

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

Helena, Montana
April 17, 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

4/17/2015

Correctly printed: **SR 57, SJ 28, SJ 30, HB 11, HB 89, HB 114, HB 115, HB 123, HB 154, HB 156, HB 322, HB 389, HB 423, HB 496, HB 510, HB 559, HB 590, HB 617, HJ 13.**

Correctly engrossed: **HB 10, HB 228, HB 245, HB 604.**

Correctly enrolled: **SB 7, SB 47, SB 93, SB 102, SB 136, SB 192, SB 258.**

Examined by the sponsor and found to be correct: **SB 54, SB 66, SB 128, SB 160, SB 169, SB 195, SB 217, SB 249, SB 280, SB 288, SB 289, SB 307, SB 325, SB 345, SB 349, SB 355, SB 364, SB 367, SB 371, SR 29, SR 32, SR 33, SR 35, SR 37, SR 40, SR 41, SR 42, SR 47, SR 49.**

Transmitted to the House: **HB 11, HB 89, HB 114, HB 115, HB 123, HB 154, HB 389.**

Signed by the Speaker at 9:20 a.m., April 16, 2015: **SB 176.**

Delivered to the Secretary of State at 10:13 a.m., April 17, 2015: **SJ 6, SJ 9, SJ 13, SJ 14.**

Delivered to the Governor at 8:10 a.m., April 17, 2015: **SB 34, SB 57, SB 112, SB 123, SB 126, SB 148, SB 149, SB 181, SB 191, SB 213, SB 216, SB 229, SB 230, SB 232, SB 248, SB 253, SB 276, SB 294, SB 298, SB 318, SB 335, SB 336, SB 347, SB 350, SB 368, SB 376, SB 379, SB 384.**

Delivered to the Governor at 4:20 p.m., April 17, 2015: **SB 176.**

REPORTS OF STANDING COMMITTEES

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

4/17/2015

SJ 30, introduced joint resolution, be amended as follows:

1. Page 2, line 12.

Following: "duplications;"

Strike: "and"

2. Page 2, line 14.

Following: "serve"

Strike: "."

Insert: "; and"

3. Page 2, line 15.

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Following: line 14

Insert: "(5) how state agencies, through their economic development programs, may better coordinate with and assist local and tribal economic development efforts."

And, as amended, do pass. Report adopted.

FINANCE AND CLAIMS (Jones, Chair):

4/17/2015

HB 4, be amended as follows:

1. Page 3, line 25.

Following: line 24

Insert: "Immigration Customs Enforcement Overtime	FY2015	\$1,500	Federal
Tactical Diversion Task Force	FY2015	\$17,375	Federal
Northwest Diversion Task Force	FY2015	\$16,650	Federal

All remaining fiscal year 2015 federal budget amendment authority for the northwest diversion task force is authorized to continue into state fiscal year 2016."

2. Page 3, line 28.

Following: line 27

Insert: "Montana Arts Council
Promotion of the Arts

National Endowment for the Arts FY2015 \$53,356 Federal

All remaining fiscal year 2015 federal budget amendment authority for the national endowment for the arts is authorized to continue into state fiscal year 2016."

3. Page 6, line 6.

Following: line 5

Insert: "All of the remaining fiscal year 2015 federal budget amendment authority for the wildlife survey and inventory program is authorized to continue into state fiscal year 2017."

4. Page 6, line 7.

Strike: "\$30,000"

Insert: "\$50,000"

5. Page 7, line 8.

Following: "program"

Insert: "and the March 2014 severe flooding emergency relief funds"

6. Page 7, line 9.

Strike: "AND THE MARCH 2014 SEVERE FLOODING EMERGENCY RELIEF FUNDS"

7. Page 7, line 23.

Strike: "2015"

Insert: "2016"

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8. Page 7, line 24.

Following: line 23

Insert: "Diagnostic Laboratory Division

Maintenance of Membership Laboratory Requirements

FY2015 \$55,000 Federal

All remaining fiscal year 2015 federal budget amendment authority for the maintenance of membership laboratory requirements is authorized to continue into state fiscal year 2016.

Animal Health Division

Animal Disease Traceability FY2015 \$149,000 Federal

All of the remaining fiscal year 2015 federal budget amendment authority for animal health traceability is authorized to continue into state fiscal year 2016."

9. Page 8, line 12.

Following: line 11

Insert: "Bridger Pipeline Spill Pollution Removal FY2015
\$15,000 Federal"

10. Page 10, line 6.

Following: line 5

Insert: "Fiscal Year 2015 Unemployment Insurance Administration Funding FY2015 \$721,128
Federal"

11. Page 10, line 11.

Following: line 10

Insert: "All remaining fiscal year 2015 federal budget amendment authority for the fiscal year 2015 unemployment insurance administration funding is authorized to continue into federal fiscal year 2017."

12. Page 10, line 15.

Following: line 14

Insert: "Challenge Program

Youth Challenge Program FY2015 \$254,870 Federal

Starbase

Fiscal Year 2015 Starbase FY2015 \$46,236 Federal

Military Capital Construction

Fiscal Year 2015 Montana National Guard Facilities Programs FY2015

\$1,722,000 Federal

All of the remaining fiscal year 2015 federal budget amendment authority for the fiscal year 2015 Montana national guard facilities program is authorized to continue into federal fiscal year 2017."

