SENATE JOURNAL
66TH LEGISLATURE
THIRTY-FOURTH LEGISLATIVE DAY

Helena, Montana Senate Chambers
February 18, 2019 State Capitol

Senate convened at 1:01 p.m. President Sales presiding. Invocation by Senator Lang. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS AND JOURNALS (Keenan, Chair):
Correctly engrossed: SB 53, SB 162, SB 184, SB 232.
Correctly enrolled: SR 6, SR 7.
Signed by the Speaker at 10:19 a.m., February 18, 2019: SJ 1.

MESSAGES FROM THE GOVERNOR

February 15, 2019

The Honorable Scott Sales
President, Montana State Senate
Capitol Station
Helena, MT 59620

Dear President Sales:

In accordance with Montana Code Annotated 5-5-302, I submit to you and the Montana Senate the included list of board, council and commission appointments for confirmation.

I have included the appropriate statutes and appointees’ resumes, biography or other qualification documentation for your consideration.

Stacey Otterstrom, my Boards and Appointments Advisor is available as these appointments move through the confirmation process. She can be reached at (406) 444-4405 or by email at sotterstrom@mt.gov.

Sincerely,

STEVE BULLOCK
Governor

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FIRST READING AND COMMITMENT OF BILLS

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


**SB 276**, introduced by R. Webb, referred to Judiciary.

**SB 277**, introduced by R. Webb, referred to State Administration.

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

**SJ 12**, introduced by M. Cuffe, N. Duram, S. Gunderson, referred to Judiciary.

The following Senate bill was introduced and read first time:

**SB 278**, introduced by T. Richmond, D. Ankney.

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


**SB 273**, introduced by D. Sands, G. Vance, referred to Judiciary.


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 Jacobson in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:
SENATE JOURNAL
THIRTY-FOURTH LEGISLATIVE DAY - FEBRUARY 18, 2019

SB 78 - Senator McNally moved SB 78 do pass. Motion carried as follows:

Total 50

Nays: None.
Total 0

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Thomas moved that SB 184 be passed for the day and that SB 176, SB 177, and SB 223 be moved to the bottom of the board. Without objection, so ordered.

SB 132 - Senator K. Regier moved SB 132 do pass. Motion carried as follows:

Total 46

Nays: Barrett, Bennett, Ellis, Pomnichowski.
Total 4

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 139 - Senator Lang moved SB 139 do pass.
SENATE JOURNAL
THIRTY-FOURTH LEGISLATIVE DAY - FEBRUARY 18, 2019

SB 139 - Senator Lang moved SB 139, second reading copy, be amended as follows:

1. Page 2, line 4.
   **Following:** "(e)"
   **Insert:** "by September 15 of each even-numbered year;"

2. Page 2, line 5.
   **Strike:** "each legislative session"
   **Insert:** "as provided in 5-11-210;"

Amendment **adopted** as follows:

Total 50

Nays: None.
Total 0

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

**SB 139** - As amended, **SB 139** passed as follows:

Total 34

Nays: Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, Gross, Jacobson, MacDonald, Malek, McConnell, McNally, Pomnichowski, Sands, Sesso, Webber.
Total 16

Paired: None.
Excused: None.
Total  0

Absent or not voting: None.
Total  0

**SB 93** - Senator Richmond moved **SB 93** do pass.  Motion carried as follows:

Total  31

Total  19

Paired: None.

Excused: None.
Total  0

Absent or not voting: None.
Total  0

**HB 50** - Senator Bogner moved **HB 50** be concurred in.  Motion carried as follows:

Total  50

Nays: None.
Total  0

Paired: None.

Excused: None.
Total  0

Absent or not voting: None.
HB 51 - Senator Lang moved HB 51 be concurred in. Motion carried as follows:

Total 50

Nays: None.
Total 0

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 102 - Senator Olszewski moved HB 102 be concurred in. Motion carried as follows:

Total 50

Nays: None.
Total 0

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 163 - Senator Malek moved HB 163 be concurred in. Motion carried as follows:
Total  50

Nays: None.
Total  0

Paired: None.

