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

Roll Call. All members present. Quorum present.

BILLS AND JOURNALS (Keenan, Chair): 3/27/2019
Mr. President: We, your committee on Bills and Journals, having examined the daily journals for the fifty-first through the fifty-fifth legislative days, find the same to be correct.

Correctly engrossed: SB 333, SB 349.
Correctly enrolled: SB 3, SB 14, SB 52, SB 89, SB 98, SB 163, SB 223, SB 243.
Examined by the sponsor and found to be correct: SB 64, SB 88, SB 163, SB 182, SB 261, SB 274.

REPORTS OF STANDING COMMITTEES

FISH AND GAME (Fielder, Chair): 3/26/2019
SB 333, introduced bill, be amended as follows:

1. Title, page 1, line 5.
   Strike: "AND"
   Following: "MCA"
   Insert: "; AND PROVIDING A DELAYED EFFECTIVE DATE"

2. Page 1, line 25.
   Following: line 24
   Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective March 1, 2020."

And, as amended, do pass.

SB 344, do pass.
SB 349, introduced bill, be amended as follows:

1. Title, line 5.
   Strike: "PUBLIC DISSEMINATION"
   Insert: "MISUSE"
2. Title, line 6.
   **Strike:** "AMENDING" through "MCA;"

3. Page 1, line 10.
   **Strike:** "legislative findings --"

4. Page 1, line 10 through line 23.
   **Strike:** subsection (1) in its entirety

5. Page 1, line 24.
   **Strike:** "(2)(a)"
   **Insert:** "(1)"

6. Page 1, line 25.
   **Following:** the first "data"
   **Insert:** "from the department"

7. Page 1, line 27.
   **Strike:** "subsection (2)"
   **Insert:** "section"

8. Page 1, line 29.
   **Strike:** "(b)"
   **Insert:** "(2)"

   **Strike:** "(c)"
   **Insert:** "(3)"
   **Strike:** "subsection (2)"
   **Insert:** "section"

    **Strike:** "(d)"
    **Insert:** "(4)"

    **Strike:** section 2 in its entirety
    **Renumber:** subsequent sections

    **Following:** the first "chapter"
    **Strike:** "1"
    **Insert:** "6"


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Following: the second "chapter"
Strike: "1"
Insert: "6"

And, as amended, do pass.

HB 265, be concurred in.
HB 279, be concurred in.
HB 281, be concurred in.
HB 291, be concurred in.
HB 497, be concurred in.
HJ 18, be concurred in.

JUDICIARY (Regier, Chair):

SB 326, introduced bill, be amended as follows:

1. Title, page 1, line 5 through line 6.
Following: "NATIONALS" on line 5
Strike: remainder of line 5 through "NATIONALS" on line 6

2. Page 1, line 11.
Strike: "(1)"

3. Page 1, line 13.
Strike: "(a)"
Insert: "(1)"

4. Page 1, line 15.
Strike: "(b)"
Insert: "(2)"

5. Page 1, line 16.
Strike: "(i)"
Insert: "(a)"

6. Page 1, line 17.
Strike: "(ii)"
Insert: "(b)"

7. Page 1, line 18.
Strike: "(iii)"
Insert: "(c)"

8. Page 1, line 19.
Strike: "(A)"
Insert: "(i)"

Strike: "(B)"
Insert: "(ii)"

10. Page 1, line 22.
Strike: "(iv)"
Insert: "(d)"

11. Page 1, line 23.
Strike: "(A)"
Insert: "(i)"

Strike: "(B)"
Insert: "(ii)"

13. Page 1, line 25.
Strike: "(v)"
Insert: "(e)"

14. Page 1, line 27.
Strike: "(A)"
Insert: "(i)"

15. Page 1, line 28.
Strike: "(B)"
Insert: "(ii)"

16. Page 1, line 30 through page 2, line 2.
Strike: subsection (2) in its entirety

17. Page 2, line 7.
Following: "expenditure"
Insert: ", in connection with any candidate election"

18. Page 2, line 10 through line 25.
Strike: subsection (3) in its entirety
Renumber: subsequent subsection

And, as amended, do pass.

SB 348, do pass.
SB 354, do pass.
Without objection, committee reports were adopted.