13. Page 10, line 16.

Following: line 15

Insert: "Fiscal Year 2014 Montana National Guard Facilities Programs FY2015
\$1,266,945 Federal"

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Fiscal Year 2015 Montana National Guard Facilities Programs FY2015
\$2,775,359 Federal"

14. Page 10, line 16.

Following: "for the"

Insert: "fiscal year 2013"

15. Page 10, line 17.

Following: "programs"

Insert: ", the fiscal year 2014 Montana national guard facilities programs, and the fiscal year 2015 Montana national guard facilities programs"

16. Page 10, line 19.

Following: line 18

Insert: "All of the remaining fiscal year 2015 federal budget amendment authority for the Helena open lands fuel reduction program is authorized to continue into state fiscal year 2016."

17. Page 10, line 28.

Following: line 27

Insert: "Child and Family Services

Promoting Safe and Stable Families FY2015 \$45,630 Federal

All remaining fiscal year 2015 federal budget amendment authority for promoting safe and stable families is authorized to continue into federal fiscal year 2016."

18. Page 10, line 29.

Following: line 28

Insert: "Public Health Emergency Preparedness for Ebola Preparedness and Response Activities
FY2015 \$1,248,811 Federal

Domestic Ebola Supplement to Epidemiology and Laboratory Capacity for Infectious
Disease FY2015 \$1,020,180 Federal"

19. Page 11, line 2.

Following: line 1

Insert: "All remaining fiscal year 2015 federal budget amendment authority for the public health emergency preparedness for Ebola, preparedness and response activities, is authorized to continue into federal fiscal year 2016.

All remaining fiscal year 2015 federal budget amendment authority for the domestic Ebola supplement to epidemiology and laboratory capacity for infectious disease is authorized to continue into federal fiscal year 2017.

Developmental Services Division

Social Services Block Grant FY2015 \$1,254,445

Federal

All remaining fiscal year 2015 federal budget amendment authority for the social services block grant is authorized to continue into federal fiscal year 2016."

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

HB 140, be amended as follows:

1. Title, page 1, line 19.

Following: "PROGRAMS;"

Insert: "CREATING AN APPRENTICE HUNTING CERTIFICATE FOR YOUTH BETWEEN 10 AND 18 YEARS OF AGE AND PROVIDING QUALIFYING CONDITIONS;"

2. Title, page 1, line 20.

Following: "87-2-104,"

Insert: "87-2-105,"

3. Title, page 1, line 21.

Following: "87-2-403,"

Insert: "87-2-404,"

Following: "87-2-514,"

Insert: "87-2-520,"

4. Page 4.

Following: line 11

Insert: "**Section 7.** Section 87-2-105, MCA, is amended to read:

"87-2-105. Safety instruction required. (1) Except for a youth who qualifies for a license pursuant to 87-2-805(4) or who has been issued an apprentice hunting certificate pursuant to [section 38], a hunting license may not be issued to a person ~~who is~~ born after January 1, 1985, unless the person authorized to issue the license determines proof of completion of:

(a) a Montana hunter safety and education course established in subsection (4) or (6);

(b) a hunter safety course in any other state or province; or

(c) a Montana hunter safety and education course that qualifies the person for a provisional certificate as provided in 87-2-126.

(2) A hunting license may not be issued to a member of the regular armed forces of the United States or to a member of the armed forces of a foreign government attached to the armed forces of the United States who is assigned to active duty in Montana and who is otherwise considered a resident under 87-2-102(1) or to a member's dependents, as defined in 15-30-2115, who reside in the member's Montana household, unless the person authorized to issue the license determines proof of completion of a hunter safety course approved by the department or a hunter safety course in any state or province.

(3) A bow and arrow license may not be issued to a resident or nonresident unless the person authorized to issue the license receives an archery license issued for a prior hunting season or determines proof of completion of a bowhunter education course from the national bowhunter education foundation or any other bowhunter education program approved by the department. Neither the department nor the license agent is required to provide records of past archery license purchases. As part of the department's bow and arrow licensing procedures, the department shall notify the public regarding bowhunter education requirements.

(4) The department shall provide for a hunter safety and education course that includes

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instruction in the safe handling of firearms and for that purpose may cooperate with any reputable organization having as one of its objectives the promotion of hunter safety and education. The department may designate as an instructor any person it finds to be competent to give instructions in hunter safety and education, including the handling of firearms. A person appointed shall give the course of instruction and shall issue a certificate of completion from Montana's hunter safety and education course to a person successfully completing the course.

(5) The department shall provide for a course of instruction from the national bowhunter education foundation or any other bowhunter education program approved by the department and for that purpose may cooperate with any reputable organization having as one of its objectives the promotion of safety in the handling of bow hunting tackle. The department may designate as an instructor any person it finds to be competent to give bowhunter education instruction. A person appointed shall give the course of instruction and shall issue a certificate of completion to any a person successfully completing the course.

(6) The department may develop an adult hunter safety and education course.

(7) The department may adopt rules regarding how a person authorized to issue a license determines proof of completion of a required course.""

