

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

Helena, Montana  
February 22, 2019

Senate Chambers  
State Capitol

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

Roll Call. All members present. Quorum present.

**BILLS AND JOURNALS** (Keenan, Chair): 2/22/2019

Correctly printed: **SB 21, SB 155, SB 198, SB 212, SB 216, SB 217, SB 218, SB 225, SB 236, SB 243, SB 254, SB 258, SB 270, SB 274, SB 275, SB 299, SB 300, SB 301, SB 302, SB 303, SB 304, SB 305, SB 306, SB 307, SB 308, SR 29, SR 31, SR 34, SR 35, SR 36, SJ 9, SJ 10, SJ 14, SJ 15, HB 56, HB 57, HB 65, HB 86, HB 92, HB 105, HB 153, HB 220.**

Correctly engrossed: **SB 24, SB 222, SB 224, SB 244, SB 256, SB 262, SB 268, SB 305, SJ 6.**  
Correctly enrolled: **SB 83.**

Examined by the sponsor and found to be correct: **SB 39, SB 54, SB 75, SB 83, SB 94, SR 11, SR 12, SR 30.**

Transmitted to the House: **SB 140, SB 207, HB 127, HB 160, HB 162, HB 176, HB 213.**

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE, LIVESTOCK AND IRRIGATION** (Hoven, Chair): 2/21/2019  
**SB 230**, do pass.  
**SB 271**, do pass.

**BUSINESS, LABOR, AND ECONOMIC AFFAIRS** (Fitzpatrick, Chair): 2/22/2019  
**SB 288**, do pass.  
**SB 305**, introduced bill, be amended as follows:

1. Page 1, line 16.

**Strike:** "is employed by or owns an entity with more than 10 employees"

**Insert:** "owns or has owned an entity with more than 5 employees that is in the service or retail business sector"

And, as amended, do pass.

**ENERGY AND TELECOMMUNICATIONS** (Ankney, Chair): 2/21/2019  
**SB 195**, do pass.  
**SB 244**, introduced bill, be amended as follows:

1. Page 1, line 14.

**Following:** "90%"

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**Strike:** "shareholder"

**Insert:** "customer"

**Following:** "10%"

**Strike:** "customer"

**Insert:** "shareholder"

And, as amended, do pass.

**SB 278**, do pass.

**FINANCE AND CLAIMS** (Osmundson, Chair):  
**SB 24**, introduced bill, be amended as follows:

2/22/2019

1. Page 5, line 21.

**Strike:** "\$1.38"

**Insert:** "\$1.37"

2. Page 5, line 23.

**Strike:** "38"

**Insert:** "39"

And, as amended, do pass.

**SB 53**, do pass.

**SB 71**, do pass.

**SB 93**, do pass.

**FISH AND GAME** (Fielder, Chair):  
**SB 222**, introduced bill, be amended as follows:

2/21/2019

1. Page 2, line 23.

**Strike:** "except as provided in 37-47-201(4)(c)(ii),"

2. Page 2, line 24.

**Following:** "services."

**Insert:** "A description is not required for the use of private lands that allow unrestricted public access and are managed under cooperative agreements with adjacent public lands."

And, as amended, do pass.

**SB 256**, introduced bill, be amended as follows:

1. Page 1, line 19.

**Following:** "inspection may"

**Insert:** ", after validating and attaching the license or tag in accordance with 87-6-411,"

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2. Page 1, line 20.

**Following:** "the kill"

**Insert:** ", provided a statement of possession has been completed"

3. Page 1, line 22.

**Following:** "possession"

**Insert:** ", and must accompany the carcass or portion of carcass presented for inspection"

And, as amended, do pass.

**SJ 6**, introduced joint resolution, be amended as follows:

1. Title, line 5 through line 6.

**Strike:** "INTRODUCE" through "LEGISLATION"

**Insert:** "WORK"

2. Title, page 1, line 6.

**Following:** "MONTANA'S"

**Insert:** "RECOVERED"

**Strike:** "POPULATION"

**Insert:** "POPULATIONS"

3. Title, line 7.

**Following:** "MONTANA"

**Insert:** "AND INITIATE FURTHER REVIEW OF MONTANA'S GRIZZLY BEAR POPULATIONS  
THAT MEET THE CRITERIA FOR DELISTING"

4. Page 1, line 19 through line 21.

**Strike:** line 19 through line 21 in their entirety

5. Page 2, line 1 through line 9.

**Strike:** line 1 through line 9 in their entirety

**Insert:** "WHEREAS, Montana has established a strong, effective track record in managing grizzly bears and developed an approved management plan for the Yellowstone distinct population segment that provides for the continued presence and genetic future of grizzly bears on the landscape; and"

6. Page 2, line 14.

**Following:** "WHEREAS, "

**Insert:** "congressional action is needed to support a full recovery of distinct population segments while"

7. Page 2, line 16 through line 19.

**Strike:** line 16 through line 19 in their entirety

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8. Page 2, line 20.

