

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

Helena, Montana
April 9, 2001

House Chambers
State Capitol

House convened at 11:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Price. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Fuchs and Jayne, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the sixty-ninth, seventieth, and seventy-first legislative days, find the same to be correct.

Bookout-Reinicke, Chairman

Mr. Speaker introduced the pages of the week:

William Sehestedt, Missoula
Jessica Andersen, Helena
Rachel Wittman, Huntley
Chad Campbell, Kalispell
Elise Anderson, Kalispell
Michelle Aamold, Hobson
Eliza Coleman, Belgrade
Kiley Gelderman, Missoula
Scott Peterson, Glendive

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/7/2001

HB 8, introduced by McCann
HB 247, introduced by Lewis
HB 447, introduced by Lewis
HB 608, introduced by Haines
HB 650, introduced by Mood

House joint resolution concurred in and returned to the House: 4/7/2001

HJR 38, introduced by Waddill

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/7/2001

HB 3, introduced by Fisher
HB 4, introduced by Witt
HB 6, introduced by McCann

HB 146 - The Senate acceded to the request of the House and authorized the President to appoint the following conference committee to meet with a like committee from the House to confer on Senate amendments to **HB 146**:

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4/7/2001

Senator Grimes, Chairman
Senator Halligan
Senator McNutt

HJR 32 - The Senate acceded to the request of the House and authorized the President to appoint the following conference committee to meet with a like committee from the House to confer on Senate amendments to **HJR 32**:

4/7/2001

Senator Bishop, Chairman
Senator Butcher
Senator Pease

MESSAGES FROM THE GOVERNOR

April 6, 2001

The Honorable Dan McGee
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative McGee:

Please be informed that I have signed **House Bill 131** sponsored by Representative Somerville, **House Bill 363** sponsored by Representative Wanzenried et al., **House Bill 378** sponsored by Representative Lee et al., and **House Bill 523** sponsored by Representative Whitaker et al. on April 6, 2001.

Sincerely,

JUDY MARTZ
Governor

**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 Shockley in the chair.

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

SB 446 - Representative Sliter moved consideration of **SB 446** be passed for the day. Motion carried.

Representative Jayne present at this time.

HB 208 - Senate Amendments - Representative Harris moved Senate amendments to **HB 208** be **not** concurred in. Motion carried as follows:

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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: Fuchs, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 324 - Senate Amendments - Representative Mangan moved Senate amendments to **HB 324** be **not** concurred in. Motion carried 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, 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, 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, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery.

Total 94

Noes: Balyeat, Jackson, Kasten, Vick, Younkin.

Total 5

Voted Absentee: Fuchs, Aye.

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

HB 359 - Senate Amendments - Representative P. Clark moved Senate amendments to **HB 359** be **not** concurred in. Motion carried as follows:

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

Total 85

Noes: Bales, Balyeat, R. Brown, Esp, Jackson, Jayne, Laible, Laszloffy, Sliter, Somerville, Story, Vick, Mr. Speaker.

Total 13

Voted Absentee: Fuchs, Aye.

Excused: None.

Total 0

Absent or not voting: Clancy, Mood.

Total 2

HB 360 - Senate Amendments - Representative P. Clark moved Senate amendments to **HB 360** be **not** 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, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, 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 97

Noes: Hurdle, Newman, Mr. Speaker.

Total 3

Voted Absentee: Fuchs, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 459 - Senate Amendments - Representative Mood moved Senate amendments to **HB 459** be **not** concurred in. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, R. Brown, Brueggeman, Clancy, E. Clark,

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Curtiss, Dale, Davies, Dell, Devlin, Esp, Fisher, Forrester, Fuchs, Haines, Hedges, Himmelberger, Holden, Jackson, Jent, Kasten, Laible, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Masolo, Matthews, McCann, McKenney, Mood, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Rice, Ripley, Rome, Schruppf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Vick, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 62

Noes: Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cyr, Eggers, Erickson, Facey, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hurdle, Jacobson, Jayne, Juneau, Kaufmann, Keane, Laslovich, Lee, Lindeen, Mangan, Musgrove, Newman, Raser, Schmidt, Smith, Tramelli, Tropila, Waddill, Wanzenried.
Total 37

Voted Absentee: Fuchs, Aye.

Excused: None.
Total 0

Absent or not voting: D. Brown.
Total 1

HB 572 - Senate Amendments - Representative Bales moved Senate amendments to **HB 572** be **not** 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, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Holden, Hurdle, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schruppf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Tropila, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 92

Noes: P. Clark, Galvin-Halcro, Jayne, Musgrove, Smith, Tramelli, Wanzenried.
Total 7

Voted Absentee: Fuchs, Aye.

Excused: None.
Total 0

Absent or not voting: Himmelberger.
Total 1

Representative Fuchs present at this time.

HB 605 - Senate Amendments - Representative Mood moved Senate amendments to **HB 605** be **not** concurred in. Motion carried as follows:

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

Total 83

Noes: Buzzas, Carney, P. Clark, Eggers, Fritz, Gallik, Galvin-Halcro, Gillan, Golie, Hurdle, Jayne, Musgrove, Newman, Raser, Tramelli, Waddill, Wanzenried.

