

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

Helena, Montana
April 22, 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

4/22/2015

Correctly printed: **SR 59, SJ 25, SJ 26, SJ 27, SJ 28, SJ 29, SJ 30, SJ 31, HB 510, HB 590, HB 628, HJ 13, HJ 21, HJ 23, HJ 27.**

Correctly enrolled: **SB 100, SB 122, SB 175, SB 245, SB 284, SJ 20, SJ 21.**

Examined by the sponsor and found to be correct: **SB 83, SB 188, SB 334, SR 52, SJ 24.**

Transmitted to the House: **SJ 25, SJ 26, SJ 27, SJ 28, SJ 29, SJ 30, SJ 31, HB 510, HB 590, HB 628, HJ 13.**

Signed by the Secretary of the Senate at 11:15 a.m., April 22, 2015: **SB 20, 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 401, SB 409, SJ 10.**

Signed by the President at 12:50 p.m., April 22, 2015: **SB 20, 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 401, SB 409, SJ 10.**

Signed by the Speaker at 4:00 p.m., April 21, 2015: **SB 52, SB 91, SB 234, SB 293, SB 308, SB 405.**

Delivered to the Governor at 9:38 a.m., April 22, 2015: **SB 52, SB 91, SB 234, SB 293, SB 308, SB 405.**

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SJ 25 passed as follows:

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

Total 32

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

Total 18

Absent or not voting: None.

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Total 0

Excused: None.

Total 0

SJ 26 passed 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, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 46

Nays: Hinkle, Howard, Sales, Vance.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SJ 27 passed as follows:

Yeas: Ankney, Arntzen, Barrett Dick, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hinkle, Hoven, Howard, Jones, Kary, Keane, Keenan, Larsen, Malek, McNally, Moe, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Vuckovich, Webb, Whitford, Wolken, Ms. President.

Total 36

Nays: Blasdel, Brenden, Hansen, Kaufmann, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Tutvedt, Vance, Vincent, Windy Boy.

Total 14

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SJ 28 passed as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Blasdel, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hinkle, Hoven, Jones, Kaufmann, Keane, Keenan, Larsen, Malek,

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McNally, Moe, Phillips, Pomnichowski, Ripley, Sales, Sands, Sesso, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Whitford, Windy Boy, Wolken.
Total 39

Nays: Brenden, D. Brown, Hansen, Howard, Kary, Moore, Rosendale, Smith, Vance, Webb, Ms. President.
Total 11

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SJ 29 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, Keenan, Larsen, Moe, Moore, Phillips, Ripley, Rosendale, Sales, Sands, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Windy Boy, Wolken, Ms. President.
Total 42

Nays: Barrett Dick, Kaufmann, Keane, Malek, McNally, Pomnichowski, Sesso, Whitford.
Total 8

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SJ 30 passed as follows:

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

Nays: None.
Total 0

Absent or not voting: None.
Total 0

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Excused: None.

Total 0

SJ 31 passed as follows:

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

Total 33

Nays: Brenden, Caferro, Driscoll, Fielder, Hinkle, Howard, Moore, Ripley, Rosendale, Sales, Sesso, Smith, Swandal, Taylor, Vance, Vincent, Ms. President.

Total 17

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 157, as amended by the House, passed as follows:

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

Total 34

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

Total 16

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 193, as amended by the House, passed as follows:

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

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Total 36

Nays: Brenden, Fielder, Hansen, Hinkle, Howard, Keane, Rosendale, Sales, Sesso, Smith, Taylor, Vance, Vincent, Webb.

Total 14

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 259, 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, Hamlett, Hoven, Jones, Kaufmann, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sands, Sesso, Stewart-Peregoy, Swandal, Thomas, Tutvedt, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 40

Nays: Fielder, Hansen, Hinkle, Howard, Kary, Keane, Sales, Smith, Taylor, Vance.