Renumber: subsequent sections

5. Page 4, line 15.

Strike: "33(2)"

Insert: "37(2)"

6. Page 4, line 23.

Strike: "33(2)"

Insert: "37(2)"

7. Page 7.

Following: line 10

Insert: "**Section 15.** Section 87-2-404, MCA, is amended to read:

"87-2-404. Three-day nonresident captive-reared bird hunting stamp. A Except as otherwise provided, a person who is 12 years of age or older or who will turn 12 years old before or during the season for which the license is issued and who is not a resident, as defined in 87-2-102, may, upon payment of a fee of \$20, receive a 3-day nonresident shooting preserve bird hunting stamp that authorizes a holder who is 12 years of age or older to hunt game specified under 87-4-522 on a shooting preserve licensed under 87-4-501 for 3 consecutive calendar days as indicated on the license."

Renumber: subsequent sections

8. Page 8, line 13.

Strike: "33(1)"

Insert: "37(1)"

9. Page 12.

Following: line 3

Insert: "**Section 21.** Section 87-2-520, MCA, is amended to read:

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"87-2-520. Supplemental game damage license -- terms and conditions. (1) If at any time the department determines, in conjunction with a landowner or a designated lessee acting as an agent for a landowner, that game animals on the property are causing a level of damage to crops or other vegetation that merits removal of a specific number of game animals or that the taking of a specific number of game animals is advisable for game management purposes, the department may issue nontransferable resident and nonresident supplemental game damage hunting licenses for game management purposes on the property.

(2) Supplemental game damage hunting licenses may be issued only for antlerless animals and may be issued only for use on lands eligible for game damage assistance pursuant to 87-1-225. A landowner may not charge a fee to a hunter using a license obtained pursuant to this section.

(3) Supplemental game damage licenses may be issued to hunters as an alternative to issuing a kill permit to a landowner.

(4) (a) In a hunting district with unlimited license quotas, a landowner may designate the resident supplemental game damage license recipient upon approval of issuance, including a recipient who has obtained an apprentice hunting certificate pursuant to [section 38].

(b) In a hunting district with limited permit quotas, a landowner may designate up to 75% of the resident supplemental game damage license recipients, with the remainder of the licenses offered to hunters in a manner prescribed by the department.

(5) If additional supplemental game damage licenses are available, the department may issue those licenses to resident and nonresident hunters.

(6) A licensee shall pay the regular license price or an adjusted price set by the commission for any supplemental game management license issued pursuant to subsection (1). Issuance of a supplemental game damage license authorizes the licensee to hunt, take, and possess the game animal designated on the license. All hunting under a supplemental game damage license must be conducted on the property designated on the license and in accordance with department regulations."

Renumber: subsequent sections

10. Page 15, line 10.

Strike: "33(1)"

Insert: "37(1)"

11. Page 15.

Following: line 28

Insert: "**Section 27.** Section 87-2-711, MCA, is amended to read:

"87-2-711. Class AAA--combination sports license. (1) ~~A~~ Except as otherwise provided in this chapter, a resident, as defined by 87-2-102, who is 12 years of age or older or who will turn 12 years old before or during the season for which the license is issued is entitled to:

(a) a combination sports license that permits a holder who is 12 years of age or older to exercise all rights granted to holders of Class A, A-1, A-3, and A-5 licenses and resident conservation licenses as prescribed in 87-2-202 upon payment of the sum of \$70, plus the resident hunting access enhancement fee provided for in 87-2-202(3)(c), or, if the resident is a service member eligible for a combination sports license pursuant to 87-2-803(12), upon payment of the resident hunting access enhancement fee provided for in 87-2-202(3)(c); or

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(b) a combination sports license that permits a holder who is 12 years of age or older to exercise all rights granted in subsection (1)(a) and the additional rights granted to holders of a Class A-6 license upon payment of the sum of \$85, plus the resident hunting access enhancement fee provided for in 87-2-202(3)(c).

(2) The department may furnish each holder of a combination sports license an appropriate decal."

Renumber: subsequent sections

12. Page 16, line 1.

Strike: "A"

Insert: "Except as otherwise provided in this chapter, a"

13. Page 16, line 8.

Strike: "33(2)"

Insert: "37(2)"

14. Page 26, line 13.

Strike: "32 and 33"

Insert: "36 and 37"

15. Page 28.

Following: line 4

Insert: "NEW SECTION. Section 38. Apprentice hunting certificate. (1) A person who is 10 years of age or older and under 18 years of age who has not completed a hunter safety and education course pursuant to 87-2-105 is eligible to apply for an apprentice hunting certificate that entitles the holder to obtain and use hunting licenses and permits in accordance with this title and the provisions of this section. A person may obtain an apprentice hunting certificate for no more than 2 license years before the person must complete a Montana hunter safety and education course pursuant to 87-2-105.

(2) A person who obtains an apprentice hunting certificate must be in the company of a mentor when hunting and shall conduct all hunting in accordance with this section and within the terms and conditions of the license or permit issued.

(3) To qualify as a mentor who will accompany an apprentice hunter, a person must:

(a) be at least 21 years of age;

(b) be related to the apprentice hunter by blood, adoption, or marriage, be the legal guardian of the apprentice hunter, or be a person designated by a parent or legal guardian as being capable and qualified to assist the apprentice hunter;

(c) have completed a hunter safety and education course pursuant to 87-2-105;

(d) have a current Montana hunting license;

(e) have agreed to accompany and supervise the apprentice hunter and remain within sight of and direct voice contact with the apprentice hunter at all times while in the field; and

(f) confirm that the apprentice hunter possesses the physical and psychological capacity to safely and ethically engage in hunting activities.

