

HOUSE JOURNAL  
SIXTIETH LEGISLATIVE DAY - MARCH 18, 2005

**HOUSE JOURNAL  
59TH LEGISLATURE  
SIXTIETH LEGISLATIVE DAY**

Helena, Montana  
March 18, 2005

House Chambers  
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Rep. Milburn. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

Spencer Driscoll from Billings Senior High School spoke to the House. Spencer is the winner of the National Voice of Democracy award.

Rep. Bergren announced the House Democrats will caucus.

Rep. Lange announced the House Republicans will caucus.

Speaker Matthews announced the House will stand at ease until 8:30 a.m.

**COMMUNICATIONS AND PETITIONS**

Chief Clerk Marilyn Miller read a letter from Speaker Matthews stating that he appointed Rep. Walt McNutt and Rep. George Groesbeck to the Legislative Consumer Committee.

**REPORTS OF STANDING COMMITTEES**

Correctly printed: **HB 148, HB 414, HB 633, HB 780.**

Correctly enrolled: **HB 50, HB 97, HB 116, HB 147, HB 157, HB 161, HB 180, HB 209, HB 285.**

Examined by the sponsor and found to be correct: **HB 97.**

Signed by the Chief Clerk of the House at 4:30 p.m., March 18, 2005: **HB 50, HB 116, HB 147, HB 157, HB 161, HB 180, HB 209, HB 285.**

Signed by the Speaker at 3:00 p.m., March 18, 2005: **HB 50, HB 116, HB 147, HB 157, HB 161, HB 180, HB 209, HB 285.**

Signed by the President at 3:50 p.m., March 18, 2005: **HB 50, HB 116, HB 147, HB 157, HB 161, HB 180, HB 209, HB 285.**

Delivered to the Governor for approval at 4:20 p.m., March 18, 2005: **HB 50, HB 116, HB 147, HB 157, HB 161, HB 180, HB 209, HB 285.**

Signed by the Chief Clerk of the House at 9:00 a.m., March 18, 2005: **HB 97.**

Signed by the Speaker at 3:00 p.m., March 18, 2005: **HB 97.**

Signed by the President at 3:50 p.m., March 18, 2005: **HB 97.**

Delivered to the Governor at 4:20 p.m., March 18, 2005: **HB 97.**

**EDUCATION** (Galvin-Halcro, Chairman):  
**HB 522**, introduced bill, be amended as follows:

3/18/2005

1. Page 2, line 11.

**Strike:** "must also require"

**Insert:** "shall encourage"

2. Page 2, line 12.

**Strike:** "The"

**Insert:** "A report on the"

**Strike:** "completed"

**Insert:** "prepared"

**Strike:** "On or before that date the"

**Insert:** "The"

3. Page 2, line 13.

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**Strike:** "a"  
**Insert:** "the"  
**Strike:** "on the study"

And, as amended, do pass. Report adopted.

**HUMAN SERVICES** (Becker, Chairman):  
**HB 643**, introduced bill, be amended as follows:

3/18/2005

1. Title, line 10.

**Following:** "SUBDIVISION"

**Insert:** "AFTER SEPTEMBER 30, 2009"

**Following:** "SUBDIVISION;"

**Insert:** "ESTABLISHING PENALTIES;"

2. Title, line 11.

**Following:** "MCA;"

**Strike:** "AND"

3. Title, line 12.

**Following:** "MCA"

**Insert:** "; AND PROVIDING A TERMINATION DATE"

4. Page 1, line 13.

**Insert:** "WHEREAS, numerous studies have found that tobacco smoke is a major contributor to indoor air pollution and that breathing secondhand smoke, also known as environmental tobacco smoke, is a cause of disease in healthy nonsmokers, including diseases such as heart disease, stroke, respiratory disease, and lung cancer; and

WHEREAS, the National Cancer Institute determined in 1999 that secondhand smoke is responsible for the early deaths of up to 65,000 Americans annually; and

WHEREAS, The National Toxicology Program of the U.S. Department of Health and Human Services has listed secondhand smoke as a known carcinogen; and

WHEREAS, a study of hospital admissions for acute myocardial infarction in Helena, Montana, before, during, and after a local ordinance eliminating smoking in workplaces and public places was in effect, has determined that laws to enforce smoke-free workplaces and public places may be associated with a reduction in morbidity from heart disease; and

WHEREAS, the U.S. Surgeon General has determined that the simple separation of smokers and nonsmokers within the same air space may reduce, but does not eliminate, the exposure of nonsmokers to secondhand smoke; and

WHEREAS, the Environmental Protection Agency has determined, as of the introduction date of this bill, that secondhand smoke cannot be reduced to safe levels in businesses by high rates of ventilation and that air cleaners, which are only capable of filtering the particulate matter and odors in smoke, do not eliminate the known toxins in secondhand smoke; and

WHEREAS, it has been determined by the Centers for Disease Control and Prevention that the risk of acute myocardial infarction and coronary heart disease associated with exposure to tobacco smoke is nonlinear at low doses, increasing rapidly with relatively small doses, such as those received from secondhand smoke or actively smoking one or two cigarettes a day; and

WHEREAS, the Centers for Disease Control and Prevention warns that all patients at increased risk of coronary heart disease or with known coronary artery disease should avoid all indoor environments that permit smoking; and

WHEREAS, numerous economic analyses examining restaurant and hotel receipts and controlling for economic variables have shown either no difference or a positive economic impact after enactment of laws requiring workplaces to be smoke-free; and

WHEREAS, smoking is a potential cause of fires, and cigarette and cigar burns and ash stains on merchandise and fixtures cause economic damage to businesses; and

WHEREAS, creation of smoke-free workplaces is sound economic policy and provides the maximum level of employee health and safety."

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5. Page 2.

**Following:** line 2.

**Insert:** "(4) A violation of this section is subject to the penalties provided in [section 8]."

**Renumber:** subsequent subsection

6. Page 2, line 18 through page 4, line 1.

**Strike:** "(1)" on page 2, line 18 through "Accordingly, the" on page 4, line 1

**Insert:** "The"

7. Page 4, line 2.

**Strike:** "(a)"

**Insert:** "(1)"

**Renumber:** subsequent subsections

8. Page 4, line 4.

**Strike:** "guarantee"

**Insert:** "recognize"

9. Page 4.

**Following:** line 8

**Insert:** "(1) "Bar" means an establishment with a license issued pursuant to Title 16, chapter 4, that is devoted to serving alcoholic beverages for consumption by guests or patrons on the premises and in which the serving of food is only incidental to the service of alcoholic beverages or gambling operations, including but not limited to taverns, night clubs, cocktail lounges, and casinos."

**Renumber:** subsequent subsections

10. Page 4, line 21.

**Strike:** "and taverns"

11. Page 4.

**Following:** line 26

**Insert:** "(5) "Incidental to the service of alcoholic beverages or gambling operations" means that at least 60% of the business's annual gross income comes from the sale of alcoholic beverages or gambling receipts, or both."

**Renumber:** subsequent subsections

12. Page 5.

**Following:** line 24

**Insert:** "(4) The proprietor or manager of a business licensed under 23-5-611(1)(a) or (1)(c) may not allow any member of the public who is under 18 years of age to be present in any area of the establishment in which smoking is permitted."

**Renumber:** subsequent subsections

13. Page 5.

**Following:** line 26

**Insert:** "(a) until September 30, 2009, bars, provided that smoke from the bar does not infiltrate into areas where smoking is prohibited under this section;"

**Renumber:** subsequent subsections

14. Page 6, line 6.

**Strike:** "20%"

**Insert:** "35%"

**Following:** "."

**Insert:** "and"

15. Page 6, line 7 through line 12.

**Strike:** subsections (e) and (f) in their entirety

**Insert:** "(f) a site that is being used in connection with the practice of cultural activities by American Indians that

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is in accordance with the American Indian Religious Freedom Act, 42 U.S.C. 1996 and 1996a."

16. Page 7, line 7.

**Strike:** "not"

17. Page 7, line 8.

**Strike:** "do not"

18. Page 7, line 11.

**Insert:** "NEW SECTION. Section 8. Penalties. (1) It is unlawful for a person to smoke in any area where smoking is prohibited under 20-1-220 or 50-40-104. A person who violates 20-1-220 or 50-40-104 is guilty of a misdemeanor and shall be subject to a fine of not less than \$25 or more than \$100.

(2) A person who owns, manages, operates, or otherwise controls a public place or place of employment and who fails to comply with the provisions of Title 50, chapter 40, is guilty of a misdemeanor and shall be punished as follows:

- (a) a warning for the first violation;
- (b) a written reprimand for a second violation; and
- (c) within any 3-year period, a fine of:
  - (i) \$100 for a third violation;
  - (ii) \$200 for a fourth violation; and
  - (iii) \$500 for a fifth or subsequent violation.

(3) Penalties imposed under this section may not be considered by the department of revenue for the purposes of 16-4-401."

**Renumber:** subsequent sections

19. Page 7, line 22.

**Strike:** "[Sections 7 and 8]"

**Insert:** "[Sections 7 through 9]"

20. Page 7, line 24.

**Strike:** "[sections 7 and 8]"

**Insert:** "[sections 7 through 9]"

21. Page 7, line 26 through line 28.

**Strike:** section 12 in its entirety

**Insert:** "NEW SECTION. Section 13. Nonseverability. It is the intent of the legislature that each part of [this act] is essentially dependent upon every other part, and if one part is held unconstitutional or invalid, all other parts are invalid."

