

**HOUSE JOURNAL
57TH LEGISLATURE
SIXTY-THIRD LEGISLATIVE DAY**

Helena, Montana
March 20, 2001

House Chambers
State Capitol

House convened at 12:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Dell. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

Representative Jacobson led the House in singing Happy Birthday to Representative Branae.

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 3/20/2001
Correctly engrossed: **HB 11, HB 57, HB 273, HB 324, HB 395, HB 456, HB 572.**
Correctly enrolled: **HB 47, HB 131, HB 363, HB 374, HB 439, HB 519, HB 523, HB 542, HB 548, HB 551, HB 579, HJR 18.**
Examined by the sponsor and found to be correct: **HB 47, HB 131, HB 363, HB 374, HB 439, HB 519, HB 523, HB 542, HB 548, HB 551, HB 579, HJR 18.**
Signed by the Speaker at 10:07 a.m., March 20, 2001: **HJR 14, HJR 15, HJR 22.**

BUSINESS AND LABOR (McKenney, Chairman): 3/19/2001
SB 145, be concurred in. Report adopted.
SB 151, be concurred in. Report adopted.
SB 313, be concurred in. Report adopted.
SB 323, be concurred in. Report adopted.
SB 330, be amended as follows:

1. Page 3, line 30.
Following: "~~and~~"
Insert: "home or"
Following: "~~dates~~"
Insert: "and birth dates"

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

SB 428, be concurred in. Report adopted.
SB 450, be amended as follows:

1. Title, line 4.
Strike: "SECURITIES AND"

2. Page 2, line 5.
Following: "~~by~~"
Insert: "qualified"

3. Page 2, line 6.

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

Strike: ", securities,"

Insert: "agents, as defined in 26 U.S.C. 3508,"

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

TRANSPORTATION (Somerville, Chairman): 3/15/2001
SJR 6, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 3/19/2001

SB 33, introduced by McCarthy
SB 52, introduced by Roush

House bills concurred in and returned to the House: 3/19/2001

HB 47, introduced by Price
HB 131, introduced by Somerville
HB 363, introduced by Wanzenried
HB 374, introduced by Eggers
HB 439, introduced by Jacobson
HB 519, introduced by Forrester
HB 523, introduced by Whitaker
HB 542, introduced by Musgrove
HB 548, introduced by Jayne
HB 551, introduced by Forrester
HB 579, introduced by Juneau

House joint resolution concurred in and returned to the House: 3/19/2001

HJR 18, introduced by Lewis

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/19/2001

HB 116, introduced by Mood
HB 239, introduced by Thomas
HB 293, introduced by Harris
HB 406, introduced by Gillan
HB 498, introduced by Branae
HB 499, introduced by Facey
HB 552, introduced by Shockley

House joint resolution concurred in as amended and returned to the House for concurrence in Senate amendments: 3/19/2001

HJR 13, introduced by Wolery

FIRST READING AND COMMITMENT OF BILLS

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

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

HB 644, introduced by Pattison, Cole, referred to Taxation.

HB 645, introduced by Mangan, Thomas, referred to Taxation.

HB 646, introduced by Golie, Bixby, Bohlinger, Branae, Callahan, Carney, Christiaens, Cyr, Dell, Facey, Fritz, Galvin-Halcro, Gillan, Gutsche, Hedges, Keane, Laslovich, Lee, Lenhart, Lindeen, Matthews, Nelson, Ryan, Schmidt, Smith, Tash, Tester, Tramelli, 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 Raser in the chair.

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

HB 38 - Representative Schmidt moved **HB 38** do pass.

Representative Adams moved for cloture. Motion carried.

Motion that **HB 38** do pass failed as follows:

Ayes: Bixby, Bookout-Reinicke, Branae, D. Brown, Buzzas, Callahan, Carney, E. Clark, 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, Lee, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, Musgrove, Newman, Noennig, Raser, Schmidt, Smith, Thomas, Tramelli, Tropila, Waddill, Wanzenried.
Total 50

Noes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, R. Brown, Brueggeman, Clancy, Curtiss, Dale, Davies, Devlin, Esp, Fisher, Fuchs, Hedges, Himmelberger, Holden, Jackson, Kasten, Laible, Laszloffy, Lawson, Lehman, McCann, McKenney, Mood, Olson, Pattison, A. Peterson, K. Peterson, Price, Rice, Ripley, Rome, Schrupf, Shockley, Sliter, Somerville, Steinbeisser, Story, Vick, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 50

Voted Absentee: A. Peterson, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Sliter moved the committee rise. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair.

Majority Leader Sliter moved that the House recess until 1:00 p.m. Motion carried.

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

House recessed at 12:46 p.m.

House reconvened at 1:05 p.m. All members present except Representative A. Peterson excused. Quorum present.

**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 Raser in the chair.

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

SB 38 - Representative R. Brown moved **SB 38** be concurred in. 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, 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, Rome, Schmidt, Schrupf, 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: A. Peterson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 56 - Representative Olson moved **SB 56** be concurred in. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, 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, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 96

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

Noes: Buzzas, Erickson, Gutsche, Kaufmann.
Total 4

Voted Absentee: A. Peterson, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 65 - Representative Andersen moved **SB 65** be concurred in. Motion carried as follows:

Ayes: Andersen, Balyeat, Barrett, Bixby, Bookout-Reinicke, Branae, D. Brown, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Dale, Devlin, Eggers, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Gutsche, Haines, Harris, Hedges, Holden, Jackson, Jacobson, Jayne, Jent, Kaufmann, Keane, Laible, Laslovich, Lawson, Lee, Lehman, Lindeen, Mangan, Masolo, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Ripley, Rome, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Whitaker, Wolery, Younkin.
Total 74

Noes: Adams, Bales, R. Brown, Brueggeman, Cyr, Davies, Dell, Erickson, Esp, Golie, Himmelberger, Hurdle, Juneau, Kasten, Laszloffy, Lenhart, Lewis, Matthews, Pattison, Rice, Schmidt, Vick, Wanzenried, Witt, Mr. Speaker.
Total 25

Voted Absentee: A. Peterson, Aye.