(4) Subject to the conditions of this section, the department shall issue an apprentice hunting certificate upon payment of a fee of \$5. This fee must be deposited in the state special

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revenue fund account to the credit of the department for hunter education purposes.

(5) The department shall issue an apprentice hunting certificate that allows an apprentice hunter to be accompanied by multiple mentors.

(6) Except as provided in subsection (7), a person who obtains an apprentice hunting certificate may purchase any unlimited hunting license or permit by any applicable deadline for the fee established pursuant to this chapter, including:

(a) a reduced cost license for which the applicant qualifies. An apprentice hunter who is under 12 years of age is eligible to obtain the unlimited reduced cost licenses available to a person who is 12 years of age.

(b) a wild turkey tag if it is issued in an unlimited number.

(7) A person who obtains an apprentice hunting certificate is not eligible:

(a) to obtain a Class A-2 special bow and arrow license without having completed a bowhunter education course;

(b) to obtain a Class D-3 resident hound training license;

(c) to participate in a drawing with a limited quota;

(d) to obtain a mountain sheep license in any area where the licenses are issued in unlimited numbers; or

(e) to obtain an elk license if the apprentice hunter is under 15 years of age.

(8) An apprentice hunter who violates the terms of this section or a mentor who violates the terms of this section while accompanying an apprentice hunter is subject to the loss of privileges granted by this section for up to one full license season."

Renumber: subsequent sections

16. Page 28, line 24.

Strike: "32 AND 33"

Insert: "36, 37, and 38"

17. Page 28, line 25 through line 26.

Strike: "32 AND" on line 25 through "33" on line 26

Insert: "36, 37, and 38"

18. Page 28, line 27.

Strike: "34"

Insert: "39"

19. Page 28, line 28.

Strike: "34"

Insert: "39"

20. Page 28, line 30.

Strike: "subsection (2)"

Insert: "subsections (2) and (3)"

21. Page 29, line 2.

Strike: "and this section are"

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Insert: "is"

22. Page 29.

Following: line 2

Insert: "(3) [Sections 7, 15, 21, 27, and 38] and this section are effective on passage and approval."

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

HB 167, be concurred in. Report adopted.

HB 191, be amended as follows:

1. Page 2, line 29.

Following: "injury"

Strike: "and"

Insert: ". The department of justice shall contract with an independent investigator to investigate a report of an allegation of abuse or neglect. The investigator shall report to the department of justice, the department of health and human services, and the children, families, health, and human services interim committee. The department of justice shall"

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

HB 223, be concurred in. Report adopted.

HB 300, be concurred in. Report adopted.

HB 421, be concurred in. Report adopted.

HB 510, be concurred in. Report adopted.

HB 599, be concurred in. Report adopted.

HB 628, be concurred in. Report adopted.

FISH AND GAME (Brenden, Chair):

4/16/2015

HB 150, be concurred in. Report adopted.

HIGHWAYS AND TRANSPORTATION (Arntzen, Chair):

4/16/2015

SR 56, preliminary report, be adopted. Report adopted.

HB 486, be concurred in. Report adopted.

HB 604, be amended as follows:

1. Title, line 4.

Strike: "REVISING"

Insert: "REQUIRING COLLECTION OF INFORMATION AND REPORTING BY THE DEPARTMENT OF TRANSPORTATION ON TRAILS AND PATHS CREATED UNDER"

2. Title, line 5 through line 12.

Strike: "CREATING" on line 5 through "DATES" on line 12

Insert: "AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

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3. Page 1, line 16 through page 13, line 13.

Strike: everything after the enacting clause

Insert: "NEW SECTION. Section 1. Inventory of trails and paths -- maintenance -- report to legislature. The department of transportation shall:

(1) compile an inventory of all multiuse trails or other paths within state-maintained federal-aid highway rights-of-way that are separated from motorized vehicular traffic by open spaces, pavement, markings, or barriers and that are usable for transportation purposes by pedestrians, runners, bicyclists, skaters, equestrians, and other nonmotorized users;

(2) develop a plan for maintaining and repairing the trails and other paths described in subsection (1), including estimated costs for maintenance and repair; and

(3) provide a report of the inventory and maintenance plan to the revenue and transportation interim committee and to the 65th legislature."

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

Insert: "NEW SECTION. Section 3. Termination. [This act] terminates May 1, 2017."

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

MESSAGES FROM THE OTHER HOUSE

Senate bills concurred in and returned to the Senate:

4/16/2015

SB 7, introduced by R. Webb

SB 47, introduced by J. Pomnichowski

SB 102, introduced by D. Ankney

SB 136, introduced by B. Hamlett

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

4/16/2015

SB 100, introduced by C. Larsen

SB 122, introduced by M. Rosendale

SB 175, introduced by C. Wolken

SB 245, introduced by D. Kary

SB 284, introduced by J. Brenden

HB 2 - The House dissolved the Conference Committee on Senate amendments to **HB 2**, and authorized the Speaker to appoint the following **Free** Conference Committee to confer on **HB 2** and requests the Senate appoint a like committee:

4/16/2015

Representative Ballance, Vice Chair

Representative Noonan

Representative Osmundson

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MOTIONS

Majority Leader Rosendale moved the Senate accede to the request of the House to dissolve the Conference Committee on **HB 2** and authorize the President to appoint a **Free** Conference Committee on **HB 2**. Motion carried. President Barrett appointed:

4/17/2015

Senator L. Jones, Chair
Senator Keane
Senator Keenan

Senator Vincent moved the Senate suspend the rules to allow for the late acceptance of **SB 334** and that **SB 334** be scheduled for second reading. The motion passed as follows:

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

Total 35

Nays: Barrett Dick, Cohenour, Driscoll, Facey, Kaufmann, Keane, Larsen, Malek, Moe, Phillips, Pomnichowski, Sands, Sesso, Whitford, Wolken.