Total 17

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 46 - Representative Waitschies moved **SB 46** be concurred in. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, 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, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, 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, 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

Noes: Bixby, Eggers, Jayne.

Total 3

Excused: None.

Total 0

Absent or not voting: A. Peterson.

Total 1

SB 129 - Representative Waddill moved **SB 129** 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,

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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

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 162 - Representative Story moved **SB 162** 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, 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: Laslovich.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 519 - Representative Forrester moved **SB 519** 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, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, 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, 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, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 95

Noes: Eggers, Hurdle, McCann, Musgrove, Wanzenried.
Total 5

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 240 - Representative Devlin moved **SB 240** be concurred in. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Esp, Fisher, Forrester, Fritz, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Haines, Hedges, Himmelberger, Holden, Jackson, Jacobson, Jayne, Jent, Kasten, Keane, Laible, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McKenney, Mood, Newman, Noennig, Olson, Pattison, 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 85

Noes: Bixby, Eggers, Erickson, Facey, Gallik, Gutsche, Harris, Hurdle, Juneau, Kaufmann, Lee, McCann, Musgrove, Smith.
Total 14

Excused: None.
Total 0

Absent or not voting: A. Peterson.
Total 1

SB 258 - Representative Somerville moved **SB 258** be concurred in. Motion carried 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, 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, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 95

Noes: Adams, Balyeat, Davies, Vick.
Total 4

Excused: None.
Total 0

Absent or not voting: Ripley.
Total 1

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SB 264 - Representative Esp moved **SB 264** 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, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Erickson, Esp, Facey, Forrester, Fritz, Fuchs, Gallik, 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 97

Noes: Fisher.

Total 1

Excused: None.

Total 0

Absent or not voting: Clancy, Gallus.

Total 2

SB 280 - Representative A. Peterson moved **SB 280** be concurred in. Motion carried as follows:

Ayes: Andersen, Bales, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Devlin, Erickson, Fritz, Gallus, Haines, Harris, Hedges, Himmelberger, Holden, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Laslovich, Lawson, Lee, Lehman, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Noennig, Olson, A. Peterson, K. Peterson, Price, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tropila, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 71

Noes: Adams, Balyeat, R. Brown, Brueggeman, Davies, Dell, Eggers, Esp, Facey, Fisher, Forrester, Fuchs, Gallik, Galvin-Halcro, Gillan, Golie, Gutsche, Hurdle, Jacobson, Jayne, Kasten, Laszloffy, Lewis, Newman, Pattison, Raser, Tramelli, Vick, Wanzenried.

Total 29

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 281 - Representative Sliter moved consideration of **SB 281** be placed at the bottom of the second reading board. Motion carried.

SB 303 - Representative Younkin moved **SB 303** be concurred in. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown,

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Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Erickson, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Gillan, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Jent, Kasten, Kaufmann, Laible, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Lindeen, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Younkin, Mr. Speaker.
Total 88

Noes: Eggers, Esp, Galvin-Halcro, Golie, Juneau, Keane, Lee, Lenhart, Mangan, Newman, Tramelli.
Total 11

Excused: None.
Total 0

Absent or not voting: Wolery.
Total 1

SB 317 - Representative Waddill moved **SB 317** be concurred in.

Representative Himmelberger expressed a conflict of interest and abstained from voting.

Motion that **SB 317** be concurred in carried 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, Dell, Devlin, Eggers, Erickson, Facey, Forrester, Fritz, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Holden, Hurdle, Jacobson, Jent, 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, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin.
Total 84

Noes: Adams, Curtiss, Esp, Fisher, Gallik, Jackson, Jayne, Juneau, Mangan, McCann, Musgrove, K. Peterson, Thomas, Mr. Speaker.
Total 14

Excused: None.
Total 0

Absent or not voting: Davies, Himmelberger.
Total 2

SB 350 - Representative Erickson moved **SB 350** be concurred in. Motion carried as follows:

Ayes: Andersen, Bales, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Dell, Devlin, Eggers, Erickson, Esp, Facey, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, Laszloffy, Lawson, Lee, Lehman, Lenhart,

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Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schruppf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 94

Noes: Adams, Balyeat, D. Brown, Davies, Fisher, Jackson.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 483 - Representative Kaufmann moved **SB 483** be concurred in. Motion carried as follows:

Ayes: Andersen, Bales, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. 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, Schruppf, 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, R. Brown.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 506 - Representative Juneau moved **SB 506** be concurred in. Motion carried as follows:

Ayes: Adams, Balyeat, Barrett, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, 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, Lehman, Lenhart, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schruppf, Shockley, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Walters, Wanzenried, Whitaker, Witt, Wolery, Mr. Speaker.

Total 84

Noes: Andersen, Bales, Dale, Davies, Esp, Fisher, Hedges, Kasten, Laszloffy, Lewis, Lindeen, K. Peterson, Vick,

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Waitschies, Younkin.
Total 15

Excused: None.
Total 0

Absent or not voting: Sliter.
Total 1

SB 521 - Representative Forrester moved **SB 521** be concurred in.