**Insert:** "NEW SECTION. Section 14. Termination. [Section 7] terminates September 30, 2009."

And, as amended, do pass. Report adopted.

**NATURAL RESOURCES** (Peterson, Chairman):

3/18/2005

**SB 95**, be concurred in. Report adopted.

**SB 107**, be concurred in. Report adopted.

**SB 131**, be concurred in. Report adopted.

**SB 212**, be concurred in. Report adopted.

**HJR 25**, be adopted. Report adopted.

**TRANSPORTATION** (Mendenhall, Chairman):

3/18/2005

**HB 765**, introduced bill, be amended as follows:

1. Title, line 6.

**Following:** "LAND;"

**Insert:** "AND"

2. Title, line 8.

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**Strike:** ";" through "DEPARTMENT"

3. Page 1, line 19.

**Strike:** "\$2"

**Insert:** "50 cents"

4. Page 2, line 2 through line 4.

**Strike:** subsection (5) in its entirety

**Renumber:** subsequent subsection

5. Page 2, line 8 through line 11.

**Strike:** section 2 in its entirety

**Renumber:** subsequent section

And, as amended, do pass. Report adopted.

**SB 304**, be concurred in. Report adopted.

**SB 318**, be amended as follows:

1. Page 3, line 12.

**Following:** "displays"

**Insert:** "only"

2. Page 8, line 6.

**Following:** "\$59.25."

**Insert:** "This fee is a one-time fee, except upon transfer of ownership of a quadricycle."

3. Page 8, line 13.

**Strike:** "or quadricycle"

4. Page 8, line 14.

**Strike:** "or quadricycle"

5. Page 10, line 2.

**Following:** "61-5-104(1)(f)"

**Insert:** "and subsection (2)(b)(iii) of this section"

6. Page 10.

**Following:** line 8

**Insert:** "(iii) A person who has a motorcycle endorsement on the person's driver's license on or before [the effective date of this act] is not required to obtain a quadricycle endorsement or the certification required in subsection (2)(b)(i) to operate a quadricycle."

7. Page 12.

**Following:** line 13

**Insert:** "COORDINATION SECTION. Section 15. Coordination instruction. If Senate Bill No. 285 and [this act] are both passed and approved, then the code commissioner shall include the revisions to the definition of "quadricycle" in [this act] in the definition of that term in Senate Bill No. 285."

**Insert:** "COORDINATION SECTION. Section 16. Coordination instruction. If Senate Bill No. 285 and [this act] are both passed and approved, then 61-3-321 must be amended as follows:

"61-3-321. Registration fees of vehicles and vessels -- certain vehicles exempt from registration fees -- disposition of fees. (1) Except as otherwise provided in this section, registration fees must be paid upon registration or, if applicable, reregistration of motor vehicles, snowmobiles, watercraft, trailers, and semitrailers, and pole trailers in accordance with this chapter, as follows provided in subsections (2) through (19):

(2) (a) Except as provided in subsection (2)(b), there is a registration fee imposed on light vehicles. The registration fee is in addition to other annual registration fees.

(b) The following vehicles are exempt from the registration fee imposed in this subsection (2):

(i) light vehicles that meet the description of property exempt from taxation under 15-6-201(1)(a), (1)(c)

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through (1)(e), (1)(g), (1)(m), (1)(o), (1)(q), or (1)(w), 15-6-203, or 15-6-215, except as provided in 61-3-520;

(ii) a light vehicle owned by a person eligible for a waiver of registration fees under 61-3-460;

(iii) a light vehicle registered under 61-3-456.

(c) The owner of a light vehicle subject to the provisions of 61-3-313 through 61-3-316 may register the light vehicle for a period not to exceed 24 months. The application for registration or reregistration must be accompanied by the registration fee and all other fees required in this chapter for each 12-month period of the 24-month period.

(a)(d) The annual registration fee for light vehicles under 2,850 pounds, \$13.75 in calendar year 2004 and, in each subsequent year, \$17; trucks and buses under 1 ton, and logging trucks less than 1 ton is as follows:

(i) if the vehicle is 4 or less years old, \$217;

(ii) if the vehicle is 5 through 10 years old, \$87; and

(iii) if the vehicle is 11 or more years old, \$28;

(e) The owner of a light vehicle 11 years old or older may permanently register the light vehicle as provided in 61-3-562.

(b)(3) (a) Except as provided in subsection (3)(c), the owner of a trailer, semitrailer, or pole trailer that has a declared weight of less than 6,000 pounds shall pay a one-time fee of \$61.25.

(b) The owner of a trailer, semitrailer, or pole trailer with a declared weight of 6,000 pounds or more shall pay a one-time fee of \$148.25.

(c) Except as provided in subsection (18), whenever a transfer of ownership of a trailer, semitrailer, or pole trailer described in subsection (3)(a) or (3)(b) occurs, the one-time fee required under subsection (3)(a) or (3)(b) must be paid by the new owner, trailers with a declared weight of less than 2,500 pounds and semitrailers, \$8.25. For a trailer or semitrailer described in 61-3-530(1), this fee is a one-time fee, except upon transfer of ownership of the trailer or semitrailer.

(e)(4) The annual registration fee for motor vehicles registered owned and operated solely as collector's items pursuant to 61-3-411 that are for motor vehicles:

(i)(a) 2,850 pounds and over, \$10; and

(ii)(b) under 2,850 pounds, \$5;.

(d)(5) (a) The registration fee for off-highway vehicles registered pursuant to 23-2-817, \$9 in calendar year 2004 and, in each subsequent year, \$19.25 other than quadricycles is \$61.25. This fee is a one-time fee, except upon transfer of ownership of an off-highway vehicle. Except as provided in subsection (18), whenever a transfer of ownership of an off-highway vehicle, other than a quadricycle, occurs, the one-time fee required under this subsection must be paid by the new owner.

(b) The application for registration for an off-highway vehicle, other than a quadricycle, must be made to the county treasurer of the county in which the owner resides, on a form furnished by the department for that purpose. The application must contain:

(i) the name and home mailing address of the owner;

(ii) the certificate of title number;

(iii) the name of the manufacturer of the off-highway vehicle;

(iv) the model number or name;

(v) the year of manufacture;

(vi) a statement evidencing payment of the fee in lieu of property tax; and

(vii) other information that the department may require.

(c) If the off-highway vehicle was previously registered, the application must be accompanied by the registration certificate for the most recent year in which it was registered. Upon payment of the registration fee, the county treasurer shall sign the application and issue a registration receipt containing the information considered necessary by the department. The owner shall retain possession of the registration receipt until it is surrendered to the county treasurer or to a purchaser or subsequent owner pursuant to a transfer of ownership.

(e)(6) The annual registration fee for light vehicles over 2,850 pounds, trucks and buses less than 1 ton, and heavy trucks, buses, and logging trucks in excess of 1 ton, \$18.75 in calendar year 2004 and, in each subsequent year, \$22 is \$22.75;.

(f) logging trucks less than 1 ton, \$23.75;

(g)(7) (a) motor homes, \$22.25; The owner of a motor home shall pay an annual fee based on the age of the motor home according to the following schedule:

(i) less than 2 years old, \$282.50;

(ii) 2 years old and less than 5 years old, \$224.25;

(iii) 5 years old and less than 8 years old, \$132.50; and

(iv) 8 years old and older, \$97.50.

(b) (i) Except as provided in subsection (7)(b)(ii), the age of a motor home is determined by subtracting

the manufacturer's designated model year from the current calendar year.

(ii) If the purchase year of a motor home precedes the designated model year of the motor home and the motor home is originally titled in Montana, then the purchase year is considered the model year for the purposes of calculating the fee in lieu of tax.

~~(h)(8) (a) The registration fee for motorcycles and quadricycles, \$9.75 for a motorcycle or quadricycle with special license plates issued under 61-3-415 and, for a motorcycle or quadricycle under one-time registration, \$9.75 in calendar year 2004 and, in each subsequent year, \$11.25 registered for use on public highways is \$53.25, and the registration fee for motorcycles registered for both off-road use and for use on the public highways is \$114.50. This fee is~~

(b) An additional fee of \$5 for a motorcycle or a quadricycle with special license plates issued under 61-3-415 and, for a motorcycle under one-time registration, an additional fee of \$16 must be collected for the registration of each motorcycle as a safety fee, which must be deposited in the state motorcycle safety account provided for in 20-25-1002.

(c) The registration fees in this subsection (8) are a one-time fee, except upon transfer of ownership of a motorcycle or quadricycle.

~~(i) trailers and semitrailers between 2,500 and 6,000 pounds, \$11.25. For a trailer or semitrailer described in 61-3-530(1), this fee is a one-time fee, except upon transfer of ownership of the trailer or semitrailer.~~

~~(j) trailers and semitrailers in excess of 6,000 pounds, other than trailers and semitrailers registered in other jurisdictions and registered through a proportional registration agreement, \$16.25. For a trailer or semitrailer described in 61-3-530(1), this fee is a one-time fee, except upon transfer of ownership of the trailer or semitrailer.~~

~~(k)(9) (a) The registration fee for travel trailers under 16 feet in length, \$11.75 is \$72 and the registration fee for travel trailers 16 feet in length or longer is \$152. This fee is a one-time fee, except upon transfer of ownership of a travel trailer.~~

(b) Except as provided in subsection (18), whenever a transfer of ownership of a travel trailer occurs, the one-time fee required under subsection (9)(a) must be paid by the new owner.

