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

Roll Call. All members present. Quorum present.

**BILLS AND JOURNALS** (Keenan, Chair):


Correctly enrolled: **SB 8, SB 12, SB 43, SB 49, SB 67, SB 74, SB 92, SB 111, SB 147, SB 158, SB 160, SB 162, SB 167, SB 171, SB 176, SB 178, SB 200, SB 205, SB 232, SB 240, SB 244, SB 254, SB 256, SB 257, SB 258, SB 262, SB 269, SB 286, SB 289, SB 291, SB 296, SB 300, SB 317, SB 318, SB 319, SB 326, SB 328, SB 335, SB 337, SB 344, SB 351, SB 353, SB 362, SJ 13.**


Signed by the Secretary of the Senate at 11:00 a.m., April 8, 2019: **SB 5, SB 41, SB 48, SB 81, SB 140, SB 151, SB 154, SB 191.**

Signed by the Secretary of the Senate at 4:25 p.m., April 10, 2019: **SB 90, SB 192, SB 220, SB 231, SB 285.**

Signed by the President at 4:50 p.m., April 15, 2019: **SB 5, SB 41, SB 48, SB 81, SB 140, SB 151, SB 154, SB 191.**

Signed by the President at 11:00 a.m., April 16, 2019: **SB 90, SB 192, SB 220, SB 231, SB 285.**

**REPORTS OF STANDING COMMITTEES**

**PUBLIC HEALTH, WELFARE AND SAFETY** (Howard, Chair):

SR 53, be adopted.

Without objection, the committee report was adopted.
Mr. President and Mr. Speaker:
We, your Conference Committee met and considered House amendments to Senate Bill 93 (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that Senate Bill 93 (reference copy -- salmon) be amended as follows:

1. Page 2, line 1 through line 2.
   **Strike:** subsection (4) in its entirety
   **Renumber:** subsequent subsections

   **Strike:** "OWNED" through "UTILITY" on line 13
   **Insert:** "not consumed on the premises of the solar facility or on land immediately adjacent to the premises of the solar facility"

   **Strike:** "AND"

4. Page 4, line 16.
   **Following:** "capacity"
   **Insert:** ", and has less than 25 megawatts in nameplate capacity"

5. Page 4, line 17.
   **Strike:** "AND"
   **Following:** "facility"
   **Insert:** ", and has less than 2 megawatts in nameplate capacity"

For the Senate: For the House:
Richmond, Chair Zolnikov, Vice Chair
Cuffe Pope
Vuckovich Skees

Mr. President and Mr. Speaker:
We, your Conference Committee met and considered House amendments to Senate Bill 139
And, recommend that Senate Bill 139 (reference copy -- salmon) be amended as follows:

1. Page 2, line 19 through line 21.
   **Strike:** "IS" on line 19 through "MEMBER" on line 21
   **Insert:** "employs a retired member and is a second-class or third-class elementary district under 20-6-201 or a second-class or third-class high school district under 20-6-301"

For the Senate:
Lang, Chair
McConnell
Salomon

For the House:
Berglee, Vice Chair
Fuller
Funk

CONFERENCE COMMITTEE
on Senate Amendments to House Bill 54
Report No. 001, April 15, 2019

Mr. President and Mr. Speaker:
We, your Conference Committee met and considered Senate amendments to House Bill 54 (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that House Bill 54 (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 7.
   **Following:** "AND"
   **Strike:** "SECTION"
   **Insert:** "SECTIONS 44-2-502 AND"

2. Page 1, line 12.
   **Following:** "intent"
   **Insert:** "-- legislative intent"

3. Page 2, line 17.
   **Following:** line 17
   **Insert:** "Section 2. Section 44-2-502, MCA, is amended to read:
   "44-2-502. Definitions. (1) As used in this part, the following definitions apply:
   (a)(1) "Missing child" means any person who has been reported as missing to a law enforcement authority and:
   (i)(a) who is under 21 years of age;
   (ii) whose temporary or permanent residence is in Montana or is believed to be in Montana; and
   (iii) whose location has not been determined.
   (2)(b) "Missing child report" means a report prepared on a form designed by the state agency that has primary responsibility under state law for managing the implementation of this part."
department of justice for use by private citizens and law enforcement authorities to report information about missing children to the missing children information program provided for in 44-2-503.

