

**SENATE JOURNAL
64TH LEGISLATURE
SEVENTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
April 14, 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

4/14/2015

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

Correctly printed: **SR 33, SR 47, HB 430.**

Correctly engrossed: **HB 156, HB 423, HB 617.**

Correctly enrolled: **SB 57, SB 112, SB 123, SB 148, SB 149, SB 216, SB 230, SB 232, SB 235, SB 240, SB 253, SB 330, SB 336, SB 384, SR 7, SR 36, SR 38, SR 39, SR 43, SR 48, SR 51, SJ 13, SJ 14.**

Examined by the sponsor and found to be correct: **SB 34, SB 37, SB 57, SB 68, SB 112, SB 123, SB 126, SB 145, SB 148, SB 149, SB 168, SB 176, SB 181, SB 191, SB 213, SB 216, SB 220, SB 229, SB 230, SB 232, SB 235, SB 237, SB 240, SB 248, SB 253, SB 256, SB 270, SB 276, SB 281, SB 294, SB 298, SB 318, SB 330, SB 335, SB 347, SB 350, SB 356, SB 361, SB 368, SB 372, SB 376, SB 379, SB 384, SR 6, SR 7, SR 9, SJ 13, SJ 14.**

Transmitted to the House: **SJ 24, HB 337, HB 434, HB 525.**

REPORTS OF STANDING COMMITTEES

BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Buttrey, Chair):

4/14/2015

SR 50, be adopted. Report adopted.

SR 54, be adopted. Report adopted.

SR 55, be adopted. Report adopted.

EDUCATION AND CULTURAL RESOURCES (T. Brown, Chair):

4/13/2015

HB 423, be amended as follows:

1. Title, page 1, line 5.

Strike: "RAISING"

Insert: "REVISING"

2. Page 1, line 14.

Following: "(a)"

Insert: "(a)"

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Strike: "subsection"

Insert: "subsections (1)(b) and"

3. Page 1, line 15.

Strike: "150%"

Insert: "130%"

4. Page 1, line 19.

Following: "budget."

Insert: "(b) For an elementary or high school district with a maximum general fund budget of less than \$1.5 million, a K-12 district with a maximum general fund budget of less than \$3 million, or a school district that retained 150% of its maximum general fund budget in oil and natural gas production taxes in fiscal year 2015, the maximum amount of oil and natural gas production taxes that the school district may retain is 150% of the school district's maximum general fund budget."

5. Page 2, line 3.

Strike: "150%"

Insert: "130%"

6. Page 2, line 7.

Strike: "150%"

Insert: "130%"

7. Page 2, line 18.

Strike: "150%"

Insert: "130%"

8. Page 2, line 29.

Strike: "150%"

Insert: "130%"

9. Page 4, line 17.

Following: "(1)"

Insert: "(a)"

Strike: "subsection"

Insert: "subsections (1)(b) and"

10. Page 4, line 18.

Strike: "150%"

Insert: "130%"

11. Page 4, line 19.

Following: line 19

Insert: "(b) For an elementary or high school district with a maximum general fund budget of less

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than \$1.5 million, a K-12 district with a maximum general fund budget of less than \$3 million, or a school district that retained 150% of its maximum general fund budget in oil and natural gas production taxes in fiscal year 2015, the maximum amount of oil and natural gas production taxes that the school district may retain is 150% of the school district's maximum general fund budget."

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

HB 559, be concurred in. Report adopted.

HB 617, be amended as follows:

1. Title, page 1, line 9.

Strike: "AND AN APPLICABILITY DATE"

2. Page 8, line 15.

Strike: "Mission -- purpose"

Insert: "Purpose"

3. Page 8, line 15 through line 17.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

4. Page 8, line 21.

Following: "played."

Insert: "The state lottery may provide products sold only through an authorized lottery device at the location of a lottery ticket or chance sales agent licensed by the director."

5. Page 10, line 7.

Strike: "That"

Insert: "(a) Except as provided in subsection (4)(b), that"

6. Page 10, line 12.

Following: line 12

Insert: "(b) For fiscal year 2016, prior to any net revenue being transferred to the general fund from the enterprise fund, \$400,000 of net revenue must be transferred from the enterprise fund to the Montana STEM scholarship special revenue account established in [section 4] for the purpose of distributing STEM scholarships pursuant to [sections 1 through 4] during the 2015-2016 school year."

