

**HOUSE JOURNAL
57TH LEGISLATURE
FIRST LEGISLATIVE DAY**

Helena, Montana
January 3, 2001

House Chambers
State Capitol

Pursuant to the Constitution of the State of Montana, at the hour of 12:00 noon, the House of Representatives of the 57th Legislature of the State of Montana was called to order by the Honorable Bob Brown, Secretary of State of the State of Montana.

Posting of the Colors by Lieutenant Lance Hare and staff from the Montana National Guard and the Pledge of Allegiance to the Flag followed.

Invocation by Pastor Darold Reiner of Trinity Lutheran Church, Kalispell, Montana.

Chief Clerk Marilyn Miller called the roll of the members of the House of Representatives of the 57th Legislature. District No. 1, Keith Bales; District No. 2, Ralph L. Lenhart; District No. 3, Ronald R. Devlin; District No. 4, Gary Matthews; District No. 5, Norma Bixby; District No. 6, Bill Eggers; District No. 7, Monica J. Lindeen; District No. 8, Alan Olson; District No. 9, Mark E. Noennig; District No. 10, Art Peterson; District No. 11, Kim Gillan; District No. 12, Clarice Schrupf; District No. 13, Joan Hurdle; District No. 14, Roy Brown; District No. 15, Daniel C. Fuchs; District No. 16, Gary L. Forrester; District No. 17, Gary Branae; District No. 18, Dennis Himmelberger; District No. 19, Tom Dell; District No. 20, Ken Peterson; District No. 21, Daniel W. McGee; District No. 22, Jeff Laszloffy; District No. 23, Joan Anderson; District No. 24, Robert R. Story, Jr.; District No. 25, John Esp; District No. 26, Michelle Lee; District No. 27, Bob Davies; District No. 28, Cindy Younkin; District No. 29, Larry Jent; District No. 30, Christopher Harris; District No. 31, Steve Vick; District No. 32, Joe Balyeat; District No. 33, Diane Rice; District No. 34, Debby Barrett; District No. 35, Steve Gallus; District No. 36, Jim Keane; District No. 37, Larry Cyr; District No. 38, Brad Newman; District No. 39, Rick Dale; District No. 40, GayAnn Masolo; District No. 41, James G. Whitaker; District No. 42, Trudi Schmidt; District No. 43, Tim Callahan; District No. 44, George Golie; District No. 45, Jeff Mangan; District No. 46, Brett Tramelli; District No. 47, Joe Tropila; District No. 48, Kathleen Galvin-Halcro; District No. 49, Joe McKenney; District No. 50, Rick Ripley; District No. 51, Gilda Clancy; District No. 52, Dave Gallik; District No. 53, Christine Kaufmann; District No. 54, Hal Jacobson; District No. 55, Dave Lewis; District No. 56, Allen Rome; District No. 57, Jesse Laslovich; District No. 58, Doug Mood; District No. 59, Rick Laible; District No. 60, Allan Walters; District No. 61, Jim Shockley; District No. 62, Butch Waddill; District No. 63, Dick Haines; District No. 64, Ron Erickson; District No. 65, Rosalie Buzzas; District No. 66, Gail Gutsche; District No. 67, Tom Facey; District No. 68, David E. Wanzenried; District No. 69, Nancy Rice Fritz; District No. 70, Holly Raser; District No. 71, Sylvia Bookout-Reinicke; District No. 72, Paul Clark; District No. 73, Joey Jayne; District No. 74, John Brueggeman; District No. 75, Stanley M. Fisher; District No. 76, Paul Sliter; District No. 77, Rod Bitney; District No. 78, Roger Somerville; District No. 79, Verdell Jackson; District No. 80, Bob Lawson; District No. 81, Aubyn Curtiss; District No. 82, Eileen Carney; District No. 83, Dee L. Brown; District No. 84, Darrel Adams; District No. 85, Carol C. Juneau; District No. 86, Linda L. Holden; District No. 87, Larry R. Lehman; District No. 88, Edith J. Clark; District No. 89, John E. Witt; District No. 90, Merlin Wolery; District No. 91, John L. Musgrove; District No. 92, Matt McCann; District No. 93, Bill Thomas; District No. 94, William R. Price; District No. 95, Jeff Pattison; District No. 96, Karl A. Waitschies; District No. 97, Donald L. Hedges; District No. 98, Frank J. Smith; District No. 99, Dave Kasten; District No. 100, Donald Steinbeisser. All members present.