Total 10

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 312, as amended by the House, passed as follows:

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

Total 36

Nays: Blasdel, D. Brown, Fielder, Howard, Kary, Keenan, Rosendale, Sales, Smith, Taylor, Vance, Vincent, Webb, Ms. President.

Total 14

Absent or not voting: None.

Total 0

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Excused: None.

Total 0

SB 375, as amended by the House, passed as follows:

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

Total 29

Nays: Barrett Dick, Caferro, Cohenour, Driscoll, Facey, Fielder, Hamlett, Hansen, Kaufmann, Keenan, Larsen, Malek, McNally, Moe, Phillips, Pomnichowski, Ripley, Sands, Sesso, Whitford, Wolken.

Total 21

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 387, as amended by the House, passed as follows:

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

Total 40

Nays: Caferro, Cohenour, Facey, Kaufmann, Malek, Moe, Phillips, Pomnichowski, Whitford, Wolken.

Total 10

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 510 concurred in as follows:

Yeas: 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, Windy Boy, Ms. President.

Total 32

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

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 590 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, 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: Kaufmann.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 628 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

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HJ 13 concurred in as follows:

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

Nays: Barrett Dick, Caferro, Cohenour, Connell, Driscoll, Facey, Kaufmann, Keane, Larsen, Malek, McNally, Pomnichowski, Sands, Sesso, Stewart-Peregoy, Whitford, Windy Boy, Wolken.
Total 18

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 204, 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, 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 270, 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, Hinkle, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.
Total 50

Nays: None.

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Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Fielder introduced two members of the Zylawy Brothers Band from Superior, Montana. Wyatt is a Page in the House of Representatives this week and brother Roman is on leave from service in the U.S. Coast Guard. A third brother, also in the U.S. Coast Guard, was unable to obtain leave. The brothers sang and played for the Senate.

Senator Dick Barrett rose on a point of personal privilege and explained he was a good friend of the Zylawy brothers' grandfather who, he believed, would be proud of his grandsons today.

REPORTS OF STANDING COMMITTEES

FISH AND GAME (Brenden, Chair):

4/21/2015

SR 30, be adopted. Report adopted.

SR 31, be adopted. Report adopted.

SR 44, be adopted. Report adopted.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE

on **Senate Bill 353**

Report No. 001, April 22, 2015

Ms. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 353** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 353** (reference copy -- salmon) be amended as follows:

1. Page 1, line 14.

Strike: "Except" through "the"

Insert: "The"

2. Page 1, line 16 through line 17.

Strike: "Until" on line 16 through "at" on line 17

Insert: "At"

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3. Page 1, line 18 through line 19.

Strike: "Once" on line 18 through "fifty" on line 19

Insert: "Fifty"

4. Page 1, line 21.

Strike: "EIGHTY"

Insert: "at least seventy-five"

Strike: "(80%)"

Insert: "(75%)"

Strike: "balance"

Insert: "tax"

5. Page 1, line 22.

Following: "fund,"

Insert: "a subtrust within the trust fund,"

Strike: "TWENTY" through "(20%)"

Insert: "portion"

Strike: "transferred"

Insert: "deposited"

6. Page 1, line 24.

Strike: "(b) Principal and interest"

Insert: "Interest"

7. Page 1, line 26 through line 27.

Strike: subsection (3) in its entirety

For the Senate:

Ripley, Chair
Facey
Rosendale

For the House:

G. Bennett, Vice Chair
Lieser
Noland

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

FREE CONFERENCE COMMITTEE
on **Senate Bill 410**
Report No. 001, April 21, 2015

Ms. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 410** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 410** (reference copy -- salmon) be amended as follows:

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1. Title, page 1, line 14.