SB 521 - Representative Sliter moved **SB 521**, second reading copy, be amended as follows :

1. Title, line 6.

Following: "GOVERNOR;"

Insert: "EXTENDING THE DURATION OF AN ENERGY EMERGENCY; CLARIFYING THAT PROCEEDINGS UNDERTAKEN DURING AN ENERGY EMERGENCY MAY BE COMPLETED;"

Following: "90-4-302"

Strike: "AND"

Insert: ", "

Following: "90-4-310,"

Insert: "AND 90-4-313,"

2. Page 2, line 25.

Strike: "45"

Insert: "90"

3. Page 3, line 24.

Insert: "**Section 3.** Section 90-4-313, MCA, is amended to read:

"90-4-313. Compliance. Notwithstanding any provision of law or contract to the contrary, all persons who are specifically ordered by the governor to comply with an order issued or action taken pursuant to this part shall comply. A proceeding or project that is commenced under an energy emergency may proceed to completion even if the completion occurs after the termination of the emergency."

Renumber: subsequent section

Amendment **adopted** as follows:

Ayes: Adams, Andersen, Bales, 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, Haines, Hedges, Himmelberger, Holden, Jackson, Jent, Juneau, Kasten, Laible, Laszloffy, Lawson, Lehman, Lewis, Masolo, Matthews, McKenney, Mood, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Rice, Ripley, Rome, Schrupf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 65

Noes: Balyeat, Bixby, Buzzas, Callahan, Cyr, Eggers, Erickson, Facey, Fritz, Gallik, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hurdle, Jacobson, Jayne, Kaufmann, Keane, Laslovich, Lee, Lenhart, Lindeen, Mangan, Musgrove, Newman, Raser, Schmidt, Smith, Tramelli, Tropa, Wanzonried.

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Total 33

Excused: None.

Total 0

Absent or not voting: Carney, McCann.

Total 2

Motion that **SB 521**, as amended, be concurred in carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Dell, Devlin, Eggers, Esp, Facey, Fisher, Forrester, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Hedges, Himmelberger, Holden, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Laible, Laslovich, 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, Somerville, Steinbeisser, Story, Thomas, Tramelli, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 90

Noes: Bixby, Erickson, Fritz, Gallik, Harris, Hurdle, Jayne, Laszloffy, Smith, Tropila.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 73 - Representative Devlin moved **SB 73** be concurred in. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Carney, Clancy, E. Clark, Curtiss, Dale, Davies, Devlin, Erickson, Esp, Facey, Fisher, Forrester, Fritz, Fuchs, Gallus, Haines, Harris, Hedges, Himmelberger, Holden, Jackson, Juneau, Kaufmann, Laible, Laszloffy, Lehman, Lenhart, Lewis, Matthews, McKenney, Mood, Noennig, Pattison, A. Peterson, K. Peterson, Price, Rice, Ripley, Rome, Schrupf, Shockley, Somerville, Steinbeisser, Story, Thomas, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin.

Total 63

Noes: Bixby, Branae, Buzzas, Callahan, P. Clark, Cyr, Dell, Eggers, Gallik, Galvin-Halcro, Gillan, Golie, Gutsche, Hurdle, Jacobson, Jayne, Jent, Kasten, Keane, Laslovich, Lawson, Lee, Lindeen, Mangan, Masolo, McCann, Musgrove, Newman, Olson, Raser, Schmidt, Sliter, Smith, Tramelli, Tropila, Wanzenried, Mr. Speaker.

Total 37

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

SB 220 - Representative Waddill moved **SB 220** be concurred in. Motion failed as follows:

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

Total 45

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

Total 55

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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. Chairman Shockley moved the Committee of the Whole report be adopted.

Representative Waddill made a substitute motion that **SB 220** be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion failed as follows:

Ayes: Bixby, Bookout-Reinicke, Buzzas, Callahan, Carney, 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, Lindeen, Mangan, Matthews, McCann, Musgrove, Newman, Noennig, A. Peterson, Price, Raser, Schmidt, Schrupf, Shockley, Smith, Tramelli, Tropila, Waddill, Wanzenried.

Total 49

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

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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Report adopted as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, Clancy, E. Clark, Curtiss, Dale, Davies, Dell, Devlin, Esp, Fisher, Forrester, Fuchs, Haines, Hedges, Himmelberger, Holden, Jackson, Kasten, Laible, Laszloffy, Lawson, Lewis, Masolo, Matthews, McCann, McKenney, Mood, Olson, Pattison, A. Peterson, K. Peterson, Price, Rice, Ripley, Rome, Schrupf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Vick, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 59

Noes: Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cyr, Eggers, Erickson, Facey, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Harris, Hurdle, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lee, Lenhart, Lindeen, Mangan, Musgrove, Newman, Noennig, Raser, Schmidt, Smith, Tramelli, Tropila, Waddill, Wanzenried.
Total 39

Excused: None.
Total 0

Absent or not voting: Jacobson, Lehman.
Total 2

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 4/9/2001
Correctly enrolled: **HB 377, HJR 27**.
Examined by the sponsor and found to be correct: **HB 377, HJR 27**.
Signed by the Speaker at 3:30 p.m., April 9, 2001: **HB 377, HJR 27**.
Delivered to the Governor for her approval at 3:35 p.m., April 9, 2001: **HB 29**.