Bob Brown, Secretary of State of the State of Montana extended greetings to the members on behalf of the State of Montana and then delivered his speech.

Secretary of State Brown introduced the Honorable Karla Gray, Chief Justice of the Supreme Court of Montana. Chief Justice Gray administered the following oath of office:

"I do solemnly swear that I will support, protect and defend the Constitution of the United States and the Constitution

HOUSE JOURNAL
FIRST LEGISLATIVE DAY - JANUARY 3, 2001

of the State of Montana and that I will discharge the duties of my office as a member of the House of Representatives with fidelity, so help me God."

Secretary of State Brown informed the members of the House of Representatives that he had been advised that all oaths of office had been signed and received. These were presented to Chief Justice Gray for her acknowledgment and then filed in the Secretary of State's office.

Secretary of State Brown called for nominations for Speaker of the House of Representatives.

Representative Sliter nominated Representative McGee, District No. 21.

Representative Gillan moved the nominations be closed. Motion carried.

Representative Sliter moved that Representative Dan McGee, District No. 21, be elected as Speaker of the House of Representatives for the 57th Legislature. Motion carried.

Representatives Curtiss and Tropila escorted Speaker McGee to the rostrum where he was formally introduced by Secretary of State Brown. Secretary of State Brown invited Speaker McGee's daughter up to present a gift to her father, an engraved gavel.

Representatives Brown and Younkin escorted Secretary of State Brown, Chief Justice Gray, and Pastor Reiner from the House Chamber.

Speaker McGee introduced his family and then delivered his acceptance speech.

Representative R. Brown moved the following be nominated as officers of the House of Representatives for the 57th Legislature:

Speaker Pro Tempore - Representative Doug Mood
Chief Clerk - Marilyn Miller
Sergeant-at-Arms - Chris Ahner

The House officers were unanimously elected.

Chief Clerk Marilyn Miller announced that the caucuses have elected the following officials:

House Majority Leader - Representative Paul Sliter
House Minority Leader - Representative Kim Gillan
House Majority Whips - Representatives Roy Brown and Cindy Younkin
House Minority Whip - Representative George Golie
Minority Caucus Leader - Tom Facey

House Minority Leader Kim Gillan addressed the House members.

Representative Sliter moved that the rules of the 56th Legislature be adopted as the temporary House operating rules of the 57th Legislature. Motion carried.

Representative Sliter moved that the Joint rules of the 56th Legislature be adopted as the temporary Joint operating rules of the 57th Legislature. Motion carried.

HOUSE JOURNAL
FIRST LEGISLATIVE DAY - JANUARY 3, 2001

Representative Sliter moved that the Speaker appoint a committee of four members to notify the Governor that the House is now organized and ready for business. Motion carried.

Mr. Speaker appointed Representatives Bookout-Reinicke, Chairman, Story, McCann, and Schmidt.

Representative Sliter moved that the Speaker appoint a committee of four members to notify the Senate that the House is now organized and ready for business. Motion carried.

Mr. Speaker appointed Representatives Masolo, Chairman, Hedges, Hurdle, and Clark.

Representative Sliter moved that the Speaker appoint a committee of four members to notify the Supreme Court that the House is now organized and ready for business. Motion carried.

Mr. Speaker appointed Representatives Adams, Chairman, Lawson, Smith, and Galvin-Halcro.

The committees were discharged from the chamber.

Mr. Speaker directed the House to stand at ease to await the report of the Select Committee from the Senate and the three Select Committees of the House.

