauch, Howard, Kary, Keenan,
Lang, Mr President, Osmundson, Regier, Salomon, Smith C, Vance, Welborn.
Total 18

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 64 - Senator Fitzpatrick moved **HB 64** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Bogner, Boland, Brown, Cuffe, Ellsworth, Esp, Fielder,
Fitzpatrick, Flowers, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Kary, Keenan, Lang,
MacDonald, Malek, McClafferty, McConnell, Mr President, Olszewski, Osmundson, Phillips,
Regier, Richmond, Salomon, Sands, Small, Smith C, Smith F, Tempel, Thomas, Vance,
Vuckovich, Webb, Webber, Welborn.
Total 42

Nays: Bennett, Cohenour, Ellis, Gross, Jacobson, McNally, Pomnichowski, Sesso.

SENATE JOURNAL
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 14, 2019

Total 8

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 67 - Senator Gauthier moved **HB 67** be concurred in. Motion carried as follows:

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

Total 49

Nays: Howard.

Total 1

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 71 - Senator Osmundson moved **HB 71** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, 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, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn.

Total 50

Nays: None.

Total 0

Paired: None.

SENATE JOURNAL
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 14, 2019

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 74 - Senator Fitzpatrick moved **HB 74** be concurred in.

HB 74 - Senator McConnell moved **HB 74**, second reading copy, be amended as follows:

1. Page 2, line 6.

Following: line 5

Insert: "(d) In pursuing restitution or other relief under this section for the benefit of a person who has sustained a loss resulting from a violation of this title, the commissioner may not include as part of any release or consent agreement any term that includes a waiver of the person's right to any other civil remedies."

Motion to amend **failed** as follows:

Yeas: Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, Gross, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Webber.

Total 20

Nays: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Mr President, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Tempel, Thomas, Vance, Webb, Welborn.

Total 30

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 74 - Bill concurred in as follows:

Yeas: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Mr President, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Tempel, Thomas, Vance, Webb, Welborn.

Total 30

SENATE JOURNAL
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 14, 2019

Nays: Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, Gross, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Webber.

Total 20

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 91 - Senator Malek moved **HB 91** be concurred in. Motion carried as follows:

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

Total 48

Nays: Blasdel, Mr President.

Total 2

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 107 - Senator Small moved **HB 107** be concurred in. Motion carried as follows:

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

Total 48

Nays: Mr President, Vance.

Total 2

SENATE JOURNAL
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 14, 2019

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 108 - Senator Boland moved **HB 108** be concurred in. Motion carried as follows:

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

Total 44

Nays: Brown, Hinebauch, Kary, Mr President, Smith C, Vance.

Total 6

Paired: None.

Excused: None.

Total 0

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 D. Brown moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, 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, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn.

Total 50

Nays: None.

Total 0

SENATE JOURNAL
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 14, 2019

Paired: None.

Excused: None.

Total 0

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 84 passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Ellsworth, Esp, 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, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vuckovich, Webb, Webber, Welborn.

Total 48

Nays: Brown, Vance.

Total 2

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 148 passed as follows:

Yeas: Ankney, Barrett, Bennett, Bogner, Boland, Brown, Cohenour, Ellis, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Osmundson, Phillips, Pomnichowski, Richmond, Sands, Sesso, Small, Smith F, Vuckovich, Webber, Welborn.

Total 31

Nays: Blasdel, Cuffe, Ellsworth, Esp, Fielder, Hinebauch, Howard, Kary, Keenan, Lang, Mr President, Olszewski, Regier, Salomon, Smith C, Tempel, Thomas, Vance, Webb.

Total 19

SENATE JOURNAL
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 14, 2019

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 152 passed as follows:

Yeas: Barrett, Bennett, Boland, Cohenour, Ellis, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Vuckovich, Webber, Welborn.

Total 28

Nays: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Hinebauch, Howard, Kary, Keenan, Lang, Mr President, Olszewski, Osmundson, Regier, Smith C, Tempel, Thomas, Vance, Webb.

Total 22

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 103 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, 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, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber.

Total 49

Nays: Welborn.

Total 1

Paired: None.

Excused: None.

Total 0

SENATE JOURNAL
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 14, 2019

Absent or not voting: None.

Total 0

HB 104 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, 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, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Senator Phillips moved that **SB 190** be taken from Energy and Telecommunications Committee and brought before the Committee of the Whole for second reading. Motion **failed** as follows:

Yeas: Barrett, Bennett, Boland, Cohenour, Ellis, Fielder, Flowers, Gross, Jacobson, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Webber.

Total 21

Nays: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fitzpatrick, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Mr President, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Tempel, Thomas, Vance, Webb, Welborn.

Total 29

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

SENATE JOURNAL
THIRTY-FIRST LEGISLATIVE DAY - FEBRUARY 14, 2019

Total 0

Senator Thomas moved **SB 71**, reported out of the Business, Labor, and Economic Affairs Committee this date, be re-referred to the Finance and Claims Committee. Without objection, so ordered.

ANNOUNCEMENTS

Senator Sands arose on a point of personal privilege and reminded Senate members that today is the one-year anniversary of the school shooting in Parkland, Florida.

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved the Senate adjourn until 1:00 p.m., Friday, February 15, 2019, the thirty-second day. Motion carried.

Senate adjourned at 2:19 p.m.

MARILYN MILLER
Secretary of the Senate

SCOTT SALES
President of the Senate