TAXATION (Story, Chairman): 4/7/2001
SB 505, be amended as follows:

1. Title, page 1, line 6.

Following: "GENERATION"

Insert: "FROM CERTAIN PROPERTY TAX LEVIES FOR A CERTAIN PERIOD OF TIME;"

Strike: "AND"

Insert: "EXEMPTING CERTAIN"

2. Title, page 1, line 12 through line 14.

Strike: "PROVIDING" on line 12 through "OWNER;" on line 14

3. Page 2, line 6.

Strike: "taxation"

Insert: "tax levies imposed under 20-9-331, 20-9-333, and 20-9-360"

4. Page 2, line 18.

Following: "KILOWATT"

Insert: "hours of"

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5. Page 3, line 3.

Following: "wind turbines,"

Insert: "geothermal power sources,"

6. Page 3, line 23.

Strike: the first "in" through "located"

Insert: "under 20-9-331, 20-9-333, and 20-9-360"

7. Page 3, line 24.

Following: "TAX"

Insert: "that would have been distributed under 20-9-331, 20-9-333, and 20-9-360"

8. Page 4, line 3.

Strike: "a one-time"

Insert: "an"

9. Page 4, line 4.

Strike: "1% "

Insert: "1.5% "

10. Page 4, line 5.

Following: "facility"

Insert: "and not to exceed the lesser of 0.5% of the total cost of constructing the electrical generation facility or \$500,000 in each successive year through the term of the property tax exemption taken pursuant to [section 1]"

11. Page 5, line 30 through page 6, line 20.

Strike: section 5 in its entirety

Renumber: subsequent sections

12. Page 6, line 22.

Strike: "(1)"

13. Page 6, line 25 through line 26.

Strike: subsection (2) in its entirety

14. Page 6, line 30.

Strike: "SECTIONS"

Insert: "Section"

Strike: "AND 5"

Strike: "ARE"

Insert: "is"

Strike: "APPLY"

Insert: "applies"

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

SB 512, be amended as follows:

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1. Title, page 1, line 5.

Strike: "EXCISE"

Insert: "EXCESS REVENUE"

2. Title, page 1, line 11.

Strike: "EXCISE"

Insert: "EXCESS REVENUE"

3. Title, page 1, line 13.

Following: " ; "

Insert: "PROVIDING A STATUTORY APPROPRIATION; AMENDING SECTION 17-7-502, MCA;"

4. Page 1, line 18.

Strike: the first "excise"

Insert: "excess revenue"

Strike: the second "excise"

Insert: "excess revenue"

5. Page 1, lines 19 and 20.

Following: "on" on line 19

Insert: "the excess revenue derived from"

Strike: "by" on line 19 through "state" on line 20

Insert: "generated in Montana"

6. Page 1, line 21.

Following: the first "the"

Insert: "excess"

7. Page 1, line 22.

Following: "~~contract~~" in both places

Insert: "net" in both places

8. Page 1, line 22.

Strike: "megawatts"

Insert: "the megawatt hours"

9. Page 1, line 24 through page 2, line 1.

Strike: line 24 on page 1 through line 1 on page 2

10. Page 2.

Following: line 2

Insert: "Net sales price of megawatt hours sold Rate of tax
on the first \$15 of net sales price or any part of that price 20%
on the next \$10 of net sales price or any part of that price 40%
on the next \$10 of net sales price or any part of that price 60%
on the next \$10 of net sales price or any part of that price 80%
in excess of \$45 of net sales price or any part of that price 90% "

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Insert: "(3) For the purposes of this section, "net sales price" means the sales price of megawatt hours sold less \$45 from that sales price."

Renumber: subsequent subsections

11. Page 2, line 6.

Strike: "excise"

Insert: "excess revenue"

12. Page 2, line 16.

Strike: "60"

Insert: "30"

Following: line 16

Insert: "(4) a qualifying small power production facility, as that term is defined in 16 U.S.C. 796(17), that is owned and operated by a person not primarily engaged in the generation or sale of electricity other than electric power from a small power production facility;

(5) electrical energy generated in Montana by a fully integrated, regulated public utility and sold to customers within the authorized service territory of the public utility;"

Renumber: subsequent subsections

13. Page 6, line 8.

Strike: "excise"

Insert: "excess revenue"

14. Page 7, line 2.

Strike: "after [the termination date of this act]"

15. Page 7, line 3.

Strike: "must be"

Insert: "is statutorily"

Following: "appropriated"

Insert: ", "

Strike: "by the legislature"

Insert: "as provided in 17-7-502,"

16. Page 7, line 13.

Strike: "of a contract"

17. Page 7, line 14.

Following: "supplier"

Insert: "or customer"