(2) The legislature intends the phrase "law enforcement authority" to be interpreted broadly in this part as inclusive of local, state, tribal, and federal authorities."

Renumber: subsequent sections

For the Senate: K. Regier, Chair
Gross
Hinebauch

For the House: Stewart Peregoy, Vice Chair
Doane
Dunn

CONFERENCE COMMITTEE
on Senate Amendments to House Bill 260
Report No. 001, April 16, 2019

Mr. President and Mr. Speaker:
We, your Conference Committee met and considered Senate amendments to House Bill 260 (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that House Bill 260 (reference copy -- salmon) be amended as follows:

1. Page 3, line 11.
Strike: "$10,000"
Insert: "$12,501"

For the Senate: D. Brown, Chair
Kary
F. Smith

For the House: Kassmier, Vice Chair
Garner
Hayman

CONFERENCE COMMITTEE
on Senate Amendments to House Bill 599
Report No. 001, April 15, 2019

Mr. President and Mr. Speaker:
We, your Conference Committee met and considered Senate amendments to House Bill 599 (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that House Bill 599 (reference copy -- salmon) be amended as follows:

1. Page 1, line 28 through line 29.
Strike: "LOCATED" on line 28 through "AND" on line 29

STATE INTERNET/BBS COPY
2. Page 6, line 22.

Strike: "2021"
Insert: "2023"

For the Senate: For the House:
Olszewski, Chair Windy Boy, Vice Chair
McClafferty Buttrey
Small W. Sales

Without objection, select committee reports were adopted.

MESSAGES FROM THE GOVERNOR

Regarding appointments to the Board of Aeronautics, the Board of Architects and Landscape Architects, the Board of Barbers and Cosmetologists, the Board of Crime Control, the Board of Horseracing, the Board of Livestock Loss, the Board of Medical Examiners, the Montana Public Safety Officer Standards and Training Council, the State Compensation Fund Board of Directors, and the Board of Veterans' Affairs:

April 12, 2019

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

By Electronic Delivery

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
MESSAGES FROM THE OTHER HOUSE

**Senate bills** passed and transmitted to the Senate for concurrence: 4/15/2019

- **SB 74**, introduced by G. Vuckovich
- **SB 328**, introduced by T. Richmond
- **SB 335**, introduced by S. Fitzpatrick
- **SB 337**, introduced by J. Welborn
- **SB 362**, introduced by M. Lang

**Senate bills** concurred in as amended and returned to the Senate for concurrence in House amendments: 4/15/2019

- **SB 32**, introduced by J. Sesso
- **SB 330**, introduced by M. Blasdel
- **SB 358**, introduced by T. Gauthier

**SB 134** - The House acceded to the request of the Senate and authorized the Speaker to appoint the following Free Conference Committee to meet with a like committee from the Senate to confer on **SB 134**: 4/15/2019

- Representative Mandeville, Vice Chair
- Representative Hayman
- Representative P. Webb

**Senate amendments to House bills** concurred in: 4/15/2019

- **HB 286**, introduced by A. Redfield
- **HB 553**, introduced by F. Moore

FIRST READING AND COMMITMENT OF BILLS

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

- **SR 56**, introduced by D. Brown, referred to State Administration.
- **SR 57**, introduced by K. Regier, referred to Judiciary.
- **SR 58**, introduced by B. Hoven, referred to Agriculture, Livestock and Irrigation.

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 21 concurred in as follows:


Total 37

Nays: Cuffe, Ellsworth, Esp, Fielder, Hinebauch, Kary, Keenan, Lang, Smith C, Tempel, Vance, Webb, Mr President.

Total 13

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 311 concurred in as follows:


Total 47

Nays: Brown, Cuffe, Hoven.

