

**SENATE JOURNAL  
64TH LEGISLATURE  
EIGHTY-FIRST LEGISLATIVE DAY**

Helena, Montana  
April 21, 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 Buttrey excused. Quorum present.

**BILLS AND JOURNALS**

4/21/2015

Correctly printed: **SR 34, SR 46, SR 56, SR 58, SJ 31, HB 421, HB 468, HB 486, HB 559, HB 577, HB 612.**

Correctly engrossed: **HB 402.**

Correctly enrolled: **SB 83, SB 188, SB 334, SR 52, SJ 24.**

Examined by the sponsor and found to be correct: **SB 20, SB 40, SB 99, SB 180, SB 212, SB 262, SB 279, SB 306, SB 309, SB 326, SB 378, SB 380, SB 386, SB 390, SB 393, SB 409, SJ 10.**

Transmitted to the House: **HB 421, HB 468, HB 486, HB 559, HB 577, HB 612.**

Signed by the Secretary of the Senate at 8:00 a.m., April 21, 2015: **SB 52, SB 91, SB 234, SB 293, SB 308, SB 405.**

Signed by the President at 9:15 a.m., April 21, 2015: **SB 52, SB 91, SB 234, SB 293, SB 308, SB 405.**

Senator Buttrey present at this time.

**REPORTS OF STANDING COMMITTEES**

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

4/21/2015

**SR 59**, be adopted. Report adopted.

**FINANCE AND CLAIMS** (Jones, Chair):

4/21/2015

**HB 402**, be amended as follows:

1. Page 7, line 18.

**Strike:** "\$55"

**Insert:** "\$27.5"

2. Page 9, line 3.

**Strike:** "\$55"

**Insert:** "\$27.5"

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

SENATE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

**HJ 27**, be concurred in. Report adopted.

**JUDICIARY** (Sales, Chair): 4/21/2015  
**HJ 21**, be concurred in. Report adopted.

**STATE ADMINISTRATION** (D. Brown, Chair): 4/20/2015  
**HJ 23**, be concurred in. Report adopted.

**REPORTS OF SELECT COMMITTEES**

**FREE CONFERENCE COMMITTEE**  
on **Senate Bill 283**  
Report No. 001, April 21, 2015

Ms. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 283** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 283** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 7.

**Following:** "LAWS;"

**Insert:** "PROVIDING FOR A STIPEND AND"

2. Title, page 1, line 14.

**Following:** "ACCOUNT"

**Insert:** "OR OTHERWISE REIMBURSED"

3. Page 1, line 21.

**Following:** "**services**"

**Insert:** "stipend and"

**Following:** "**reimbursement.**"

**Insert:** "(1) Each legislator is entitled to a stipend of \$3,000 in a biennium for providing constituent services, which include but are not limited to unreimbursed expenses for mileage, per diem, or lodging as well as communication and information technology, such as expenses for telecommunications or internet, computer hardware and software, postage, and education-related expenses to represent constituents."

**Renumber:** subsequent subsections

4. Page 1, line 21.

**Strike:** "subsection (3)"

**Insert:** "subsections (4) and (5)"

5. Page 1, line 22.

SENATE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

**Strike:** "\$3,000"

**Insert:** "the amount provided for in subsection (3)"

6. Page 1, line 22.

**Strike:** ":"

7. Page 1, line 23.

**Strike:** "(a)"

8. Page 1, line 24 through line 27.

**Strike:** "; and" on line 24 through "constituents" on line 27

9. Page 1.

**Following:** line 27

**Insert:** "(3) The amount authorized under subsection (2) is:

(a) \$1,000 if the legislator's district is at least 100 square miles but less than 1,000 square miles;

(b) \$2,000 if the legislator's district is at least 1,000 square miles but less than 5,000 square miles;

(c) \$3,000 if the legislator's district is at least 5,000 square miles but less than 7,500 square miles; or

(d) \$4,000 if the legislator's district is 7,500 square miles or more."

**Renumber:** subsequent subsections

10. Page 1, line 28.

**Strike:** "Legislators must"

**Insert:** "For expenses authorized under subsection (2), a legislator shall"

**Strike:** "and must submit:"

**Insert:** "by submitting"

11. Page 1, line 29.

**Strike:** "(a)"

12. Page 1, line 29 through page 2, line 1.

**Strike:** ", for" on page 1, line 29 through "(1)(b)" on page 2, line 1

For the Senate:

Brenden, Chair  
Sales  
Sands

For the House:

Essmann, Vice Chair  
MacDonald  
Mandeville

Senator Brenden moved adoption of the committee report. Report adopted.