7. Page 10, line 29.

Strike: "\$800,000"

Insert: "\$400,000"

8. Page 11, line 1.

Strike: "Montana" through "3]"

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Insert: "lottery"

9. Page 11, line 9 through line 10.

Strike: section 17 in its entirety

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

JUDICIARY (Sales, Chair): 4/14/2015

HB 219, be concurred in. Report adopted.

HB 612, be concurred in. Report adopted.

HB 627, be concurred in. Report adopted.

NATURAL RESOURCES (Vincent, Chair): 4/8/2015

SR 5, be adopted. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments:

4/13/2015

SB 405, introduced by E. Buttrey

Senate amendments to House bill concurred in:

4/13/2015

HB 284, introduced by K. Dudik

Governor's amendments to House bill concurred in and transmitted to the Senate for concurrence in the Governor's amendments:

4/13/2015

HB 145, introduced by M. Cuffe

MOTIONS

Majority Leader Rosendale moved the Senate accede to the request of the House and appoint a Conference Committee on **HB 211**. Motion carried. President Barrett appointed:

4/14/2015

Senator D. Brown, Chair

Senator Driscoll

Senator Kary

Majority Leader Rosendale moved **HB 156**, **HB 305**, and **HB 463** be taken from the second reading board and referred to the Finance and Claims Committee. Without objection, so ordered.

Senator Thomas moved second-reading consideration of **HB 576** be passed to the following day.

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Without objection, so ordered.

FIRST READING AND COMMITMENT OF BILLS

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

SR 56, introduced by E. Arntzen, referred to Highways and Transportation.

SR 57, introduced by F. Thomas, referred to Public Health, Welfare and Safety.

SR 58, introduced by F. Thomas, referred to Public Health, Welfare and Safety.

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

SJ 29, introduced by K. Hansen, M. Blasdel, B. Hamlett, D. Howard, J. Keane, F. Moore, M. Phillips, M. Rosendale, C. Smith, J. Taylor, R. Webb, C. Wolken, referred to Finance and Claims.

**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 Blasdel in the chair.

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

HB 479 - Senator Thomas moved **HB 479** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Connell, Fielder, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Moore, Ripley, Rosendale, Sales, Smith, Swandal, Taylor, Thomas, Vance, Vincent, Webb, Windy Boy, Ms. President.
Total 29

Nays: Barrett Dick, Caferro, Cohenour, Driscoll, Facey, Hamlett, Kaufmann, Keane, Larsen, Malek, McNally, Moe, Phillips, Pomnichowski, Sands, Sesso, Stewart-Peregoy, Tutvedt, Vuckovich, Whitford, Wolken.
Total 21

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 472 - Senator Swandal moved **HB 472** be concurred in. Motion carried 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, 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

HB 614 - Senator C. Smith moved **HB 614** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Connell, Fielder, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Moore, Ripley, Rosendale, Sales, Smith, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Webb, Ms. President.
Total 30

Nays: Barrett Dick, Cohenour, Driscoll, Facey, Hamlett, Kaufmann, Keane, Larsen, Malek, McNally, Moe, Phillips, Pomnichowski, Sands, Sesso, Stewart-Peregoy, Vuckovich, Whitford, Windy Boy, Wolken.
Total 20

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 261 - House Amendments - Senator Hamlett moved House amendments to **SB 261** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Blasdel, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Hamlett, Hansen, Hoven, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Rosendale, Sands, Sesso, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.
Total 42

Nays: Brenden, Fielder, Hinkle, Howard, Ripley, Sales, Smith, Vance.

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Total 8

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 128 - House Amendments - Senator Hansen moved House amendments to **SB 128** be concurred in. Motion carried 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, Rosendale, Sands, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Windy Boy, Wolken, Ms. President.

Total 45

Nays: Brenden, Ripley, Sales, Sesso, Whitford.

Total 5

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 169 - House Amendments - Senator Hamlett moved House amendments to **SB 169** 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, 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

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SB 249 - House Amendments - Senator Cohenour moved House amendments to **SB 249** 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, 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 280 - House Amendments - Senator F. Moore moved House amendments to **SB 280** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Connell, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Keane, Keenan, Larsen, Moore, Ripley, Rosendale, Sales, Smith, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Webb, Ms. President.
Total 33

Nays: Caferro, Cohenour, Driscoll, Facey, Kaufmann, Malek, McNally, Moe, Phillips, Pomnichowski, Sands, Sesso, Stewart-Peregoy, Vuckovich, Whitford, Windy Boy, Wolken.
Total 17

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 289 - House Amendments - Senator Ankney moved House amendments to **SB 289** be concurred in. Motion carried as follows:

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

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Total 32

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

Total 18

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 325 - House Amendments - Senator Keane moved House amendments to **SB 325** 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, Ripley, Rosendale, Sales, Sesso, 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, Moore, Phillips, Pomnichowski, Sands, Stewart-Peregoy, Whitford, Wolken.