~~(l) recreational vehicles, \$3.50 in calendar year 2004 and, in each subsequent year, \$9.75. If the recreational vehicle is a travel trailer, this fee is a one-time fee, except upon transfer of ownership of a travel trailer.~~

(10) (a) The owner of each motorboat, sailboat, personal watercraft, or motorized pontoon requiring numbering by this state shall file an application for number in the office of the county treasurer in the county where the motorboat, sailboat, personal watercraft, or motorized pontoon is owned, on forms prepared and furnished by the department. The application must be signed by the owner of the motorboat, sailboat, personal watercraft, or motorized pontoon and be accompanied by the appropriate registration fee. The owner of a motorboat, a sailboat, personal watercraft, or a motorized pontoon shall pay a one-time fee as follows:

(i) for a personal watercraft or a motorboat, sailboat, or motorized pontoon less than 16 feet in length, \$65.50;

(ii) for a motorboat, sailboat, or motorized pontoon at least 16 feet in length but less than 19 feet in length, \$125.50; and

(iii) for a motorboat, sailboat, or motorized pontoon 19 feet in length or longer, \$295.50.

(b) This fee is a one-time fee, except upon transfer of ownership of the motorboat, sailboat, personal watercraft, or motorized pontoon.

(11) (a) Except as provided in subsection (11)(b), the one-time registration fee for a snowmobile is \$60.50.

(b) A snowmobile that is licensed by a Montana business and that is owned exclusively for the purpose of daily rental to customers is assessed:

(i) a fee of \$40.50 in the first year of registration; and

(ii) if the business reregisters the snowmobile for a second year, the fee in lieu of tax imposed in subsection (11)(a).

(c) Except as provided in subsection (18), whenever a transfer of ownership of a snowmobile occurs, the applicable fee required under this subsection (11) must be paid by the new owner.

(2) (a) Except as provided in subsection (2)(b), if a motor vehicle, trailer, or semitrailer is originally registered 6 months after the time of registration as set by law, the registration fee for the remainder of the year is one-half of the regular fee:

(b) For a trailer or semitrailer described in 61-3-530(1), the applicable fees must be paid regardless of when the fees were last paid or if the fees were paid at all.

(3) An additional fee of \$5 for a motorcycle or quadricycle with special license plates issued under 61-3-415 and, for a motorcycle or quadricycle under one-time registration, \$5 in calendar year 2004 and, in each subsequent year, \$16 must be collected for the registration of each motorcycle as a safety fee and must be deposited in the state motorcycle safety account provided for in 20-25-1002.

(12) (a) The registration fee for a quadricycle is \$59.25. This fee is a one-time fee except upon transfer of

ownership of a quadricycle.

~~(b)~~ Except as provided in subsection (18), whenever a transfer of ownership of a quadricycle occurs, the applicable fee required under this subsection (12) must be paid by the new owner.

~~(4)(13)~~ A fee of \$5 for each set of new number plates must be collected when number plates provided for under 61-3-332(2) are issued.

~~(5)(14)~~ The provisions of this part with respect to the payment of registration fees do not apply to and are not binding upon motor vehicles, trailers, semitrailers, snowmobiles, watercraft, or tractors owned or controlled by the United States of America or any state, county, city, or special district, as defined in 18-8-202.

~~(6) (a)~~ Except as provided in 61-3-562 and subsection (6)(b) of this section, a fee of 25 cents a year for each registration of a vehicle must be collected when a vehicle is registered or reregistered. The revenue derived from this fee must be forwarded by the county treasurer for deposit in the state general fund for transfer to the credit of the senior citizens and persons with disabilities transportation services account provided for in 7-14-112.

~~(b)~~ The following vehicles are not subject to the fee imposed in subsection (6)(a):

~~(i)~~ trailers and semitrailers registered in other jurisdictions and registered through a proportional registration agreement; and

~~(ii)~~ travel trailers, recreational vehicles, and off-highway vehicles registered pursuant to 23-2-817.

~~(7) (a)~~ Except as provided in 61-3-562 and subsection (7)(b) of this section, a fee of 50 cents a year for each registration of a vehicle must be collected when a vehicle is registered or reregistered. The county treasurer shall forward revenue derived from this fee to the state for deposit in the general fund.

~~(b)~~ The following vehicles are not subject to the fee:

~~(i)~~ trailers and semitrailers registered in other jurisdictions and registered through a proportional registration agreement;

~~(ii)~~ off-highway vehicles registered pursuant to 23-2-817; and

~~(iii)~~ vehicles bearing license plates described in 61-3-458(3)(d).

~~(8)(15)~~ The provisions of this section relating to the payment of registration fees or new number plate fees do not apply when number plates are transferred to a replacement vehicle under 61-3-317, 61-3-332, or 61-3-335. When the license plates for a registered motor vehicle are transferred to a replacement vehicle under 61-3-317, 61-3-332, or 61-3-335, the owner of the motor vehicle shall pay a registration fee as follows:

~~(a)~~ heavy trucks, buses, and logging trucks in excess of 1 ton, 75 cents;

~~(b)~~ light vehicles, trucks and buses under 1 ton, and logging trucks less than 1 ton:

~~(i)~~ if the vehicle is 4 years old or less, \$195.75;

~~(ii)~~ if the vehicle is 5 years old through 10 years old, \$65.75; and

~~(iii)~~ if the vehicle is 11 years old or older, \$6.75;

~~(c)~~ motor homes:

~~(i)~~ less than 2 years old, \$250.50;

~~(ii)~~ 2 years old and less than 5 years old, \$192.25;

~~(iii)~~ 5 years old and less than 8 years old, \$100.50; and

~~(iv)~~ 8 years old and older, \$65.50;

~~(d)~~ motorcycles registered for use on the public highways, \$42, and motorcycles registered for both off-road use and for use on the public highways, \$103.25. This fee is a one-time fee, except upon transfer of ownership.

~~(e)~~ travel trailers under 16 feet in length, \$50.50, and travel trailers 16 feet in length or longer, \$130.50. This fee is a one-time fee, except upon transfer of ownership.

~~(f)~~ trailers, semitrailers, or pole trailers with a declared weight of less than 6,000 pounds, \$52. This fee is a one-time fee, except upon transfer of ownership.

~~(g)~~ trailers, semitrailers, or pole trailers with a declared weight of 6,000 pounds or more, \$139. This fee is a one-time fee, except upon transfer of ownership.

~~(9)(16)~~ A person eligible for a waiver under 61-3-460 is exempt from the fees required under this section.

~~(10)(17)~~ Except as otherwise provided in this section, revenue collected under this section must be deposited in the state general fund.

~~(18)~~ The fees imposed by subsections (2) through (12) are not required to be paid by a dealer for the enumerated vehicles or vessels that constitute inventory of the dealership.

~~(11)(19) (a)~~ Unless a person exercises the option in subsection ~~(11)(b)~~ (19)(b), an additional fee of \$4 must be collected for each light vehicle or truck under 8,001 pounds GVW registered for licensing pursuant to this part. This fee must be accounted for and transmitted separately from the registration fee. The fee must be deposited in an account in the state ~~general~~ special revenue fund to be used for state parks, for fishing access sites, and for the operation of state-owned facilities as provided in 15-1-122(3)(e)(vii). Of the \$4 fee, the department shall use \$3.50 for state parks, 25 cents for fishing access sites, and 25 cents for the operation of state-owned facilities at Virginia

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City and Nevada City.

(b) A person who registers a light vehicle or truck under 8,001 pounds GVW may, at the time of annual registration, certify that the person does not intend to use state parks and fishing access sites and may make a written election not to pay the additional \$4 fee provided for in subsection ~~(11)(a)~~ (19)(a). If a written election is made, the fee may not be collected.

(20) This section does not apply to a motor vehicle, trailer, semitrailer, or pole trailer that is governed by 61-3-721."

**Renumber:** subsequent section

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

**SJR 21**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence: 3/18/2005

**SB 18**, introduced by Wheat  
**SB 333**, introduced by Smith  
**SB 376**, introduced by Wheat

**House bills** concurred in and returned to the House: 3/18/2005

**HB 203**, introduced by Roberts  
**HB 370**, introduced by Gallik  
**HB 463**, introduced by Facey

**House joint resolutions** concurred in and returned to the House: 3/18/2005

**HJR 10**, introduced by Jacobson  
**HJR 18**, introduced by Himmelberger

**House bill** concurred in as amended and returned to the House for concurrence in Senate amendments: 3/18/2005

**HB 428**, introduced by Gutsche

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 794**, introduced by Gallik, Jacobson, Sinrud, referred to Judiciary.

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

**HR 3**, introduced by Gallik, Bixby, Juneau, referred to Select Committee on Education.

**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 117** concurred in as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry,

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Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lake, Lambert, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.

Total 91

Noes: Everett, Koopman, Lange, Sales, Sinrud, Witt.

Total 6

Excused: None.

Total 0

Absent or not voting: Himmelberger, McKenney, Taylor.