Excused: None.
Total 0

Absent or not voting: Bitney.
Total 1

SB 81 - Representative Dale moved **SB 81** be concurred in. 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, 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, 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, Mr. Speaker.
Total 99

Noes: None.
Total 0

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

Voted Absentee: A. Peterson, Aye.

Excused: None.

Total 0

Absent or not voting: Mangan.

Total 1

SB 259 - Representative Wolery moved **SB 259** be concurred in. 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, 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, Rome, Schmidt, Schrupf, 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: A. Peterson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 285 - Representative P. Clark moved **SB 285** be concurred in. Motion carried as follows:

Ayes: Andersen, Bales, Barrett, Bitney, Bixby, Bookout-Reinicke, D. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jent, Juneau, Kaufmann, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Steinbeisser, Thomas, Tramelli, Tropila, Wanzenried, Wolery, Younkin.

Total 75

Noes: Adams, Balyeat, Branae, R. Brown, Davies, Dell, Fuchs, Golie, Jacobson, Jayne, Kasten, Keane, Laible, Lewis, Pattison, Smith, Somerville, Story, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Mr. Speaker.

Total 25

Voted Absentee: A. Peterson, Aye.

Excused: None.

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

Total 0

Absent or not voting: None.

Total 0

SB 306 - Representative Lehman moved **SB 306** be concurred in.

Representative Dale excused at this time.

SB 306 - Representative Lehman moved **SB 306**, second reading copy, be amended as follows :

1. Title, line 5 through line 6.

Strike: "WORKED FOR"

2. Title, line 6.

Following: "YEARS"

Insert: "OF MEMBERSHIP SERVICE"

3. Title, page 1, line 7.

Strike: "AND AN APPLICABILITY DATE"

4. Page 3, line 11 through line 13.

Strike: section 5 in its entirety

Amendment **adopted** as follows:

Ayes: Adams, Andersen, Bales, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Cyr, Davies, Dell, Devlin, Eggers, Erickson, 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, McKenney, Mood, Newman, Noennig, Olson, K. Peterson, Price, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 90

Noes: Balyeat, Dale, Esp, Pattison, Vick.

Total 5

Voted Absentee: Dale, No.

Excused: A. Peterson.

Total 1

Absent or not voting: Curtiss, McCann, Musgrove, Raser.

Total 4

SB 306 - Representative Lehman moved **SB 306**, second reading copy, be further amended as follows :

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

1. Page 1, line 20.

Strike: "final average salary"

Insert: "highest average compensation"

2. Page 3, line 1.

Strike: "final average salary"

Insert: "highest average compensation"

Amendment **adopted** 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, Davies, Dell, Devlin, Eggers, Erickson, 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, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schruppf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Thomas, Tramelli, Tropila, Waddill, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 92

Noes: Dale, Esp, Kasten, Story, Vick, Waitschies.

Total 6

Voted Absentee: Dale, No.

Excused: A. Peterson.

Total 1

Absent or not voting: McCann.

Total 1

Motion that **SB 306**, as amended, be concurred in carried as follows:

Ayes: Andersen, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cyr, Dell, Devlin, Eggers, Erickson, Facey, Fisher, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Musgrove, Newman, Noennig, Olson, A. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schruppf, Shockley, Smith, Somerville, Thomas, Tramelli, Tropila, Waddill, Wanzenried, Whitaker, Wolery, Younkin.

Total 72

Noes: Adams, Bales, Balyeat, R. Brown, Brueggeman, Clancy, Curtiss, Dale, Davies, Esp, Fuchs, Hedges, Himmelberger, Holden, Kasten, Laible, Laszloffy, Mood, Pattison, K. Peterson, Sliter, Steinbeisser, Story, Vick, Waitschies, Walters, Witt, Mr. Speaker.

Total 28

Voted Absentee: A. Peterson, Aye; Dale, No.

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 334 - Representative Shockley moved **SB 334** be concurred in. Motion carried as follows:

Ayes: Bitney, Bookout-Reinicke, D. Brown, Brueggeman, Buzzas, Carney, E. Clark, Curtiss, Cyr, Dale, Esp, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jacobson, Jayne, Jent, Kasten, Kaufmann, Laslovich, Lawson, Lenhart, Lewis, Matthews, McKenney, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Schmidt, Schrumph, Shockley, Sliter, Thomas, Tropila, Waddill, Walters, Wanzenried, Whitaker, Wolery, Younkin.
Total 55

Noes: Adams, Andersen, Bales, Balyeat, Barrett, Bixby, Branae, R. Brown, Callahan, Clancy, Davies, Dell, Devlin, Eggers, Erickson, Facey, Fisher, Gillan, Golie, Jackson, Juneau, Keane, Laible, Laszloffy, Lee, Lehman, Lindeen, Masolo, McCann, Mood, Pattison, Rice, Ripley, Rome, Smith, Somerville, Steinbeisser, Story, Tramelli, Vick, Waitschies, Witt, Mr. Speaker.
Total 43

Voted Absentee: Dale, A. Peterson, Ayes.