Total 3

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 355 concurred in as follows:

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

Total 12

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 389 concurred in as follows:
Total 46

Nays: Esp, Keenan, Malek, Vance.
Total 4

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 411 concurred in as follows:
Total 44

Nays: Brown, Fielder, Howard, Lang, Richmond, Webb.
Total  6
Paired:  None.
Excused:  None.
Total  0
Absent or not voting:  None.
Total  0

HB 423 concurred in as follows:

Total  43

Total  7
Paired:  None.
Excused:  None.
Total  0
Absent or not voting:  None.
Total  0

HB 431 concurred in as follows:

Total  36

Total  14
Paired:  None.
Excused:  None.
Total 0

Absent or not voting: None.
Total 0

HB 432 concurred in as follows:

Total 41

Total 9

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 467 concurred in as follows:

Total 32

Total 18

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0
HB 532 concurred in as follows:

Total 29

Total 21

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 597 concurred in as follows:

Total 39

Total 11

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 607 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,
HB 626 concurred in as follows:

Total  29

Total  21

Paired:  None.

Excused: None.
Total  0

Absent or not voting: None.
Total  0

HB 632 concurred in as follows:

Total  28

Total  22
Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

**HB 640** concurred in as follows:

Total 50

Nays: None.
Total 0

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

**HB 658** concurred in as follows:

Total 28

Total 22

Paired: None.

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

HB 660 concurred in as follows:

Total  31

Total  19

Paired:  None.

Excused: None.
Total  0

Absent or not voting: None.
Total  0

HB 661 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Bogner, Boland, Cohenour, Ellis, Flowers, Gauthier, Gillespie, Gross, Howard, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Osmundson, Phillips, Richmond, Salomon, Sands, Sesso, Small, Smith F, Tempel, Vuckovich, Webber, Welborn.
Total  30

Total  20

Paired:  None.

Excused: None.
Total  0

Absent or not voting: None.
Total  0

HB 670 concurred in as follows:

Yeas: Ankney, Barrett, Bennett, Bogner, Boland, Cohenour, Ellis, Fitzpatrick, Flowers, Gauthier,
Total  37

Total  13

Paired:  None.

Excused: None.
Total  0

Absent or not voting: None.
Total  0

**HB 715** concurred in as follows:

Total  32

Total  18

Paired:  None.

Excused: None.
Total  0

Absent or not voting: None.
Total  0

**HB 717** concurred in as follows:

Total  47
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Nays: Hinebauch, Kary, Keenan.
Total  3

Paired:  None.

Excused: None.
Total  0

Absent or not voting: None.
Total  0

HB 719 concurred in as follows:

Total  40

Nays: Ellsworth, Fielder, Hinebauch, Howard, Kary, Keenan, Lang, Regier, Smith C, Mr President.
Total  10

Paired:  None.

Excused: None.
Total  0

Absent or not voting: None.
Total  0

HB 723 concurred in as follows:

Total  41

Total  9

Paired:  None.

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

**HB 727** concurred in as follows:

Total  27

Total  23

Paired:  None.

Excused: None.
Total  0

Absent or not voting: None.
Total  0

**HB 732** concurred in as follows:

Total  31

Total  19

Paired:  None.

Excused: None.
Total  0

Absent or not voting: None.
Total  0
HB 748 concurred in as follows:

Total 40

Nays: Cuffe, Ellsworth, Fielder, Hinebauch, Howard, Kary, Keenan, Regier, Webb, Mr President.  
Total 10

Paired: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HB 751 concurred in as follows:

Total 27

Total 23

Paired: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HB 756 concurred in as follows:

Total 39

Nays: Cuffe, Ellsworth, Fielder, Hinebauch, Kary, Keenan, Lang, Regier, Smith C, Webb, Mr President.
Total 11

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 757 concurred in as follows:

Total 33

Total 17

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJ 23 passed as follows:

Total 31

Total 19
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:

**HB 280** - Senator Jacobson moved HB 280 be concurred in. Motion carried as follows:


Total 35

**Nays:** Barrett, Bennett, Boland, Ellis, Flowers, Gross, MacDonald, Malek, McConnell, McNally, Phillips, Pomnichowski, Sands, Smith F, Webber.

Total 15

Paired: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 293** - Senator Malek moved HB 293 be concurred in. Motion carried as follows:

**Yeas:** Bennett, Bogner, Boland, Cohenour, Ellis, Flowers, Gauthier, Gross, Jacobson, Lang, MacDonald, Malek, McClafferty, McConnell, McNally, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Thomas, Vuckovich, Webber.