18. Page 7, line 29.

Insert: "**Section 13.** Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

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(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 3-5-901; 5-13-403; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-111; 15-23-706; 15-31-702; 15-34-115; 15-35-108; 15-36-324; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 16-1-404; 16-1-406; 16-1-411; 17-3-106; 17-3-212; 17-3-222; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-6-709; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 20-8-107; 20-26-1503; 22-3-1004; 23-5-136; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-631; 23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503; 42-2-105; 44-12-206; 44-13-102; 50-4-623; 53-6-703; 53-24-206; 67-3-205; section 111; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 77-1-505; 80-2-222; 80-4-416; 80-11-518; 81-5-111; 82-11-161; 87-1-513; 90-3-1003; 90-6-710; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 7, Ch. 567, L. 1991, the inclusion of 19-6-709 terminates upon death of last recipient eligible for supplemental benefit; pursuant to Ch. 422, L. 1997, the inclusion of 15-1-111 terminates on July 1, 2008, which is the date that section is repealed; pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 4, Ch. 497, L. 1999, the inclusion of 15-38-202 terminates July 1, 2014; and pursuant to sec. 10(2), Ch. 10, Sp. L. May 2000, the inclusion of 15-35-108 and 90-6-710 terminates June 30, 2005.)"

Renumber: subsequent sections

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

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:

HJR 39, adopted as follows:

Ayes: Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, Branae, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dell, Devlin, Eggers, Erickson, Facey, Fisher, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Holden, Hurdle, Jackson, Jacobson, Juneau, Kaufmann, Laible, Laslovich, Lehman, Lenhart, Lewis, Lindeen, Mangan, Matthews, McKenney, Mood, Musgrove, Newman, Noennig, Olson, A. Peterson, Price, Raser, Ripley, Schmidt, Schrupf, Shockley, Smith, Somerville, Story, Thomas, Tramelli, Tropila, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Mr. Speaker.

Total 71

Noes: Adams, Andersen, Bixby, D. Brown, R. Brown, Brueggeman, Dale, Davies, Esp, Fuchs, Himmelberger, Jayne, Jent, Kasten, Keane, Laszloffy, Lawson, Lee, Masolo, McCann, Pattison, K. Peterson, Rice, Rome, Sliter, Steinbeisser, Vick, Waddill, Younkin.

Total 29

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

SB 176, as amended by the House, concurred in as follows:

Ayes: Andersen, Bales, Barrett, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dell, Devlin, Eggers, Esp, Forrester, Fritz, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Himmelberger, Holden, Hurdle, Jackson, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Keane, Laible, Lee, Lehman, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, Mood, Musgrove, Newman, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schrupf, Smith, Steinbeisser, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery.
Total 77

Noes: Adams, Balyeat, Bitney, Bookout-Reinicke, Dale, Davies, Erickson, Facey, Fisher, Fuchs, Gallik, Jent, Laslovich, Laszloffy, Lawson, Lewis, McKenney, Shockley, Sliter, Somerville, Vick, Younkin, Mr. Speaker.
Total 23

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 179, as amended by the House, concurred in 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, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 99

Noes: Smith.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 191, as amended by the House, concurred in as follows:

Ayes: Adams, Andersen, Balyeat, Bitney, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Buzzas, Callahan,

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Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Davies, Facey, Fisher, Forrester, Fritz, Gallik, Gallus, Gillan, Haines, Hedges, Holden, 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, Schruppf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Thomas, Tropila, Vick, Waddill, Walters, Wanzenried, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 78

Noes: Bales, Barrett, Bixby, R. Brown, Dell, Devlin, Eggers, Erickson, Esp, Fuchs, Galvin-Halcro, Golie, Gutsche, Harris, Himmelberger, Hurdle, Juneau, Lee, Musgrove, Story, Tramelli, Waitschies.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 315, as amended by the House, concurred in as follows:

Ayes: Andersen, Bixby, Bookout-Reinicke, Branae, R. Brown, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Dell, Devlin, Eggers, Erickson, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, 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, Sliter, Smith, Steinbeisser, Thomas, Tramelli, Tropila, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Wolery, Younkin.

Total 77

Noes: Adams, Bales, Balyeat, Barrett, Bitney, D. Brown, Brueggeman, Davies, Esp, Fisher, Fuchs, Himmelberger, Holden, Jackson, Kasten, Laible, Laszloffy, Pattison, Somerville, Story, Vick, Witt, Mr. Speaker.

Total 23

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 322, as amended by the House, concurred in as follows:

Ayes: Andersen, Bales, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, Clancy, E. Clark, P. Clark, Curtiss, Cyr, Dale, Dell, Devlin, Eggers, Erickson, Facey, Forrester, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Holden, Hurdle, 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, Rome, Schmidt, Schruppf, Shockley, Smith, Somerville, Story, Thomas, Tramelli, Tropila, Waddill, Wanzenried, Witt, Wolery, Younkin.

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Total 79

Noes: Adams, Balyeat, Barrett, Bitney, Davies, Esp, Fisher, Fuchs, Himmelberger, Jackson, Kasten, Laszloffy, Pattison, Ripley, Sliter, Steinbeisser, Vick, Waitschies, Walters, Whitaker, Mr. Speaker.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 445, as amended by the House, concurred in as follows:

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

Total 57

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

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Representative Gallik requested on **SB 317**, second reading today, that his vote be changed from yes to no. There being no objections, so ordered.