Total 15

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**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 Malek in the chair.

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

HB 627 - Senator Hansen moved **HB 627** be concurred in.

HB 627 - Senator Wolken moved **HB 627**, second reading copy, be amended as follows:

1. Page 2, line 6.

Strike: "nine"

Insert: "11"

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2. Page 2, line 11.

Following: "one"

Strike: "member"

Insert: "district court judge"

Following: "court;"

Insert: "and"

3. Page 2, line 12 through line 13.

Strike: line 12 through line 13 in their entirety

Insert: "(d) four members appointed by the governor, none of whom may be a currently serving legislator, including:

(i) one attorney experienced in the federal Indian Child Welfare Act advocating on behalf of racial minorities in Montana;

(ii) one attorney with experience in the prosecution of misdemeanor and felony offenses in Montana;

(iii) one attorney with experience in the criminal defense of misdemeanor and felony offenses in Montana; and

(iv) one individual assigned to act as a group facilitator."

4. Page 3, line 15.

Following: line 14

Insert: "(4) The task force shall coordinate meetings with the law and justice interim committee and may hold no more than five meetings."

Renumber: subsequent subsections

Amendment 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, 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 627 - As amended, **HB 627** concurred in as follows:

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Yeas: Barrett Dick, Blasdel, T. Brown, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hoven, Howard, Jones, Kaufmann, Keane, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Sands, Sesso, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Vuckovich, Whitford, Windy Boy, Wolken, Ms. President.

Total 34

Nays: Ankney, Arntzen, Brenden, D. Brown, Buttrey, Hinkle, Kary, Keenan, Ripley, Rosendale, Sales, Smith, Swandal, Vance, Vincent, Webb.

Total 16

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Dick Barrett introduced the Lewis and Clark Elementary School Peace Choir from Missoula. The choir is comprised of students in the third through fifth grades who sang a medley of songs for the Senate.

Senator Thomas excused at this time.

HB 464 - Senator Ankney moved **HB 464** be concurred in.

HB 464 - Senator Driscoll moved **HB 464**, second reading copy, be amended as follows:

1. Page 2, line 23.

Strike: "OF UNIVERSITY BUILDINGS"

Amendment 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, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, 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: Thomas.

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Total 1

HB 464 - As amended, **HB 464** 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, Phillips, Pomnichowski, Ripley, Sands, Sesso, Stewart-Peregoy, Swandal, Taylor, Tutvedt, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 44

Nays: Moore, Rosendale, Sales, Smith, Vance.

Total 5

Absent or not voting: None.

Total 0

Excused: Thomas.

Total 1

HB 483 - Senator Brenden moved **HB 483** 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, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Sands, Sesso, Stewart-Peregoy, Swandal, Taylor, Tutvedt, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 41

Nays: Fielder, Hinkle, Keenan, Rosendale, Sales, Smith, Vance, Vincent.

Total 8

Absent or not voting: None.

Total 0

Excused: Thomas.

Total 1

HB 487 - Senator Howard moved **HB 487** be concurred in. Motion carried as follows:

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

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Total 40

Nays: Ankney, Arntzen, Blasdel, Hinkle, Malek, Sales, Smith, Vance, Vincent.

Total 9

Absent or not voting: None.

Total 0

Excused: Thomas.

Total 1

Senator Thomas present at this time.

HB 506 - Senator Facey moved **HB 506** 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, Hoven, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 48

Nays: Howard, Smith.

Total 2

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 6 - Senator Keenan moved **HB 6** 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, Hoven, Jones, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 45

Nays: Hinkle, Howard, Kary, Smith, Vance.

Total 5

Absent or not voting: None.

Total 0

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Excused: None.

Total 0

HB 7 - Senator Ripley moved **HB 7** 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

HB 9 - Senator Hamlett moved **HB 9** 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, Jones, Kaufmann, Keane, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Sands, Sesso, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 37

Nays: Fielder, Hansen, Hinkle, Hoven, Howard, Kary, Keenan, Rosendale, Sales, Smith, Swandal, Vance, Vincent.

Total 13

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 356 - Senator T. Brown moved **HB 356** be concurred in.

HB 356 - Senator Hamlett moved **HB 356**, second reading copy, be amended as follows:

1. Page 2, line 12.

Strike: "\$1 MILLION"

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Insert: "\$5 million"

Amendment **not** adopted as follows:

Yeas: Ankney, Arntzen, T. Brown, Caferro, Driscoll, Hamlett, Kaufmann, Moe, Pomnichowski, Stewart-Peregoy, Thomas, Vuckovich, Whitford, Windy Boy.

Total 14

Nays: Barrett Dick, Blasdel, Brenden, D. Brown, Buttrey, Cohenour, Connell, Facey, Fielder, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Keane, Keenan, Larsen, Malek, McNally, Moore, Phillips, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Swandal, Taylor, Tutvedt, Vance, Vincent, Webb, Wolken, Ms. President.