Excused: None.
Total 0

Absent or not voting: P. Clark, Mangan.
Total 2

SB 344 - Representative Sliter moved consideration of **SB 344** be passed for the day for the purpose of amendments. Motion carried.

Representative Sliter moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair.

SPECIAL ORDERS OF THE DAY

Sergeant-at-Arms Ahner escorted the delegation from Pavlodar, Kazakhstan into the House Chambers.

Representative Jacobson introduced the members of the delegation from Pavlodar, Kazakhstan under the auspices of the International City managers Association (ICMA), which in turn is participating in the International Resource Cities project of the U.S. Agency for International Development. Pavlodar is an industrial city of 320,000 in the north of Kazakhstan, near the Russian border.

**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

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

second reading. Motion carried. Representative Raser in the chair.

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

SJR 11 - Representative Wanzenried moved **SJR 11** be concurred in. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Esp, Facey, Fisher, 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, Rome, Schmidt, Schrupf, Shockley, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 96

Noes: R. Brown, Erickson.

Total 2

Voted Absentee: Dale, A. Peterson, Ayes.

Excused: None.

Total 0

Absent or not voting: Forrester, Sliter.

Total 2

SB 398 - Representative Story moved **SB 398** be concurred in.

SB 398 - Representative Lee moved **SB 398**, second reading copy, be amended as follows :

1. Page 1, line 9 through line 12.

Following: "ENVIRONMENT" on line 9

Strike: remainder of line 9 through "VIOLATED" on line 12

Amendment **not** adopted as follows:

Ayes: Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cyr, Eggers, Erickson, Facey, Forrester, Fritz, Gallik, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Laslovich, Lee, Lenhart, Lindeen, Mangan, Matthews, Musgrove, Newman, Raser, Schmidt, Smith, Tramelli, Tropila.

Total 37

Noes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Clancy, E. Clark, Curtiss, Davies, Dell, Devlin, Esp, Fisher, Fuchs, Gallus, Haines, Hedges, Himmelberger, Holden, Jackson, Kasten, Keane, Laible, Laszloffy, Lawson, Lehman, Lewis, Masolo, McCann, McKenney, Mood, Noennig, Olson, Pattison, K. Peterson, Price, Rice, Ripley, Rome, Schrupf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

Total 61

Excused: Dale, A. Peterson.

Total 2

Absent or not voting: None.

Total 0

Motion that **SB 398** be concurred in. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Clancy, E. Clark, P. Clark, Curtiss, Dale, Davies, Dell, Devlin, Esp, Fisher, Forrester, Fuchs, Gallus, Gillan, Golie, Haines, Hedges, Himmelberger, Holden, Jackson, Jacobson, Kasten, Keane, Laible, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Rice, Ripley, Rome, Schmidt, Schrumpf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 77

Noes: Bixby, Buzzas, Callahan, Carney, Cyr, Eggers, Erickson, Facey, Fritz, Gallik, Galvin-Halcro, Gutsche, Harris, Hurdle, Jayne, Jent, Juneau, Kaufmann, Lee, Musgrove, Newman, Raser, Smith.

Total 23

Voted Absentee: Dale, A. Peterson, Ayes.

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 Sliter moved the Committee of the Whole report be adopted.

Representative Schmidt made a substitute motion that **HB 38** be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion carried as follows:

Ayes: Bitney, Bixby, Bookout-Reinicke, Branae, Buzzas, Callahan, Carney, P. Clark, Cyr, Dell, Eggers, Erickson, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hedges, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lee, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, Musgrove, Newman, Noennig, Olson, Price, Raser, Schmidt, Smith, Thomas, Tramelli, Tropila, Waddill, Wanzenried.

Total 51

Noes: Adams, Andersen, Bales, Balyeat, Barrett, D. Brown, R. Brown, Brueggeman, Clancy, E. Clark, Curtiss, Davies, Devlin, Esp, Fisher, Fuchs, Haines, Himmelberger, Holden, Jackson, Kasten, Laible, Laszloffy, Lawson, Lehman, Lewis, McKenney, Mood, Pattison, K. Peterson, Rice, Ripley, Rome, Schrumpf, Shockley, Sliter, Somerville, Steinbeisser, Story, Vick, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 47

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

Excused: Dale, A. Peterson.
Total 2

Absent or not voting: None.
Total 0

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 11 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, 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, Rome, Schmidt, Schrumpf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 99

Noes: Jacobson.
Total 1

Voted Absentee: Dale, A. Peterson, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 57 passed as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cyr, Dale, Davies, Devlin, Eggers, Erickson, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, Musgrove, Newman, Noennig, Olson, A. Peterson, Price, Raser, Schmidt, Schrumpf, Shockley, Smith, Somerville, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Wolery.
Total 73

Noes: Barrett, Bitney, Brueggeman, Clancy, Curtiss, Dell, Esp, Fisher, Fuchs, Himmelberger, Kasten, Laszloffy, McCann, McKenney, Mood, Pattison, K. Peterson, Rice, Ripley, Rome, Sliter, Steinbeisser, Vick, Whitaker, Witt, Younkin, Mr. Speaker.
Total 27

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

Voted Absentee: Dale, A. Peterson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 273 passed as follows:

Ayes: Andersen, Bales, Balyeat, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cyr, Dale, Dell, Devlin, Eggers, Erickson, Facey, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Lawson, Lee, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, Musgrove, Newman, Noennig, Olson, A. Peterson, Price, Raser, Schmidt, Schruppf, Smith, Somerville, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Wolery.