SENATE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

**MESSAGES FROM THE OTHER HOUSE**

**Senate joint resolution** concurred in and returned to the Senate: 4/20/2015

**SJ 24**, introduced by D. Sands

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

4/21/2015

**SB 252**, introduced by L. Jones

**SB 272**, introduced by J. Windy Boy, is an amended bill being returned after the deadline for general bills and requires a 2/3 vote for the bill to be considered by the Senate.

**SB 354**, introduced by R. Ripley

**SB 396**, introduced by E. Buttrey

**SB 410**, introduced by L. Jones

**SB 411**, introduced by M. Caferro

**SB 418**, introduced by L. Jones

**Senate amendments to House bills** concurred in: 4/20/2015

**HB 359**, introduced by E. Lieser

**HB 517**, introduced by J. Essmann

**Senate amendments to House bills** not concurred in: 4/20/2015

**HB 24**, introduced by C. Schreiner

**Governor's amendments to Senate bill** concurred in and returned to the Senate: 4/20/2015

**SB 188**, introduced by C. Vincent

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

4/20/2015

**HB 306**, introduced by J. Eck

**SB 389** - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Free** Conference Committee to meet with a like committee from the Senate to confer on **SB 389**:

4/20/2015

Representative Williams, Vice Chair  
Representative B. Brown  
Representative White

SENATE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

**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 Kary in the chair.

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

**SB 171 - House Amendments** - Senator Tutvedt moved House amendments to **SB 171** be **not** 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 260 - House Amendments** - Senator F. Moore moved House amendments to **SB 260** be **not** 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.

SENATE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

Total 0

**SB 410 - House Amendments** - Senator L. Jones moved House amendments to **SB 410** be **not** concurred in. Motion carried as follows:

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

President.

Total 40

Nays: Barrett Dick, Caferro, Cohenour, Facey, Kaufmann, McNally, Moe, Phillips, Sands, Wolken.

Total 10

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SB 418 - House Amendments** - Senator L. Jones moved House amendments to **SB 418** be **not** 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, 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 49

Nays: Fielder.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SB 354 - House Amendments** - Senator Ripley moved House amendments to **SB 354** be **not** concurred in. Motion carried as follows:

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

SENATE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

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, report progress, and beg leave to sit again**. Motion carried. Committee arose. Senate resumed. President Barrett presiding. Chair Kary moved the Committee of the Whole report be adopted. Report adopted as follows:

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

**MOTIONS**

Majority Leader Rosendale moved the Conference Committee on **SB 353** be dissolved and that a **Free** Conference Committee be appointed. Without objection, so ordered. President Barrett appointed:

4/21/2015

Senator Ripley, Chair  
Senator Facey  
Senator Rosendale

SENATE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

Majority Leader Rosendale moved to appoint a **Free** Conference Committee on **SB 171** and request the House to appoint a like committee. Without objection, so ordered. President Barrett appointed:

4/21/2015

Senator Tutvedt, Chair  
Senator Dick Barrett  
Senator Thomas

Majority Leader Rosendale moved to appoint a **Free** Conference Committee on **SB 260** and request the House to appoint a like committee. Without objection, so ordered. President Barrett appointed:

4/21/2015

Senator F. Moore, Chair  
Senator Facey  
Senator Rosendale

Majority Leader Rosendale moved to appoint a **Free** Conference Committee on **SB 410** and request the House to appoint a like committee. Without objection, so ordered. President Barrett appointed:

4/21/2015

Senator L. Jones, Chair  
Senator Hamlett  
Senator Hansen

Majority Leader Rosendale moved to appoint a **Free** Conference Committee on **SB 418** and request the House to appoint a like committee. Without objection, so ordered. President Barrett appointed:

4/21/2015

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

Majority Leader Rosendale moved to appoint a **Free** Conference Committee on **SB 354** and request the House to appoint a like committee. Without objection, so ordered. President Barrett appointed:

4/21/2015

Senator Ripley, Chair  
Senator L. Jones  
Senator Sesso

**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 Kary in the chair.



SENATE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

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

**HB 510** - Senator Vincent moved **HB 510** 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, Keenan, Moore, Ripley, Rosendale, Sales, Smith, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Webb, Windy Boy, Ms. President.

Total 31

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

Total 19

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 590** - Senator Vincent moved **HB 590** be concurred in. Motion carried as follows:

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

Total 2

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Thomas excused at this time.

**HB 628** - Senator Hansen moved **HB 628** be concurred in. Motion carried as follows:

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

SENATE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

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.

Total 1

Senator Thomas present at this time.

**HJ 13** - Senator Hamlett moved **HJ 13** 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, Keenan, Larsen, Moe, Moore, Phillips, Ripley, Rosendale, Sales, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Windy Boy, Ms. President.

Total 36

Nays: Barrett Dick, Caferro, Cohenour, Driscoll, Facey, Kaufmann, Keane, Malek, McNally, Pomnichowski, Sands, Sesso, Whitford, Wolken.