MESSAGES FROM THE OTHER HOUSE

**Senate bills** concurred in and returned to the Senate: 3/26/2019
- SB 3, introduced by J. Gross
- SB 14, introduced by D. Brown
- SB 52, introduced by D. Sands
- SB 89, introduced by D. Brown
- SB 98, introduced by F. Smith
- SB 163, introduced by S. Fitzpatrick
- SB 223, introduced by T. Jacobson
- SB 243, introduced by J. Ellis

**Senate bill** concurred in as amended and returned to the Senate for concurrence in House amendments: 3/26/2019
- SB 295, introduced by T. Richmond

**Senate bill not** concurred in and returned to the Senate: 3/25/2019
- SB 168, introduced by B. Hoven

**House bills** passed and transmitted to the Senate for concurrence: 3/26/2019
- HB 688, introduced by D. Bartel
- HB 689, introduced by D. Bartel
- HB 690, introduced by D. Bartel

**House joint resolution** passed and transmitted to the Senate for concurrence: 3/26/2019
- HJ 23, introduced by K. Dudik

**Governor's amendments to House bills not** concurred in: 3/26/2019
- HB 74, introduced by S. Vinton
- HB 112, introduced by A. Redfield

**FIRST READING AND COMMITMENT OF BILLS**

The following Senate bill was introduced, read first time, and referred to committee:
SB 366, introduced by D. Brown, referred to State Administration.

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

HB 688, introduced by D. Bartel, referred to Finance and Claims.
HB 689, introduced by D. Bartel, referred to Finance and Claims.
HB 690, introduced by D. Bartel, referred to Finance and Claims.

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

HJ 23, introduced by K. Dudik, referred to State Administration.

The following House bill, previously introduced, was referred to committee:

HB 19, introduced by S. Stewart Peregoy, Dudik (by request of the Economic Affairs Interim Committee), referred to Local Government.

Senate recessed at 1:06 p.m. and reconvened at 1:36 p.m.

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 Olszewski in the chair.

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

SB 330 - Majority Leader Thomas moved consideration of SB 330 be passed for the day. Without objection, so ordered.

HB 537 - Majority Leader Thomas moved consideration of HB 537 be passed for the day. Without objection, so ordered.

SB 325 - Senator Fitzpatrick moved SB 325 do pass. Motion carried as follows:


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Nays: Vance.
Total  1

Paired:  None.

Excused: None.
Total  0

Absent or not voting: None.
Total  0

SB 335 - Senator Fitzpatrick moved SB 335 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 65 - Senator K. Regier moved SB 65 do pass. Motion carried as follows:

Total  44

Nays: Barrett, Boland, Jacobson, Keenan, MacDonald, Vance.
Total  6

Paired:  None.
Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 195 - Senator Cohenour moved SB 195 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 329 - Senator Richmond moved SB 329 do pass. Motion carried as follows:

Total 31

Total 19

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Blasdel assumed the chair.

**SB 18** - Senator MacDonald moved **SB 18** do pass. Motion **failed** as follows:

Total 23

Total 27

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

**SB 18** - Majority Leader Thomas moved **SB 18** be **indefinitely postponed**. Motion carried as follows:

Total 29

Total 21

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0
Senator Olszewski resumed the chair.

SB 331 - Majority Leader Thomas moved consideration of SB 331 be placed next on the second reading board. Without objection, so ordered.

SB 331 - Senator Richmond moved SB 331 do pass.

SB 331 - Senator Richmond moved SB 331, second reading copy, be amended as follows:

1. Page 2, line 7.  
   Following: "(1)"  
   Insert: "(a)"  
   Strike: "[section 3(3)]"  
   Insert: "[section 3(3) and (4)] and subsection (1)(c) of this section"

2. Page 2, line 7 through line 9.  
   Strike: "if" on line 7 through "with" on line 9  
   Following: "any"  
   Insert: "prudently incurred and"

   Following: "costs"  
   Insert: "for an increased ownership share of a coal-fired generating unit acquired on or after [the effective date of this act], not to exceed 150 megawatts"

4. Page 2, line 11 through line 12.  
   Strike: "RETIRED" on line 11 through "COMMISSION." on line 12

5. Page 2.  
   Following: line 12  
   Insert: "(b) Retirement of a coal-fired generating unit before the expected life used for depreciation purposes must be approved by the public service commission.  
   (c) Cost recovery for an undepreciated investment and required decommissioning and site remediation costs attributable to an electric utility's share in a coal-fired generating unit acquired before [the effective date of this act] are subject to public service commission review and approval."