Excused: None.
Total  0

Absent or not voting: None.
Total  0

HB 196 - Senator Gauthier moved HB 196 be concurred in. Motion carried as follows:
Total  50

Nays: None.
Total  0

Paired: None.

Excused: None.
Total  0

Absent or not voting: None.
Total  0

HB 206 - Senator Blasdel moved HB 206 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,
Total 50

Nays: None.
Total 0

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 43 - Senator Fielder moved HB 43 be concurred in. Motion carried as follows:

Total 48

Nays: McConnell, Pomnichowski.
Total 2

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 143 - Senator Cohenour moved HB 143 be concurred in. Motion carried as follows:

Total 50
Nays: None.
Total 0

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 201 - Senator Tempel moved HB 201 be concurred in. Motion carried as follows:

Total 50

Nays: None.
Total 0

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

President Sales assumed the chair.

SB 176 - Senator Jacobson moved SB 176 do pass. Motion carried as follows:

Total 50

Nays: None.
Total 0

Paired: None.

Excused: None. Total 0

Absent or not voting: None. Total 0

SB 177 - Senator Jacobson moved SB 177 do pass. Motion carried as follows:


Nays: Ellsworth, Howard, Kary. Total 3

Paired: None.

Excused: None. Total 0

Absent or not voting: None. Total 0

SB 223 - Senator Jacobson moved SB 223 do pass. Motion carried as follows:


Nays: None. Total 0

Paired: None.
Majority Leader Thomas moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Sales presiding.

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

Total 50

Nays: None.
Total 0

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Majority Leader Thomas moved that SB 93, heard on second reading this date, be re-referred to the Finance and Claims Committee. Without objection, so ordered.

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 35 passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis,
SENATE JOURNAL
THIRTY-FOURTH LEGISLATIVE DAY - FEBRUARY 18, 2019

Total  46

Nays: Keenan, Lang, Mr President, Tempel.
Total  4

Paired: None.

Excused: None.
Total  0

Absent or not voting: None.
Total  0

SB 40 passed as follows:

Total  44

Nays: Bogner, Brown, Fielder, Lang, Mr President, Vance.
Total  6

Paired: None.

Excused: None.
Total  0

Absent or not voting: None.
Total  0

SB 72 passed as follows:


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SB 116 passed as follows:

Total  50

Nays: None.
Total  0

Paired: None.

Excused: None.
Total  0

Absent or not voting: None.
Total  0

SB 127 passed as follows:

Total  43

Nays: Esp, Gross, Hoven, Keenan, Lang, Tempel, Webb.
Total  7
Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

**SB 130** passed as follows:

Total 49

Nays: Brown.
Total 1

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

**SB 197** passed as follows:

Total 50

Nays: None.
Total 0

Paired: None.

Excused: None.
Total  0
Absent or not voting: None.
Total  0

HB 123 concurred in as follows:

Total  49

Nays: Keenan.
Total  1

Paired: None.

Excused: None.
Total  0

Absent or not voting: None.
Total  0

HB 124 concurred in as follows:

Total  50

Nays: None.
Total  0

Paired: None.

Excused: None.
Total  0

Absent or not voting: None.
HB 200 concurred in as follows:

Total 49

Nays: Cuffe.
Total 1

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

Senator Fitzpatrick introduced the Pages for the coming week:

Kate Bick from Bozeman, sponsored by Senator McNally
Daniel Brennon from Great Falls, sponsored by Senator Fitzpatrick
Ethan Foss from Hamilton, sponsored by Senator Ellsworth
Tyler Glenn from Hamilton, sponsored by Senator Thomas
Aaliyah Green from Billings, sponsored by Senator Richmond
Parker Klaske from Billings, sponsored by Senator Kary

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved the Senate adjourn until 1:00 p.m., Tuesday, February 19, 2019, the thirty-fifth legislative day. Motion carried.
Senate adjourned at 2:38 p.m.

MARILYN MILLER
Secretary of the Senate

SCOTT SALES
President of the Senate