Total 3

**SB 152** concurred in as follows:

Ayes: Andersen, Arntzen, Barrett, Becker, Bergren, Bixby, Branae, R. Brown, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Himmelberger, Hiner, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lake, Lambert, Lenhart, Lindeen, MacLaren, Malcolm, McAlpin, McKenney, McNutt, Milburn, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Ripley, Roberts, Ross, Sesso, Small-Eastman, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 79

Noes: Balyeat, D. Brown, Butcher, Everett, Hawk, Heinert, Hendrick, Jackson, Koopman, Lange, Maedje, McGillvray, Mendenhall, Morgan, Rice, Sales, Sinrud, Sonju, Stahl, Ward, Wells.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Dem. Floor Leader Parker moved to re-refer HB 633 to the House Appropriations Committee. Without objections, so ordered.

Speaker Matthews and the House thanked the pages for the week.

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

Dem. Floor Leader Parker moved the House resolve itself into a Committee of the Whole for continuation of business on second reading. Motion carried. Representative Facey in the chair.

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

Rep. Ripley gave opening remarks on HB 2, Section C: Natural Resources.

Chairman Facey stated the House will stand at ease until 9:21 a.m.

**HB 2** - Representative Musgrove moved **HB 2**, second reading copy, be further amended as follows:

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1. Page C-11.

**Strike:** line 15 through line 18 in their entirety

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.  
Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Lambert.

Total 1

**HB 2** - Representative Ripley moved **HB 2**, second reading copy, be further amended as follows:

1. Page C-4.

**Strike:** line 25 in its entirety

2. Page C-5.

**Strike:** line 1 in its entirety

3. Page C-7.

**Strike:** line 2 through line 4 in their entirety

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Bergren, D. Brown, R. Brown, Butcher, Dowell, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Henry, Himmelberger, Jackson, L. Jones, W. Jones, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Ward, Warden, Wells, Witt, Mr. Speaker.  
Total 62

Noes: Becker, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Gutsche, Hamilton, Harris, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, McAlpin, Noonan, Parker, Small-Eastman, Wanzenried, Wilson, Windham, Windy Boy, Wiseman.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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**HB 2** - Representative Ripley moved **HB 2**, second reading copy, be further amended as follows:

1. Page C-3, line 8.  
**Strike:** "200,000" [state special fund FY06]

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, R. Brown, Butcher, Callahan, Driscoll, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Himmelberger, Jackson, L. Jones, W. Jones, Klock, Koopman, Lake, Lambert, Lange, Lindeen, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Witt, Mr. Speaker.  
Total 56

Noes: Becker, Bergren, Bixby, Branae, Buzzas, Caferro, Campbell, Clark, Cohenour, Dickenson, Dowell, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Keane, Lenhart, McAlpin, Musgrove, Noonan, Parker, Raser, Sesso, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman.  
Total 44

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Witt moved **HB 2**, second reading copy, be further amended as follows:

1. Page C-6, line 4.  
**Strike:** "29,548,084" [state special fund FY06 & FY07]  
**Insert:** "7,942,000" [state special fund FY06& FY07]

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.  
Total 100

Noes: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Sesso moved **HB 2**, second reading copy, be further amended as follows:

1. Page C-5, line 19.  
**Strike:** "2,050,000 2,050,000" [state special fund FY06/FY07]  
**Insert:** "1,025,000 1,025,000" [state special fund FY06/FY07]

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Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.  
Total 99

Noes: Harris.  
Total 1

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Ripley moved **HB 2**, second reading copy, be further amended as follows:

1. Page C-4, line 24.

**Strike:** "1,023,962 1,023,962" [state special fund FY06&FY07]  
**Insert:** "523,962 523,962" [state special fund FY06&FY07]

2. Page C-6.

**Strike:** line 20 through line 21 in their entirety

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Eaton, Everett, Facey, Furey, Galvin-Halcro, Glaser, Golie, Groesbeck, Gutsche, Hamilton, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.  
Total 92

Noes: Bixby, Clark, Franklin, Gallik, Grinde, Harris, Jayne.  
Total 7

Excused: None.  
Total 0

Absent or not voting: Dowell.  
Total 1

**HB 2** - Representative Clark moved **HB 2**, second reading copy, be further amended as follows:

1. Page C-1, line 4.

**Strike:** "6,047,367 6,101,533" [state special fund FY06/FY07]  
**Insert:** "5,947,367 6,001,533" [state special fund FY06/FY07]

2. Page C-3, line 2.

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**Strike:** "83,118 83,118" [state special fund FY06/FY07]  
**Insert:** "183,118 183,118" [state special fund FY06/FY07]

Amendment adopted as follows:

Ayes: Arntzen, Becker, Bergren, Bixby, R. Brown, Butcher, Buzzas, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Franklin, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Heinert, Hendrick, Henry, Himmelberger, Jackson, Jayne, W. Jones, Jopek, Lenhart, Lindeen, MacLaren, Maedje, McAlpin, Mendenhall, Morgan, Musgrove, Noonan, A. Olson, Parker, Raser, Rice, Sales, Sesso, Sinrud, Sonju, Stahl, Stoker, Villa, Waitschies, Wanzenried, Wells, Witt, Mr. Speaker.  
Total 55

Noes: Andersen, Balyeat, Barrett, Branae, D. Brown, Caferro, Everett, Facey, Furey, Gallik, Hamilton, Harris, Hawk, Hiner, Jacobson, Jent, L. Jones, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, McKenney, McNutt, Milburn, Noennig, B. Olson, Peterson, Ripley, Roberts, Ross, Small-Eastman, Taylor, Wagman, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman.  
Total 45

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Ripley moved **HB 2**, second reading copy, be further amended as follows:

1. Page C-3, line 4.

**Strike:** "3,193,468 3,201,613" [state special fund FY06&FY07]  
**Insert:** "3,126,126 3,134,271" [state special fund FY06&FY07]

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Bergren, D. Brown, R. Brown, Butcher, Callahan, Clark, Dowell, Driscoll, Everett, Facey, Furey, Galvin-Halcro, Glaser, Grinde, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Windham, Windy Boy, Witt, Mr. Speaker.  
Total 77

Noes: Becker, Bixby, Branae, Buzzas, Caferro, Campbell, Cohenour, Dickenson, Eaton, Franklin, Gallik, Golie, Groesbeck, Henry, Juneau, Kaufmann, McAlpin, Musgrove, Noonan, Sesso, Villa, Wilson, Wiseman.  
Total 23

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Speaker Matthews introduced the 5th grade class from Rossiter School who had provided treats to the House during the morning.

**HB 2** - Representative Ripley moved **HB 2**, second reading copy, be further amended as follows:

1. Page C-3, line 4.

**Strike:** "3,193,468 3,201,613" [state special fund FY06/FY07]  
**Insert:** "3,042,378 3,055,387" [state special fund FY06/FY07]

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2. Page C-3.

**Strike:** line 5 through line 6 in their entirety

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, D. Brown, R. Brown, Butcher, Buzzas, Callahan, Clark, Driscoll, Eaton, Everett, Franklin, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, L. Jones, W. Jones, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 77

Noes: Bixby, Branae, Caferro, Campbell, Cohenour, Dickenson, Dowell, Facey, Furey, Gallik, Gutsche, Hamilton, Harris, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, McAlpin, Parker, Raser.

Total 22

Excused: None.

Total 0

Absent or not voting: Stahl.

Total 1

**HB 2** - Representative Ripley moved **HB 2**, second reading copy, be further amended as follows:

1. Page C-2, line 19.

**Strike:** "7,053,068 6,699,547" [state special fund FY06/FY07]

**Insert:** "6,977,970 6,623,215" [state special fund FY06/FY07]

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Branae, D. Brown, R. Brown, Butcher, Callahan, Clark, Cohenour, Driscoll, Everett, Facey, Franklin, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Himmelberger, Hiner, Jacobson, Jent, L. Jones, Keane, Klock, Koopman, Lake, Lambert, Lange, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, A. Olson, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Wiseman, Witt, Mr. Speaker.

Total 76

Noes: Becker, Bergren, Bixby, Buzzas, Caferro, Campbell, Dickenson, Dowell, Eaton, Furey, Henry, Jackson, Jayne, W. Jones, Jopek, Juneau, Kaufmann, Lenhart, Musgrove, Noonan, B. Olson, Parker, Windham, Windy Boy.