Total 36

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 356 - Thereupon, the Senate reverted to the original motion of Senator T. Brown which passed as follows:

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

Total 46

Nays: Hinkle, Sales, Vance, Vincent.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 488 - Senator Webb moved **HB 488** be concurred in. Motion **failed** as follows:

Yeas: Arntzen, Blasdel, Brenden, Caferro, Connell, Driscoll, Facey, Fielder, Hansen, Hoven, Howard, Kary, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Sands, Taylor, Thomas, Webb, Ms. President.

Total 24

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Nays: Ankney, Barrett Dick, D. Brown, T. Brown, Buttrey, Cohenour, Hamlett, Hinkle, Jones, Kaufmann, Keane, Keenan, Ripley, Rosendale, Sales, Sesso, Smith, Stewart-Peregoy, Swandal, Tutvedt, Vance, Vincent, Vuckovich, Whitford, Windy Boy, Wolken.

Total 26

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 488 - Senator Rosendale moved **HB 488** be **indefinitely postponed**. Motion carried as follows:

Yeas: Ankney, Barrett Dick, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Hamlett, Hinkle, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Moe, Moore, Pomnichowski, Ripley, Rosendale, Sales, Sesso, Smith, Stewart-Peregoy, Swandal, Tutvedt, Vance, Vincent, Vuckovich, Whitford, Windy Boy, Wolken.

Total 38

Nays: Arntzen, Fielder, Hansen, Hoven, Malek, McNally, Phillips, Sands, Taylor, Thomas, Webb, Ms. President.

Total 12

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 512 - Senator Howard moved **HB 512** be concurred in.

HB 512 - Senator Hansen moved **HB 512**, second reading copy, be amended as follows:

1. Page 2, line 5 through line 6.

Strike: "ONE" on line 5 through "ONLY" on line 6

2. Page 2, line 8.

Strike: "ONE TIME ONLY"

3. Page 2, line 12.

Following: line 11

Insert: "(3) Expenditures from these appropriations are intended to fund 4 FTE and to be ongoing and must be included in the base budget."

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Amendment **not** adopted as follows:

Yeas: Cohenour, Driscoll, Facey, Fielder, Hansen, Hoven, Kaufmann, McNally, Swandal, Taylor, Thomas, Vuckovich, Windy Boy.

Total 13

Nays: Ankney, Arntzen, Barrett Dick, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Connell, Hamlett, Hinkle, Howard, Jones, Kary, Keane, Keenan, Larsen, Malek, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Tutvedt, Vance, Vincent, Webb, Whitford, Wolken, Ms. President.

Total 37

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 512 - Senator McNally moved consideration of **HB 512** be passed for the day.

HB 512 - Senator McNally withdrew her motion.

Senator Arntzen excused at this time.

HB 512 - Senator Ripley moved a substitute motion that **HB 512** be **indefinitely postponed**. Motion **failed** as follows:

Yeas: Brenden, D. Brown, Buttrey, Connell, Fielder, Hinkle, Keenan, Larsen, Ripley, Sales, Thomas, Tutvedt, Vance, Vincent, Ms. President.

Total 15

Nays: Ankney, Barrett Dick, Blasdel, T. Brown, Caferro, Cohenour, Driscoll, Facey, Hamlett, Hansen, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Rosendale, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Vuckovich, Webb, Whitford, Windy Boy, Wolken.

Total 34

Absent or not voting: None.

Total 0

Excused: Arntzen.

Total 1

HB 512 - Thereupon, the Senate reverted to the original motion of Senator Howard which passed as follows:

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Yeas: Ankney, Arntzen, Barrett Dick, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Hamlett, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Rosendale, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Vuckovich, Webb, Whitford, Windy Boy, Wolken.

Total 35

Nays: Blasdel, Brenden, D. Brown, Fielder, Hansen, Hinkle, Keenan, Larsen, Ripley, Sales, Thomas, Tutvedt, Vance, Vincent, Ms. President.

Total 15

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 283 - House Amendments - Senator Brenden moved House amendments to **SB 283** be **not** concurred in. Motion carried as follows:

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

Total 46

Nays: Barrett Dick, Caferro, Malek, Pomnichowski.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 390 - House Amendments - Senator Arntzen moved House amendments to **SB 390** be concurred in. Motion carried as follows:

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

Total 37

Nays: Brenden, D. Brown, Hinkle, Keenan, Moore, Phillips, Pomnichowski, Rosendale, Sales,

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Smith, Vance, Vincent, Ms. President.

Total 13

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SJ 10 - House Amendments - Senator L. Jones moved House amendments to **SJ 10** 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 405 - House Amendments - Senator Buttrey moved House amendments to **SB 405** be concurred in. Motion carried 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, Ripley, Sands, Sesso, Stewart-Peregoy, Tutvedt, Vuckovich, Whitford, Windy Boy, Wolken.

Total 29

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

Total 21

Absent or not voting: None.

Total 0

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Excused: None.

Total 0

SB 91 - House Amendments - Senator Thomas moved House amendments to **SB 91** 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

HB 10 - Senator Blasdel moved **HB 10** be concurred in.

