

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

Helena, Montana
January 17, 2001

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Pattison. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Musgrove, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 1/17/2001
Correctly printed: **HB 32, HB 73, HB 177, HB 180, HB 194.**
Correctly engrossed: **HB 23, HB 24, HB 45, HB 150, HB 155, HB 184.**
Correctly enrolled: **HR 2.**
Signed by the Speaker at 2:15 p.m., January 17, 2001: **HR 2.**
Delivered to the Governor for her approval at 11:30 a.m., January 17, 2001: **HB 1.**

BUSINESS AND LABOR (McKenney, Chairman): 1/16/2001
HB 145, introduced bill, be amended as follows:

1. Title, line 7.

Following: "EXCEPTING"

Insert: "ELECTRICAL SIGNAL AND COMMUNICATIONS EQUIPMENT OWNED BY A COUNTY OR THE STATE, LOW-VOLTAGE ELECTRICAL SIGNAL AND COMMUNICATIONS EQUIPMENT, OPTICAL FIBER CABLES, TRAFFIC SIGNALS, STREET LIGHTING, TRAFFIC CONTROL DEVICES, AND"

2. Page 3, line 3.

Strike: "low-voltage"

3. Page 3, line 4.

Following: "equipment"

Strike: "and optical fiber cables"

Following: "city"

Insert: "and traffic signals, street lighting, and other electrical traffic control devices owned or operated by a public utility, city, or county or the state"

4. Page 3, line 7.

Strike: "or"

5. Page 3, line 9.

Following: "Act"

Strike: ";"

Insert: "; or

(d) the installation, alteration, or repair of low-voltage electrical signal and communications equipment and optical fiber cable."

6. Page 3, line 22.

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Strike: "Building"
Insert: "Electrical"

7. Page 3, line 28.

Following: "reference"

Strike: "nationally recognized electrical codes"

Insert: "the national fire protection association standard NFPA 70, national electrical code,"

8. Page 3, line 29.

Following: "part"

Insert: ", "

Following: "the"

Strike: "nationally recognized codes"

Insert: "national fire protection association standard NFPA 70, national electrical code"

And, as amended, do pass. Report adopted.

HB 235, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/16/2001

SB 6, introduced by Cole

SB 7, introduced by Cole

SB 53, introduced by Roush

SB 75, introduced by Jergeson

SB 106, introduced by Sprague

FIRST READING AND COMMITMENT OF BILLS

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

HB 320, introduced by Laible, referred to Natural Resources.

HB 321, introduced by D. Brown, referred to Education.

HB 322, introduced by Matthews, referred to Education.

HB 323, introduced by Facey, referred to Judiciary.

HB 324, introduced by Mangan, Andersen, Bixby, Buzzas, Carney, Christiaens, Dell, Gallik, Gallus, Galvin-Halcro, Harris, Jacobson, Lee, Lehman, Lenhart, Lindeen, Masolo, Musgrove, Raser, Smith, Waddill, Whitaker, referred to Human Services.

HB 325, introduced by Laible, referred to Fish, Wildlife and Parks.

HB 326, introduced by Galvin-Halcro, referred to State Administration.

HB 327, introduced by Waddill, referred to Natural Resources.

HB 328, introduced by Somerville, Bales, Beck, Bookout-Reinicke, R. Brown, Buzzas, Christiaens, Cole, Davies, Dale, Dell, DePratu, Doherty, Ellis, Erickson, Facey, Forrester, Franklin, Fritz, Gallus, Galvin-Halcro, Gillan, Golie, Grosfield, Gutsche, Halligan, Harrington, Harris, Kitzenberg, Lee, Lindeen, Mangan, McGee, McNutt, Mood, Schmidt, Shea, Sliter, Smith, Sprague, Stonington, Tester, F. Thomas, Toole, Walters, Wanzenried, Waterman, Younkin, referred to Taxation.

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HB 329, introduced by Somerville, referred to Judiciary.

HB 330, introduced by Golie, Bixby, Carney, Christiaens, Doherty, Eggers, Erickson, Facey, Gallus, Gillan, Jacobson, Keane, Kitzenberg, Laslovich, Lenhart, Mangan, Ripley, Ryan, Tropila, referred to Taxation.

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

Representative Sliter moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Mangan in the chair.

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

HB 32 - Representative Lawson moved **HB 32** do pass. Motion carried as follows:

Ayes: Andersen, Bales, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Cyr, Dell, Eggers, Erickson, Esp, Facey, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lee, Lehman, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Sliter, Smith, Somerville, Steinbeisser, Thomas, Tramelli, Tropila, Waddill, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 77

Noes: Adams, Balyeat, Barrett, Bitney, Curtiss, Dale, Davies, Devlin, Fisher, Hedges, Himmelberger, Holden, Kasten, Laible, Laszloffy, Lewis, Mood, Pattison, Shockley, Story, Vick, Waitschies, Walters.

Total 23

Voted Absentee: Musgrove, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 73 - Representative Lawson moved **HB 73** do pass.

HB 73 - Representative Galvin-Halcro moved consideration of **HB 73** be passed for the day. Motion carried.