Total 24

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Ripley moved **HB 2**, second reading copy, be further amended as follows:

1. Page C-1, line 8.

**Strike:** "5,992,035 4,008,389" [state special fund FY06/FY07]

**Insert:** "5,962,035 3,978,389" [state special fund FY06/FY07]

Amendment adopted as follows:

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Ayes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, R. Brown, Butcher, Callahan, Clark, Dowell, Driscoll, Everett, Facey, Franklin, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Hawk, Heinert, Hendrick, Himmelberger, Jackson, Jent, L. Jones, W. Jones, Keane, Klock, Koopman, Lake, Lambert, Lange, Lindeen, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Wiseman, Witt, Mr. Speaker.  
Total 74

Noes: Becker, Bergren, Bixby, Branae, Buzzas, Caferro, Campbell, Cohenour, Dickenson, Eaton, Furey, Gallik, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jayne, Jopek, Juneau, Kaufmann, Lenhart, McAlpin, Musgrove, Windy Boy.  
Total 26

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Ripley moved **HB 2**, second reading copy, be further amended as follows:

1. Page C-2, line 5.  
**Strike:** "4,276,653 4,276,281" [state special fund FY06/FY07]  
**Insert:** "4,236,476 4,236,114" [state special fund FY06/FY07]

2. Page C-2.  
**Strike:** line 10 through line 11 in their entirety

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Branae, D. Brown, R. Brown, Butcher, Callahan, Clark, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Hamilton, Harris, Hawk, Heinert, Hendrick, Himmelberger, Jackson, L. Jones, W. Jones, Keane, Klock, Koopman, Lake, Lambert, Lange, Lindeen, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Wiseman, Witt, Mr. Speaker.  
Total 74

Noes: Bergren, Bixby, Buzzas, Caferro, Campbell, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Gutsche, Henry, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Lenhart, McAlpin, Musgrove, Noonan, Sesso, Villa, Windy Boy.  
Total 26

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Wanzenried moved **HB 2**, second reading copy, be further amended as follows:

1. Page C-11, line 3  
**Following:** "up to"  
**Strike:** "\$1 million"  
**Insert:** "\$500,000"

Amendment adopted as follows:

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Ayes: Andersen, Arntzen, Balyeat, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Buzzas, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jent, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Wells, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.  
Total 94

Noes: Barrett, Jayne, Witt.  
Total 3

Excused: None.  
Total 0

Absent or not voting: Caferro, L. Jones, Warden.  
Total 3

**HB 2** - Representative Lange moved **HB 2**, second reading copy, be further amended as follows:

1. Page C-1, line 18.

**Strike:** "6,719,053 6,540,948" [state special fund FY06/FY07]  
**Insert:** "6,605,053 6,436,448" [state special fund FY06/FY07]

2. Page C-1.

**Strike:** line 19 through line 20 in their entirety

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Branae, D. Brown, R. Brown, Butcher, Driscoll, Everett, Facey, Galvin-Halcro, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Himmelberger, Jackson, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Lake, Lambert, Lange, Lindeen, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Wilson, Witt, Mr. Speaker.  
Total 63

Noes: Becker, Bergren, Bixby, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Eaton, Franklin, Furey, Gallik, Golie, Grinde, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jayne, Jent, Juneau, Kaufmann, Lenhart, McAlpin, Musgrove, Noonan, Sesso, Villa, Wanzenried, Windham, Windy Boy, Wiseman.  
Total 37

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Rep. Ripley closed on HB 2, Section C.

Rep. Bergren announced the House Democrats will caucus.

Rep. Lange announced the House Republicans will caucus.

Chairman Facey announced the House will stand at ease until 11:55 a.m.

Rep. Jent assumed the chair and the House reconvened.

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Rep. Callahan gave opening remarks on HB 2 Section D: Corrections and Public Safety.

**HB 2** - Representative Callahan moved **HB 2**, second reading copy, be further amended as follows:

1. Page D-5, line 3.

**Strike:** "50,000 50,000" [state special fund FY06 and FY07]

**Insert:** "15,500 15,500" [state special fund FY06 and FY07]

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Gutsche, Hamilton, Harris, Hawk, Hendrick, Henry, Himmelberger, Hiner, Jacobson, Jayne, Jent, L. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, Mendenhall, Milburn, Morgan, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 92

Noes: Butcher, Groesbeck, Heinert, Jackson, W. Jones, McNutt, Musgrove, Stahl.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Callahan moved **HB 2**, second reading copy, be further amended as follows:

1. Page D-6, line 10.

**Strike:** "2,100,000" "2,100,000"[state special fund FY 06 & FY 07]

**Insert:** "0" "0" [state special fund FY 06 & FY 07]

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Hawk moved **HB 2**, second reading copy, be further amended as follows:

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1. Page D-1, line 14.

**Strike:** "3,711,809 3,711,015" [general fund FY06 and FY07]

**Insert:** "3,689,919 3,689,125" [general fund FY16 and FY07]

2. Page D-1, line 18.

**Strike:** "2,141,183 2,142,163" [state special fund FY06 and FY07]

**Insert:** "2,133,209 2,134,189" [state special fund FY06 and FY07]

**Strike:** "829,327 829,755" [proprietary FY06 and FY07]

**Insert:** "826,070 826,498" [proprietary FY06 and FY07]

3. Page D-2, line 9.

**Strike:** "19,353,599 19,543,961" [state special fund FY06 and FY07]

**Insert:** "19,343,696 19,534,058" [state special fund FY06 and FY07]

4. Page D-2, line 25.

**Strike:** "334,008 337,303" [general fund FY06 and FY07]

**Insert:** "330,753 334,048" [general fund FY06 and FY07]

**Strike:** "526,420 526,079" [state special fund FY06 and FY07]

**Insert:** "521,406 521,065" [state special fund FY06 and FY07]

**Strike:** "55,713 53,258" [proprietary FY06 and FY07]

**Insert:** "55,185 52,730" [proprietary FY06 and FY07]

5. Page D-3, line 8.

**Strike:** "2,761,812 2,765,023" [general fund FY06 and FY07]

**Insert:** "2,753,013 2,756,224" [general fund FY06 and FY07]

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Branae, D. Brown, R. Brown, Butcher, Campbell, Clark, Dickenson, Driscoll, Eaton, Everett, Facey, Furey, Galvin-Halcro, Glaser, Golie, Groesbeck, Hawk, Heinert, Hendrick, Himmelberger, Jackson, Jayne, L. Jones, Jopek, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, Noonan, A. Olson, B. Olson, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Witt, Mr. Speaker.

Total 72

Noes: Becker, Bergren, Bixby, Buzzas, Caferro, Callahan, Cohenour, Dowell, Franklin, Gallik, Grinde, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jent, W. Jones, Juneau, Kaufmann, Lindeen, McAlpin, Musgrove, Parker, Villa, Windy Boy, Wiseman.

Total 28

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Lenhart moved **HB 2**, second reading copy, be further amended as follows:

1. Page D-8, following line 7.

**Insert:** "c. Liberty House Project (Restricted)  
100,000" [general fund FY 06]

2. Page D-8, following line 10.

**Insert:** "The Liberty House Project may be used only for the purpose of constructing a liberty house at Fort Harrison VA medical center."

Amendment adopted as follows:

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Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Hawk, Hendrick, Henry, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Kaufmann, Keane, Klock, Lake, Lambert, Lange, Lenhart, MacLaren, Maedje, Malcolm, McAlpin, McKenney, McNutt, Milburn, Morgan, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Rice, Ripley, Roberts, Ross, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windy Boy, Wiseman, Witt, Mr. Speaker.  
Total 84

Noes: Gallik, Galvin-Halcro, Harris, Himmelberger, Hiner, Juneau, Koopman, Lindeen, McGillvray, Mendenhall, Musgrove, Raser, Sales, Sinrud, Windham.  
Total 15

Excused: None.  
Total 0

Absent or not voting: Heinert.  
Total 1

**HB 2** - Representative Sinrud moved **HB 2**, second reading copy, be further amended as follows:

1. Page D-2, line 2 through line 3.  
**Strike:** lines 2 and 3 in their entirety  
**Renumber:** subsequent sections

2. Page D-4.  
**Following:** line 17

**Insert:** "If legislation to amend the effective date of the production of new license plates to a date after the 2007 biennium rather than beginning January 1, 2006, as currently required under 61-3-332(4)(b) is not passed and approved, then there is appropriated to the department \$195,470 of general fund money in fiscal year 2006 for the delivery of license plates."

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, R. Brown, Butcher, Clark, Everett, Facey, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Jackson, L. Jones, W. Jones, Jopek, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, Raser, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Wanzenried, Ward, Warden, Wells, Windham, Witt, Mr. Speaker.  
Total 53

Noes: Becker, Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lenhart, Lindeen, McAlpin, Musgrove, Noonan, A. Olson, B. Olson, Parker, Peterson, Sesso, Small-Eastman, Villa, Waitschies, Wilson, Windy Boy, Wiseman.  
Total 47

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Sinrud moved **HB 2**, second reading copy, be further amended as follows:

1. Page D-5, line 18 through line 19.  
**Strike:** lines 18 and 19 in their entirety

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2. Page D-6.

**Following:** line 5

**Insert:** "If legislation to amend the effective date of the production of new license plates to a date after the 2007 biennium rather than beginning January 1, 2006, as currently required under 61-3-332(4)(b) is not passed and approved, then there is appropriated to the department \$3,853,751 of general fund money in fiscal year 2006 and \$496,837 of general fund money in fiscal year 2007 for the production of new license plates."