**Following:** line 19

**Insert:** "WHEREAS, the continued cycle of delisting and relisting creates a significant loss of social tolerance among Montanans who are adversely impacted by the continued expansion of grizzly bears; and  
WHEREAS, the state of Montana has been at the vanguard of wildlife conservation since the 19th century, providing the template for what is known as the North American model of fish and wildlife conservation."

9. Page 2, line 23.

**Following:** "populations"

**Insert:** "in the Greater Yellowstone Grizzly Bear Recovery Zone and the Northern Continental Divide Grizzly Bear Recovery Zone"

10. Page 2, line 24.

**Following:** "Act,"

**Strike:** remainder of line 24

**Insert:** "due to U.S. Fish and Wildlife Service determinations and adopted management plans."

11. Page 2, line 27.

**Strike:** "rangewide"

**Insert:** "in other recovery zones including the Cabinet-Yaak Grizzly Bear Recovery Zone due to public safety and economic challenges"

12. Page 2, line 28 through line 30.

**Strike:** line 28 through line 30 in their entirety

**Insert:** "BE IT FURTHER RESOLVED, that the Montana Legislature supports the efforts of the Department of Fish, Wildlife, and Parks to intervene on the side of the U.S. Fish and Wildlife Service to restore management authority of the Yellowstone distinct population segment to Montana."

13. Page 3, line 3.

**Following:** "Zone"

**Insert:** "and other grizzly bear recovery zones"

14. Page 3, line 5 through line 6.

**Following:** "Delegation"

**Strike:** remainder of line 5 through line 6

**Insert:** "to sufficiently fund the U.S. Fish and Wildlife Service so the agency is able to adequately manage grizzly bears until delisting.

BE IT FURTHER RESOLVED, that the Montana Legislature encourage the U.S. Fish and Wildlife Service to revisit recovery plans for the Cabinet-Yaak and Bitterroot distinct population segments to include the latest science related to genetic connectivity and population targets."

And, as amended, do pass.

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**HIGHWAYS AND TRANSPORTATION** (Vance, Chair):  
**SB 224**, introduced bill, be amended as follows:

2/21/2019

1. Page 1, line 13.

**Strike:** "\$500"

**Insert:** "\$80"

And, as amended, do pass.

**SB 248**, do pass.

**SB 260**, do pass.

**SB 268**, introduced bill, be amended as follows:

1. Page 1, line 21 through line 23.

**Following:** ""remember those who serve""

**Strike:** "and state" on line 21 through "Smith" on line 23

2. Page 1, following line 23.

**Insert:** "(3) (a) The department shall design and install a memorial plaque at a location along the medal of honor highway with the names of the Montanans who have earned the medal of honor. These Montanans are William Galt, John McLennon, John Moran, Laverne Parrish, Leo Powers, Donald Ruhl, Henry Schauer, and Cornelius Smith.

(b) The legislature intends that the names of future medal of honor recipients be added to the memorial plaque."

**Renumber:** subsequent subsection

And, as amended, do pass.

**JUDICIARY** (Regier, Chair):

2/22/2019

**SB 261**, do pass.

**SB 262**, introduced bill, be amended as follows:

1. Page 1, line 9.

**Following:** "age"

**Insert:** "by a peace officer"

2. Page 1, line 10.

**Following:** "collected"

**Insert:** "by a peace officer"

3. Page 1, line 12.

**Following:** "parent or"

**Insert:** "legal"

4. Page 1, line 16.

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**Following:** "part of"

**Strike:** remainder of line 16

**Insert:** "Title 46, chapter 5, part 4, and the provisions of Title 46, chapter 5, part 4, apply to [section 1]."

And, as amended, do pass.

Without objection, committee reports were adopted.

**MESSAGES FROM THE GOVERNOR**

February 22, 2019

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

Dear President Sales:

On Friday, February 22, 2019, I signed the following bill:

**Senate Bill 11** - Salomon

The bill has been delivered to the Secretary of State's Office.