Total 72

Noes: Adams, Barrett, Bitney, Brueggeman, Clancy, Curtiss, Davies, Esp, Fisher, Hedges, Kasten, Laszloffy, Lehman, McKenney, Mood, Pattison, K. Peterson, Rice, Ripley, Rome, Shockley, Sliter, Steinbeisser, Vick, Whitaker, Witt, Younkin, Mr. Speaker.

Total 28

Voted Absentee: Dale, A. Peterson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 324 passed as follows:

Ayes: Andersen, Bixby, Branae, Buzzas, Callahan, Carney, E. Clark, Cyr, Dell, Eggers, Erickson, Esp, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Laslovich, Lawson, Lee, Lehman, Lenhart, Lindeen, Mangan, Masolo, Matthews, Musgrove, Newman, Noennig, A. Peterson, K. Peterson, Price, Raser, Ripley, Schmidt, Schruppf, Shockley, Smith, Thomas, Tramelli, Tropila, Waddill, Wanzenried, Whitaker, Wolery.

Total 57

Noes: Adams, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Clancy, P. Clark, Curtiss, Dale, Davies, Devlin, Fisher, Fuchs, Hedges, Himmelberger, Holden, Jackson, Kasten, Laible, Laszloffy, Lewis, McCann, McKenney, Mood, Olson, Pattison, Rice, Rome, Sliter, Somerville, Steinbeisser, Story, Vick, Waitschies, Walters, Witt, Younkin, Mr. Speaker.

Total 42

Voted Absentee: A. Peterson, Aye; Dale, No.

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

Excused: None.
Total 0

Absent or not voting: Keane.
Total 1

HB 395 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, 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, 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, Schruppf, Shockley, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin.
Total 91

Noes: Adams, Balyeat, Curtiss, Kasten, Laszloffy, Pattison, Sliter, Vick, Mr. Speaker.
Total 9

Voted Absentee: Dale, A. Peterson, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 456 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, Cyr, Dale, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Schmidt, Schruppf, Shockley, Sliter, Smith, Somerville, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 88

Noes: Adams, Balyeat, Curtiss, Davies, Jackson, Kasten, Laszloffy, Mood, Pattison, Rome, Steinbeisser, Vick.
Total 12

Voted Absentee: Dale, A. Peterson, Ayes.

Excused: None.
Total 0

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

Absent or not voting: None.
Total 0

HB 572 passed as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Callahan, Clancy, E. Clark, P. Clark, Curtiss, Dale, Davies, Dell, Devlin, Esp, Fisher, Forrester, Fuchs, Gallus, Haines, Hedges, Himmelberger, Holden, Jackson, Jent, Kasten, Keane, Laible, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Rice, Ripley, Rome, Schrupf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 72

Noes: Bixby, Branae, Buzzas, Carney, Cyr, Eggers, Erickson, Facey, Fritz, Gallik, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hurdle, Jacobson, Jayne, Juneau, Kaufmann, Laslovich, Lee, Musgrove, Raser, Schmidt, Smith, Waddill, Wanzenried.
Total 28

Voted Absentee: Dale, A. Peterson, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 613 passed as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Esp, Fisher, Forrester, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Haines, Harris, Hedges, Himmelberger, Holden, Jackson, Jacobson, Jayne, Jent, Kasten, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 86

Noes: Bixby, Buzzas, Erickson, Facey, Fritz, Gallik, Gutsche, Hurdle, Juneau, Kaufmann, Keane, Musgrove, Newman, Smith.
Total 14

Voted Absentee: Dale, A. Peterson, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

MOTIONS

Representative Sliter moved that the rules be suspended for the late transmittal of **HB 357**. Motion carried.

Representative Tropila requested on **SB 81**, second reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Jayne requested on **SB 38**, second reading today, that her vote be shown as yes. There being no objections, so ordered.

Representative Schrupf requested on **HB 608**, third reading yesterday, that her vote be shown as yes. There being no objections, so ordered.

Representative R. Brown requested on **HB 456**, third reading today, that his vote be shown as yes. There being no objections, so ordered.

Representative Steinbeisser requested on **HB 11**, third reading today, that his vote be shown as yes. There being no objections, so ordered.

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 3/20/2001
Delivered to the Governor for her approval at 1:05 p.m., March 20, 2001: **HB 164, HB 351, HB 515, HB 582.**

APPROPRIATIONS (Vick, Chairman): 3/20/2001
HB 3, introduced bill, be amended as follows:

1. Page 1, line 10.

Following: "in"

Strike: "subsection"

Insert: "subsections"

Following: "(2)"

Insert: "and (3)"

2. Page 1, line 14.

Following: "The"

Strike: "\$350,000"

Insert: "\$20,000"

3. Page 1.

Following: line 15

Insert: "(3) The \$100,000 appropriation for the department of revenue director's office contained in [section 2] is restricted to legal fees as related to the unisys POINTS II contract and continues into fiscal year 2002 and fiscal year 2003. The \$219,100 appropriation for the compliance, valuation, and resolution contained in [section 2] is restricted to costs to upgrade the legacy property tax system and continues into fiscal year 2002 and fiscal year 2003."

