

**SENATE JOURNAL
58TH LEGISLATURE
FIFTIETH LEGISLATIVE DAY**

Helena, Montana
March 10, 2003

Senate Chambers
State Capitol

Senate convened at 1:00 p.m. President Keenan presiding. Invocation by Pastor Keith Johnson. Pledge of Allegiance to the Flag.

Roll Call. All members present except Senator Cobb, excused. Quorum present.

The presiding officer has authenticated the daily journal for the forty-ninth legislative day.

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK AND IRRIGATION (Bales, Chairman): 3/7/2003
HB 325, be concurred in. Report adopted.
HB 378, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Glaser, Chairman): 3/10/2003
HB 135, be concurred in. Report adopted.
HB 154, be amended as follows:

1. Title, line 6.

Strike: "DEFINING THE TERM "RETIREMENT";"

2. Page 4, line 8 through line 10.

Strike: subsection (16) in its entirety

Renumber: subsequent subsections

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

JUDICIARY (Grimes, Chairman): 3/10/2003
HB 156, be amended as follows:

1. Page 1, line 24.

Following: "FOUR"

Insert: "or more"

2. Page 1, line 25.

Strike: subsection (II) in its entirety

Renumber: subsequent subsections

3. Page 1, line 26.

Following: "PSYCHIATRIST"

Strike: " 1 "

Insert: "or a"

Following: "PSYCHOLOGIST"

Strike: " 1 "

Insert: "licensed by the state or a licensed clinical"

Following: "COUNSELOR"

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Strike: " "
Following: "OR"
Insert: "a licensed clinical"
Following: "WORKER"
Strike: "LICENSED BY THE STATE"

4. Page 1, line 28.
Following: the first "THE"
Insert: "court finds that the"

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

HB 210, be amended as follows:

1. Page 1, line 27.
Following: "voluntarily"
Insert: "may move to withdraw the plea. If the motion to withdraw is denied, the defendant"

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

NATURAL RESOURCES (Tash, Chairman): 3/10/2003
HB 287, be concurred in. Report adopted.
HB 326, be concurred in. Report adopted.
HB 427, be concurred in. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY (O'Neil, Chairman): 3/10/2003
HB 56, be concurred in. Report adopted.
HJR 3, be concurred in. Report adopted.
HJR 9, be amended as follows:

1. Title, page 1, line 7.
Strike: "PRICE"
Insert: "COST"

2. Title, page 1, line 7 through line 8.
Following: "AFFORDABLE" on line 7
Strike: "TO" on line 7 through "EVERYONE" on line 8

3. Page 1, line 10.
Following: "risen"
Strike: "so high that"
Insert: "dramatically in recent years; and
WHEREAS,"

4. Page 1, line 16.
Strike: "price"
Insert: "cost"

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5. Page 1, line 17.

Following: "affordable"

Strike: remainder of line 17 through "hardship"

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

STATE ADMINISTRATION (Cobb, Chairman):

3/10/2003

HB 198, be concurred in. Report adopted.

HB 305, be amended as follows:

1. Page 1, line 11.

Following: "election to"

Insert: "a full term to"

2. Page 1, line 12.

Following: "served in an"

Insert: "appointed or an elected capacity in an"

Following: "finish"

Strike: "another official's"

Insert: "the"

Following: "term"

Insert: "of the original incumbent"

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

LEGISLATIVE ADMINISTRATION (Grimes, Chairman):

3/10/2003

MR. PRESIDENT:

We, your committee on Legislative Administration recommend that employment of the following attaches of the Senate be terminated as of 12:00 noon, Saturday, March 8, 2003:

TITLE

NAME

Pages:

Kristina Gaul, Helena, MT
Blake Hauptman, Drummond, MT
Jill Knudson, Harlowton, MT
Koren Bras, Lonepine, MT
Kristy Mihelic, Anaconda, MT
Mac Kirk, Frenchtown, MT
Christina Bortnem, Gt. Falls, MT
Carlie Widhalm, Butte, MT

and recommend that the following attaches of the Senate be employed as of 8:00 a.m., Monday, March 10, 2003:

TITLE

NAME

SPONSOR

Pages:

Keren Harmon, Scobey, MT	Senator Kitzenberg
Tyler DePratu, Whitefish, MT	Senator DePratu
Shasta DePratu, Whitefish, MT	Senator DePratu
Jessica Patrick, Rudyard, MT	Senator Keenan

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Halley Gallagher, Gt. Falls, MT	Senator Mangan
Roald Aageson, Hingham, MT	Senator Tester
Tyler Kirk, Frenchtown, MT	Senator Mahlum
Chase Suchy, Billings, MT	Senator Nelson
Kelly Brown, Whitefish, MT	Senator Curtiss

Report Adopted.