REPORTS OF SELECT COMMITTEES

A committee from the Senate composed of Senators Miller, Chairman, Ekegren and Halligan was admitted and reported to the House that the Senate was organized and ready for any legislation the House might care to send it.

The committee appointed to notify the Governor that the House is ready for business reported it had done so. The committee was thanked and discharged.

The committee appointed to notify the Senate that the House is ready for business reported that it had done so. The committee was thanked and discharged.

The committee appointed to notify the Supreme Court that the House is ready for business reported it had done so. The committee was thanked and discharged.

FIRST READING AND COMMITMENT OF BILLS

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

HB 1, introduced by Vick, referred to Appropriations.

HB 2, introduced by Vick (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 3, introduced by Fisher (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 4, introduced by Witt (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 5, introduced by McCann (by request of the Governor), referred to Appropriations.

HB 6, introduced by McCann (by request of the Department of Natural Resources and Conservation and the Office of Budget and Program Planning), referred to Appropriations.

HB 7, introduced by McCann (by request of the Department of Natural Resources and Conservation and the Office of Budget and Program Planning), referred to Appropriations.

HB 8, introduced by McCann (by request of the Department of Natural Resources and Conservation and the Office of

HOUSE JOURNAL
FIRST LEGISLATIVE DAY - JANUARY 3, 2001

Budget and Program Planning), referred to Appropriations.

HB 9, introduced by Kasten (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 10, introduced by Kasten (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 11, introduced by Kasten (by request of the Department of Commerce and the Office of Budget and Program Planning), referred to Appropriations.

HB 12, introduced by Haines (by request of the Department of Environmental Quality and the Office of Budget and Program Planning), referred to Appropriations.

HB 13, introduced by Lewis (by request of the Department of Administration and the Office of Budget and Program Planning), referred to Appropriations.

HB 14, introduced by McCann (by request of the Governor), referred to Appropriations.

HB 15, introduced by McCann (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 16, introduced by Somerville (by request of the Governor and the Montana Historical Society), referred to Taxation.

HB 17, introduced by Haines (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 18, introduced by Somerville (by request of the Revenue and Taxation Interim Committee), referred to Transportation.

HB 19, introduced by Lenhart, referred to Business and Labor.

HB 20, introduced by Shockley (by request of the Law, Justice, and Indian Affairs Interim Committee), referred to Business and Labor.

HB 21, introduced by Eggers (by request of the Law, Justice, and Indian Affairs Interim Committee), referred to Appropriations.

HB 22, introduced by Lindeen (by request of the Environmental Quality Council), referred to Natural Resources.

HB 23, introduced by R. Erickson (by request of the Revenue and Taxation Interim Committee), referred to Taxation.

HB 24, introduced by R. Erickson (by request of the Revenue and Taxation Interim Committee), referred to Taxation.

HB 25, introduced by Sliter (by request of the Code Commissioner), referred to State Administration.

HB 26, introduced by E. Clark (by request of the Department of Commerce), referred to Business and Labor.

HB 27, introduced by Musgrove, referred to Judiciary.

HB 28, introduced by Musgrove, referred to State Administration.

HB 29, introduced by Noennig (by request of the Law, Justice, and Indian Affairs Interim Committee), referred to Judiciary.

HB 30, introduced by Matthews (by request of the Law, Justice, and Indian Affairs Interim Committee), referred to Judiciary.

HB 31, introduced by Juneau (by request of the Office of Public Instruction), referred to Education.

HB 32, introduced by Lawson, referred to Education.

HB 33, introduced by C. Younkin (by request of the Department of Natural Resources and Conservation), referred to Transportation.

HB 34, introduced by Gallik (by request of the Department of Administration), referred to Appropriations.

HB 35, introduced by McKenney (by request of the Department of Commerce), referred to Federal Relations, Energy, and Telecommunications.

HB 36, introduced by Gallik (by request of the State Tax Appeal Board), referred to Taxation.

HB 37, introduced by Witt (by request of the Department of Revenue), referred to Taxation.

