

**HOUSE JOURNAL**  
**59TH LEGISLATURE / SPECIAL SESSION DECEMBER 2005**  
**SECOND LEGISLATIVE DAY**

Helena, Montana  
December 15, 2005

House Chambers  
State Capitol

House convened at 12 p.m. Mr. Speaker in the Chair. Invocation by Representative Villa. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**REPORTS OF STANDING COMMITTEES**

Correctly printed: **HJR 1**.

**APPROPRIATIONS** (Buzzas, Chairman): 12/15/2005  
**HJR 1**, without recommendation. Report adopted.

**EDUCATION** (Galvin-Halcro, Chairman): 12/15/2005  
**HB 4**, without recommendation. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bill** passed and transmitted to the House for concurrence:

**SB 1**, introduced by Ryan 12/15/2005

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 6**, introduced by Golie, referred to State Administration.

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

**SB 1**, introduced by Ryan, referred to Education.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Dem. Floor Leader Parker moved that the House stand in recess until 4 p.m., Thursday, December 15, 2005. Motion carried.

House recessed at 12:05 p.m.

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House reconvened at 4:00 p.m.

Speaker Matthews announced that the body would stand in recess until 4:45 p.m., Thursday, December 15, 2005, while waiting for printing of bills and preparation of Fiscal notes.

House recessed at 4:05 p.m.

House reconvened at 4:46 p.m. Speaker Matthews in the Chair. Representative Wells and Peterson Excused. Quorum Present.

**REPORTS OF STANDING COMMITTEES**

Correctly printed: **HB 6**

**STATE ADMINISTRATION** (Jent, Chairman):  
**HB 6**, introduced bill, be amended as follows:

12/15/2005

1. Title, page 1, line 4.

**Strike:** "A FULL ANNUAL REPORT AND"

2. Title, page 1, line 5.

**Strike:** "REPORT"

**Following:** "OF THE"

**Strike:** "REPORTS"

**Insert:** "SUMMARY"

3. Title, page 1, line 6.

**Strike:** "AND AN APPLICABILITY DATE"

4. Page 1, line 10.

**Strike:** "Full" through "report"

**Insert:** "Annual summary"

5. Page 1, line 10 through line 19.

**Strike:** subsection (1) in its entirety

**Renumber:** subsequent subsections

6. Page 1, line 20.

**Strike:** "also"

**Following:** "prepare a"

**Insert:** "one-page"

**Strike:** "report"

7. Page 1, line 21.

**Following:** "board."

**Insert:** "The summary must include but is not limited to the information described in this section."

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8. Page 1, line 21, line 22, line 25, line 26, line 28 and line 30.

**Strike:** "report"

9. Page 2, line 2 through line 3.

**Strike:** "Each" on line 2 through "report." on line 3

**Insert:** "The board shall send a copy of the summary to each member or beneficiary of the system."

10. Page 2, line 4.

**Strike:** the first "the"

**Insert:** "any"

11. Page 2, line 6.

**Strike:** "report--"

**Strike:** "report"

12. Page 2, line 6 through line 15.

**Strike:** subsection (1) in its entirety

**Renumber:** subsequent subsections

13. Page 2, line 16.

**Strike:** "also"

**Following:** "prepare a"

**Insert:** "one-page"

**Strike:** "report"

14. Page 2, line 17.

**Following:** "system."

**Insert:** "The summary must include but is not limited to the information described in this section."

15. Page 2, line 17, line 18, line 21, line 22, line 24, line 26.

**Strike:** "report"

16. Page 2, line 28 through line 29.

**Strike:** "Each" on line 28 through "report." on line 29

**Insert:** "The board shall send a copy of the summary to each member or beneficiary of the system."

17. Page 2, line 30.

**Strike:** the first "the"

**Insert:** "any"

18. Page 3, line 9 through line 10.

**Strike:** section 5 in its entirety

And, as amended, do pass. Report adopted.

**EDUCATION** (Galvin-Halcro, Chairman):

**SB 1**, be submitted **without recommendation**. Report adopted.

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**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 7**, introduced by Barrett, referred to Appropriations.

**HB 8**, introduced by Keane, referred to Appropriations.

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

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

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

**SB 1** - Representative Raser moved **SB 1** do pass.

**SB 1** - Representative Milburn moved **SB 1**, second reading copy, be amended as follows:

1. Page 3, line 23.

**Following:** "district."

**Insert:** "If the students in the district rate below the statewide average on standardized achievement tests, then the district shall use the funds for evaluating the educational programs in the district. The remaining funds must be expended to improve the programs identified as in need of improvement."