HB 10 - Senator Blasdel moved **HB 10**, second reading copy, be amended as follows:

1. Title, page 1, line 13.

Strike: "AN EFFECTIVE DATE"

Insert: "EFFECTIVE DATES"

2. Page 5, line 25.

Strike: "[This"

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

3. Page 5, line 26.

Following: line 25

Insert: "(2) [Section 7] and this section are effective on passage and approval."

Amendment 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, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

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Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 10 - As amended, **HB 10** concurred in as follows:

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

Total 45

Nays: Hinkle, Hoven, Sales, Vance, Vincent.

Total 5

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 411 - Senator T. Brown moved **HB 411** be concurred in.

HB 411 - Senator Kaufmann moved **HB 411**, second reading copy, be amended as follows:

1. Title, page 1, line 5.

Following: "RATES;"

Insert: "PROVIDING THAT QUALIFYING PRIMARY OIL PRODUCTION AND QUALIFYING OIL PRODUCTION FROM HORIZONTALLY COMPLETED WELLS ARE TAXED AT A HIGHER RATE DURING A CALENDAR QUARTER IF THE AVERAGE PRICE OF A BARREL OF OIL EXCEEDS A CERTAIN AMOUNT;"

2. Page 3, line 1.

Following: "(a)"

Insert: "(i)"

Strike: "The"

Insert: "Except as provided in subsection (6)(a)(ii), the"

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Strike: "rates"

Insert: "rate"

Following: "(5)(a)(i)"

Insert: "on qualifying primary recovery production"

3. Page 3, line 4.

Following: line 3

Insert: "(ii) For primary recovery wells other than stripper wells drilled after December 31, 2015, qualifying primary recovery production is taxed as provided in subsection (5)(a)(i) only if the average price of a barrel of west Texas intermediate crude oil during a calendar quarter is less than \$54 a barrel. If the average price of oil is equal to or greater than \$54 a barrel in a calendar quarter as determined in subsection (6)(e), qualifying production from primary recovery wells is taxed at the rate imposed in subsection (5)(a)(ii)(B) for that quarter."

4. Page 3, line 4.

Following: "(i)"

Insert: "(A)"

Strike: "The"

Insert: "Except as provided in subsection (6)(b)(i)(B), the"

Strike: "rates"

Insert: "rate"

Following: "(5)(d)(i) on"

Insert: "qualifying"

5. Page 3, line 8.

Following: line 7

Insert: "(B) For horizontally completed wells other than stripper wells drilled after December 31, 2015, qualifying oil production from a horizontally completed well is taxed as provided in subsection (5)(d)(i) only if the average price of a barrel of west Texas intermediate crude oil during a calendar quarter is less than \$54 a barrel. If the average price of oil is equal to or greater than \$54 a barrel in a calendar quarter as determined in subsection (6)(e), qualifying production from horizontally completed wells is taxed at the rate imposed in subsection (5)(d)(ii)(B) for that quarter."

6. Page 3, line 12.

Strike: "each"

Insert: "a"

7. Page 3, line 20.

Following: the first "a barrel"

Insert: "as determined in subsection (6)(e)"

8. Page 3, line 25.

Following: "a barrel"

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Insert: "as determined in subsection (6)(e)"

9. Page 3, line 26.

Strike: "(6)(c) and"

Insert: "(6)(a) through "

Strike: "each"

Insert: "a"

Following: "barrel"

Insert: "of oil"

10. Page 3, line 27.

Following: "for"

Insert: "a barrel of"

Amendment **not** adopted as follows:

Yeas: Barrett Dick, Caferro, Cohenour, Driscoll, Facey, Kaufmann, Keane, Malek, McNally, Moe, Phillips, Pomnichowski, Sands, Sesso, Stewart-Peregoy, Vuckovich, Windy Boy, Wolken.
Total 18

Nays: Ankney, Arntzen, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Connell, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Larsen, Moore, Ripley, Rosendale, Sales, Smith, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Webb, Whitford, Ms. President.
Total 32

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 411 - Thereupon, the Senate reverted to the original motion of Senator T. Brown which passed as follows:

Yeas: Ankney, Arntzen, 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, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.
Total 47

Nays: Barrett Dick, Kaufmann, Pomnichowski.
Total 3

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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 Malek 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, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sands, Sesso, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Whitford, Windy Boy, Wolken, Ms. President.

Total 45

Nays: Hinkle, Sales, Smith, Vance, Webb.

Total 5

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:

HB 11 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, 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

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Excused: None.

Total 0

HB 89 concurred in as follows:

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

Total 43

Nays: Brenden, Howard, Kary, Rosendale, Sales, Smith, Vance.

Total 7

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 114 concurred in as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, 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 47

Nays: Cohenour, Hoven, Malek.

Total 3

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 115 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, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas,

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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 123 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, 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 154 concurred in 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

Absent or not voting: None.
Total 0

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Excused: None.