Total 26

**Nays:** Ankney, Barrett, Blasdel, Brown, Cuffe, Ellsworth, Esp, Fielder, Fitzpatrick, Gillespie,

Total 24

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 341 - Senator Cuffe moved HB 341 be concurred in. Motion carried as follows:


Total 43

Nays: Brown, Ellsworth, Esp, Hinebauch, Keenan, Osmundson, Vance.
Total 7

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 407 - Senator Jacobson moved HB 407 be concurred in. Motion carried as follows:


Total 35

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

Paired: None.
Excused: None.
Total 0

Absent or not voting: None.
Total 0

**HB 443** - Senator Lang moved **HB 443** be concurred in. Motion carried as follows:

Total 34

Total 16

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

**HB 507** - Senator Blasdel moved **HB 507** be concurred in. Motion carried as follows:

Total 32

Nays: Barrett, Bennett, Boland, Cohenour, Ellis, Fielder, Flowers, Gross, MacDonald, Malek, McClafferty, McConnell, McNally, Pomnichowski, Sands, Sesso, Vuckovich, Webber.
Total 18

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0
HB 652 - Majority Leader Thomas moved consideration of HB 652 be passed for the day.
Without objection, so ordered.

HB 608 - Senator Flowers moved HB 608 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

HB 725 - Senator Sesso moved HB 725 be concurred in. Motion carried as follows:
Yeas: Ankney, Bennett, Blasdel, Bogner, Boland, Cohenour, Cuffe, Ellis, Ellsworth, Fitzpatrick,
Flowers, Gauthier, Gillespie, Gross, Jacobson, MacDonald, McClafferty, McConnell, McNally,
Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Vance,
Vuckovich, Webber, Welborn.
Total  32
Nays: Barrett, Brown, Esp, Fielder, Hinebauch, Hoven, Howard, Kary, Keenan, Lang, Malek,
Olszewski, Osmundson, Smith C, Tempel, Thomas, Webb, Mr President.
Total  18
Paired: None.
Excused: None.
Total  0
Absent or not voting: None.
Total  0

HB 726 - Senator Sands moved HB 726 be concurred in. Motion carried as follows:
Total 45

Nays: Brown, Hinebauch, Howard, Kary, Regier.
Total 5

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 731 - Senator Blasdel moved HB 731 be concurred in. Motion carried as follows:

Total 48

Nays: Cuffe, Pomnichowski.
Total 2

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 745 - Senator Sands moved HB 745 be concurred in. Motion carried as follows:

Total 40

Nays: Cuffe, Esp, Hinebauch, Kary, Keenan, Olszewski, Salomon, Smith C, Vance, Mr President.
Total 10

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

**HB 749** - Senator Gross moved **HB 749** be concurred in. Motion carried as follows:

Total 39

Total 11

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

**HB 753** - Senator C. Smith moved **HB 753** be concurred in. Motion carried as follows:

Total 31

Nays: Barrett, Bennett, Boland, Cohenour, Ellis, Flowers, Gross, Jacobson, MacDonald, McClafferty, McConnell, McNally, Phillips, Ponomichowski, Sands, Sesso, Smith F, Vuckovich,
Webber.
Total 19

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 763 - Senator Fielder moved HB 763 be concurred in. Motion carried as follows:

Total 45

Nays: Ellsworth, Hinebauch, Regier, Vance, Mr President.
Total 5

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJ 24 - Senator D. Brown moved SJ 24 do pass. Motion carried as follows:

Total 46

Nays: Barrett, Gross, Salomon, Vuckovich.
Total 4

Paired: None.
SR 50 - Senator Welborn moved that the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with SR 50. Motion carried as follows:

Total 50

Nays: None.
Total 0

Paired: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SR 52 - Majority Leader Thomas moved consideration of SR 52 be passed for the day. Without objection, so ordered.

SR 54 - Senator Fitzpatrick moved that the nomination transmitted by the Governor be concurred in and confirmed by the Senate in accordance with SR 54. 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 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 44

Nays: Barrett, Bogner, Keenan, Smith C, Webb, Mr President.
Total 6

Paired: None.
Excused: None.
Total 0

Absent or not voting: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved the Senate adjourn until 1:00 p.m., Wednesday, April 17, 2019, the eighty-first legislative day. Motion carried.

Senate adjourned at 2:47 p.m.