Sincerely,

STEVE BULLOCK  
Governor

**MESSAGES FROM THE OTHER HOUSE**

**Senate bill** concurred in and returned to the Senate: 2/21/2019

**SB 83**, introduced by S. Fitzpatrick

**House bills** passed and transmitted to the Senate for concurrence: 2/21/2019

**HB 276**, introduced by G. Hertz  
**HB 325**, introduced by M. Regier  
**HB 328**, introduced by A. Redfield  
**HB 357**, introduced by M. Regier

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**HB 444**, introduced by G. Custer

**FIRST READING AND COMMITMENT OF BILLS**

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

**SB 309**, introduced by S. Malek, referred to State Administration.

**SB 310**, introduced by R. Osmundson, D. Ankney, M. Blasdel, S. Sales, C. Smith, F. Thomas, G. Vance, referred to State Administration.

**SB 311**, introduced by S. Fitzpatrick, referred to Business, Labor, and Economic Affairs.

**SB 312**, introduced by J. Small, F. Thomas, referred to Judiciary.

**SB 313**, introduced by N. McConnell, referred to Judiciary.

**SB 314**, introduced by N. McConnell, referred to Local Government.

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

**SJ 16**, introduced by A. Olszewski, R. Osmundson, referred to Agriculture, Livestock and Irrigation.

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

**HB 276**, introduced by G. Hertz, referred to Natural Resources.

**HB 325**, introduced by M. Regier, Skees, referred to Judiciary.

**HB 328**, introduced by A. Redfield, referred to Natural Resources.

**HB 357**, introduced by M. Regier, Skees, referred to Judiciary.

**HB 444**, introduced by G. Custer, D. Harvey, L. Jones, R. Lynch, R. Shaw, referred to Finance and Claims.

**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 Keenan in the chair.

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

**SB 182** - Senator Bogner moved **SB 182** do pass.

**SB 182** - Senator D. Brown moved **SB 182**, second reading copy, be amended as follows:

1. Title, page 1, line 5.

**Following:** "ANNUAL PRODUCTION;"

**Insert:** "PROVIDING FOR ANNUAL PRODUCTION REPORTING REQUIREMENTS;"

**Strike:** "SECTION"

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**Insert:** "SECTIONS"

**Following:** "16-4-310"

**Insert:** "AND 16-4-311"

2. Page 1, line 14.

**Following:** line 13

**Insert:** "**Section 2.** Section 16-4-311, MCA, is amended to read:

**"16-4-311. Distillery license.** (1) The department may, upon receipt of an application, issue a distillery license to a person who is authorized under the provisions of the Federal Alcohol Administration Act, 27 U.S.C. 201 through 212, to distill, rectify, bottle, and process liquor. A licensee may import, manufacture, distill, rectify, blend, denature, and store spirits of an alcoholic content greater than 0.5% alcohol by volume for sale to the department or as provided in 16-4-312 and may transport the liquor out of this state for sale outside this state. Distillery licensees must be permitted to purchase, from and through the department, alcoholic beverages for blending and manufacturing purposes upon terms and conditions that the department may provide. A licensee may not sell any alcoholic beverage within this state except to the department or as provided in 16-4-312.

(2) An agricultural producer or association of agricultural producers or legal agent who manufactures and converts agricultural surpluses, byproducts, or wastes into denatured ethyl and industrial alcohol for purposes other than human consumption is not required to obtain a distillery license from the department.

(3) (a) A distillery producing less than 25,000 gallons of product annually may deliver its product directly to a state agency liquor store if the distillery uses the distillery's own equipment, trucks, and employees to deliver the product. The amount of product delivered may not be less than a case. The department shall create an electronic reporting system for distilleries to record deliveries made under this subsection (3). Agency liquor stores must be invoiced by the department for product received from a distillery.

(b) A distillery delivering its product pursuant to this subsection (3) shall maintain records of each delivery, subject to inspection by the department.

(c) The department shall pay the distillery for any product delivered to an agency liquor store:

- (i) the current freight rate; and
- (ii) the distiller's current quoted price per case.

(4) The department shall create and implement an electronic reporting system for microdistilleries to record annual production. The electronic reporting system must automatically report production to the department to ensure annual production limits specified in 16-4-310 are not exceeded. The electronic reporting system is in addition to reporting requirements of 16-1-424, and the department may make an examination of the distillery's books and premises to otherwise check compliance with production limits."

Amendment **failed** as follows:

Yeas: Blasdel, Brown, Ellsworth, Esp, Fitzpatrick, Hoven, Howard, Keenan, Lang, Olszewski, Regier, Salomon, Sands, Smith C, Tempel, Vance, Webb, Webber, Mr President.