HB 132 - Representative Brueggeman moved **HB 132** do pass. Motion carried as follows:

Ayes: Adams, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Erickson, Esp, Facey, Fisher, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Matthews, McCann, McKenney, Musgrove, Newman, Noennig, A. Peterson, K. Peterson, Price, Raser, Rice, Rome, Schmidt, Schrupf, Sliter, Somerville, Steinbeisser, Thomas, Tramelli, Tropila,

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Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery.
Total 84

Noes: Andersen, Eggers, Forrester, Hurdle, Kasten, Masolo, Mood, Olson, Pattison, Ripley, Shockley, Smith, Story, Wanzenried, Younkin, Mr. Speaker.
Total 16

Voted Absentee: Musgrove, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 194 - Representative Bookout-Reinicke moved **HB 194** do pass. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Gillan, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 92

Noes: P. Clark, Erickson, Galvin-Halcro, Golie, Gutsche, Juneau, Lee, Musgrove.
Total 8

Voted Absentee: Musgrove, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Sliter moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Mangan moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, Curtiss, Cyr, Dale, Dell, Devlin, Eggers, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Masolo, Matthews, McKenney, Mood, Newman, Noennig, Olson, Pattison, A. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas,

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Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Musgrove.
Total 1

Absent or not voting: Adams, P. Clark, Davies, Erickson, Gillan, Mangan, McCann, K. Peterson.
Total 8

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:

HB 23 passed as follows:

Ayes: Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin.
Total 95

Noes: Adams.
Total 1

Voted Absentee: Musgrove, Aye.

Excused: None.
Total 0

Absent or not voting: Curtiss, Fritz, Keane, Mr. Speaker.
Total 4

HB 24 passed as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley,

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Rome, Schmidt, Schrumpf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: Musgrove, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 45 passed as follows:

Ayes: Andersen, Bales, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrumpf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 97

Noes: Adams, Balyeat.
Total 2

Voted Absentee: Musgrove, Aye.

Excused: None.
Total 0

Absent or not voting: Kasten.
Total 1

HB 71 passed as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrumpf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

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Total 98

Noes: Smith.

Total 1

Voted Absentee: Musgrove, Aye.

Excused: None.

Total 0

Absent or not voting: Pattison.

Total 1

HB 150 passed as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, R. Brown, Brueggeman, E. Clark, Curtiss, Dale, Davies, Devlin, Esp, Fisher, Fuchs, Hedges, Himmelberger, Holden, Jackson, Kasten, Laible, Laszloffy, Lehman, Lewis, Masolo, McCann, McKenney, Mood, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Ripley, Rome, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 52

Noes: Bixby, Bookout-Reinicke, Branae, D. Brown, Buzzas, Callahan, Carney, Clancy, P. Clark, Cyr, Dell, Eggers, Erickson, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lee, Lenhart, Lindeen, Mangan, Matthews, Musgrove, Newman, Raser, Rice, Schmidt, Schruppf, Smith, Tramelli, Tropila, Wanzenried.

Total 48

Voted Absentee: Musgrove, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 184 passed as follows:

Ayes: Adams, Andersen, Balyeat, Bitney, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Pattison, A. Peterson, K. Peterson, Price, Raser, Ripley, Rome, Schmidt, Schruppf, Shockley, Sliter, Smith, Somerville, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 87

Noes: Bales, Barrett, Bixby, R. Brown, E. Clark, Devlin, Jayne, Kasten, Masolo, Olson, Rice, Steinbeisser, Story.

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Total 13

Voted Absentee: Musgrove, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Representative Sliter moved **HB 32** be taken from third reading and be rereferred to Committee on Appropriations.
Motion carried.

REPORTS OF STANDING COMMITTEES

EDUCATION (Masolo, Chairman):

1/17/2001

HB 103, introduced bill, be amended as follows:

1. Title, line 5.

Following: " ;"

Insert: "REQUIRING COMPLIANCE WITH TEACHER CERTIFICATION LAWS IN ORDER TO RECEIVE
MULTIYEAR ACCREDITATION;"

2. Page 1, line 18.

Following: "district"

Insert: "by the superintendent of public instruction"

3. Page 1, line 19.

Strike: "or"

Following: "3"

Insert: ", 4, or 5"

4. Page 1, line 19.

Following: "years"

Insert: ", except that multiyear accreditation may only be granted to schools that are in compliance with 20-4-101"

And, as amended, do pass. Report adopted.

HB 134, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Following: "EDUCATION;"

Insert: "REVISING THE DEFINITION OF "VOCATIONAL-TECHNICAL EDUCATION" TO INCLUDE A
TRIBALLY CONTROLLED COMMUNITY COLLEGE;"

2. Page 3, line 25.

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Strike: "or"

Insert: ", "

3. Page 3, line 26.

Following: ", "

Insert: "or a tribally controlled community college,"

4. Page 12, line 5.

Strike: "not inconsistent"

Insert: "consistent"

5. Page 12, line 21.

Following: "(c)"

Insert: "field supervision of students beyond the school year for"

Strike: "experience supervision"

And, as amended, do pass. Report adopted.

HB 160, introduced bill, be amended as follows:

1. Page 5, line 3 through line 6.

Strike: "reimbursement" on line 3 through "proportion" on line 6

Insert: "total of reimbursements to all districts does not exceed 25% of the total special education allocation limit established in subsection (2)(a)(iii), reimbursement must be made to districts for amounts that exceed a threshold level calculated annually by the office of public instruction. The threshold level is calculated as a percentage amount above the sum of the district's block grants plus the required district match"

And, as amended, do pass. Report adopted.

HB 164, do pass. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Sliter moved that the House adjourn until 1:00 p.m., Thursday, January 18, 2001. Motion carried.

House adjourned at 1:55 p.m.

MARILYN MILLER
Chief Clerk of the House

DAN MCGEE
Speaker of the House