HB 38, introduced by Schmidt (by request of the Children, Families, Health, and Human Services Interim Committee), referred to State Administration.

HB 39, introduced by Fuchs (by request of the Department of Fish, Wildlife, and Parks), referred to Fish, Wildlife and Parks.

HB 40, introduced by Witt (by request of the Department of Commerce), referred to Natural Resources.

HB 41, introduced by Witt (by request of the Legislative Finance Committee), referred to Appropriations.

HB 42, introduced by G. Masolo (by request of the Office of Public Instruction and the Governor), referred to

HOUSE JOURNAL
FIRST LEGISLATIVE DAY - JANUARY 3, 2001

Appropriations.

HB 43, introduced by L. Holden (by request of the Department of Commerce and Office of Budget and Program Planning), referred to Appropriations.

HB 44, introduced by Haines (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

HB 45, introduced by Witt (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

HB 46, introduced by Dale (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

HB 47, introduced by Price (by request of the Department of Commerce), referred to State Administration.

HB 48, introduced by E. Clark (by request of the State Administration, Public Retirement Systems, and Veterans' Affairs Interim Committee), referred to Appropriations.

HB 49, introduced by McKenney (by request of the Department of Commerce and the Governor), referred to Appropriations.

HB 50, introduced by Juneau (by request of the Department of Commerce), referred to State Administration.

HB 51, introduced by Facey, referred to State Administration.

HB 52, introduced by Gallik (by request of the Department of Military Affairs), referred to Judiciary.

HB 53, introduced by Juneau, referred to Education.

HB 54, introduced by Juneau, referred to Judiciary.

HB 55, introduced by Juneau, referred to Judiciary.

HB 56, introduced by Lawson, referred to Business and Labor.

HB 57, introduced by R. Erickson (by request of the Revenue and Taxation Interim Committee), referred to Taxation.

HB 58, introduced by R. Erickson, referred to Taxation.

HB 59, introduced by R. Erickson, referred to Local Government.

HB 60, introduced by Olson (by request of the Governor), referred to Education.

HB 61, introduced by R. Erickson, referred to Taxation.

HB 62, introduced by Mangan (by request of the Education Interim Committee), referred to Judiciary.

HB 63, introduced by Dell (by request of the State Administration, Public Retirement Systems, and Veterans' Affairs Interim Committee), referred to State Administration.

HB 64, introduced by K. Peterson (by request of the Department of Revenue), referred to Judiciary.

HB 65, introduced by Lawson (by request of the Governor), referred to Education.

HB 66, introduced by Harris, referred to Judiciary.

HB 67, introduced by Harris, referred to Transportation.

HB 68, introduced by Price, referred to Judiciary.

HB 69, introduced by McCann (by request of the Legislative Finance Committee), referred to Natural Resources.

HB 70, introduced by R. Erickson, referred to State Administration.

HB 71, introduced by Gallik, referred to Business and Labor.

HB 72, introduced by Facey, referred to Transportation.

HB 73, introduced by R. Brown (by request of the Business and Labor Interim Committee), referred to Business and Labor.

HB 74, introduced by E. Clark, referred to State Administration.

HB 75, introduced by E. Clark, referred to Transportation.

HB 76, introduced by Mangan, referred to Judiciary.

HB 77, introduced by Mangan, referred to Judiciary.

HB 78, introduced by E. Clark (by request of the State Administration, Public Retirement Systems, and Veterans' Affairs Interim Committee), referred to Transportation.

HB 79, introduced by B. Thomas (by request of the Department of Public Health and Human Services), referred to Human Services.