Total 19

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Nays: Ankney, Barrett, Bennett, Bogner, Boland, Cohenour, Cuffe, Ellis, Fielder, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Jacobson, Kary, MacDonald, Malek, McClafferty, McConnell, McNally, Osmundson, Phillips, Pomnichowski, Richmond, Sesso, Small, Smith F, Thomas, Vuckovich, Welborn.  
Total 31

Paired: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 182** - The Senate reverted to the original motion of Senator Bogner which passed as follows:

Yeas: Ankney, Barrett, Bennett, Blasdel, Bogner, Boland, Cohenour, Ellis, Ellsworth, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Jacobson, Kary, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.  
Total 42

Nays: Brown, Cuffe, Esp, Howard, Keenan, Olszewski, Smith C, Tempel.  
Total 8

Paired: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 234** - Senator Fitzpatrick moved **SB 234** do pass. Motion carried as follows:

Yeas: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Malek, Olszewski, Osmundson, Regier, Richmond, Salomon, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Webb, Welborn, Mr President.  
Total 34

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

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Total 16

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 252** - Senator Ankney moved **SB 252** do pass.

**SB 252** - Senator Pomnichowski moved **SB 252**, second reading copy, be amended as follows:

1. Page 1, line 12 through line 13.

**Strike:** "maintain" on line 12 through "operations" on line 13

**Insert:** "generate power"

2. Page 1, line 13.

**Following:** "air"

**Insert:** "and water"

3. Page 1, line 15.

**Following:** "(1)(a)" on line 15

**Insert:** ", except that a fuel transport and supply system for the facility may be subject to department review and conditions pursuant to 75-20-219"

Amendment **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, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Tempel, Thomas, Vance, Webb, Welborn, Mr President.

Total 30

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

**SB 252** - The Senate reverted to the original motion of Senator Ankney which passed as follows:

Yeas: Ankney, Bennett, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Gross, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Regier, Richmond, Salomon, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Welborn, Mr President.  
Total 40

Nays: Barrett, Boland, Cohenour, Ellis, Flowers, MacDonald, Phillips, Pomnichowski, Sands, Webber.  
Total 10

Paired: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Final vote includes change of vote from No to Yes by Senator Gross under Order of Business 9, Motions.

**SB 199** - Senator Richmond moved **SB 199** do pass. Motion carried as follows:

Yeas: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier, Gillespie, Hinebauch, Hoven, Howard, Jacobson, Kary, Keenan, Lang, McClafferty, Olszewski, Osmundson, Regier, Richmond, Salomon, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Welborn, Mr President.  
Total 35

Nays: Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, Gross, MacDonald, Malek, McConnell, McNally, Phillips, Pomnichowski, Sands, Webber.  
Total 15

Paired: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

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**SB 60** - Senator Salomon moved **SB 60** 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, 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 47

Nays: Hinebauch, Vance, Mr President.  
Total 3

Paired: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 158** - Senator Vance moved **SB 158** 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, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.  
Total 47

Nays: Howard, Smith F, Tempel.  
Total 3

Paired: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 213** - Senator McClafferty moved **SB 213** 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,

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

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 220** - Senator K. Regier moved **SB 220** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Fitzpatrick, Flowers, Gauthier, Gillespie, 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, Mr President.

Total 48

Nays: Bennett, Gross.

Total 2

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 73** - Senator Osmundson moved **HB 73** 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, 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 47

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Nays: Hinebauch, Vance, Mr President.

Total 3

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 94** - Senator Flowers moved **HB 94** 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, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 142** - Senator Barrett moved **SB 142** do pass. Motion **failed** as follows:

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

Total 24

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

Total 26

Paired: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 142** - Majority Leader Thomas moved **SB 142** be **indefinitely postponed**. Motion carried as follows:

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

Total 29

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

Total 21

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 21** - Senator R. Webb moved **SB 21** do pass.

**SB 21** - Senator Esp moved **SB 21**, second reading copy, be amended as follows:

1. Page 2, line 19.

**Following:** "(2)"

**Insert:** "(a)"

2. Page 2.

**Following:** line 20

**Insert:** "(b) The owner or operator of a tanning facility may allow a minor to use a tanning device with written permission from the minor's parent or legal guardian, provided that the parent or legal guardian accompanies the minor to the minor's first visit to the tanning facility."