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, D. Brown, R. Brown, Butcher, Buzzas, Campbell, Clark, Dowell, Everett, Facey, Gallik, Glaser, Golie, Grinde, Hawk, Heinert, Hendrick, Himmelberger, Jackson, L. Jones, W. Jones, Jopek, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Maedje, Malcolm, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, A. Olson, B. Olson, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Wiseman, Witt, Mr. Speaker.  
Total 65

Noes: Bergren, Bixby, Branae, Caferro, Callahan, Cohenour, Dickenson, Driscoll, Eaton, Franklin, Furey, Galvin-Halcro, Groesbeck, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lenhart, Lindeen, McAlpin, McGillvray, Musgrove, Noonan, Parker, Sesso, Small-Eastman, Villa, Windy Boy.  
Total 35

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Buzzas moved **HB 2**, second reading copy, be further amended as follows:

1. Page D-7, line 9.

**Strike:** "1,124,678 1,124,315" [general fund FY06 and FY07]  
**Insert:** " 0 0" [general fund FY06 and FY07]

Amendment **not** adopted as follows:

Ayes: Becker, Bixby, Branae, D. Brown, Buzzas, Caferro, Clark, Dowell, Eaton, Golie, Gutsche, Hamilton, Heinert, Henry, Jopek, Juneau, Kaufmann, Koopman, Lange, McAlpin, McGillvray, Mendenhall, Morgan, Musgrove, Noennig, Raser, Sales, Sinrud, Small-Eastman, Sonju, Stahl, Wanzenried, Warden, Wiseman.  
Total 34

Noes: Andersen, Arntzen, Balyeat, Barrett, Bergren, R. Brown, Butcher, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Grinde, Groesbeck, Harris, Hawk, Hendrick, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Keane, Klock, Lake, Lambert, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McKenney, McNutt, Milburn, Noonan, A. Olson, B. Olson, Parker, Peterson, Rice, Ripley, Roberts, Ross, Sesso, Stoker, Taylor, Villa, Wagman, Waitschies, Ward, Wells, Wilson, Windy Boy, Witt, Mr. Speaker.  
Total 65

Excused: None.  
Total 0

Absent or not voting: Windham.  
Total 1

**HB 2** - Representative Wanzenried moved **HB 2**, second reading copy, be further amended as follows:

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1. Page D-7, line 9.

**Strike:** "1,124,678" "1,124,315" [general fund FY 06 & FY 07]

**Strike:** "1,687,016" "1,686,472" [federal special fund FY 06 &  
FY 07]

**Insert:** "1,109,832" "1,109,512" [general fund FY 06 & FY 07]

**Insert:** "1,664,747" "1,664,267" [federal special fund FY 06 & FY 07]

Amendment adopted as follows:

Ayes: Arntzen, Balyeat, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Buzzas, Caferro, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Heinert, Hendrick, Henry, Himmelberger, Jackson, Jacobson, Jayne, W. Jones, Jopek, Juneau, Kaufmann, Klock, Koopman, Lange, Lindeen, Malcolm, McAlpin, McGillvray, Mendenhall, Morgan, Musgrove, Noonan, Parker, Raser, Roberts, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Wiseman, Mr. Speaker.

Total 69

Noes: Andersen, Barrett, Butcher, Callahan, Glaser, Hawk, Hiner, Jent, L. Jones, Keane, Lake, Lambert, Lenhart, MacLaren, Maedje, McKenney, McNutt, Milburn, Noennig, A. Olson, B. Olson, Peterson, Rice, Ripley, Ross, Stahl, Taylor, Villa, Wagman, Windy Boy, Witt.

Total 31

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Sinrud moved **HB 2**, second reading copy, be further amended as follows:

1. Page D-2, line 23.

**Strike:** "1,912,588 1,961,244" [general fund FY06 and FY07]

**Insert:** "1,809,223 1,810,149" [general fund FY06 and FY07]

Amendment **not** adopted as follows:

Ayes: Arntzen, Balyeat, Branae, D. Brown, R. Brown, Butcher, Caferro, Campbell, Clark, Dowell, Everett, Glaser, Hawk, Heinert, Himmelberger, Jackson, Jayne, L. Jones, W. Jones, Jopek, Klock, Koopman, Lake, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, A. Olson, Raser, Ripley, Roberts, Ross, Sales, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Wagman, Waitschies, Ward, Wells, Windham, Mr. Speaker.

Total 49

Noes: Andersen, Barrett, Becker, Bergren, Bixby, Buzzas, Callahan, Cohenour, Dickenson, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hendrick, Henry, Hiner, Jacobson, Jent, Juneau, Kaufmann, Keane, Lambert, Lange, Lenhart, Lindeen, McAlpin, Musgrove, Noennig, Noonan, B. Olson, Parker, Peterson, Rice, Sesso, Stahl, Villa, Wanzenried, Warden, Wilson, Windy Boy, Wiseman, Witt.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Sinrud moved **HB 2**, second reading copy, be further amended as follows:

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1. Page D-3, line 5 through line 6.  
**Strike:** lines 5 and 6 in their entirety

2. Page D-4, line 15 through line 17.  
**Strike:** line 15 through line 17 in their entirety

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, R. Brown, Butcher, Clark, Dowell, Everett, Franklin, Furey, Galvin-Halcro, Glaser, Golie, Groesbeck, Gutsche, Harris, Hawk, Heinert, Hendrick, Himmelberger, Jackson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Lake, Lambert, Lange, Lindeen, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, Noonan, A. Olson, B. Olson, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Witt, Mr. Speaker.  
Total 70

Noes: Becker, Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Eaton, Facey, Gallik, Grinde, Hamilton, Henry, Hiner, Jacobson, Jent, Juneau, Kaufmann, Lenhart, McAlpin, Musgrove, Parker, Small-Eastman, Villa, Windy Boy, Wiseman.  
Total 30

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Chairman Jent announced the House will stand at ease until 1:30 p.m.

**HB 2** - Representative Sinrud moved **HB 2**, second reading copy, be further amended as follows:

1. Page D-1, line 14.  
**Strike:** "3,711,809 3,711,015" [general fund FY06 and FY07]  
**Insert:** "3,592,963 3,592,169" [general fund FY06 and FY07]

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Branae, D. Brown, R. Brown, Butcher, Callahan, Clark, Dowell, Eaton, Everett, Facey, Franklin, Furey, Galvin-Halcro, Glaser, Golie, Hamilton, Hawk, Heinert, Hendrick, Himmelberger, Hiner, Jackson, L. Jones, W. Jones, Jopek, Klock, Koopman, Lake, Lange, Lindeen, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, A. Olson, B. Olson, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Wilson, Windham, Witt.  
Total 66

Noes: Becker, Bergren, Bixby, Buzzas, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Gallik, Grinde, Groesbeck, Gutsche, Harris, Henry, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lenhart, McAlpin, Musgrove, Noonan, Parker, Sesso, Small-Eastman, Villa, Wanzenried, Windy Boy, Wiseman, Mr. Speaker.  
Total 33

Excused: None.  
Total 0

Absent or not voting: Lambert.  
Total 1

**HB 2** - Representative Wiseman moved **HB 2**, second reading copy, be further amended as follows:

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1. Page D-2, following line 21.

**Insert:** "e. TV and Radio Advertisements on the Effects of Meth (Restricted/Biennial/OTO)  
240,000" [general fund FY06]

2. Page D-4, following line 14.

**Insert:** "TV and Radio Advertisements on the Effects of Meth is provided to:

(1) produce or contract with a qualified state government agency or private entity for the production of television and radio advertisements that present, describe, and, in the case of television advertisements, show the physical, mental, and emotional effects of methamphetamine use on a person; and

(2) provide for the broadcasting of the advertisements statewide or contract with a qualified state government agency or private entity to do so.

If House Bill No. 31 is passed and approved in a form that establishes the office of substance abuse prevention and treatment, TV and Radio Advertisements on the Effects of Meth is appropriated to the office of the governor and the appropriation in the department of justice is void."

If House Bill No. 439 is not passed and approved, TV and Radio Advertisements on the Effects of Meth is reduced by \$240,000 of general fund in fiscal year 2006."

Amendment **not** adopted as follows:

Ayes: Becker, Bixby, Buzzas, Caferro, Campbell, Cohenour, Dickenson, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hiner, Jent, Kaufmann, Lenhart, McAlpin, Sesso, Small-Eastman, Windy Boy, Wiseman.  
Total 21

Noes: Andersen, Arntzen, Balyeat, Barrett, Bergren, Branae, D. Brown, R. Brown, Butcher, Callahan, Clark, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Hawk, Heinert, Hendrick, Henry, Himmelberger, Jackson, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Juneau, Keane, Klock, Koopman, Lake, Lambert, Lange, Lindeen, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Witt, Mr. Speaker.  
Total 79

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Jopek moved **HB 2**, second reading copy, be further amended as follows:

1. Page D-1, line 19 through line 20.

**Strike:** lines 19 and 20 in their entirety

2. Page D-3, line 12 through line 18.

**Strike:** lines 12 through lines 18 in their entirety

Amendment adopted as follows:

Ayes: Balyeat, Becker, Bixby, D. Brown, R. Brown, Butcher, Caferro, Campbell, Clark, Driscoll, Everett, Furey, Gallik, Galvin-Halcro, Grinde, Gutsche, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Jackson, Jayne, W. Jones, Jopek, Juneau, Koopman, Lange, Lindeen, Maedje, Malcolm, McAlpin, McGillvray, Mendenhall, Morgan, Musgrove, Noennig, Noonan, Raser, Roberts, Sales, Sesso, Small-Eastman, Sonju, Stoker, Wagman, Waitschies, Wanzenried, Warden, Wells, Wilson, Windham.  
Total 53

Noes: Andersen, Arntzen, Barrett, Bergren, Branae, Buzzas, Callahan, Cohenour, Dickenson, Dowell, Eaton, Facey, Franklin, Glaser, Golie, Groesbeck, Hamilton, Hiner, Jacobson, Jent, L. Jones, Kaufmann, Keane, Klock,