Representative Sliter moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to **HB 208**. Motion carried.

The Speaker appointed the following members:

Representative Noennig, Chairman
Representative K. Peterson
Representative Harris

Representative Sliter moved the Speaker be authorized to appoint a conference committee to meet with a like

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committee from the Senate to confer on Senate amendments to **HB 324**. Motion carried.

The Speaker appointed the following members:

Representative Brueggeman, Chairman
Representative Noennig
Representative Mangan

Representative Sliter moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to **HB 359**. Motion carried.

The Speaker appointed the following members:

Representative Shockley, Chairman
Representative Wolery
Representative P. Clark

Representative Sliter moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to **HB 360**. Motion carried.

The Speaker appointed the following members:

Representative Shockley, Chairman
Representative Wolery
Representative P. Clark

Representative Sliter moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to **HB 459**. Motion carried.

The Speaker appointed the following members:

Representative Mood, Chairman
Representative Younkin
Representative Forrester

Representative Sliter moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to **HB 572**. Motion carried.

The Speaker appointed the following members:

Representative Story, Chairman
Representative Olson
Representative Matthews

Representative Sliter moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to **HB 605**. Motion carried.

The Speaker appointed the following members:

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Representative Mood, Chairman
Representative Clancy
Representative Matthews

Committee meetings were announced by committee chairmen.

Majority Leader Sliter moved that the House recess until 3:00 p.m. Motion carried.

House recessed at 1:18 p.m.

House reconvened at 3:00 p.m. All members present. Quorum present.

SPECIAL ORDERS OF THE DAY

The Speaker introduced Bill Davis/Principal, Jim Kelly/Dean of Students, Jennifer Larson and Dessica McKeelum/Co-Directors from the Great Falls School of the Deaf and Blind. The "Expressions Of Silence" group of twenty-two students signed two songs.

MESSAGES FROM THE SENATE

Senate joint resolution passed and transmitted to the House for concurrence: 4/9/2001

SJR 20, introduced by Ellingson

House bill concurred in and returned to the House: 4/9/2001

HB 642, introduced by Story

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/9/2001

HB 395, introduced by B. Thomas

HB 600, introduced by Bookout-Reinicke

HB 619, introduced by Harris

HB 623, introduced by Mangan

HB 643, introduced by Juneau

HB 644, introduced by Pattison

HB 646, introduced by Golie

HB 214 - The Senate acceded to the request of the House and authorized the President to appoint the following conference committee to meet with a like committee from the House to confer on Senate amendments to **HB 214**:
4/9/2001

Senator Berry, Chairman

Senator Doherty

Senator Thomas

HB 290 - The Senate acceded to the request of the House and authorized the President to appoint the following conference committee to meet with a like committee from the House to confer on Senate amendments to **HB 290**:
4/9/2001

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Senator Grosfield, Chairman
Senator Halligan
Senator McNutt

HB 559 - The Senate acceded to the request of the House and authorized the President to appoint the following conference committee to meet with a like committee from the House to confer on Senate amendments to **HB 559**:
4/9/2001

Senator Miller, Chairman
Senator Christiaens
Senator Grimes

HB 573 - The Senate acceded to the request of the House and authorized the President to appoint the following free conference committee to meet with a like committee from the Senate to confer on **HB 573**:
4/9/2001

Senator Cole, Chairman
Senator Crismore
Senator Roush

HB 603 - The Senate acceded to the request of the House and authorized the President to appoint the following conference committee to meet with a like committee from the House to confer on Senate amendments to **HB 603**:
4/9/2001

Senator Grimes, Chairman
Senator O'Neil
Senator Stonington

HB 612 - The Senate acceded to the request of the House and authorized the President to appoint the following conference committee to meet with a like committee from the House to confer on Senate amendments to **HB 612**:
4/9/2001

Senator Ellis, Chairman
Senator Glaser
Senator Shea

Conference committee report #1 adopted: 4/9/2001

HB 172, introduced by Holden
SB 28, introduced by Halligan
SB 48, introduced by Sprague

Free conference committee report #1 adopted: 4/9/2001

HB 154, introduced by McGee
HB 293, introduced by Harris

FIRST READING AND COMMITMENT OF BILLS

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

SJR 20, introduced by Ellingson, Beck, Berry, Bohlinger, Butcher, Buzzas, Callahan, Carney, Christiaens, Clancy,

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P. Clark, Cobb, Cocchiarella, Crismore, Cyr, Davies, Doherty, Ekegren, Elliott, Franklin, Grimes, Grosfield, Gutsche, Haines, Halligan, Harrington, Jayne, Jergeson, Kaufmann, Kitzenberg, Lindeen, McCarthy, McKenney, Nelson, Newman, Pattison, Pease, Roush, Shea, Stonington, Tester, F. Thomas, Toole, Tropila, Waterman, referred to Business and Labor.