Strike: "AN IMMEDIATE"

Insert: "A DELAYED"

Strike: "A RETROACTIVE"

Insert: "AN"

2. Page 9, line 7.

Strike: "2015"

Insert: "2016"

3. Page 9, line 8.

Strike: "2016"

Insert: "2017"

4. Page 10, line 19.

Strike: "2015"

Insert: "2016"

5. Page 10, line 20.

Strike: "2016"

Insert: "2017"

6. Page 26, line 23.

Following: line 22

Insert: "COORDINATION SECTION. **Section 29. Coordination instruction.** If both Senate Bill No. 171 and [this act] are passed and approved and if [this act] contains a section that amends 15-30-2110 and Senate Bill No. 171 contains a section that repeals 15-30-2110, then [section 1] of Senate Bill No. 171 must be amended as follows:

"NEW SECTION. Section 1. Adjustments to federal taxable income to determine Montana taxable income. (1) The items in subsection (2) are added to and the items in subsection (3) are subtracted from federal taxable income to determine Montana taxable income.

(2) The following are added to federal taxable income:

(a) to the extent that it is not exempt from taxation by Montana under federal law, interest from obligations of a territory or another state or any political subdivision of a territory or another state and exempt-interest dividends attributable to that interest except to the extent already included in federal taxable income;

(b) a withdrawal from a medical care savings account provided for in Title 15, chapter 61, used for a purpose other than an eligible medical expense or long-term care of the employee or account holder or a dependent of the employee or account holder;

(c) a nonqualified withdrawal from a family education savings account provided for in Title 15, chapter 62, to the extent that it was deducted from income in calculating Montana individual income taxes;

(d) a withdrawal from a first-time home buyer savings account provided for in Title 15, chapter 63, used for a purpose other than for eligible costs for the purchase of a single-family

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residence;

(e) an item of income, deduction, or expense to the extent that it was used to calculate federal taxable income if the item was also used to calculate a credit against a Montana income tax liability;

(f) a deduction or expense upon which a state tax credit is computed under 33-22-2006 to the extent that it was included as a deduction or expense in determining federal taxable income;

(g) a deduction for an income distribution from an estate or trust to a beneficiary that was included in the federal taxable income of an estate or trust in accordance with sections 651 and 661 of the Internal Revenue Code, 26 U.S.C. 651 and 661; and

(h) for a taxpayer that deducts state income taxes pursuant to section 164(a)(3) of the Internal Revenue Code, 26 U.S.C. 164(a)(3), an additional amount equal to the state income tax deduction claimed, not to exceed the amount required to reduce the federal itemized amount computed under section 161 of the Internal Revenue Code, 26 U.S.C. 161, to the amount of the federal standard deduction allowable under section 63(c) of the Internal Revenue Code, 26 U.S.C. 63(c).

(3) To the extent they are included as income or gain or not already excluded as a deduction or expense in determining federal taxable income, the following are subtracted from federal taxable income:

(a) if exempt from taxation by Montana under federal law:

(i) interest from obligations of the United States government and exempt-interest dividends attributable to that interest; and

(ii) railroad retirement benefits;

(b) salary received from the armed forces by residents who entered into active duty from Montana and are serving on active duty in the regular armed forces;

(c) interest and other income related to contributions that were made prior to January 1, 2016, that are retained in a medical care savings account provided for in Title 15, chapter 61, and any withdrawal for payment of eligible medical expenses or for the long-term care of the employee or account holder or a dependent of the employee or account holder;

(d) interest and other income related to contributions that were made prior to January 1, 2016, that are retained in a family education savings account provided for in Title 15, chapter 62, and any qualified withdrawal for payment of qualified higher education expenses;

(e) interest and other income related to contributions that were made prior to January 1, 2016, that are retained in a first-time home buyer savings account provided for in Title 15, chapter 63, and any withdrawal for payment of eligible costs for the first-time purchase of a single-family residence;

(f) a deduction for an income distribution from an estate or trust to a beneficiary in accordance with sections 651 and 661 of the Internal Revenue Code, 26 U.S.C. 651 and 661, recalculated according to the additions and subtractions in subsections (2)₁ and (3)(a) through (3)(e)₁ and (3)(g)₁ and (3)(h)₁; and

(g) for each taxpayer that has attained the age of 65, an additional subtraction of \$6,400₁ and

(h) the amount of a scholarship to an eligible student by a student scholarship organization pursuant to [section 10 of Senate Bill No. 410].