Total 17

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 349 - House Amendments - Senator C. Smith moved House amendments to **SB 349** be concurred in. Motion carried as follows:

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

Total 29

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

Total 21

Absent or not voting: None.

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Total 0

Excused: None.

Total 0

SB 355 - House Amendments - Senator Ankney moved House amendments to **SB 355** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Hamlett, Hansen, 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 48

Nays: Fielder, Hinkle.

Total 2

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 367 - House Amendments - Senator Taylor moved House amendments to **SB 367** 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, 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

Majority Leader Rosendale moved the committee **rise and report**. Motion carried. Committee arose. Senate resumed. President Barrett presiding. Chair Blasdel moved the Committee of

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the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Keane, Keenan, Larsen, McNally, Moe, Moore, Phillips, Ripley, Rosendale, Sales, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Windy Boy, Ms. President.
Total 41

Nays: Driscoll, Facey, Kaufmann, Malek, Pomnichowski, Sands, Sesso, Whitford, Wolken.
Total 9

Absent or not voting: None.
Total 0

Excused: None.
Total 0

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 195, as amended by the House, 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, 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 217, as amended by the House, passed as follows:

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

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Keenan, Larsen, McNally, Moore, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Windy Boy, Wolken, Ms. President.

Total 42

Nays: Driscoll, Facey, Kaufmann, Malek, Moe, Phillips, Pomnichowski, Whitford.

Total 8

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 307, as amended by the House, passed as follows:

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

Total 43

Nays: D. Brown, Hinkle, Keenan, Moore, Sales, Webb, Ms. President.

Total 7

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 364, as amended by the House, passed as follows:

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

Total 41

Nays: Barrett Dick, Caferro, Kaufmann, Malek, McNally, Pomnichowski, Sales, Sesso, Vincent.

Total 9

Absent or not voting: None.

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Total 0

Excused: None.

Total 0

SB 371, as amended by the House, passed as follows:

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

Total 39

Nays: Barrett Dick, Caferro, Cohenour, Driscoll, Facey, Kaufmann, Malek, Moe, Sands, Whitford, Wolken.

Total 11

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 430 concurred in as follows:

Yeas: Ankney, Barrett Dick, T. Brown, Buttrey, Caferro, Cohenour, Driscoll, Facey, Hamlett, Hansen, Hoven, Jones, Kary, Kaufmann, Keenan, Larsen, McNally, Moe, Phillips, Pomnichowski, Ripley, Sales, Sands, Stewart-Peregoy, Thomas, Tutvedt, Wolken.

Total 27

Nays: Arntzen, Blasdel, Brenden, D. Brown, Connell, Fielder, Hinkle, Howard, Keane, Malek, Moore, Rosendale, Sesso, Smith, Swandal, Taylor, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Ms. President.

Total 23

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Jones, Chair):

4/14/2015

HB 11, be amended as follows:

1. Page 3, line 14.

Strike: "\$194,531"

Insert: "\$207,184"

2. Page 7, line 28.

Following: line 27

Insert: "(3) If Senate Bill No. 416 is passed and approved providing the opportunity for local governments who had submitted grant requests to the department of commerce within the last 2 years but did not receive approval by the legislature to resubmit their grant request, then grants numbered 25 through 27 in [section 1(2)] are stricken and legislative project approval is withdrawn."

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

HB 89, be concurred in. Report adopted.

HB 115, be concurred in. Report adopted.

HB 123, be concurred in. Report adopted.

HB 322, be concurred in. Report adopted.

HB 389, be concurred in. Report adopted.

HB 483, be concurred in. Report adopted.

HB 487, be amended as follows:

1. Title, page 1, line 7.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

2. Page 3.

Following: line 13

Insert: "NEW SECTION. **Section 6. Termination.** [This act] terminates June 30, 2025."

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

HB 506, be concurred in. Report adopted.

TAXATION (Tutvedt, Chair):

4/14/2015

SJ 26, do pass. Report adopted.

HB 114, be amended as follows:

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1. Title, page 1, line 7.