Total 0

HB 322 failed as follows:

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

Total 25

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

Total 25

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 389 concurred in as follows:

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

Total 46

Nays: Cohenour, Keane, Phillips, Pomnichowski.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Jones, Chair):

4/17/2015

HB 403, be amended as follows:

1. Title, page 1, line 5.

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Following: "2017;"

Insert: "PROVIDING FOR A TRANSFER OF FUNDS;"

2. Page 1, line 10.

Strike: "6"

Insert: "7"

3. Page 1, line 15.

Strike: "6"

Insert: "7"

4. Page 2, line 7.

Strike: "2,000,000" in both places

Insert: "2,500,000" in both places

5. Page 2, line 12 through line 14.

Strike: line 12 through line 14 in their entirety

6. Page 3, line 19.

Strike: "4,600,000" in both places

Insert: "4,500,000" in both places

7. Page 3, line 24.

Following: line 23

Insert: "Land Acquisition - Great Falls College-MSU
750,000 (Auxiliary Funds) 750,000(Total)

Montana State University-Northern, Automotive Technology Center
1,000,000 (LRBP) 1,000,000 (Authority Only) 2,000,000 (Total)"

8. Page 3, line 30.

Following: "facilities"

Insert: ", excluding the acquisition of land"

9. Page 4, line 3.

Strike: "635,000" in both places

Insert: "845,000" in both places

10. Page 4, line 4 through line 5.

Strike: line 4 through line 5

11. Page 4, line 20

Following: line 19

Insert: "Upland Game Bird Program
849,000 (State Special Revenue) 849,000 (Total)"

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12. Page 5, line 23.

Following: line 22

Insert: "(6) The following money is appropriated to the Montana historical society in the indicated amount for the purpose of a grant:

Capital Maintenance and Improvements at the Daly Mansion
100,000 (LRBP) 100,000 (Total)

The appropriation for capital improvements at the Daly mansion is a biennial appropriation for the biennium ending June 30, 2017, only. Any unobligated funds remaining on July 1, 2017, must revert to the long-range building program (LRBP) fund.

Insert: "NEW SECTION. Section 4. Land access appropriations. The following money is appropriated to the department of fish, wildlife, and parks in the indicated amounts for purposes of land leasing, easement purchase, or development agreements and may not be used to purchase land except in cases where the department is currently negotiating such purchase:

Habitat Montana 10,668,000(State Special Revenue) 10,668,000(Total)

Bighorn Sheep Habitat 460,000(State Special Revenue) 460,000(Total)

FAS Lease 245,000(State Special Revenue) 100,000 (Federal Special Revenue)
345,000(Total). "

13. Page 6, line 27.

Following: line 26

Insert: "NEW SECTION. Section 8. Transfer of funds. In the biennium beginning July 1, 2015, the department of administration shall transfer the amount of \$750,000 from the long-range building program account to the auxiliary funds of the Montana university system to be used for the sole purpose of land acquisition for Great Falls college-MSU."

Renumber: subsequent sections

14. Page 6, line 29.

Strike: "6" in both places

Insert: "7" in both places

15. Page 7, line 1.

Insert: "NEW SECTION. Section 10. General fund transfer. The department of administration shall transfer \$1,000,000 from the general fund to the long-range building program (LRBP)fund in the biennium beginning July 1, 2015."

Renumber: subsequent sections

16. Page 7, line 5.

Following: line 4

Insert: "NEW SECTION. Section 12. Contingent voidness. If Senate Bill No. 416 is passed and approved and provides for a \$1,000,000 appropriation for the Montana state university-northern, automotive technology center, the LRBP funding for the project in [this act]

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and [section 10 of this act] are void."

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

HB 463, be amended as follows:

1. Page 2, line 2.

Following: "DIES"

Insert: ", is deported, or is unknown"

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

MOTIONS

Senator Rosendale moved to appoint a **Free** Conference Committee on **SB 283** and request the House to appoint a like committee. Motion carried. President Barrett appointed:

4/17/2015

Senator Brenden, Chair
Senator Sales
Senator Sands

Senator Webb moved to reconsider second-reading action on **HB 488** and that **HB 488** be placed on second reading tomorrow. Motion carried as follows:

Yeas: Arntzen, Barrett Dick, Blasdel, Buttrey, Connell, Driscoll, Facey, Fielder, Hansen, Hoven, Howard, Kary, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Sands, Taylor, Thomas, Webb, Wolken, Ms. President.

Total 26

Nays: Ankney, Brenden, D. Brown, T. Brown, Caferro, Cohenour, Hamlett, Hinkle, Jones, Kaufmann, Keane, Ripley, Rosendale, Sales, Sesso, Smith, Stewart-Peregoy, Swandal, Tutvedt, Vance, Vincent, Vuckovich, Whitford, Windy Boy.

Total 24

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Hansen moved to reconsider third-reading action on **HB 322**. Motion **failed** as follows:

Yeas: Arntzen, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Fielder, Hamlett,

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Hansen, Hoven, Howard, Jones, Kary, Keenan, Moore, Ripley, Rosendale, Smith, Swandal, Taylor, Thomas, Tutvedt, Webb, Ms. President.
Total 25

Nays: Ankney, Barrett Dick, Cohenour, Connell, Driscoll, Facey, Hinkle, Kaufmann, Keane, Larsen, Malek, McNally, Moe, Phillips, Pomnichowski, Sales, Sands, Sesso, Stewart-Peregoy, Vance, Vincent, Vuckovich, Whitford, Windy Boy, Wolken.
Total 25

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SPECIAL ORDERS OF THE DAY

Senators Bruce Tutvedt and Jonathan Windy Boy made their farewell remarks to the Senate.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Rosendale moved the Senate adjourn until 8:00 a.m., Saturday, April 18, 2015, the seventy-ninth legislative day. Motion carried.

Senate adjourned at 3:30 p.m.

MARILYN MILLER
Secretary of the Senate

DEBBY BARRETT
President of the Senate