(4) By November 1 of each year, the department shall multiply the subtraction from federal taxable income for a taxpayer that has attained the age of 65 contained in subsection (3)(g) by the inflation factor for that tax year, rounding the result to the nearest \$10. The resulting amount is

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effective for that tax year and must be used as the basis for the subtraction from federal taxable income determined under subsection (3)(g)."

Renumber: subsequent sections

7. Page 26, line 28.

Strike: "on passage and approval"

Insert: "January 1, 2016"

8. Page 26, line 30 through page 27, line 1.

Strike: "**Retroactive applicability**"

Insert: "**Applicability**"

Strike: "retroactively, within the meaning of 1-2-109,"

Strike: "2014"

Insert: "2015"

9. Page 27, line 3.

Strike: "2021"

Insert: "2023"

For the Senate:

L. Jones, Chair
Hamlett
Hansen

For the House:

Laszloffy, Vice Chair
McClafferty
Osmundson

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

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 512**
Report No. 001, April 22, 2015

Ms. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 512** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 512** (reference copy -- salmon) be amended as follows:

1. Page 2, line 8.

Strike: "\$1.2 million"

Insert: "\$476,000"

Strike: "ONE TIME ONLY"

2. Page 1, line 12.

Following: line 11

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Insert: "(3) There is appropriated \$724,000 from the general fund one time only to the department of justice for the biennium beginning July 1, 2015, for equipment for the eastern Montana branch of the laboratory of criminalistics in Yellowstone County. Unspent funds revert to the general fund."

For the Senate:

Hansen, Chair
Webb
Wolken

For the House:

Mortensen, Vice Chair
D. Jones
McCarthy

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

MESSAGES FROM THE GOVERNOR

April 21, 2015

The Honorable Debby Barrett
President of the Senate
State Capitol
Helena, MT 59620

Dear President Barrett:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments Senate Bill 336 (SB 336), "AN ACT GENERALLY REVISING RULEMAKING PROCEDURES; REQUIRING THAT THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES INCLUDE CERTAIN INFORMATION IN RULEMAKING NOTICES PERTAINING TO THE DELIVERY OF MEDICAID SERVICES; REQUIRING THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TO PREPARE AND ELECTRONICALLY SEND A STATEMENT OF FINDINGS TO INTERESTED PERSONS CONCERNING THE RULE'S INTENDED OUTCOMES WITHIN A YEAR AFTER THE RULE'S EFFECTIVE DATE IF THE RULE PERTAINS TO THE DELIVERY OF MEDICAID SERVICES; PROVIDING EXCEPTIONS; ALLOWING AN IMPACTED BUSINESS, IMPACTED CONTRACTOR, OR ELECTED OFFICIAL TO REQUEST AND RECEIVE AN ECONOMIC IMPACT STATEMENT FOR RULES PROPOSED BY THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES; AMENDING PAYMENTS THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES IS ENTITLED TO COLLECT FROM CERTAIN PROVIDERS; AMENDING SECTIONS 2-4-405 AND 53-6-111, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

SB 336 contains two, unrelated subjects. Sections 1 and 2 would revise the administrative rulemaking for the Department of Public Health and Human Services (DPHHS). Section 3 amends MCA Section 53-6-11, which addresses Medicaid overpayment recovery process.

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Section 1 demands that DPHHS provide, measure, and report on the intended outcomes of "a proposed substantive rule concerning the delivery of Medicaid services." Although I am supportive of efforts to provide performance-based metrics within the Medicaid program, many DPHHS rules regarding Medicaid services simply do not lend themselves to performance-based measurement, such as rules which merely implement federal requirements as a condition of continued federal funding. My proposed amendment to SB 336 would limit this new rule-making requirement to those rules whose reasons and rationale can be assessed by performance-based measures, and explicitly exempts rules implementing rate increases or federal law or regulation.