Amendment **not** adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, R. Brown, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, L. Jones, W. Jones, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Noennig, A. Olson, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Witt.  
Total 46

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, Jackson, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, McAlpin, Musgrove, Noonan, B. Olson, Parker, Raser, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.  
Total 51

Excused: Peterson, Wells.  
Total 2

Absent or not voting: Bergren.  
Total 1

**SB 1** - Representative Maedje moved **SB 1**, second reading copy, be amended as follows:

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1. Page 3, line 19.

**Strike:** "(A)"

2. Page 3, line 22.

**Strike:** line 22

Amendment **not** adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Jackson, L. Jones, W. Jones, Klock, Lake, Lambert, Maedje, Malcolm, McKenney, McNutt, Milburn, Noennig, A. Olson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Witt.

Total 36

Noes: 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, Gutsche, Hamilton, Harris, Henry, Himmelberger, Hiner, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Keane, Koopman, Lange, Lenhart, Lindeen, MacLaren, McAlpin, McGillvray, Mendenhall, Musgrove, Noonan, B. Olson, Parker, Raser, Roberts, Sales, Sesso, Small-Eastman, Villa, Wanzenried, Warden, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.

Total 61

Excused: Peterson, Wells.

Total 2

Absent or not voting: Morgan.

Total 1

**SB 1** - Representative Lake moved **SB 1**, second reading copy, be amended as follows:

1. Page 29, line 1.

**Following:** "voidness."

**Insert:** "(1)"

2. Page 29, line 3.

**Insert:** "(2) If the plaintiffs in Columbia Falls Elementary School District No. 6 v. State, 2005 MT 69, 326 Mont. 304, 109 P.3d 257 (2005), have not entered into a settlement agreement with the state that terminates the litigation before June 30, 2006, then [this act] is void."

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, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Witt.

Total 47

Noes: Becker, Bergren, Bixby, Branae, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell,

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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, B. Olson, Parker, Raser, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.

Total 51

Excused: Peterson, Wells.

Total 2

Absent or not voting: None.

Total 0

**SB 1** - Representative A. Olson moved **SB 1**, second reading copy, be amended as follows:

1. Title, page 21.

**Following:** "MILE:"

**Insert:** "PROVIDING TAX RELIEF BY INCREASING DIRECT STATE AID FROM 44.7 PERCENT TO 52 PERCENT AND DECREASING GUARANTEED TAX BASE AID FOR BASE AID FROM 35.3 PERCENT TO 28 PERCENT;"

2. Page 8, line 6.

**Strike:** "44.7%" in 2 places

**Insert:** "52%" in both places

3. Page 8, line 8.

**Strike:** "35.3%"

**Insert:** "28%"

4. Page 8, line 9.

**Strike:** "35.3%"

**Insert:** "28%"

5. Page 9, line 9.

**Strike:** "44.7%" in 2 places

**Insert:** "52%" in both places

6. Page 10, line 24.

**Strike:** "44.7%" in 2 places

**Insert:** "52%" in both places

7. Page 10, line 26.

**Strike:** "35.3%"

**Insert:** "28%"

8. Page 10, line 27.

**Strike:** "35.3%"

**Insert:** "28%"

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9. Page 11, line 27.

**Strike:** "44.7%" in 2 places

**Insert:** "52%" in both places

Amendment **not** adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, R. Brown, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, 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 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, Jackson, 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 51

Voted Absentee: Peterson, Wells, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 1** - Representative Maedje moved **SB 1**, second reading copy, be amended as follows:

1. Title, line 11 through line 12.

**Strike:** "PROVIDING" on line 11 through "PAYMENT;" on line 12

2. Title, line 16 through line 17.

**Strike:** "TOTAL" on line 16 through the first "PAYMENT," on line 17

3. Title, line 19.

**Following:** "ANB;"

**Insert:** "INCREASING THE PER-ANB ENTITLEMENT;"

**Strike:** "INCREASES" through "AND"

**Insert:** "THE INCREASE IN"

4. Title, line 20.

**Following:** "ENTITLEMENT;"

**Insert:** "INCREASING THE PERCENTAGE OF DIRECT STATE AID; DECREASING THE PERCENTAGE OF GUARANTEED TAX BASE AID;"

5. Page 1, line 26 through page 2, line 25.

**Strike:** section 1 in its entirety

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**Renumber:** subsequent sections