MESSAGES FROM THE OTHER HOUSE

House bills passed and transmitted to the Senate for concurrence: 3/8/2003

HB 452, introduced by Raser
HB 479, introduced by Gillan
HB 624, introduced by Buzzas
HB 642, introduced by Devlin

Senate amendments to House bills concurred in: 3/8/2003

HB 106, introduced by Erickson
HB 116, introduced by Kaufmann
HB 128, introduced by Rice
HB 149, introduced by Hedges

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

HB 79, introduced by Jackson

3/8/2003

FIRST READING AND COMMITMENT OF BILLS

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

HB 19, introduced by Kasten, referred to Finance and Claims.
HB 160, introduced by Haines (by request of the Department of Justice and the Governor), referred to Finance and Claims.
HB 391, introduced by Balyeat, referred to Taxation.
HB 429, introduced by Kasten, DePratu, Devlin, Erickson, Forrester, Fuchs, Kaufmann, Pattison, Story, Zook, referred to Taxation.
HB 452, introduced by Raser, referred to Taxation.
HB 479, introduced by Gillan, Branae, Gibson, referred to Energy and Telecommunications.
HB 554, introduced by Kasten (by request of the House Joint Appropriations Subcommittee on Long Range Planning), referred to Finance and Claims.
HB 616, introduced by Younkin, referred to Taxation.
HB 624, introduced by Buzzas, referred to Finance and Claims.
HB 642, introduced by Devlin, Forrester, Gallus, Laszloffy, McNutt, Mendenhall, A. Olson, Ripley, Shea, Smith, Steinbeisser, F. Thomas, referred to Taxation.

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MOTIONS

HB - 187 - Senator Thomas moved consideration of **HB 187** be moved to the top of the second reading board this day. Motion carried.

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

Senator Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Shea in the chair.

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

President Keenan assumed the chair.

HB 187 - Senator Shea moved **HB 187** be concurred in. Motion carried with Senator Butcher voting nay.

Senator Shea assumed the chair.

HB 50 - Senator Squires moved **HB 50** be concurred in. Motion carried unanimously.

HB 101 - Senator McGee moved **HB 101** be concurred in. Motion carried unanimously.

HB 142 - Senator Laible moved **HB 142** be concurred in. Motion carried unanimously.

HB 137 - Senator Bales moved **HB 137** be concurred in. Motion carried unanimously.

HB 392 - Senator Story moved **HB 392** be concurred in. Motion carried unanimously.

HB 408 - Senator Barkus moved **HB 408** be concurred in. Motion carried unanimously.

HB 411 - Senator Tash moved **HB 411** be concurred in. Motion carried with Senator McGee voting nay.

HB 471 - Senator Stapleton moved **HB 471** be concurred in. Motion carried unanimously.

HB 511 - Senator Esp moved **HB 511** be concurred in. Motion carried unanimously.

HB 636 - Senator Cromley moved **HB 636** be concurred in. Motion carried unanimously.

HJR 16 - Senator McCarthy moved **HJR 16** be concurred in. Motion carried unanimously.

Senator Thomas moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Keenan in the chair. Chairman Shea moved the Committee of the Whole report be adopted. Report adopted unanimously.

ANNOUNCEMENTS

Committee meetings were announced by committee chairs.

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Majority Leader Thomas moved that the Senate adjourn until 1:00 p.m., Tuesday, March 11, 2003. Motion carried.

Senate adjourned at 2:18 p.m.

ROSANA SKELTON
Secretary of the Senate

BOB KEENAN
President of the Senate