Total 14

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SJ 26** - Senator Tutvedt moved **SJ 26** 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, Hoven, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 45

Nays: Hansen, Hinkle, Howard, Sales, Vance.

SENATE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

Total 5

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 204 - Governor's Amendments** - Senator Swandal moved Governor's amendments to **HB 204** 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, 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 48

Nays: Fielder, Hansen.

Total 2

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 270 - Governor's Amendments** - Senator Vincent moved Governor's amendments to **HB 270** 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

SENATE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

**SB 157 - House Amendments** - Senator Tutvedt moved House amendments to **SB 157** be concurred in. Motion carried as follows:

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

Total 38

Nays: Brenden, D. Brown, Fielder, Hansen, Hinkle, Howard, Moore, Rosendale, Smith, Taylor, Vance, Ms. President.

Total 12

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SB 193 - House Amendments** - Senator Tutvedt moved House amendments to **SB 193** be concurred in. Motion carried as follows:

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

Total 38

Nays: Ankney, Fielder, Hansen, Howard, Keane, Rosendale, Sales, Smith, Taylor, Vance, Vincent, Webb.

Total 12

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SB 259 - House Amendments** - Senator Tutvedt moved House amendments to **SB 259** 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, Sands, Sesso, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vincent,

SENATE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.  
Total 44

Nays: Hinkle, Howard, Kary, Sales, Smith, Vance.  
Total 6

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**SB 312 - House Amendments** - Senator Phillips moved House amendments to **SB 312** be concurred in. Motion carried as follows:

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

Nays: D. Brown, Fielder, Howard, Kary, Rosendale, Smith, Webb, Ms. President.  
Total 8

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**SB 375 - House Amendments** - Senator Sales moved House amendments to **SB 375** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Connell, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Keenan, McNally, Moore, Ripley, Rosendale, Sales, Smith, Stewart-Peregoy, Swandal, Taylor, Tutvedt, Vance, Vincent, Vuckovich, Webb, Windy Boy, Wolken, Ms. President.  
Total 33

Nays: Barrett Dick, Cohenour, Driscoll, Facey, Fielder, Hamlett, Kaufmann, Keane, Larsen, Malek, Moe, Phillips, Pomnichowski, Sands, Sesso, Thomas, Whitford.  
Total 17

Absent or not voting: None.

SENATE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

Total 0

Excused: None.

Total 0

**SB 387 - House Amendments** - Senator C. Smith moved House amendments to **SB 387** 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, McNally, Moore, Pomnichowski, Ripley, Rosendale, Sales, Sesso, Smith, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Webb, Windy Boy, Ms. President.

Total 42

Nays: Malek, Moe, Phillips, Sands, Stewart-Peregoy, Vuckovich, Whitford, Wolken.

Total 8

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SJ 25** - Senator C. Smith moved **SJ 25** do pass. Motion carried as follows:

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

Total 29

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

Total 21

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SJ 28** - Senator Windy Boy moved **SJ 28** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Blasdel, T. Brown, Buttrey, Caferro, Cohenour, Connell,

SENATE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Jones, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Phillips, Pomnichowski, Ripley, Sales, Sands, Sesso, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Whitford, Windy Boy, Wolken.

Total 40

Nays: Brenden, D. Brown, Howard, Kary, Moore, Rosendale, Smith, Vance, Webb, Ms. President.

Total 10

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SJ 29** - Senator Hansen moved **SJ 29** do pass. Motion carried 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, Moe, Moore, Phillips, Ripley, Rosendale, Sales, Sands, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 45

Nays: Barrett Dick, Kaufmann, McNally, Pomnichowski, Sesso.

Total 5

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SJ 30** - Senator Taylor moved **SJ 30** 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, 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 49

Nays: Larsen.

Total 1

SENATE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SJ 31** - Senator Cohenour moved **SJ 31** do pass. Motion carried as follows:

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

Total 37

Nays: Brenden, Caferro, Driscoll, Fielder, Hinkle, Moore, Ripley, Rosendale, Sales, Sesso, Smith, Vance, Webb.

Total 13

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Buttrey assumed the chair.

**SJ 27** - Senator Kary moved **SJ 27** do pass. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett Dick, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Larsen, Malek, McNally, Moe, Sands, Smith, Swandal, Thomas, Tutvedt, Webb, Whitford, Wolken.

Total 31

Nays: Blasdel, Brenden, Hansen, Kaufmann, Keane, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sesso, Stewart-Peregoy, Taylor, Vance, Vincent, Vuckovich, Windy Boy, Ms. President.

