

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

Helena, Montana  
March 11, 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. Forty-nine members present, Senator Sands excused. Quorum present.

**BILLS AND JOURNALS**

3/11/2015

Ms. President: We, your committee on Bills and Journals, having examined the daily journals for the thirty-sixth through the fortieth legislative days find the same to be correct.

Correctly printed: **SB 394, SR 16, SR 23, SJ 3, HB 80, HB 95, HB 187, HB 225.**

Correctly engrossed: **SB 91, SB 308, HB 279, HB 296, HB 353, HB 355.**

Correctly enrolled: **SR 9, SR 10, SR 11, SR 12, SR 15, SR 17, SR 22.**

Examined by the sponsor and found to be correct: **SR 9, SR 10, SR 11, SR 12, SR 15, SR 17, SR 22.**

Transmitted to the House: **SB 275, HB 43, HB 53, HB 61, HB 83, HB 88, HB 90, HB 98, HB 129, HB 133, HB 162, HB 165, HB 186, HB 250, HB 260.**

Signed by the Secretary of the Senate at 4:10 p.m., March 11, 2015: **SR 9, SR 10, SR 11, SR 12, SR 15, SR 17, SR 22.**

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE, LIVESTOCK AND IRRIGATION** (T. Brown, Chair):

3/10/2015

**SR 26**, be adopted. Report adopted.

**HB 194**, be concurred in. Report adopted.

**HB 355**, be concurred in. Report adopted.

**HB 390**, be concurred in. Report adopted.

**ENERGY AND TELECOMMUNICATIONS** (Webb, Chair):

3/10/2015

**HB 353**, be amended as follows:

1. Title, page 1, line 8.

**Strike:** "AND"

2. Title, page 1, line 9.

**Following:** "MCA"

**Insert:** "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 2.

**Following:** line 5

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**Insert:** "NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval."

And, as amended, be concurred in. Report adopted.

**HB 393**, be concurred in. Report adopted.

**HJ 15**, be concurred in. Report adopted.

**FISH AND GAME** (Brenden, Chair):

3/10/2015

**HB 279**, be concurred in. Report adopted.

**TAXATION** (Tutvedt, Chair):

3/11/2015

**SB 91**, introduced bill, be amended as follows:

1. Page 3, line 9.

**Following:** "government"

**Insert:** "if those taxes or debts can be liened or levied upon pursuant to 26 U.S.C. 5000A(g)"

And, as amended, do pass. Report adopted.

**SB 308**, introduced bill, be amended as follows:

1. Page 3, line 26.

**Following:** "taxing unit for"

**Insert:** "less than \$100 a year and that is used for"

2. Page 3, line 28.

**Following:** "buildings."

**Insert:** "The exemption must be applied for by the municipality or taxing unit, and not more than 10 acres within the municipality or taxing unit may be exempted."

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE OTHER HOUSE**

**House bills** passed and transmitted to the Senate for concurrence:

3/10/2015

**HB 422**, introduced by R. Ehli

**HB 429**, introduced by E. Hill

**HB 431**, introduced by M. Dunwell

**HB 478**, introduced by K. Williams

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**MOTIONS**

Senator T. Brown moved **HB 501** be re-referred from the Education and Cultural Resources Committee to the Judiciary Committee. Without objection, so ordered.

**FIRST READING AND COMMITMENT OF BILLS**

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

**SB 395**, introduced by M. Blasdel, G. Bennett, J. Brenden, E. Buttrey, S. Fitzpatrick, C. Glimm, R. Ripley, C. Smith, referred to Fish and Game.

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

**HB 422**, introduced by R. Ehli, referred to Public Health, Welfare and Safety.

**HB 429**, introduced by E. Hill, A. Olszewski, A. Wittich, referred to Public Health, Welfare and Safety.

**HB 431**, introduced by M. Dunwell, referred to State Administration.

**HB 478**, introduced by K. Williams, referred to Agriculture, Livestock and Irrigation.

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

Majority Leader Rosendale moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Stewart-Peregoy in the chair.

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

**SB 380** - Senator Larsen moved **SB 380** 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, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 48

Nays: Vincent.

Total 1

Absent or not voting: None.

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Total 0

Excused: Sands.

Total 1

**HB 222** - Senator Tutvedt moved **HB 222** be concurred in. Motion carried as follows:

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, Webb, Ms. President.

Total 31

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

Total 19

Paired: Tutvedt, Aye; Sands, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 233** - Senator Hansen moved **HB 233** be concurred in. 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, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Sands.

Total 1

**HB 354** - Senator Wolken moved **HB 354** be concurred in. Motion carried as follows:

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Yeas: Ankney, Arntzen, Barrett Dick, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, 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, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.  
Total 48

Nays: Caferro.  
Total 1

Absent or not voting: None.  
Total 0

Excused: Sands.  
Total 1

**HB 132** - Senator Buttrey moved **HB 132** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Phillips, Pomnichowski, Ripley, Sales, Sesso, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Wolken.  
Total 39

Nays: Hansen, Hinkle, Hoven, Howard, Moore, Rosendale, Smith, Swandal, Windy Boy, Ms. President.  
Total 10

Absent or not voting: None.  
Total 0

Excused: Sands.  
Total 1

**HB 241** - Senator Vance moved **HB 241** be concurred in. 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, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.  
Total 49

Nays: None.  
Total 0

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Absent or not voting: None.