**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 Shockley in the chair.

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

SB 346 - Representative Devlin moved **SB 346** 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, 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 99

Noes: Fuchs.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 494 - Representative Somerville moved **SB 494** be concurred in. Motion failed as follows:

Ayes: Andersen, Bookout-Reinicke, R. Brown, Buzzas, Carney, Clancy, E. Clark, Dale, Devlin, Erickson, Esp, Facey, Fritz, Gallus, Gutsche, Harris, Hedges, Himmelberger, Holden, Jackson, Jent, Kaufmann, Lawson, Lehman, Lenhart, Lewis, Mangan, Matthews, McKenney, Noennig, Olson, A. Peterson, K. Peterson, Price, Ripley, Schrupf, Sliter, Somerville, Story, Thomas, Tropila, Wolery, Younkin, Mr. Speaker.

Total 44

Noes: Adams, Bales, Balyeat, Barrett, Bitney, Bixby, Branae, D. Brown, Brueggeman, Callahan, Curtiss, Davies, Dell, Eggers, Fisher, Forrester, Fuchs, Gallik, Galvin-Halcro, Gillan, Golie, Haines, Hurdle, Jacobson, Jayne, Juneau, Kasten, Keane, Laible, Laslovich, Laszloffy, Lee, Lindeen, Masolo, McCann, Mood, Musgrove, Newman, Pattison, Raser, Rice, Rome, Schmidt, Shockley, Smith, Steinbeisser, Tramelli, Vick, Waddill, Waitschies, Walters, Wanzenried, Whitaker, Witt.

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Total 54

Excused: None.

Total 0

Absent or not voting: P. Clark, Cyr.

Total 2

SB 501 - Representative Story moved **SB 501** be concurred in.

SB 501 - Representative Facey moved **SB 501**, second reading copy, be amended as follows :

1. Title, page 1, line 17.

Following: "RATES;"

Insert: "REVISING THE ASSESSMENT AND TAXATION OF CERTAIN IMPROVEMENTS TO REAL PROPERTY; PROVIDING FOR THE EXPENDITURE OF REVENUE COLLECTED FROM TAXES ON CERTAIN IMPROVEMENTS TO REAL PROPERTY; REQUIRING THAT THE OWNER REPORT OCCUPATION OR USE OF THE IMPROVEMENTS TO THE DEPARTMENT OF REVENUE; PROVIDING THAT TAXES IMPOSED ON THE IMPROVEMENTS ARE NOT SUBJECT TO PENALTY AND INTEREST; PROVIDING THAT THE OWNER OF THE IMPROVEMENTS MAY APPEAL THE VALUATION OF THE IMPROVEMENTS; ESTABLISHING A MINIMUM VALUE OF IMPROVEMENTS THAT ARE SUBJECT TO ASSESSMENT AND TAXATION;"

2. Title, page 1, line 18.

Following: "SECTIONS"

Insert: "7-6-2320,"

Following: "7-6-2522,"

Insert: "7-6-4271, 15-8-201,"

Strike: "AND"

Following: "15-10-420,"

Insert: "15-15-102, AND 20-9-161,"

3. Title, page 1, line 19.

Strike: "AN IMMEDIATE"

Following: line 19

Strike: "DATE"

Insert: "DATES"

4. Title, page 1, line 20.

Strike: "A RETROACTIVE"

Following: "APPLICABILITY"

Strike: "DATE"

Insert: "DATES"

5. Page 1.

Following: line 23

Insert: "NEW SECTION. **Section 1. Assessment and taxation of certain improvements -- procedures -- exception.** (1) Except as provided in subsection (8), residential and commercial improvements, including additions

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to existing improvements, completed during the tax year that were not assessed or taxable as of the preceding January 1 or improvements that have become the property of a person subject to taxation must be assessed and taxed from the date of occupation or use.

(2) (a) An owner of improvements described in subsection (1) shall notify the department that the improvements are occupied or in use. As soon as practical after receiving the notice, the department shall appraise the improvements as provided in Title 15, chapter 8.

(b) Upon completion of the appraisal, the department shall notify the owner of the appraisal.

(c) If the owner of the improvements is dissatisfied with the appraisal, the procedures for review and appeal described in 15-7-102(3) through (6) apply.

(3) To determine the amount of tax due for improvements described in subsection (1), the county treasurer shall multiply the taxable value of the new improvement by the total number of mills levied on the property for the current fiscal year and multiply the product by the ratio that the number of days in the calendar year that the property will be in taxable status bears to 365.

(4) Because the improvement will not have been assessed or taxed during the tax year because it did not exist on January 1, the department shall prepare a special assessment for the property and the county treasurer shall determine the amount of taxes that would have been due under subsection (3).

(5) (a) Except as provided in subsection (5)(b), upon determining the amount of tax due, the county treasurer shall notify the person to whom the tax is assessed, in the same manner as notification is provided under 15-16-101(2), of the amount due, and the notification must state that the taxes are payable as provided in 15-16-102. Taxes imposed under this section are not subject to the penalty and interest provisions under 15-16-102(2) and (3).

(b) If the county treasurer determines the amount of tax due on the improvements after October 1 of the tax year, the notification must state that the taxes are payable by May 31 of the following year.