4. Page 1, line 21.

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

Strike: "\$144,748"

Insert: "\$76,888"

5. Page 1, line 22 through line 24.

Strike: line 22 through line 24 in their entirety

6. Page 1, line 26.

Strike: "\$35,575"

Insert: "\$100,000"

7. Page 1.

Following: line 26

Insert: "Customer Services Center	\$2,700,000 General Fund
Compliance, Valuation, and Resolution	\$219,100 General Fund"

8. Page 1, line 27 and line 28.

Strike: line 27 and line 28 in their entirety

9. Page 1, line 30.

Strike: "\$2,815,616"

Insert: "\$4,437,807"

10. Page 2, line 1.

Strike: "\$7,554,977"

Insert: "\$11,965,517"

11. Page 2, line 2.

Strike: "\$11,212,392"

Insert: "\$11,399,341"

12. Page 2, line 3.

Strike: "\$20,090,240"

Insert: "\$32,549,140"

13. Page 2, following line 3.

Insert: "Medicaid Court Judgment \$21,545 General Fund"

14. Page 2, line 5.

Strike: "\$7,134,721"

Insert: "\$4,467,893"

15. Page 2, line 6.

Strike: "\$42,000,000"

Insert: "\$22,707,695"

16. Page 2, lines 7 through 9.

Strike: lines 7 through 9 in their entirety

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

17. Page 2, line 11.

Strike: "\$134,927"

Insert: "\$41,632"

18. Page 2, line 12.

Strike: "\$60,056"

Insert: "\$11,593"

19. Page 2.

Following: line 12

Insert: "\$892 Proprietary
Extradition of Prisoners \$45,000 General Fund"

20. Page 2, line 13 through line 16.

Strike: line 13 through line 16 in their entirety

21. Page 2.

Following: line 17

Insert: "Malta School District
 \$21,009 General Fund"

22. Page 2, line 18.

Strike: line 18 in its entirety

23. Page 2, line 23.

Strike: "\$350,000"

Insert: "\$20,000"

24. Page 2.

Following: line 23

Insert: "Department of Corrections
 Secure Facilities \$4,000,000 General Fund

Office of Supreme Court Administrator

Indigent Victims of Domestic Violence \$175,000

State Special Revenue

The appropriation contained in the department of public health and human services mental health line item contains a reduction of \$395,555 that is contingent upon passage and approval of House Bill No. 615.

The Montana school for the deaf and blind is granted an exemption to the provisions of [section 7] of the General Appropriations Act of 1999 and may move funds from personal services to operating expenses during fiscal year 2001."

And, as amended, do pass. Report adopted.

HB 4, introduced bill, be amended as follows:

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

1. Page 1, line 12 through page 3, line 10.

Strike: everything after the enacting clause

Insert: "NEW SECTION. Section 1. Time limits. The appropriations contained in [section 2] are intended to provide necessary expenditures for the years for which the appropriations are made. The unspent balance of an appropriation reverts to the fund from which it was appropriated upon conclusion of the final fiscal year for which its expenditure is authorized by [sections 1 and 2]."

Insert: "NEW SECTION. Section 2. Appropriations. The following money is appropriated, subject to all terms and conditions of [sections 1 and 2]:

Agency and Program	FY	Amount	Fund
Office of Public Instruction			
Distribution to Public Schools			
School district federal aid	2001	\$1,500,000	Federal Funds

All remaining fiscal year 2001 federal budget amendment authority for reduced class size is authorized to continue into fiscal year 2002.

Department of Justice

Crime Control Division

FY2001 Underage drinking laws	2001	399,286	Federal Funds
-------------------------------	------	---------	---------------

All remaining fiscal year 2001 federal budget amendment authority for the residential substance abuse treatment pass through is authorized to continue into fiscal year 2002.

All remaining fiscal year 2001 federal budget amendment authority for FY2001 underage drinking laws is authorized to continue into federal fiscal year 2002.

Gambling Control Division

Automated accounting system boards	2001	500,000	State Special Revenue
------------------------------------	------	---------	-----------------------

Montana Arts Council

Promotion of the arts

All remaining fiscal year 2001 federal budget amendment authority for the folklife exhibit is authorized to continue into fiscal year 2002.

Montana State Library

NRIS

All remaining fiscal year 2001 federal budget amendment authority for the national hydrograph dataset and the natural resources conservation service-forest is authorized to continue into fiscal year 2002.

All remaining fiscal year 2001 federal budget amendment authority for institute of museum and library services national leadership is authorized to continue into federal fiscal year 2002.

Montana Historical Society

Museum Program

All remaining fiscal year 2001 federal budget amendment authority for the institute of museum and library services general operating expenses is authorized to continue into federal fiscal year 2002.

Historic Sites Preservation Program

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

All remaining fiscal year 2001 federal budget amendment authority for national historic landmark nomination for Butte-Anaconda, bureau of reclamation, and bureau of land management-5 is authorized to continue into fiscal year 2002.

Heritage Commission

All remaining fiscal year 2000 federal budget amendment authority from the national park service for Virginia City is authorized to continue into fiscal year 2002.

Lewis and Clark Commission

All remaining fiscal year 2001 federal budget amendment authority for national park service projects is authorized to continue into fiscal year 2002.

Department of Fish, Wildlife and Parks

Wildlife Division

All remaining fiscal year 2001 federal budget amendment authority for swift fox is authorized to continue into federal fiscal year 2002.