HOUSE JOURNAL
FIRST LEGISLATIVE DAY - JANUARY 3, 2001

- HB 80**, introduced by Smith, referred to Judiciary.
- HB 81**, introduced by Andersen, referred to Human Services.
- HB 82**, introduced by Fuchs, referred to Natural Resources.
- HB 83**, introduced by Matthews, referred to Judiciary.
- HB 84**, introduced by Schmidt, referred to Business and Labor.
- HB 85**, introduced by Schmidt, referred to Business and Labor.
- HB 86**, introduced by Schmidt, referred to Transportation.
- HB 87**, introduced by G. Masolo (by request of the Department of Labor and Industry), referred to Business and Labor.
- HB 88**, introduced by Lindeen, referred to Federal Relations, Energy, and Telecommunications.
- HB 89**, introduced by Fuchs, referred to Judiciary.
- HB 90**, introduced by Shockley, referred to State Administration.
- HB 91**, introduced by Golie (by request of the Office of Public Instruction), referred to Judiciary.
- HB 92**, introduced by Gillan, B. McCarthy, B. Tash, J. Tester, M. Lindeen, P. Clark (by request of the Environmental Quality Council), referred to Natural Resources.
- HB 93**, introduced by Gillan (by request of the Environmental Quality Council), referred to Natural Resources.
- HB 94**, introduced by Gillan (by request of the Environmental Quality Council), referred to Natural Resources.
- HB 95**, introduced by Matthews (by request of the Department of Commerce), referred to Business and Labor.
- HB 96**, introduced by Hurdle, referred to Human Services.
- HB 97**, introduced by Lewis (by request of the Teachers' Retirement Board), referred to State Administration.
- HB 98**, introduced by Lewis, referred to Business and Labor.
- HB 99**, introduced by Devlin (by request of the Department of Fish, Wildlife, and Parks), referred to Fish, Wildlife and Parks.
- HB 100**, introduced by Price (by request of the Department of Administration), referred to State Administration.
- HB 101**, introduced by R. Brown (by request of the Department of Public Health and Human Services), referred to Human Services.
- HB 102**, introduced by Golie, referred to Judiciary.
- HB 103**, introduced by Olson (by request of the Office of Public Instruction), referred to Education.
- HB 104**, introduced by P. Clark (by request of the Department of Corrections), referred to Judiciary.
- HB 105**, introduced by Haines (by request of the Department of Administration, the Department of Fish, Wildlife, and Parks, the Department of Revenue, the Department of Transportation, and the State Library Commission), referred to Appropriations.
- HB 106**, introduced by Mangan, referred to Judiciary.
- HB 107**, introduced by Eggers, referred to Federal Relations, Energy, and Telecommunications.
- HB 108**, introduced by Noennig, referred to Education.
- HB 109**, introduced by Mangan, referred to Appropriations.
- HB 110**, introduced by Noennig, referred to Education.
- HB 111**, introduced by Lawson, referred to Local Government.
- HB 112**, introduced by Brueggeman (by request of the Department of Administration), referred to State Administration.
- HB 113**, introduced by Devlin (by request of the Department of Natural Resources and Conservation), referred to Agriculture.
- HB 114**, introduced by Story (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.
- HB 115**, introduced by Shockley (by request of the Law, Justice, and Indian Affairs Interim Committee), referred to Judiciary.
- HB 116**, introduced by D. Mood (by request of the Public Employees' Retirement Board), referred to State Administration.
- HB 117**, introduced by Andersen, referred to Judiciary.