Section 2 of SB 336 is not acceptable. Section 2 amends MCA section 2-4-405 to grant any impacted business, contractor, or elected official the right to demand that DPHHS prepare and provide a completed economic impact statement for any proposed rule. Preparing an economic impact statement is not a trivial undertaking. The request for such a statement properly should remain within the purview of an administrative rule committee or legislators, as is the case under current law. Existing law also requires that every agency, including DPHHS, afford persons the ability to comment on and to submit information regarding effects (including economic effects) proposed rule action might have on them and their businesses. Simply put, current law adequately satisfies the needs addressed in Section 2. Allowing individuals, businesses and any and all elected officials to request an economic impact statement for any rule promulgated under Medicaid will create inefficiencies and inappropriately interfere with effective government. My amendment to SB 336 strikes Section 2 in its entirety.

Section 3's amendments to MCA section 53-6-111 are, in large part, acceptable. My proposed amendment reinserts the phrase "provider error" into subsection 2(a)(i) to make it clear that the Department continues to be entitled to recover overpayments that are the result of provider error. Although I agree that a provider should not be held liable for overpayments based on reasonable interpretation of billing codes, my proposed amendment clarifies that the burden of proving the reasonableness of the interpretation falls on the provider. By comparison, current law puts the burden on a provider to show that the Department's interpretation of the relevant rule is unreasonable.

With my proposed amendments, I support the additional accountability measures contained in SB 336.

I respectfully ask for your support of these amendments.

Sincerely,

STEVE BULLOCK
Governor

Governor's recommendations for amendments to **Senate Bill 336** (reference copy -- salmon) are as follows:

1. Title, page 1, line 10 through line 13.

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Strike: "ALLOWING" on line 10 through "SERVICES;" on line 13

2. Title, page 1, line 14 through line 15.

Strike: "SECTIONS" on line 14 through "2-4-405 AND" on line 15

Insert: "SECTION"

3. Page 1, line 19.

Strike: "The"

Insert: "Except for rules implementing rate increases or implementing federal law or regulation, the"

4. Page 1, line 20.

Strike: "substantive"

5. Page 1, line 22.

Following: "(a)"

Insert: "a determination of whether the principal reasons and rationale for the rule can be assessed by performance-based measures and, if such an assessment can be made,"

6. Page 2, line 1.

Strike: "promulgate"

Insert: "post"

Following: "findings"

Strike: "to the department's list of interested persons via electronic notification"

Insert: "on its website"

7. Page 2, line 9 through page 3, line 28.

Strike: section 2 in its entirety

Renumber: subsequent sections

8. Page 4, line 10.

Strike: "unreasonable" through "code"

Insert: "error or if the provider's interpretation of the pertinent rule or billing code is not reasonable"

9. Page 4, line 13 through line 19.

Strike: subsection (b) in its entirety

Insert: "(b) If the decision regarding the amount of a payment to which the provider was not entitled depends on an interpretation of a pertinent rule or billing code, the provider has the burden of proving that its interpretation is reasonable and consistent with:

(i) the information given to providers in any applicable Montana medicaid provider rules or manual, including but not limited to the Coding Resources identified in or incorporated by reference in any applicable Montana medicaid provider rule or manual; and

(ii) any written interpretations by the department that were in existence at the time payment was made to the provider."