Total 19

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Majority Leader Rosendale moved the committee **rise and report**. Motion carried. Committee



SENATE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

arose. Senate resumed. President Barrett presiding. Chair Kary moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.  
Total 49

Nays: Sales.  
Total 1

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 100, 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, 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 48

Nays: Kaufmann, Pomnichowski.  
Total 2

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**SB 122, as amended by the House**, passed as follows:

Yeas: Ankney, Arntzen, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Connell, Fielder,

SENATE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Moore, Ripley, Rosendale, Sales, Smith, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Ms. President.

Total 31

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

Total 19

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SB 175, 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, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Phillips, Pomnichowski, Ripley, Sands, Sesso, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vuckovich, Whitford, Windy Boy, Wolken.

Total 41

Nays: Hinkle, Moore, Rosendale, Sales, Smith, Vance, Vincent, Webb, Ms. President.

Total 9

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SB 245, 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, Kaufmann, Keenan, Larsen, Moore, Ripley, Rosendale, Sales, Smith, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Ms. President.

Total 33

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

Total 17

SENATE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SB 284, 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, Moore, Ripley, Rosendale, Sales, Smith, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Ms. President.

Total 32

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

Total 18

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**SB 399, 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, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 49

Nays: Sales.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 421** concurred in as follows:

Yeas: Ankney, Arntzen, Blasdel, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Connell,

SENATE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

Fielder, Hamlett, Hansen, Hinkle, Hoven, Howard, Jones, Kary, Keane, Keenan, Larsen, Moore, Ripley, Rosendale, Sales, Sesso, Smith, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Windy Boy, Ms. President.

Total 36

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

Total 14

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 468** 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 486** concurred in as follows:

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

Total 37

Nays: Blasdel, Brenden, Fielder, Hinkle, Kary, Rosendale, Sales, Smith, Taylor, Vance, Vincent, Webb, Ms. President.

Total 13

SENATE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 559** concurred in as follows:

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

Total 37

Nays: Brenden, Fielder, Hinkle, Howard, Kary, Rosendale, Sales, Smith, Swandal, Taylor, Vance, Webb, Ms. President.

Total 13

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 577** 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, 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 612** concurred in as follows:

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

SENATE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 44

Nays: Blasdel, Hinkle, Rosendale, Sales, Vance, Vincent.

Total 6

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**HB 34, as amended by the Governor**, concurred in 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

**REPORTS OF SELECT COMMITTEES**

**FREE CONFERENCE COMMITTEE**

on **Senate Bill 389**

Report No. 001, April 21, 2015

Ms. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 389** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 389** (reference copy -- salmon) be amended as follows:

SENATE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

1. Page 4, line 5 through line 11.

**Strike:** subsection (1) through subsection (3) in their entirety

**Insert:** "(1) "Ephemeral stream" means a watercourse that has a channel and that carries water only during and shortly after precipitation or snow melt events.

(2) "Intermittent stream" means a nonperennial flowing stream that has a channel and that annually carries water but is dry for part of the year in most years.

(3) "Perennial flowing stream" means a stream that has flowed continuously during all seasons during dry as well as wet years, except when the flow is interrupted by diversions."

For the Senate:

Hamlett, Chair  
Connell  
Vincent

For the House:

Williams, Vice Chair  
B. Brown  
White

Senator Hamlett moved adoption of the committee report. Report adopted.

**SPECIAL ORDERS OF THE DAY**

Senators John Brenden and Jim Keane made their farewell remarks to the Senate.

**MESSAGES FROM THE OTHER HOUSE**

**HB 6** - The House failed to concur in Senate amendments to **HB 6**, authorized the Speaker to appoint the following **Free** Conference Committee, and requested that the Senate appoint a like committee to confer on **HB 6**:

4/21/2015

Representative Cuffe, Vice Chair  
Representative Hagstrom  
Representative Tropila

**HB 512** - The House failed to concur in Senate amendments to **HB 512**, authorized the Speaker to appoint the following Conference Committee, and requested that the Senate appoint a like committee to confer on Senate amendments to **HB 512**:

4/21/2015

Representative Mortensen, Vice Chair  
Representative D. Jones  
Representative McCarthy

**MOTIONS**

Senator Rosendale moved the Senate accede to the request of the House and appoint a Conference Committee on **HB 512**. Without objection, so ordered. President Barrett appointed:

SENATE JOURNAL  
EIGHTY-FIRST LEGISLATIVE DAY - APRIL 21, 2015

4/21/2015

Senator Hansen, Chair  
Senator Webb  
Senator Wolken

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Rosendale moved the Senate adjourn until 1:00 p.m., Wednesday, April 22, 2015, the eighty-second legislative day. Motion carried.

Senate adjourned at 2:55 p.m.

MARILYN MILLER  
Secretary of the Senate

DEBBY BARRETT  
President of the Senate