6. Page 8, line 6.

**Strike:** "44.7%" in both places

**Insert:** "47.5%" in both places

7. Page 8, line 8.

**Strike:** "35.3%"

**Insert:** "32.5%"

8. Page 8, line 9.

**Strike:** "35.3%"

**Insert:** "32.5%"

9. Page 8, line 11.

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

**Renumber:** subsequent subsections

10. Page 8, line 16.

**Strike:** "100% of the total quality educator payment,"

11. Page 9, line 9.

**Strike:** "44.7%" in both places

**Insert:** "47.5%" in both places

12. Page 9, line 12.

**Strike:** "the" through "payment,"

13. Page 9, line 24.

**Strike:** "4"

**Insert:** "3"

14. Page 9, line 26.

**Strike:** "2"

**Insert:** "1"

15. Page 9, line 28.

**Strike:** "3"

**Insert:** "2"

16. Page 10, line 1.

**Strike:** "\$5,704"

**Insert:** "\$5,858"

17. Page 10, line 5.

**Strike:** "\$4,456"

**Insert:** "\$4,610"

18. Page 10, line 10.



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**Strike:** "\$4,456"  
**Insert:** "\$4,610"

19. Page 10, line 13.

**Strike:** "\$5,704"  
**Insert:** "\$5,858"

20. Page 10, line 16 through line 19.

**Strike:** subsection (15) in its entirety

21. Page 10, line 24.

**Strike:** "44.7%" in both places  
**Insert:** "47.5%" in both places

22. Page 10, line 26.

**Strike:** "35.3%"  
**Insert:** "32.5%"

23. Page 10, line 27.

**Strike:** "35.3%"  
**Insert:** "32.5%"

24. Page 10, line 29.

**Strike:** subsection (c) in its entirety  
**Renumber:** subsequent subsections

25. Page 11, line 4.

**Strike:** "100% of the total quality educator payment,"

26. Page 11, line 27.

**Strike:** "44.7%" in both places  
**Insert:** "47.5%" in both places

27. Page 11, line 30 through page 12, line 1.

**Strike:** "the" on page 11, line 30 through the first "payment," on page 12, line 1

28. Page 12, line 12.

**Strike:** "4"  
**Insert:** "3"

29. Page 12, line 14.

**Strike:** "2"  
**Insert:** "1"

30. Page 12, line 16.

**Strike:** "3"  
**Insert:** "2"

31. Page 12, line 19.

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**Strike:** "\$5,704"  
**Insert:** "\$5,858"

32. Page 12, line 23.  
**Strike:** "\$4,456"  
**Insert:** "\$4,610"

33. Page 12, line 28.  
**Strike:** "\$4,456"  
**Insert:** "\$4,610"

34. Page 13, line 1.  
**Strike:** "\$5,704"  
**Insert:** "\$5,858"

35. Page 13, line 4 through line 7.  
**Strike:** subsection (15) in its entirety

36. Page 26, line 1.  
**Strike:** subsection (ii) in its entirety  
**Renumber:** subsequent subsections

37. Page 26, line 7.  
**Strike:** subsection (ii) in its entirety  
**Renumber:** subsequent subsections

38. Page 26, line 16 through line 17.  
**Strike:** "the" on line 16 through the first "payment," on line 17

39. Page 28, line 23.  
**Strike:** "4"  
**Insert:** "3"

40. Page 28, line 25.  
**Strike:** "4"  
**Insert:** "3"

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, A. Olson, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Witt.  
Total 46

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, Noennig, Noonan, B. Olson, Parker, Raser, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windham,

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Windy Boy, Wiseman, Mr. Speaker.  
Total 52

Excused: Peterson, Wells.  
Total 2

Absent or not voting: None.  
Total 0

**SB 1** - Representative Maedje moved **SB 1**, second reading copy, be amended as follows:

1. Page 3, line 19.  
**Strike:** "(A)"

2. Page 3, line 22.  
**Strike:** line 22

Amendment **not** adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Driscoll, Gallik, Glaser, Harris, Hawk, Lindeen, Maedje, Malcolm, Noennig, A. Olson, Sinrud, Stahl, Stoker, Taylor, Ward, Warden.  
Total 19

Noes: Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Butcher, Buzzas, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Dowell, Eaton, Everett, Facey, Franklin, Furey, Galvin-Halcro, Golie, Grinde, Groesbeck, Gutsche, Hamilton, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lake, Lambert, Lange, Lenhart, MacLaren, McAlpin, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, B. Olson, Parker, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Small-Eastman, Sonju, Villa, Wagman, Waitschies, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.  
Total 79