HOUSE JOURNAL
FIRST LEGISLATIVE DAY - JANUARY 3, 2001

HB 118, introduced by Clancy (by request of the Department of Environmental Quality), referred to Natural Resources.
HB 119, introduced by Vick, Haines, Tester, Nelson, Taylor (by request of the Legislative Audit Committee), referred to Judiciary.
HB 120, introduced by McKenney (by request of the Department of Commerce), referred to Business and Labor.
HB 121, introduced by D. Mood (by request of the Governor), referred to Education.
HB 122, introduced by Lee, referred to Human Services.
HB 123, introduced by Lee, referred to Federal Relations, Energy, and Telecommunications.
HB 124, introduced by Story (by request of the Local Government Funding and Structure Committee), referred to Appropriations.
HB 125, introduced by C. Younkin (by request of the Environmental Quality Council), referred to Natural Resources.
HB 126, introduced by C. Younkin (by request of the Department of Environmental Quality), referred to Natural Resources.
HB 127, introduced by Wanzenried (by request of the Department of Transportation), referred to Transportation.
HB 128, introduced by Shockley (by request of the Law, Justice, and Indian Affairs Interim Committee), referred to Judiciary.
HB 129, introduced by Bales (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.
HB 130, introduced by Lawson (by request of the State Library Commission), referred to Local Government.
HB 131, introduced by Somerville (by request of the Department of Transportation), referred to Transportation.
HB 132, introduced by Brueggeman (by request of the Department of Fish, Wildlife, and Parks), referred to Fish, Wildlife and Parks.
HB 133, introduced by Lewis, referred to State Administration.
HB 134, introduced by Facey (by request of the Office of Public Instruction), referred to Education.
HB 135, introduced by Fisher, referred to Natural Resources.
HB 136, introduced by Fisher, referred to Business and Labor.
HB 137, introduced by Clancy, referred to Transportation.
HB 138, introduced by Mangan (by request of the Department of Commerce), referred to Business and Labor.
HB 139, introduced by Gallik, referred to Business and Labor.
HB 140, introduced by Masolo and Haines (by request of the Governor), referred to Education.
HB 141, introduced by Somerville, referred to Business and Labor.
HB 142, introduced by Somerville (by request of the Department of Fish, Wildlife, and Parks), referred to Fish, Wildlife and Parks.
HB 143, introduced by Somerville (by request of the Department of Revenue), referred to Business and Labor.
HB 145, introduced by Dale (by request of the Department of Commerce), referred to Business and Labor.
HB 146, introduced by Shockley (by request of the Department of Corrections), referred to Judiciary.
HB 147, introduced by Dale (by request of the Department of Environmental Quality), referred to Natural Resources.
HB 148, introduced by Jacobson (by request of the Department of Transportation), referred to Transportation.
HB 149, introduced by Dale (by request of the Department of Revenue), referred to Taxation.
HB 150, introduced by Bitney (by request of the Department of Labor and Industry), referred to Business and Labor.
HB 151, introduced by Newman (by request of the Department of Corrections), referred to Judiciary.
HB 152, introduced by Gallik (by request of the Public Employees' Retirement Board), referred to State Administration.
HB 153, introduced by Lenhart, referred to Transportation.
HB 155, introduced by Noennig, referred to Business and Labor.
HB 156, introduced by Matthews (by request of the Attorney General), referred to Judiciary.
HB 157, introduced by Gallus (by request of the Department of Corrections), referred to Judiciary.
HB 158, introduced by Harris, referred to Business and Labor.
HB 159, introduced by Vick (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

HOUSE JOURNAL
FIRST LEGISLATIVE DAY - JANUARY 3, 2001

HB 160, introduced by Andersen (by request of the Office of Public Instruction), referred to Education.
HB 161, introduced by Lee (by request of the Office of Public Instruction), referred to Education.
HB 162, introduced by Jacobson (by request of the Office of Public Instruction), referred to Appropriations.
HB 163, introduced by Jacobson (by request of the Office of Public Instruction), referred to Appropriations.
HB 164, introduced by Olson (by request of the Office of Public Instruction), referred to Education.
HB 165, introduced by Gutsche (by request of the Law, Justice, and Indian Affairs Interim Committee), referred to Judiciary.
HB 166, introduced by Lee (by request of the Department of Transportation), referred to Natural Resources.

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

HJR 1, introduced by McCann (by request of the Legislative Finance Committee), referred to Human Services.
HJR 2, introduced by Somerville (by request of the Revenue and Taxation Interim Committee), referred to Taxation.
HJR 3, introduced by Lee, referred to Transportation.

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

HR 1, introduced by Sliter (by request of House Rules Standing Committee), referred to Rules.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Sliter moved that the House adjourn until 1:00 p.m., Thursday, January 4, 2001. Motion carried.

House adjourned at 1:20 p.m.

MARILYN MILLER
Chief Clerk of the House

DAN MCGEE
Speaker of the House