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MESSAGES FROM THE OTHER HOUSE

Senate joint resolutions concurred in and returned to the Senate: 4/21/2015

SJ 20, introduced by B. Tutvedt

SJ 21, introduced by T. Facey

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

4/21/2015

SJ 2, introduced by B. Hamlett

Senate bills not concurred in and returned to the Senate: 4/21/2015

SB 107, introduced by T. Brown

SB 118, introduced by B. Hamlett

Senate amendments to House bills concurred in: 4/21/2015

HB 11, introduced by M. Cuffe

HB 114, introduced by M. Miller

HB 115, introduced by M. Funk

HB 123, introduced by D. Jones

HB 389, introduced by J. Essmann

HB 575, introduced by T. Burnett

SB 171 - 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 House amendments to **SB 171**:

4/21/2015

Representative Redfield, Vice Chair

Representative Hertz

Representative Williams

SB 260 - 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 260**:

4/21/2015

Representative Laszloffy, Vice Chair

Representative McClafferty

Representative Monforton

SB 353 - 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 House amendments to **SB 353**:

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4/21/2015

Representative G. Bennett, Vice Chair
Representative Lieser
Representative Noland

SB 354 - 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 House amendments to **SB 354**:

4/21/2015

Representative G. Bennett, Vice Chair
Representative Lieser
Representative Noland

SB 410 - 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 410**:

4/21/2015

Representative Laszloffy, Vice Chair
Representative McClafferty
Representative Osmundson

SB 418 - 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 418**:

4/21/2015

Representative Ballance, Vice Chair
Representative Noonan
Representative Osmundson

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 191 - The House failed to concur in Senate amendments to **HB 191**, authorized the Speaker to appoint the following Conference Committee, and requested that the Senate appoint a like committee to confer on **HB 191**:

4/22/2015

Representative Eck, Vice Chair
Representative Doane
Representative Ehli

HB 512 - The House failed to concur in Senate amendments to **HB 512**, authorized the Speaker

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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

HB 33 - The House failed to concur in the Governor's amendments to **HB 33**, authorized the Speaker to appoint the following **Free** Conference Committee, and requested that the Senate appoint a like committee to confer on Governor's amendments to **HB 33**:

4/21/2015

Representative Ehli, Vice Chair
Representative Burnett
Representative Schreiner

SB 138, introduced by B. Hoven - Conference Committee Report No.1 **not** adopted: 4/21/2015

MOTIONS

Senator Windy Boy moved the Senate suspend the rules for the purpose of accepting a late transmittal of **SB 272** as amended by the House and that **SB 272** be brought before the Committee of the Whole this date. Motion carried as follows:

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

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Majority Leader Rosendale moved the Senate accede to the request of the House and appoint a **Free** Conference Committee on **HB 33**. Without objection, so ordered. President Barrett appointed:

4/22/2015

Senator Keane, Chair
Senator Caferro

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Senator Thomas

Majority Leader Rosendale moved the Senate accede to the request of the House and appoint a **Free** Conference Committee on **HB 6**. Motion carried. President Barrett appointed:

4/22/2015

Senator Ripley, Chair
Senator Keenan
Senator Wolken

**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 Hamlett in the chair.

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

SB 252 - House Amendments - Senator L. Jones moved House amendments to **SB 252** 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 396 - House Amendments - Senator Buttrey moved House amendments to **SB 396** be concurred in. Motion carried 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, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sales, Sands, Sesso, Smith, Swandal, Taylor, Thomas, Tutvedt, Vance, Vincent, Webb, Windy Boy, Wolken, Ms. President.

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Total 45

Nays: Cohenour, Kaufmann, Stewart-Peregoy, Vuckovich, Whitford.

Total 5

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 411 - House Amendments - Senator Caferro moved House amendments to **SB 411** be concurred in. Motion carried as follows:

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

Total 45

Nays: Ankney, Cohenour, Facey, Keane, Sesso.

Total 5

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 306 - Governor's Amendments - Senator Whitford moved Governor's amendments to **HB 306** be concurred in. Motion carried as follows:

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

Total 35

Nays: Blasdel, Brenden, Hansen, Hinkle, Howard, Kary, Keenan, Ripley, Rosendale, Sales, Smith, Thomas, Vance, Vincent, Webb.

Total 15

Absent or not voting: None.

Total 0

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Excused: None.