Department of Environmental Quality

Planning, Prevention, and Assistance Division

Environmental monitoring and assessment

	2001	185,310	Federal Funds
Industries of the future	2001	4,000	Federal Funds
One stop grant	2001	50,000	Federal Funds
Biomass	2001	42,000	Federal Funds
TMDL special projects	2001	125,000	Federal Funds

All remaining fiscal year 2001 federal budget amendment authority for the environmental monitoring and assessment grant, one stop grant, biomass grant, child health special studies grant, and environmental monitoring for public access and community tracking grant is authorized to continue into fiscal year 2002.

All remaining fiscal year 2000 federal budget amendment authority for small business visibility 2000 is authorized to continue into fiscal year 2002.

All remaining fiscal year 2000 and fiscal year 2001 federal budget amendment authority for industries of the future is authorized to continue into fiscal year 2002.

Remediation Division

All remaining fiscal year 2001 federal budget amendment authority for the Lockwood solvent site is authorized to continue into fiscal year 2002.

Permitting and Compliance Division

BLM supplemental impact statement for Zortman/Landusky

2001 120,000 Federal Funds

Air quality database performance partnership grant

2001 126,856 Federal Funds

EPA supplemental environmental impact statement Zortman/Landusky

2001 50,000 Federal Funds

EPA small grants/special projects

2001 140,000 Federal Funds

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

All remaining fiscal year 2001 federal budget amendment authority for the air quality database performance partnership grant and the environmental protection agency small grants/special projects is authorized to continue into fiscal year 2002.

All remaining fiscal year 2000 and fiscal year 2001 federal budget amendment authority for the bureau of land management supplemental environmental impact statement for Zortman-Landusky is authorized to continue into fiscal year 2002.

Department of Transportation
General Operations Division

All remaining fiscal year 2001 federal budget amendment authority for the human resources federal 2001 grant is authorized to continue into federal fiscal year 2002.

Department of Livestock
Animal Health Division

Bison federal funds FY01	2001	427,650	Federal Funds
--------------------------	------	---------	---------------

All remaining fiscal year 2001 federal budget amendment authority for bison federal funds FY01 and greater Yellowstone interagency brucellosis committee is authorized to continue into fiscal year 2002.

Department of Natural Resources and Conservation
Water Resources Division

Watershed management	2001	20,000	Federal Funds
Milk River gauging	2001	5,600	Federal Funds
Water Reference Guide	2001	25,000	Federal Funds

All remaining fiscal year 1999, 2000, and 2001 federal budget amendment authority for watershed management is authorized to continue into fiscal year 2002.

All remaining fiscal year 2000 federal budget amendment authority for the Big Hole-Jefferson River studies is authorized to continue into federal fiscal year 2002.

All remaining fiscal year 2000 federal budget amendment authority for the Shields and Smith River analysis is authorized to continue into fiscal year 2002.

All remaining fiscal year 2001 federal budget amendment authority for Milk River gauging, upper Clark Fork, and floodplain mitigation assistance is authorized to continue into fiscal year 2002.

All remaining fiscal year 2001 federal budget amendment authority for the Montana Water Reference Guide is authorized to continue into federal fiscal year 2002.

Forestry Division

Volunteer fire assistance	2001	1,177,049	Federal Funds
State fire assistance	2001	361,781	Federal Funds
Western wildland urban interface	2001	588,701	Federal Funds

All remaining fiscal year 2001 federal budget amendment authority for the United States fish and wildlife service habitat conservation program, volunteer fire assistance, state fire assistance, and western wildland urban interface is authorized to continue into fiscal year 2002.

Department of Agriculture
Agricultural Sciences Division
US forest service weed management

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

2001	100,000	Federal Funds
------	---------	---------------

All remaining fiscal year 2001 federal budget amendment authority for weed management is authorized to continue into fiscal year 2002.

Department of Labor and Industry
Job Service Division

Workforce Investment Act	2001	1,529,896	Federal Funds
--------------------------	------	-----------	---------------

All remaining fiscal year 2001 federal budget amendment authority for the natural resources grant and the wildfire disaster grant is authorized to continue into fiscal year 2002.

Unemployment Insurance Division
Unemployment penalties and interest

2001	106,158	Federal Funds
------	---------	---------------

Employment Relations Division
Onsite consultation

2001	102,000	Federal Funds
------	---------	---------------

Department of Military Affairs
Army National Guard

All remaining fiscal year 2001 federal budget amendment authority for army equipment is authorized to continue into fiscal year 2002.

Disaster and Emergency Services

FFY01 Terrorism 83.552	2001	116,300	Federal Funds
FFY00 Pass thru 83.552	2001	275,583	Federal Funds
FFY01 Pass thru 83.552	2001	162,931	Federal Funds
Hazardous materials emergency preparedness training and planning grant	2001	117,561	Federal Funds

All remaining fiscal year 2001 federal budget amendment authority for the hazardous materials emergency preparedness training and planning grant is authorized to continue into fiscal year 2002.

All remaining fiscal year 2000 federal budget amendment authority for state domestic preparedness equipment is authorized to continue into federal fiscal year 2002.

Department of Public Health and Human Services
Human and Community Services Division

Heating fuel costs	2001	3,542,173	Federal Funds
--------------------	------	-----------	---------------

All remaining fiscal year 2000 federal budget amendment authority for the commodity supplemental food program and the residential energy assistance challenge options program is authorized to continue into fiscal year 2002.

All remaining fiscal year 2001 federal budget amendment authority for elderly refugees assistance, the TANF evaluation grant, and the building partnership for innovative outreach and enrollment of dual-eligibles grant is authorized to continue into fiscal year 2002.