Total 0

Excused: Sands.

Total 1

**HB 183** - Senator Tutvedt moved **HB 183** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Blasdel, Brenden, T. Brown, Buttrey, Connell, Fielder, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Keenan, McNally, Moore, Ripley, Rosendale, Sales, Smith, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Webb, Ms. President.

Total 30

Nays: D. Brown, Caferro, Cohenour, Driscoll, Facey, Hamlett, Kaufmann, Keane, Larsen, Malek, Moe, Phillips, Pomnichowski, Sesso, Stewart-Peregoy, Vuckovich, Whitford, Windy Boy, Wolken.

Total 19

Absent or not voting: None.

Total 0

Excused: Sands.

Total 1

**HB 246** - Senator Thomas moved **HB 246** be concurred in. 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, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Sands.

Total 1

**HB 197** - Senator Driscoll moved **HB 197** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Cohenour,

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Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Larsen, McNally, Moe, Moore, Phillips, Ripley, Rosendale, Sales, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Ms. President.

Total 43

Nays: Caferro, Kaufmann, Keane, Malek, Pomnichowski, Wolken.

Total 6

Absent or not voting: None.

Total 0

Excused: Sands.

Total 1

**HB 232** - Senator Larsen moved **HB 232** be concurred in. 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, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Sands.

Total 1

**HB 203** - Senator Fielder moved **HB 203** be concurred in. Motion carried as follows:

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

Total 27

Nays: Barrett Dick, Caferro, Cohenour, Connell, Driscoll, Facey, Hoven, Kaufmann, Keane, Larsen, Malek, McNally, Moe, Phillips, Pomnichowski, Sands, Sesso, Stewart-Peregoy, Tutvedt, Vuckovich, Whitford, Windy Boy, Wolken.

Total 23

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Paired: Vance, Aye; Sands, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 298** - Senator Vincent moved **HB 298** be concurred in. Motion carried as follows:

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

Total 28

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

Total 22

Paired: Vincent, Aye; Sands, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 466** - Senator Kary moved **HB 466** be concurred in. Motion carried as follows:

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

Total 46

Nays: Caferro, Kaufmann, Keane.

Total 3

Absent or not voting: None.

Total 0

Excused: Sands.

Total 1

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**HB 193** - Senator Tutvedt moved **HB 193** be concurred in. 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, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Ripley, Rosendale, Sales, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 47

Nays: Kaufmann, Pomnichowski.

Total 2

Absent or not voting: None.

Total 0

Excused: Sands.

Total 1

**HB 100** - Senator Howard moved **HB 100** be concurred in. 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, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Sands.

Total 1

Majority Leader Rosendale moved the committee **rise and report**. Motion carried. Committee arose. Senate resumed. President Barrett presiding. Chair Stewart-Peregoy 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, Connell, Driscoll, Fielder, Hamlett, Hansen, Hinkle, Hoven, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, Moore, Ripley, Rosendale, Sales, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Wolken, Ms. President.

Total 38

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Nays: Caferro, Cohenour, Facey, Howard, McNally, Moe, Phillips, Pomnichowski, Sesso, Whitford, Windy Boy.  
Total 11

Absent or not voting: None.  
Total 0

Excused: Sands.  
Total 1

**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:

**SJ 3** passed as follows:

Yeas: Ankney, Arntzen, Barrett Dick, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hinkle, Hoven, Kary, Kaufmann, Keane, Larsen, Malek, McNally, Moe, Phillips, Pomnichowski, Sesso, Stewart-Peregoy, Swandal, Thomas, Tutvedt, Vuckovich, Webb, Whitford, Windy Boy, Wolken.  
Total 34

Nays: Blasdel, Brenden, Hansen, Howard, Jones, Keenan, Moore, Ripley, Rosendale, Sales, Smith, Taylor, Vance, Vincent, Ms. President.  
Total 15

Absent or not voting: None.  
Total 0

Excused: Sands.  
Total 1

**HB 80** concurred in as follows:

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

Nays: Howard.  
Total 1

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Absent or not voting: None.

Total 0

Excused: Sands.

Total 1

**HB 95** concurred in as follows:

Yeas: Ankney, Barrett Dick, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Hamlett, Hoven, Jones, Kaufmann, Keane, Larsen, Malek, McNally, Moe, Phillips, Pomnichowski, Sesso, Stewart-Peregoy, Thomas, Tutvedt, Vuckovich, Whitford, Windy Boy, Wolken.

Total 28

Nays: Arntzen, Blasdel, Brenden, D. Brown, Fielder, Hansen, Hinkle, Howard, Kary, Keenan, Moore, Ripley, Rosendale, Sales, Smith, Swandal, Taylor, Vance, Vincent, Webb, Ms. President.

Total 21

Absent or not voting: None.

Total 0

Excused: Sands.

Total 1

**HB 187** concurred in 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, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Sands.

Total 1

**HB 296** concurred in as follows:

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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, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.  
Total 49

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Sands.  
Total 1

**MOTIONS**

Senator Stewart-Peregoy moved to change her second-reading vote on **HB 203** from Yes to No. Without objection so ordered.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Rosendale moved the Senate adjourn until 1:00 p.m., Thursday, March 12, 2015, the fifty-first legislative day. Motion carried.

Senate adjourned at 2:45 p.m.

MARILYN MILLER  
Secretary of the Senate

DEBBY BARRETT  
President of the Senate