Excused: Peterson, Wells.  
Total 2

Absent or not voting: None.  
Total 0

**SB 1** - Representative Butcher moved **SB 1**, second reading copy, be amended as follows:

1. Page 3, line 19.  
**Strike:** "(A)"

2. Page 3, line 22.  
**Strike:** line 22

Amendment **not** adopted as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, D. Brown, R. Brown, Butcher, Everett, Glaser, Hawk, Heinert,

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Hendrick, Himmelberger, Jackson, L. Jones, W. Jones, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Maedje, Malcolm, McGillvray, McKenney, McNutt, Mendenhall, Milburn, Morgan, A. Olson, Rice, Ripley, Roberts, Ross, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Warden, Witt.  
Total 46

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, Noennig, Noonan, B. Olson, Parker, Raser, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.  
Total 52

Excused: Peterson, Wells.  
Total 2

Absent or not voting: None.  
Total 0

**SB 1** - Representative Andersen moved **SB 1**, second reading copy, be amended as follows:

1. Title, line 19.

**Following:** "ENTITLEMENT AND"

**Insert:** "INCREASING"

2. Title, line 20.

**Following:** "ENTITLEMENT;"

**Insert:** "INCREASING DIRECT STATE AID FROM 44.7 PERCENT TO 45.1 PERCENT AND DECREASING GUARANTEED TAX BASE AID FOR BASE AID FROM 35.3 PERCENT TO 34.9 PERCENT;"

3. Page 8, line 6.

**Strike:** "44.7%" in 2 places

**Insert:** "45.1%" in both places

4. Page 8, line 8.

**Strike:** "35.3%"

**Insert:** "34.9%"

5. Page 8, line 9.

**Strike:** "35.3%"

**Insert:** "34.9%"

6. Page 8, line 27.

**Strike:** "\$230,199"

**Insert:** "\$250,199"

7. Page 8, line 28.

**Strike:** "\$20,718"

**Insert:** "\$25,718"

8. Page 9, line 3.

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**Strike:** "\$20,718"  
**Insert:** "\$25,718"

9. Page 9, line 5.  
**Strike:** "\$230,199"  
**Insert:** "\$250,199"

10. Page 9, line 9.  
**Strike:** "44.7%" in 2 places  
**Insert:** "45.1%" in both places

11. Page 10, line 24.  
**Strike:** "44.7%" in 2 places  
**Insert:** "45.1%" in both places

12. Page 10, line 26.  
**Strike:** "35.3%"  
**Insert:** "34.9%"

13. Page 10, line 27.  
**Strike:** "35.3%"  
**Insert:** "34.9%"

14. Page 11, line 15.  
**Strike:** "\$230,199"  
**Insert:** "\$250,199"

15. Page 11, line 16.  
**Strike:** "\$20,718"  
**Insert:** "\$25,718"

16. Page 11, line 21.  
**Strike:** "\$20,718"  
**Insert:** "\$25,718"

17. Page 11, line 23.  
**Strike:** "\$230,199"  
**Insert:** "\$250,199"

18. Page 11, line 27.  
**Strike:** "44.7%" in 2 places  
**Insert:** "45.1%" in both places

Amendment **not** adopted as follows:

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

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Total 41

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, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, Jopek, Juneau, Kaufmann, Keane, Koopman, Lenhart, Lindeen, McAlpin, McGillvray, Mendenhall, Musgrove, Noonan, Parker, Raser, Sales, Sesso, Small-Eastman, Sonju, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.

Total 57

Excused: Peterson, Wells.

Total 2

Absent or not voting: None.

Total 0

**SB 1** - Representative Sinrud moved for cloture. Motion passed unanimously.

**SB 1** - Representative Raser moved **SB 1** be concurred in. 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, W. Jones, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, Maedje, McAlpin, Musgrove, Noonan, A. Olson, B. Olson, Parker, Raser, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.

Total 54

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

Total 46

Voted Absentee: Peterson, Wells, Noes.

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 Parker moved the Committee of the Whole report be adopted. Report adopted 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, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, McAlpin, Musgrove, Noennig, Noonan, B. Olson, Parker, Raser, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.

Total 54

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

Total 44

Excused: Peterson, Wells.

Total 2

Absent or not voting: None.

Total 0

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

**SB 1** concurred in 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, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, Maedje, McAlpin, Musgrove, Noonan, A. Olson, B. Olson, Parker, Raser, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.

Total 55

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

Total 42

Excused: Peterson, Wells.

Total 2

Absent or not voting: Everett.