Total 0

HB 28 - Conference Committee Report No. 1 - Senator Wolken moved the Conference Committee report to **HB 28** be adopted. 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, Howard, Jones, Kaufmann, Keane, Keenan, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sands, Sesso, Stewart-Peregoy, Swandal, Taylor, Thomas, Tutvedt, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.

Total 44

Nays: Hinkle, Kary, Sales, Smith, Vance, Vincent.

Total 6

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 272 - House Amendments - Senator Windy Boy moved House amendments to **SB 272** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Barrett Dick, Blasdel, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Fielder, Hamlett, Hansen, Hinkle, Hoven, Jones, 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 43

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

Total 7

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 Pro Tempore Moore presiding. Chair Hamlett moved the Committee of the Whole report be adopted. Report adopted as follows:

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

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

MOTIONS

Majority Leader Rosendale moved the Senate accede to the request of the House and appoint a Conference Committee on **HB 191**. Motion carried. President Pro Tempore Moore appointed:
4/22/2015

Senator Keenan, Chair
Senator Caferro
Senator Swandal

SPECIAL ORDERS OF THE DAY

SR 5 - Senator Vincent moved that the nomination transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 5**. Motion carried as follows:

Yeas: Ankney, Barrett Dick, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Hamlett, Hoven, Howard, Jones, Kary, Kaufmann, Keane, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Ripley, Rosendale, Sands, Sesso, Stewart-Peregoy, Thomas, Tutvedt, Vincent, Vuckovich, Whitford, Windy Boy, Wolken.
Total 37

Nays: Arntzen, Blasdel, Fielder, Hansen, Hinkle, Keenan, Sales, Smith, Swandal, Taylor, Vance, Webb, Ms. President.
Total 13

Absent or not voting: None.
Total 0

Excused: None.
Total 0

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SR 34 - Senator D. Brown moved that the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 34**. 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, Taylor, Thomas, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.
Total 48

Nays: Fielder, Swandal.
Total 2

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SR 46 - Senator D. Brown moved that the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 46**. 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, Sands, Sesso, Smith, Stewart-Peregoy, Swandal, Taylor, Tutvedt, Vance, Vincent, Vuckovich, Webb, Whitford, Windy Boy, Wolken, Ms. President.
Total 47

Nays: Rosendale, Sales, Thomas.
Total 3

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SR 50 - Senator Buttrey moved that the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 50**. 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,

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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

SR 54 - Senator Buttrey moved that the nomination transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 54**. 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

SR 55 - Senator Buttrey moved that the nomination transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 55**. Motion carried as follows:

Yeas: Arntzen, Barrett Dick, D. Brown, T. Brown, Buttrey, Caferro, Cohenour, Connell, Driscoll, Facey, Hamlett, Hoven, Jones, Kaufmann, Keane, Larsen, Malek, McNally, Moe, Moore, Phillips, Pomnichowski, Sands, Sesso, Stewart-Peregoy, Tutvedt, Vincent, Vuckovich, Whitford, Windy Boy, Wolken, Ms. President.
Total 32

Nays: Ankney, Blasdel, Brenden, Fielder, Hansen, Hinkle, Howard, Kary, Keenan, Ripley, Rosendale, Sales, Smith, Swandal, Taylor, Thomas, Vance, Webb.
Total 18

Absent or not voting: None.

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Total 0

Excused: None.

Total 0

SR 56 - Senator Arntzen moved that the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 56**. 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

SR 57 - Senator Thomas moved that the nomination transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 57**. 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

SR 58 - Senator Thomas moved that the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 58**. Motion carried as follows:

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

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

President Debby Barrett made her farewell remarks to the Senate. Following her remarks, Minority Leader Sesso and Senator Taylor presented the President with a silver pin.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Rosendale moved the Senate adjourn until 1:00 p.m., Thursday, April 23, 2015, the eighty-third legislative day. Motion carried.

Senate adjourned at 2:20 p.m.

MARILYN MILLER
Secretary of the Senate

DEBBY BARRETT
President of the Senate