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Total 47

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Sales moved **HB 2**, second reading copy, be further amended as follows:

1. Page D-7, line 9.

**Strike:** "1,124,678 1,124,315" [general fund FY06 and FY07]  
**Insert:** " 824,678 824,315" [general fund FY06 and FY07]

Amendment **not** adopted as follows:

Ayes: Arntzen, Balyeat, Becker, Bixby, Branae, D. Brown, Buzzas, Caferro, Clark, Dickenson, Dowell, Everett, Franklin, Furey, Golie, Grinde, Gutsche, Hamilton, Harris, Heinert, Hendrick, Henry, Himmelberger, Jopek, Juneau, Kaufmann, Koopman, Lange, Lindeen, McGillvray, Mendenhall, Morgan, Musgrove, Noennig, Raser, Roberts, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Wanzenried, Warden, Wells, Windham, Wiseman.  
Total 46

Noes: Andersen, Barrett, Bergren, R. Brown, Butcher, Callahan, Campbell, Cohenour, Driscoll, Eaton, Facey, Gallik, Galvin-Halcro, Glaser, Groesbeck, Hawk, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Keane, Klock, Lake, Lambert, Lenhart, MacLaren, Maedje, Malcolm, McAlpin, McKenney, McNutt, Milburn, Noonan, A. Olson, B. Olson, Parker, Peterson, Rice, Ripley, Ross, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Ward, Wilson, Windy Boy, Witt, Mr. Speaker.  
Total 54

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Rep. Callahan closed on HB 2, Section D.

Rep. Bergren announced the House Democrats will caucus.  
Rep. Lange announced the House Republicans will caucus.  
Chairman Jent stated the House will stand at ease until 2:30 p.m.

House reconvened at 2:35 p.m.

Rep. Franklin gave opening remarks on HB 2, Section E: Education.

Rep. Lange announced the House Republicans will caucus.  
Chairman Jent stated the House will stand at ease until 3:15 p.m.

**HB 2** - Representative Franklin moved **HB 2**, second reading copy, be further amended as follows:

1. Page E-1, line 8.

**Strike:** "155,423 155,423" [general fund FY06 and FY07]  
**Insert:** "2,750,423 2,750,423" [general fund FY06 and FY07]

2. Page E-2, line 19.

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**Strike:** "550,000 550,000" [general fund FY06 and FY07]  
**Insert:** "1,000,000 1,000,000" [general fund FY06 and FY07]

Amendment **not** adopted as follows:

Ayes: Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Dickenson, Dowell, Driscoll, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Lenhart, McAlpin, Musgrove, Noonan, Parker, Sesso, Small-Eastman, Taylor, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman.  
Total 42

Noes: Andersen, Arntzen, Balyeat, Barrett, Becker, D. Brown, R. Brown, Butcher, Clark, Cohenour, Eaton, Everett, Glaser, Golie, Hawk, Heinert, Hendrick, Himmelberger, Jackson, L. Jones, W. Jones, Keane, Klock, Koopman, Lake, Lambert, Lange, Lindeen, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, A. Olson, B. Olson, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Wagman, Waitschies, Ward, Warden, Wells, Witt, Mr. Speaker.  
Total 58

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Franklin moved **HB 2**, second reading copy, be further amended as follows:

1. Page E-2, line 15.

**Strike:** "2,372,041 2,403,643" [general fund FY06 and FY07]  
**Insert:** "987,842 987,842" [general fund FY06 and FY07]

Amendment adopted as follows:

Ayes: Balyeat, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jacobson, Jayne, Jent, L. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lange, Lenhart, Lindeen, Maedje, Malcolm, McAlpin, McGillvray, McKenney, Mendenhall, Morgan, Musgrove, Noennig, Noonan, A. Olson, Parker, Peterson, Raser, Ripley, Roberts, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Taylor, Villa, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Wiseman, Witt, Mr. Speaker.  
Total 81

Noes: Andersen, Arntzen, Barrett, Glaser, Jackson, W. Jones, Lake, Lambert, MacLaren, McNutt, Milburn, B. Olson, Rice, Ross, Stahl, Stoker, Wagman, Waitschies, Windy Boy.  
Total 19

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Morgan moved **HB 2**, second reading copy, be further amended as follows:

1. Page E-6, line 17.

**Strike:** "1,506,562 1,532,621" [general fund FY 06 and FY 07]  
**Insert:** "1,456,562 1,482,621" [general fund FY 06 and FY 07]

Amendment adopted as follows:

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Ayes: Andersen, Arntzen, Balyeat, Barrett, Bergren, D. Brown, R. Brown, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Jackson, L. Jones, W. Jones, Jopek, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, A. Olson, B. Olson, Parker, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Witt, Mr. Speaker.  
Total 54

Noes: Becker, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lenhart, Lindeen, McAlpin, Musgrove, Noonan, Raser, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman.  
Total 46

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Taylor moved **HB 2**, second reading copy, be further amended as follows:

1. Page E-9.

**Following:** line 2

**Insert:** "p. Yellow Bay -- Water Quality Monitoring -- Flathead Basin (Restricted/Biennial) 145,500  
145,500"  
[general fund FY 06 and FY 07]

Amendment **not** adopted as follows:

Ayes: Andersen, Caferro, Dickenson, Glaser, Jackson, Jayne, Jent, W. Jones, Jopek, Juneau, Lake, Lambert, Morgan, B. Olson, Ross, Stoker, Taylor, Waitschies, Ward, Windham.  
Total 20

Noes: Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Buzzas, Callahan, Campbell, Clark, Cohenour, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jacobson, L. Jones, Kaufmann, Keane, Klock, Koopman, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Musgrove, Noennig, Noonan, A. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Villa, Wagman, Wanzenried, Warden, Wells, Wilson, Windy Boy, Wiseman, Witt, Mr. Speaker.  
Total 80

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Sinrud moved **HB 2**, second reading copy, be further amended as follows:

1. Page E-5, line 11.

**Strike:** "147,382 146,246" [state special fund FY06 and FY07]  
**Insert:** "79,665 78,529" [state special fund FY06 and FY07]

2. Page E-5, line 19.

**Strike:** "25,380 25,436" [state special fund FY06 and FY07]  
**Insert:** " 2,624 2,680" [state special fund FY06 and FY07]

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3. Page E-5, line 21.

**Strike:** "390,814 386,672" [state special fund FY06 and FY07]

**Insert:** "55,584 55,583" [state special fund FY06 and FY07]

4. Page E-6, line 10 and line 11.

**Strike:** line 10 through "language appropriations" on line 11.

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 2** - Representative Jackson moved **HB 2**, second reading copy, be further amended as follows:

1. Page E-1, line 4.

**Strike:** "4,702,474 4,763,796" [general fund FY06 and FY07]

**Insert:** "4,696,474 4,757,796" [general fund FY06 and FY07]

Amendment **not** adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, R. Brown, Butcher, Everett, Glaser, Hawk, Heinert, Himmelberger, Jackson, L. Jones, W. Jones, Klock, Koopman, Lake, Lange, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Peterson, Rice, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Wilson, Witt, Mr. Speaker.

Total 45

Noes: Becker, Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hendrick, Henry, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Keane, Lambert, Lenhart, Lindeen, MacLaren, McAlpin, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Raser, Ripley, Sesso, Small-Eastman, Villa, Wanzenried, Windham, Windy Boy, Wiseman.

Total 55

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Chairman Jent stated the House will stand at ease for 5 minutes.

**HB 2** - Representative Glaser moved **HB 2**, second reading copy, be further amended as follows:

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1. Page E-1, line 18.

**Strike:** "423,522,296 427,637,698" [general fund FY06 and FY07]  
**Insert:** "424,522,296 428,637,698" [general fund FY06 and FY07]

Amendment **not** adopted as follows:

Ayes: Bixby, Glaser, Hendrick, Lambert, Small-Eastman, Waitschies, Ward, Wells.  
Total 8

Noes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Wanzenried, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.  
Total 92

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Koopman moved **HB 2**, second reading copy, be further amended as follows:

1. Page E-4, line 11.

**Strike:** "292,125 285,905" [general fund FY06 and FY07]  
**Insert:** "113,947 140,453" [general fund FY06 and FY07]

Amendment **not** adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, D. Brown, Butcher, Everett, Hawk, Heinert, Himmelberger, Jackson, L. Jones, Koopman, Lange, Maedje, Malcolm, McGillvray, McKenney, Mendenhall, Morgan, Sales, Sinrud, Sonju, Stahl, Taylor, Waitschies, Ward, Warden, Wells.  
Total 28

Noes: Barrett, Becker, Bergren, Bixby, Branae, R. Brown, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hendrick, Henry, Hiner, Jacobson, Jayne, Jent, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lake, Lambert, Lenhart, Lindeen, MacLaren, McAlpin, McNutt, Milburn, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sesso, Small-Eastman, Stoker, Villa, Wagman, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.  
Total 72

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Jopek moved **HB 2**, second reading copy, be further amended as follows:

1. Page E-9.

**Following:** line 2

**Following:** "p. Yellow Bay -- Water Quality Monitoring -- Flathead Basin (Restricted/Biennial) 93,500

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93,500 [general fund FY 06 and FY 07]"

Amendment **not** adopted as follows:

Ayes: Becker, Bixby, Caferro, Campbell, Dickenson, Glaser, Gutsche, Jackson, Jayne, W. Jones, Jopek, Juneau, McAlpin, Musgrove, B. Olson, Stoker, Taylor, Windham, Windy Boy.  
Total 19

Noes: Andersen, Arntzen, Balyeat, Barrett, Bergren, Branae, D. Brown, R. Brown, Butcher, Buzzas, Callahan, Clark, Cohenour, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jacobson, Jent, L. Jones, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, Noonan, A. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Wiseman, Witt, Mr. Speaker.  
Total 81

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Sales moved **HB 2**, second reading copy, be further amended as follows:

1. Page E-8, line 13.  
**Strike:** "1,693,291 1,692,258" [general fund FY06 & FY07]  
**Insert:** "1,621,291 1,617,378" [general fund FY06 & FY07]

2. Page E-13, line 11.  
**Following:** "regents;" page E-13 on line 11  
**Strike:** through "regents;" on line 12

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Branae, D. Brown, R. Brown, Butcher, Callahan, Campbell, Everett, Galvin-Halcro, Golie, Harris, Hawk, Hendrick, Himmelberger, Jayne, L. Jones, Jopek, Klock, Koopman, Lake, Lange, Maedje, Malcolm, McGillvray, McKenney, Mendenhall, Milburn, Morgan, Noennig, Peterson, Rice, Roberts, Ross, Sales, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Windham, Witt, Mr. Speaker.  
Total 50

Noes: Becker, Bergren, Bixby, Buzzas, Caferro, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Gutsche, Hamilton, Henry, Hiner, Jackson, Jacobson, Jent, W. Jones, Juneau, Kaufmann, Keane, Lambert, Lenhart, Lindeen, MacLaren, McAlpin, McNutt, Musgrove, Noonan, A. Olson, B. Olson, Parker, Raser, Ripley, Sesso, Stoker, Villa, Wanzenried, Wilson, Windy Boy, Wiseman.  
Total 49

Excused: None.  
Total 0

Absent or not voting: Heinert.  
Total 1

**HB 2** - Representative Glaser moved **HB 2**, second reading copy, be further amended as follows:

1. Page E-3, following line 5.  
**Insert:** "If the annual appropriation in Base Aid is in excess of the amount required to fund any bill enacted by

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the 59th legislature increasing the basic and per-ANB entitlements, then any remaining amount must be deposited in the school flexibility account, established in 20-9-542, and distributed as provided in that section."

Amendment **not** adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, R. Brown, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Jackson, L. Jones, W. Jones, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Witt.  
Total 49

Noes: Becker, Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, McAlpin, Musgrove, Noonan, Parker, Raser, Sesso, Small-Eastman, Stahl, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.  
Total 51

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Sonju moved **HB 2**, second reading copy, be further amended as follows:

1. Page E-1, lines 13 and 14.  
**Strike:** Lines 13 and 14 in their entirety

Amendment **not** adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, R. Brown, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Jackson, L. Jones, W. Jones, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Witt.  
Total 50

Noes: Becker, Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, McAlpin, Musgrove, Noonan, Parker, Raser, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.  
Total 50

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Glaser moved **HB 2**, second reading copy, be further amended as follows:

1. Page E-9, line 1 through line 2.  
**Strike:** line 1 through line 2 in their entirety

2. Page E-13, line 17 through line 18.

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**Strike:** line 17 through line 18 in their entirety

Amendment **not** adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Bergren, D. Brown, R. Brown, Butcher, Clark, Dowell, Driscoll, Everett, Galvin-Halcro, Glaser, Golie, Groesbeck, Hawk, Hendrick, Himmelberger, Hiner, Juneau, Koopman, Lake, Lange, MacLaren, Maedje, McGillvray, McKenney, McNutt, Morgan, Noennig, B. Olson, Parker, Raser, Rice, Ripley, Roberts, Sales, Sinrud, Sonju, Taylor, Wagman, Waitschies, Wanzenried, Warden, Wells, Wilson, Windham, Mr. Speaker.  
Total 49

Noes: Becker, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Cohenour, Dickenson, Eaton, Facey, Franklin, Furey, Gallik, Grinde, Gutsche, Hamilton, Harris, Heinert, Henry, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Kaufmann, Keane, Klock, Lambert, Lenhart, Lindeen, Malcolm, McAlpin, Mendenhall, Milburn, Musgrove, Noonan, A. Olson, Peterson, Ross, Sesso, Small-Eastman, Stahl, Stoker, Villa, Ward, Windy Boy, Wiseman, Witt.  
Total 51

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Wanzenried moved **HB 2**, second reading copy, be further amended as follows:

1. Page E-8, line 21.

**Strike:** "260,000 260,000" [state special revenue FY 06 and FY 07]  
**Insert:** "220,000 220,000" [state special revenue FY 06 and FY 07]

Amendment adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bixby, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Everett, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Glaser, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wells, Wilson, Windham, Wiseman, Witt, Mr. Speaker.  
Total 97

Noes: Bergren, Musgrove, Windy Boy.  
Total 3

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Sinrud moved **HB 2**, second reading copy, be further amended as follows:

1. Page E-3, line 14.

**Strike:** "173,641 173,657" [state special fund FY06 and FY07]  
**Insert:** "158,641 158,657" [state special fund FY06 and FY07]

Amendment **not** adopted as follows:

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Ayes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, R. Brown, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Jackson, L. Jones, W. Jones, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Witt.  
Total 50

Noes: Becker, Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, McAlpin, Musgrove, Noonan, Parker, Raser, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.  
Total 50

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 2** - Representative Sesso moved **HB 2**, second reading copy, be further amended as follows:

1. Page E-8.  
**Strike:** Amendment HB 2 - 4027

Amendment adopted as follows:

Ayes: Barrett, Becker, Bergren, Bixby, Branae, Buzzas, Caferro, Campbell, Clark, Cohenour, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Grinde, Groesbeck, Gutsche, Hamilton, Henry, Hiner, Jackson, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lambert, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McKenney, McNutt, Musgrove, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Sesso, Villa, Wanzenried, Wilson, Windy Boy, Wiseman, Witt, Mr. Speaker.  
Total 60

Noes: Andersen, Arntzen, Balyeat, D. Brown, R. Brown, Butcher, Callahan, Dickenson, Everett, Glaser, Golie, Harris, Hawk, Heinert, Hendrick, Himmelberger, Jent, Koopman, Lake, Lange, McGillvray, Mendenhall, Milburn, Morgan, Noennig, Roberts, Ross, Sales, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Windham.  
Total 40

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Rep. Franklin closed on HB 2, Section E.

Rep. Facey assumed the Chair.  
Chairman Facey stated the House will stand at ease for 5 minutes.

Rep. Buzzas gave opening remarks on HB 2, Section R.

Chairman Facey stated if there were no amendments to Section R, Section R is closed.

Rep. Buzzas gave the opening remarks on HB 2, Section BP, boilerplate language.  
There being no amendments, Section BP was closed.

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Rep. Buzzas gave an update on the status of HB 2. She said that at the beginning of HB 2 deliberations, the State was \$76 million over the cap. Now it is \$3.9 million over the cap.

Rep. Bergren announced the House Democrats will caucus.  
Chairman Facey stated the House will stand at ease until 6:55 p.m.

**HB 2** - Representative Witt moved **HB 2**, as amended, do pass. Motion carried as follows:

Ayes: Becker, Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, McAlpin, Musgrove, Noonan, Parker, Raser, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 51

Noes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, R. Brown, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Jackson, L. Jones, W. Jones, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Dem. Floor Leader Parker moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Facey moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Becker, Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, McAlpin, Musgrove, Noennig, Noonan, Parker, Raser, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.

Total 50

Noes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, R. Brown, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Jackson, L. Jones, W. Jones, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, A. Olson, B. Olson, Peterson, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Wells, Witt.

Total 49

Excused: None.

Total 0

Absent or not voting: Campbell.

Total 1

**MOTIONS**

Dem. Floor Leader Parker moved to suspend the House rules to allow for the 2nd and 3rd Readings of HB 2 on the same day. This requires a 2/3 vote. Motion **failed** as follows:

Ayes: Becker, Bergren, Bixby, Branae, R. Brown, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Driscoll, Eaton, Facey, Franklin, Furey, Gallik, Galvin-Halcro, Golie, Grinde, Groesbeck,

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Gutsche, Hamilton, Harris, Henry, Hiner, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Lambert, Lange, Lenhart, Lindeen, McAlpin, McKenney, McNutt, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Peterson, Raser, Sesso, Small-Eastman, Villa, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.  
Total 66

Noes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Jackson, Klock, Koopman, Lake, MacLaren, Maedje, Malcolm, McGillvray, Mendenhall, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Wells.  
Total 34

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**UNFINISHED BUSINESS**

Rep. Dee Brown objected to SB 81 on the Consent Calendar. SB 81 will be placed on 2nd Reading.

**SPECIAL ORDERS OF THE DAY**

Consent Calendar: HB 22, HB 470, HB 577, SB 136, and SB 160. There being no questions, these bills will be placed on 3rd Reading.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Dem. Floor Leader Parker moved that the House adjourn until 9:00 a.m., Saturday, March 19, 2005. Motion carried.

House adjourned at 7:43 p.m.

MARILYN MILLER  
Chief Clerk of the House

GARY MATTHEWS  
Speaker of the House