Total 1

**MESSAGES FROM THE SENATE**

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

**HB 1**, introduced by Wanzenried

12/15/2005

**HB 5**, introduced by Buzzas

**House bill** concurred in and returned to the House:

12/15/2005

**HB 2**, introduced by Jackson

12/15/2005

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

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

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

**HB 1 - Senate Amendments** - Representative Wanzenried moved Senate amendments to **HB 1** be concurred in. Motion carried as follows:

Ayes: 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, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, McAlpin, Musgrove, Noonan, B. Olson, Parker, Raser, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.

Total 52

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

Total 45

Excused: Peterson, Wells.

Total 2

Absent or not voting: Everett.

Total 1

**HB 6** - Representative Golie moved **HB 6** do pass. Motion carried 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, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McKenney, McNutt, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Raser, Rice, Ripley, Roberts, Sesso, Small-Eastman, Stahl, Stoker, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 87

Noes: Hawk, Lake, McGillvray, Mendenhall, Ross, Sales, Sinrud, Sonju, Taylor, Wilson.

Total 10

Excused: Peterson, Wells.

Total 2

Absent or not voting: Everett.

Total 1



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**HB 5 - Senate Amendments** - Representative Buzzas moved Senate amendments to **HB 5** be concurred in. Motion carried 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, 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, Raser, Rice, Ripley, Roberts, Ross, Sales, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 95

Noes: Harris, Taylor.

Total 2

Excused: Peterson, Wells.

Total 2

Absent or not voting: Everett.

Total 1

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

Ayes: Andersen, Balyeat, 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, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lake, Lambert, Lenhart, Lindeen, McAlpin, McNutt, Morgan, Musgrove, Noennig, Noonan, B. Olson, Parker, Raser, Ross, Sesso, Small-Eastman, Villa, Wanzenried, Warden, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.

Total 64

Noes: Arntzen, Barrett, D. Brown, R. Brown, Butcher, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Lange, MacLaren, Maedje, Malcolm, McGillvray, McKenney, Mendenhall, A. Olson, Rice, Ripley, Roberts, Sales, Sinrud, Sonju, Stahl, Stoker, Taylor, Wagman, Waitschies, Ward, Witt.

Total 31

Excused: Peterson, Wells.

Total 2

Absent or not voting: Everett, Koopman, Milburn.

Total 3

**THIRD READING OF BILLS**

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

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manner:

**HB 1, as amended by the Senate**, passed 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, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Lenhart, Lindeen, MacLaren, McAlpin, Musgrove, Noonan, B. Olson, Parker, Raser, Sesso, Small-Eastman, Villa, Wanzenried, Wilson, Windham, Windy Boy, Wiseman, Mr. Speaker.

Total 54

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

Total 42

Excused: Peterson, Wells.

Total 2

Absent or not voting: Everett, Maedje.

Total 2

**HB 6** passed 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, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Koopman, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McGillvray, McKenney, McNutt, Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Raser, Rice, Ripley, Roberts, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Villa, Wagman, Waitschies, Wanzenried, Ward, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.

Total 90

Noes: Hawk, Lake, Mendenhall, Ross, Sales, Sinrud, Taylor.

Total 7

Excused: Peterson, Wells.

Total 2

Absent or not voting: Everett.

Total 1

**HB 5, as amended by the Senate**, passed as follows:

Ayes: Andersen, Arntzen, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, 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, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Jackson, Jacobson, Jayne, Jent, L. Jones, W. Jones, Jopek, Juneau, Kaufmann, Keane, Klock, Lake, Lambert, Lange, Lenhart, Lindeen, MacLaren, Maedje, Malcolm, McAlpin, McKenney, McNutt, Mendenhall,

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Milburn, Morgan, Musgrove, Noennig, Noonan, A. Olson, B. Olson, Parker, Raser, Rice, Ripley, Roberts, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Villa, Wagman, Waitschies, Wanzenried, Warden, Wilson, Windham, Windy Boy, Wiseman, Witt, Mr. Speaker.  
Total 90

Noes: D. Brown, Harris, Koopman, McGillvray, Sales, Taylor, Ward.  
Total 7

Excused: Peterson, Wells.  
Total 2

Absent or not voting: Everett.  
Total 1

**ANNOUNCEMENTS**

Dem. Floor Leader Parker moved the House adjourn Sine Die. Motion carried.

House adjourned at 7:30 p.m.

MARILYN MILLER  
Chief Clerk of the House

GARY MATTHEWS  
Speaker of the House