Following: "ACCOUNTS;"

Insert: "PROVIDING A TRANSITION SECTION FOR A SCHOOL DISTRICT WITH AN EXISTING AGREEMENT WITH A LOCAL GOVERNMENT;"

2. Title, page 1, line 9.

Following: "AN"

Insert: "IMMEDIATE"

3. Title, page 1, line 10.

Strike: "AN"

Strike: "DATE"

Insert: "DATES"

4. Page 7, line 25.

Insert: "NEW SECTION. Section 4. Transition -- existing agreements. (1) A school district that has executed an agreement with a local government pursuant to 7-15-4291 on or before [the effective date of this act] shall prepare a transition plan.

(2)(a) The transition plan must be limited to paying contractual obligations that were incurred prior to [the effective date of this act] when the increment was anticipated as a funding source for the contract when the contract was executed. In order to qualify as an obligation, there must be a written signed contract meeting all elements of 28-2-102 between a school district and a third party. Evidence of a contract does not include the listing of a capital project on a list or plan that was created before [the effective date of this act].

(b)(i) If the obligation relates to paying bonded indebtedness, a district may utilize the remittance for the life of the bond issue.

(ii) If the obligation relates other contracts, a district may utilize the increment to pay for the contracted project until the end of the contract.

(3) For the purpose of subsection (2), a contract does not include the agreement with a local government pursuant to 7-15-4291.

(4) If a portion of the increment does not satisfy the conditions of subsection (2), it must be expended according to the provisions of [sections 1 through 3]."

Renumber: subsequent sections

5. Page 7, line 26.

Strike: "July 1, 2015"

Insert: "on passage and approval"

6. Page 7, line 28.

Following: "Applicability."

Strike: "[This act]"

Insert: "(1) Except as provided in subsection (2), [this act]"

Strike: "all"

7. Page 7, line 30.

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Following: line 29

Insert: "(2) A school district that has executed an agreement with a local government pursuant to 7-15-4291 on or before [the effective date of this act] is subject to the provisions of [section 4]."

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

HB 154, be concurred in. Report adopted.

MOTIONS

Majority Leader Rosendale moved to appoint a Conference Committee on **SB 261** and request the House to appoint a like committee. Motion carried. President Barrett appointed:

4/14/2015

Senator Hamlett, Chair
Senator L. Jones
Senator F. Moore

Majority Leader Rosendale moved **HB 612** be taken from the second reading board and referred to the Finance and Claims Committee. Without objection, so ordered.

SPECIAL ORDERS OF THE DAY

Senator Thomas requested the following joint proclamation be entered into the records of the Senate:

**A JOINT PROCLAMATION OF THE SENATE AND THE HOUSE
OF REPRESENTATIVES OF THE STATE OF MONTANA
RECOGNIZING EMILY JONES,
2015 PRUDENTIAL SPIRIT OF COMMUNITY AWARD WINNER**

***WHEREAS**, Emily Jones, a resident of Stevensville and a student at Ravalli Classical Academy, has achieved national recognition for exemplary volunteer service by receiving a 2015 Prudential Spirit of Community Award; and*

***WHEREAS**, this prestigious award, presented by Prudential Financial in partnership with the National Association of Secondary School Principals, honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities; and*

***WHEREAS**, Ms. Jones earned this award by giving generously of her time and energy to raise \$1,500 to support Burmese refugee children living in an orphanage in Thailand by re-purposing feed bags into tote bags and selling them through her project, "Bags4Burma." Emily, who has been working with the pastor at her church to connect with the orphanage, went on a missionary trip to Thailand to visit the children who have benefitted from her service; and*

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WHEREAS, *the success of the State of Montana, the strength of our communities, and the overall vitality of American society depend, in great measure, upon the dedication of young people like Ms. Emily Jones who use their considerable talents and resources to serve others.*

NOW THEREFORE, BE IT PROCLAIMED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA'S 64TH LEGISLATURE:

That this legislative body hereby congratulates and honors Ms. Emily Jones as a recipient of a Prudential Spirit of Community Award, recognizes her outstanding record of volunteer service, peer leadership and community spirit, and extends best wishes for her continued success and happiness.

Signed By:

Debby Barrett, President of the Senate

Nancy Ballance, Representative, House District 87

Fred Thomas, Senator, Senate District 44

Austin Knudsen, Speaker of the House

Ed Greef, Representative, House District 88

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Rosendale moved the Senate adjourn until 1:00 p.m., Wednesday, April 15, 2015, the seventy-sixth legislative day. Motion carried.

Senate adjourned at 2:30 p.m.

MARILYN MILLER
Secretary of the Senate

DEBBY BARRETT
President of the Senate