All remaining fiscal year 2001 federal budget amendment authority for heating fuel costs is authorized to continue into federal fiscal year 2002.

Director's Office

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

All remaining fiscal year 2001 federal budget amendment authority for the corporation for national services grant for the AmeriCorp VISTA program is authorized to continue into fiscal year 2002.

Child Support Enforcement Division

All remaining fiscal year 2001 federal budget amendment authority for the costs of raising a child study is authorized to continue into fiscal year 2002.

Health Policy and Services Division

All remaining fiscal year 2001 federal budget amendment authority for family planning supplemental, diabetes in Native American school children, behavioral risk, viral hepatitis prevention, and birth defects is authorized to continue into fiscal year 2002.

Senior and Long Term Care

Intergovernmental transfer program

2001	4,323,295	Federal Funds
------	-----------	---------------

Addictive and Mental Disorders Division

All remaining fiscal year 2001 federal budget amendment authority for summer wildfires crisis counseling is authorized to continue into fiscal year 2002."

Insert: "NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 9, introduced bill, be amended as follows:

1. Page 1, line 23.

Following: "and"

Strike: "\$300,000"

Insert: "\$223,575"

2. Page 2, line 4.

Strike: line 4 in its entirety

3. Page 2, line 13.

Strike: "22,000"

Insert: "11,000"

4. Page 2, line 29.

Strike: line 29 in its entirety

5. Page 3, line 2.

Strike: line 2 in its entirety

Insert: "Mineral Museum 5,000"

6. Page 3, line 19.

Strike: "20,000"

Insert: "10,000"

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

7. Page 4, line 2.

Strike: "10,000"

Insert: "15,000"

8. Page 4, line 9.

Strike: "12,500"

Insert: "16,500"

9. Page 4, line 14.

Strike: "1,400"

Insert: "2,775"

And, as amended, do pass. Report adopted.

HB 397, introduced bill, be amended as follows:

1. Page 1, line 25.

Following: "ORGANIZATIONS,"

Strike: "BOTH"

Following: "PUBLIC"

Insert: ", tribal,"

2. Page 2, line 4.

Following: "Clark Fork River"

Insert: "and including the Flathead Indian reservation"

3. Page 3, line 4.

Strike: "OCTOBER 31"

Insert: "September 15"

4. Page 3, following line 4.

Insert: "(6) State funds may not be expended for task force purposes."

And, as amended, do pass. Report adopted.

HB 447, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Following: "APPROPRIATING"

Insert: "UP TO"

2. Page 1, line 10.

Following: "(1)"

Strike: "There"

Insert: "Contingent upon receipt of federal funding specifically allocated to the state of Montana for the benefit of the Marysville road, there"

3. Page 1, line 11.

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

Following: "2001,"

Insert: "an amount equal to the allocation up to"

And, as amended, do pass. Report adopted.

EDUCATION (Masolo, Chairman):
SB 60, be amended as follows:

3/20/2001

1. Page 2, line 8.

Following: "determine,"

Insert: "one must be the state superintendent of public instruction,"

Strike: "four"

Insert: "three"

2. Page 2, lines 13 and 14.

Strike: "Of" on line 13 through "education." on line 14

3. Page 7, line 16.

Following: "commissioner"

Insert: "appointed by the legislature"

Strike: ". The"

Insert: ", and"

Following: "legislators"

Strike: "appointed"

4. Page 7, line 17.

Following: "ended."

Insert: "The commissioners appointed by the governor shall serve at the pleasure of the governor."

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

SB 130, be concurred in. Report adopted.

SB 218, be concurred in. Report adopted.

SB 231, be concurred in. Report adopted.

SB 390, be amended as follows:

1. Title, lines 13 and 14.

Strike: "ALLOWING" on line 13 through "MEETING;" on line 14

2. Title, lines 15 and 16.

Strike: "REQUIRING" on line 15 through "AUGUST;" on line 16

3. Title, line 23.

Strike: "20-9-115,"

Strike: "20-9-131,"

4. Page 7, line 18 through line 26.

Strike: section 8 in its entirety

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

Renumber: subsequent sections

5. Page 8, line 3 through line 13.

Strike: section 10 in its entirety

Renumber: subsequent sections

6. Page 13.

Following: line 24

"NEW SECTION. Section 15. Coordination instruction. If House Bill No. 358 and [this act] are both passed and approved, then [section 5 of this act], amending 20-6-502, is void and [section 1] of House Bill No. 284 must read as follows:

Insert: "Section 1. Section 20-6-502, MCA, is amended to read:

"20-6-502. Opening or reopening of elementary school. The trustees of any elementary district may open or reopen an elementary school of the district when ~~such~~ the opening or reopening has been approved in accordance with the following procedure:

(1) The parents of at least ~~three~~ two pupils who would attend the opened or reopened school petition the trustees of the district to open or reopen a school ~~during the ensuing school fiscal year.~~ Such ~~The~~ petition ~~shall~~ must identify the school, state the reasons for requesting the opening or reopening, and give the names of the children who would attend ~~such~~ the school.

(2) If the trustees approve the opening or reopening of a school, they shall send the petition with a copy of their approval resolution to the county superintendent. The county superintendent shall review the petition to determine if the average number belonging (ANB) of ~~such~~ the school would be ~~five~~ two or more. If the trustees plan to open or reopen the school during the current school fiscal year, the trustees shall include the proposed opening date in the approval resolution and shall request that the process outlined in this section be expedited.

