

**SENATE JOURNAL
64TH LEGISLATURE
TWELFTH LEGISLATIVE DAY**

Helena, Montana
January 20, 2015

Senate Chambers
State Capitol

Senate convened at 1:00 p.m. President Barrett presiding. Invocation by Pastor Johnson. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS AND JOURNALS (Fielder, Chair): 1/20/2015
Correctly printed: **SB 4, SB 26, SB 58, SB 67, SB 70, SB 71, SB 169, SB 170, SB 171, SB 172, SB 173, SB 174, SB 175, SB 176, SB 177, HB 1.**
Correctly engrossed: **SB 75.**
Transmitted to the House: **SB 6, SB 51, SB 63, SB 78, SB 80, SB 95, SB 100, HB 1.**

REPORTS OF STANDING COMMITTEES

BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Buttrey, Chair): 1/20/2015
SB 36, do pass. Report adopted.

LOCAL GOVERNMENT (Taylor, Chair): 1/19/2015
SB 28, do pass. Report adopted.
SB 44, introduced bill, be amended as follows:

1. Title, line 5.
Strike: "SALE OR"

2. Title, line 6.
Following: "7-33-2202"
Strike: ", "
Insert: "AND"
Following: "7-33-2206"
Strike: "AND 50-37-102,"

3. Page 2, line 10.
Strike: "wildland"
Following: "may"
Insert: ", by ordinance,"

4. Page 2, line 11.
Strike: "sale and"

5. Page 2, line 12.

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Following: "state"

Insert: ", tribal,"

6. Page 2, line 19.

Strike: "sells or"

Strike: "sale or"

7. Page 2, line 22 through page 3, line 6.

Strike: section 3 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

SB 113, do pass. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (Thomas, Chair):

1/19/2015

SB 8, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bills passed and transmitted to the Senate for concurrence:

1/19/2015

HB 64, introduced by S. Webber

HB 91, introduced by C. Clark

HB 105, introduced by T. Woods

HB 108, introduced by D. Salomon

HB 136, introduced by J. Eck

HB 143, introduced by N. McConnell

FIRST READING AND COMMITMENT OF BILLS

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

SB 178, introduced by M. Moe, M. Dunwell, R. Lynch, S. Malek, K. McCarthy, J. Price, C. Wolken, referred to Education and Cultural Resources.

SB 179, introduced by C. Kaufmann, E. McClafferty, referred to Judiciary.

SB 180, introduced by B. Hoven, referred to Taxation.

SB 181, introduced by E. Arntzen, referred to Business, Labor, and Economic Affairs.

SB 182, introduced by M. Phillips, Dick Barrett, R. Driscoll, J. Fielder, C. Larsen, M. McNally, J. Pomnichowski, C. Pope, A. Wittich, referred to Energy and Telecommunications.

SB 183, introduced by T. Brown, referred to Agriculture, Livestock and Irrigation.

SB 184, introduced by J. Cohenour, S. Lavin, referred to Highways and Transportation.

SB 185, introduced by D. Kary, E. Arntzen, M. Blasdel, R. Driscoll, B. Harris, G. Hertz, D. Howard,

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D. Moore, T. Richmond, C. Smith, N. Swandal, F. Thomas, G. Vance, R. Webb, referred to Judiciary.

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

SJ 7, introduced by R. Webb, referred to Judiciary.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Senator Rosendale moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator T. Brown in the chair.

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

SB 19 - Senator Ripley moved **SB 19** do pass. Motion carried as follows:

Yeas: Ankney, Barrett Dick, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.
Total 47

Nays: Arntzen, Fielder, Rosendale.
Total 3

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 108 - Senator F. Moore moved **SB 108** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.
Total 50

Nays: None.

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Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 10 - Senator Keane moved **SB 10** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 111 - Senator Ankney moved **SB 111** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 114 - Senator Debby Barrett moved **SB 114** do pass. Motion carried as follows:

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Yeas: Ankney, Arntzen, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Connell, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Keane, Keenan, Moore, Ripley, Rosendale, Sales, Smith, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Windy Boy, Ms. President.

Total 33

Nays: Barrett Dick, Caferro, Cohenour, Driscoll, Facey, Kaufmann, Larsen, Malek, McNally, Moe, Phillips, Pomnichowski, Sands, Sesso, Stewart-Peregoy, Whitford, Wolken.

Total 17

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 32 - Senator Sesso moved **SB 32** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 21 - Senator Cohenour moved **SB 21** do pass. Motion carried as follows:

Yeas: Barrett Dick, T. Brown, Caferro, Cohenour, Connell, Driscoll, Facey, Hamlett, Hansen, Hinkle, Hoven, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Phillips, Pomnichowski, Sands, Sesso, Stewart-Peregoy, Taylor, Tutvedt, Vincent, Vuckovich, Whitford, Windy Boy, Wolken.

Total 30

Nays: Ankney, Arntzen, Blasdel, Brenden, D. Brown, Buttrey, Fielder, Howard, Jones, Kary, Moore, Ripley, Rosendale, Sales, Smith, Swandal, Thomas, Vance, Webb, Ms. President.

Total 20

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 45 - Senator Brenden moved **SB 45** do pass. Motion carried as follows:

Yeas: Ankney, Blasdel, Brenden, D. Brown, Buttrey, Caferro, Connell, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Keane, McNally, Moore, Pomnichowski, Ripley, Sales, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Vance, Vincent, Vuckovich, Webb, Windy Boy, Ms. President.

Total 32

Nays: Arntzen, Barrett Dick, T. Brown, Cohenour, Driscoll, Facey, Kaufmann, Keenan, Larsen, Malek, Moe, Phillips, Rosendale, Sands, Thomas, Tutvedt, Whitford, Wolken.

Total 18

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Rosendale moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Barrett presiding. Chair T. Brown moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 49

Nays: Phillips.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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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 4 passed as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Blasdel, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Tutvedt, Vance, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 45

Nays: Brenden, Rosendale, Sales, Thomas, Vincent.

Total 5

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 58 passed as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Blasdel, Brenden, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 47

Nays: D. Brown, Rosendale, Tutvedt.

Total 3

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 70 passed as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones,

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Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 71 passed as follows:

Yeas: Ankney, Barrett Dick, Brenden, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Hamlett, Hansen, Hoven, Jones, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Phillips, Pomnichowski, Ripley, Sales, Sands, Sesso, Stewart-Peregoy, Thomas, Tutvedt, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.
Total 36

Nays: Arntzen, Blasdel, D. Brown, Fielder, Hinkle, Howard, Kary, Moore, Rosendale, Smith, Swandal, Taylor, Vance, Vincent.
Total 14

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 1 concurred in as follows:

Yeas: Ankney, Barrett Dick, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.
Total 48

Nays: Arntzen, Vincent.
Total 2

Absent or not voting: None.

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Total 0

Excused: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Rosendale moved the Senate adjourn until 1:00 p.m., Wednesday, January 21, 2015, the thirteenth legislative day. Motion carried.

Senate adjourned at 2:06 p.m.

MARILYN MILLER
Secretary of the Senate

DEBBY BARRETT
President of the Senate