6. Page 2, line 13 through line 14.  
   Strike: "For the" on line 13 through "APPLY:" on line 14

7. Page 2, line 15.  
   Following: "(A)"  
   Strike: """"COAL-FIRED""""  
   Insert: "For the purposes of [sections 1 through 3], "coal-fired"
8. Page 2, line 18. Following: "(B)"
Strike: "COSTS"
Insert: "For the purposes of [section 3], "costs"

9. Page 2, line 25. Following: "THE"
Insert: "prudent"

Insert: "$75"
Strike: "5-year"
Insert: "10-year"

11. Page 2, line 28 through line 29. Strike: "The" on line 28 through "2021." on line 29

12. Page 3. Following: line 15
Insert: "(4) Cost recovery established in [sections 1 and 2] is provided for if an electric utility acquires an increased ownership share of a coal-fired generating unit on or before December 31, 2021."

Amendment adopted as follows:

Total 37

Nays: Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, Gross, MacDonald, Malek, Phillips, Sands, Smith F, Webber.
Total 13

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator McNally arose on a point of personal privilege and stated her concerns with SB 331
have nothing to do with shutting down coal and are entirely about ratepayer concerns.

SB 331 - As amended, SB 331 passed as follows:

Total 32

Total 18

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Phillips arose on a point of personal privilege and stated that the Consumer Counsel testified on SB 331 in committee as part of their constitutional duty.

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

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

Total 34

Total 16

Paired: None.

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

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Senator Howard excused at this time.

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:

HB 274 concurred in as follows:

Total  39

Nays: Blasdel, Brown, Ellsworth, Hinebauch, Kary, Lang, Smith C, Vance, Welborn, Mr President.
Total  10

Paired:  None.

Excused: Howard.
Total  1

Absent or not voting: None.
Total  0

HB 343 concurred in as follows:

Total  49
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Nays: None.
Total 0

Paired: None.

Excused: Howard.
Total 1

Absent or not voting: None.
Total 0

HB 505 concurred in as follows:

Total 49

Nays: None.
Total 0

Paired: None.

Excused: Howard.
Total 1

Absent or not voting: None.
Total 0

HB 518 concurred in as follows:

Total 49

Nays: None.
Total 0
Paired: None.

Excused: Howard.
Total 1

Absent or not voting: None.
Total 0

**HB 529** concurred in as follows:

Total 49

Nays: None.
Total 0

Paired: None.

Excused: Howard.
Total 1

Absent or not voting: None.
Total 0

**HB 581** concurred in as follows:

Total 49

Nays: None.
Total 0

Paired: None.

Excused: Howard.
Total  1

Absent or not voting: None.
Total  0

HB 601 concurred in as follows:

Total  49

Nays: None.
Total  0

Paired:  None.

Excused: Howard.
Total  1

Absent or not voting: None.
Total  0

SB 125 passed as follows:

Total  49

Nays: None.
Total  0

Paired:  None.

Excused: Howard.
Total  1

Absent or not voting: None.
MOTIONS

Senator Cohenour moved that **SB 353** be taken from the Highways and Transportation Committee and placed on second reading the next legislative day. Motion **failed** as follows:

Total  24

Total  25

Paired:  None.

Excused: Howard.
Total  1

Absent or not voting: None.
Total  0

Senator Fitzpatrick moved that **HB 318** be taken from the State Administration Committee and placed on second reading the next legislative day. Motion **carried** as follows:

Total  29

Total  20

Paired:  None.

Excused: Howard.
Total  1

Absent or not voting: None.
Total  0
Majority Leader Thomas moved that SB 266, SB 330 and SB 341 be taken from the Senate and re-referred to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Thomas moved the Senate adjourn until 1:00 p.m., Thursday, March 28, 2019, the sixty-fourth legislative day. Motion carried.

Senate adjourned at 3:56 p.m.