Amendment **failed** as follows:

Yeas: Ankney, Blasdel, Bogner, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gauthier,

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Hinebauch, Hoven, Howard, Kary, Lang, Olszewski, Osmundson, Regier, Salomon, Small, Smith C, Tempel, Thomas, Vance, Mr President.  
Total 25

Nays: Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, Gillespie, Gross, Jacobson, Keenan, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Richmond, Sands, Sesso, Smith F, Vuckovich, Webb, Webber, Welborn.  
Total 25

Paired: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 21** - Senator Howard moved **SB 21**, second reading copy, be amended as follows:

1. Page 2, line 19.

**Following:** "(2)"

**Insert:** "(a)"

2. Page 2.

**Following:** line 20

**Insert:** "(b) The owner or operator of a tanning facility may allow a minor to use a tanning device with the written and notarized consent of the minor's parent or legal guardian."

Amendment **failed** as follows:

Yeas: Ankney, Blasdel, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Hinebauch, Howard, Olszewski, Osmundson, Regier, Salomon, Tempel, Thomas, Vance, Mr President.  
Total 18

Nays: Barrett, Bennett, Bogner, Boland, Cohenour, Ellis, Flowers, Gauthier, Gillespie, Gross, Hoven, Jacobson, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Richmond, Sands, Sesso, Small, Smith C, Smith F, Vuckovich, Webb, Webber, Welborn.  
Total 32

Paired: None.

Excused: None.  
Total 0

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Absent or not voting: None.

Total 0

**SB 21** - The Senate reverted to the original motion of Senator R. Webb which passed as follows:

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

Total 27

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

Total 23

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

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

Total 45

Nays: Brown, Esp, Hinebauch, Olszewski, Mr President.

Total 5

Paired: None.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

**MOTIONS**

Senator Phillips moved that **SB 187** be taken from the Fish and Game Committee and placed on second reading. Motion **failed** as follows:

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

Total 24

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

Total 26

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Senator Hoven moved that **SB 238** be taken from the Judiciary Committee and placed on second reading. Motion **failed** as follows:

Yeas: Ankney, Barrett, Fitzpatrick, Gauthier, Gillespie, Hoven, Jacobson, Lang, Malek, Olszewski, Phillips, Regier, Richmond, Salomon, Smith F, Vuckovich, Webb.

Total 17

Nays: Bennett, Blasdel, Bogner, Boland, Brown, Cohenour, Cuffe, Ellis, Ellsworth, Esp, Fielder, Flowers, Gross, Hinebauch, Howard, Kary, Keenan, MacDonald, McClafferty, McConnell, McNally, Osmundson, Pomnichowski, Sands, Sesso, Small, Smith C, Tempel, Thomas, Vance, Webber, Welborn, Mr President.

Total 33

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

Senator Gross moved to change her second-reading vote on **SB 252** from No to Yes. Without objection, so ordered.

**FIRST READING AND COMMITMENT OF BILLS**

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

**SB 315**, introduced by S. Sales, referred to Finance and Claims.

**SB 316**, introduced by R. Webb, referred to Natural Resources.

**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 198** passed 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, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 225** passed as follows:

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

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Vuckovich, Webb, Webber, Welborn.

Total 43

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

Total 7

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 243** passed 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, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SJ 9** passed 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, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

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Nays: None.  
Total 0

Paired: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 56** 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, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.  
Total 50

Nays: None.  
Total 0

Paired: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 57** concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Bogner, Boland, Brown, Cohenour, Ellis, Ellsworth, Esp, Fitzpatrick, Flowers, Gauthier, Gillespie, Gross, Hoven, Howard, Jacobson, Kary, Keenan, MacDonald, Malek, McClafferty, McConnell, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Thomas, Webb, Webber, Welborn.  
Total 41

Nays: Blasdel, Cuffe, Fielder, Hinebauch, Lang, Smith C, Vance, Vuckovich, Mr President.  
Total 9

Paired: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 65** concurred in as follows:

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

Total 38

Nays: Barrett, Cohenour, Gross, MacDonald, McClafferty, McNally, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Webber.

Total 12

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 92** 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, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

**HB 220** 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, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vuckovich, Webb, Webber, Welborn, Mr President.

Total 50

Nays: None.

Total 0

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 114** passed as follows:

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

Total 39

Nays: Blasdel, Brown, Ellsworth, Esp, Hinebauch, Kary, Keenan, Smith C, Vance, Welborn, Mr President.

Total 11

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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**SPECIAL ORDERS OF THE DAY**

Senator Fitzpatrick thanked the Pages for their service this week.

**ANNOUNCEMENTS**

Senator Bogner arose on a point of privilege and corrected information he presented during the second-reading discussion of **SB 182**.

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved the Senate adjourn until 1:00 Monday, February 25, 2019, the fortieth legislative day. Motion carried.

Senate adjourned at 3:05 p.m.

MARILYN MILLER  
Secretary of the Senate

SCOTT SALES  
President of the Senate