(3) The county superintendent shall present the petition, ~~the~~ the trustees' approval, and ~~his~~ the county superintendent's findings on the probable ANB to the board of county commissioners (~~budget board~~) for their consideration. The ~~budget~~ board shall deny the opening or reopening of any school if the county superintendent's enrollment estimate for ~~such~~ the school is less than ~~five~~ two ANB. In all other cases, the ~~budget~~ board may approve or disapprove the requested opening or reopening of the elementary school.

(4) (a) If the ~~budget~~ board approves a school opening or reopening, the county superintendent shall send a copy of ~~such~~ the approval, along with the petition, ~~the~~ the trustees' approval, and ~~his~~ the county superintendent's estimate of the probable ANB, to the superintendent of public instruction. Except under the circumstances described in subsection (4)(b), the trustees shall apply to the superintendent of public instruction for approval to open or reopen the school by June 1 prior to the beginning of the school year in which they intend to open or reopen the elementary school. The superintendent of public instruction shall approve or disapprove the requested opening or reopening of the elementary school by the fourth Monday of June. If the opening or reopening is approved, the superintendent of public instruction shall approve or adjust the ANB estimate of the county superintendent for ~~such~~ the school and ~~such~~ the ANB amount ~~shall~~ must be used for budgeting and BASE funding program purposes during the ensuing school fiscal year. ~~No~~ An ANB amount ~~shall~~ may not be approved for the ensuing school fiscal year for an opening or reopening school when the request for ~~such~~ the school has not been received by the superintendent of public instruction ~~before the fourth Monday of~~ by June 1.

(b) (i) If the opening or reopening is approved and the trustees want to open or reopen the school during the current school fiscal year, the trustees shall submit a budget request to the superintendent of public instruction for that portion of the fiscal year in which the school will be in operation prior to the ensuing school fiscal year. The superintendent of public instruction shall approve or adjust the budget request and shall fund the budget for the portion of the school year in which the school will be in operation.

(ii) Before a school may open or reopen during the current school fiscal year, the school must be classified as an isolated school in accordance with the provisions of 20-9-302, except that the dates in that section for the

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

submission and approval of the application for classification do not apply and the application must be made at the same time that the application for opening or reopening the school is made."

Renumber: subsequent section

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

SB 457, be concurred in. Report adopted.

HUMAN SERVICES (Thomas, Chairman):

3/20/2001

SB 310, be amended as follows:

1. Page 4, lines 19 and 20.

Strike: "a late payment penalty of"

2. Page 4, line 21.

Following: "(I)"

Insert: "a late payment penalty of"

3. Page 4, line 25.

Strike: "a late payment penalty and interest"

Insert: "both of the charges in subsections (5)(a)(ii)(A)(I) and (5)(a)(ii)(A)(II)"

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

SB 311, be concurred in. Report adopted.

SB 321, be concurred in. Report adopted.

STATE ADMINISTRATION (Walters, Chairman):

3/20/2001

HB 511, do pass. Report adopted.

TRANSPORTATION (Somerville, Chairman):

3/20/2001

SB 293, be amended as follows:

1. Page 5, line 6.

Strike: "may"

Insert: "shall"

2. Page 5, line 8.

Following: "(3)"

Insert: "(a)"

3. Page 5, line 9.

Following: "61-3-101"

Insert: ", "

Strike: "and"

Following: "61-11-105,"

Insert: "and this subsection (3),"

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

4. Page 5.

Following: line 10

Insert: "(b) The department shall ensure that fees established by policy or contract:

(i) recover the department's cost and expenses as provided in 2-6-110(2) and 61-3-101; and

(ii) include an additional amount necessary to compensate the department for costs associated with developing and maintaining the database from which information is requested.

(c) Except as provided in subsection (3)(d), the department shall charge a fee to any person, including a representative of a federal, state, or local government entity or member of the news media who requests information under this section.

(d) The department may not charge a fee for information requested by the governor's office of budget and program planning, the state tax appeal board, any legislative branch agency or committee, or any criminal justice agency, as defined in 44-5-103."

5. Page 9, line 3.

Strike: "may"

Insert: "shall"

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

SB 320, be amended as follows:

1. Title, line 11.

Strike: "AN"

Insert: "A CONTINGENT"

Following: "A"

Insert: "CONTINGENT"

2. Page 2, line 22.

Strike: "**Effective**"

Insert: "Contingent effective"

Strike: "July 1, 2001"

Insert: "30 days after the director of the department of transportation certifies to the governor, sending a copy of the certification to the secretary of state and the code commissioner, that an ethanol plant is operational and producing fuel in Montana"

3. Page 2, line 24.

Strike: "**TERMINATION**"

Insert: "Contingent termination"

Strike: "JUNE 30, 2003"

Insert: "2 years after [the effective date of this act]"

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

SB 348, be amended as follows:

1. Page 3, line 9.

Strike: "between"

Strike: "825 and 1,300"

HOUSE JOURNAL
SIXTY-THIRD LEGISLATIVE DAY - MARCH 20, 2001

Insert: "1,320"

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

SB 355, be concurred in. Report adopted.

SB 451, be concurred in. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Sliter moved that the House adjourn until 12:00 p.m., Wednesday, March 21, 2001. Motion carried.

House adjourned at 3:05 p.m.

MARILYN MILLER
Chief Clerk of the House

DAN MCGEE
Speaker of the House