(6) Immediately upon receipt of taxes imposed under this section, the county treasurer shall distribute the money in the same manner as property taxes are distributed.

(7) Improvements that are assessed and taxed under this section must be included in the tax base as newly taxable property, as provided in 15-10-420, for the fiscal year beginning July 1 that follows assessment and taxation of the improvements under this section.

(8) This section does not apply to improvements described in subsection (1) if the market value of the improvements is less than \$20,000."

Insert: "Section 2. Section 7-6-2320, MCA, is amended to read:

"7-6-2320. Final budget -- approval, adoption, and amendment -- exception. (1) The budget as finally determined, in addition to setting out separately each item for which an appropriation or expenditure is authorized and the fund out of which it is to be paid, must set out:

(a) the total amount appropriated and authorized to be spent from each fund;

(b) the cash balance in the fund at the close of the preceding fiscal year;

(c) the amount estimated to accrue to the fund from sources other than taxation;

(d) the reserve for the next fiscal year; and

(e) the amount necessary to be raised for each fund by tax levy during the current fiscal year.

(2) The board shall then by resolution approve and adopt the budget as finally determined and enter the budget at length in the official minutes of the board.

(3) (a) Subject to compliance with the procedures set forth in subsection (4), the board may approve and adopt a resolution amending a final budget when:

(i) shortfalls in anticipated and budgeted ~~revenues~~ revenue occur that, unless reductions in appropriations are made, will result in expenditures for the year exceeding actual ~~revenues~~ revenue and cash balances available for the year; ~~or~~

(ii) savings result from unanticipated adjustments in projected expenditures; ~~or~~

(iii) revenue has been received from property assessed and taxed pursuant to [section 1].

(b) Amended appropriations must be classified as:

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- (i) salaries and wages;
 - (ii) maintenance and operation;
 - (iii) capital outlay;
 - (iv) interest and debt redemption; or
 - (v) miscellaneous.
- (4) Prior to amending a final budget, the board shall:
- (a) hold a public hearing on the proposed amendments at least 7 days prior to a vote on the resolution amending the budget; and
 - (b) publish notice, at least once, in a newspaper of general circulation in the county at least 6 but not more than 16 days before the hearing on the budget amendments. The published notice must specify the date, time, place, and subject of the hearing.
- (5) This section does not apply to a county that has adopted the alternative accounting method provided for in Title 7, chapter 6, part 6."

Renumber: subsequent sections

6. Page 2.

Following: line 3

Insert: "Section 4. Section 7-6-4271, MCA, is amended to read:

"7-6-4271. Budget amendment procedure. (1) The governing body or the chief executive authorized in the annual appropriation resolution may transfer any part of an unencumbered balance of an appropriation to a purpose or object for which the appropriation for the current year is insufficient or may authorize a transfer to be made between items appropriated within the same fund.

(2) The governing body may delegate, in its annual appropriation resolution, budget amendment authority to the chief executive for the expenditure of funds from any ~~or all~~ of the following: debt service funds, enterprise funds, internal service funds, trust funds, federal and state grants accepted and approved by the governing body, special assessments, and donations.

(3) Any accruing revenue of the municipality not appropriated as provided in this part, including revenue received pursuant to [section 1], and any balance at any time remaining after the purpose of an appropriation has been satisfied or abandoned may ~~from time to time~~ be appropriated to other uses that do not conflict with any uses for which specifically the revenue accrued. A public hearing is required for an overall increase in appropriation authority, except in the case of an emergency under Title 10, chapter 3.

(4) This section does not apply to a municipality that has adopted the alternative accounting method provided for in Title 7, chapter 6, part 6."

Insert: "Section 5. Section 15-8-201, MCA, is amended to read:

"15-8-201. General assessment day. (1) The department shall, between January 1 and the second Monday of July in each year, ascertain the names of all taxable inhabitants and assess all property subject to taxation in each county.

(2) The department shall assess property to:

(a) the person by whom it was owned or claimed or in whose possession or control it was at midnight of the preceding January 1; or

(b) except in the case of land splits, the new owner if the provisions of 15-7-304 have been met and the transfer certificate has been received and processed prior to determining the taxes that are due as provided in 15-10-305(2).

(3) The department shall also ascertain and assess all mobile homes arriving in the county after midnight of the preceding January 1.

(4) A mistake in the name of the owner or supposed owner of real property does not invalidate the assessment.

(5) The procedure provided by this section does not apply to:

(a) motor vehicles;

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- (b) motor homes, travel trailers, and campers;
- (c) watercraft;
- (d) livestock;
- (e) property defined in 61-1-104 as special mobile equipment that is subject to assessment for personal property taxes on the date that application is made for a special mobile equipment plate;
- (f) mobile homes and manufactured homes held by a distributor or dealer as stock in trade; ~~and~~
- (g) property subject to the provisions of 15-16-203; and
- (h) improvements that are subject to the provisions of [section 1].""

Renumber: subsequent sections

7. Page 4, line 18.

Strike: "taxes imposed"

Insert: "the amount of property tax actually assessed"

8. Page 4, line 19.

Strike: "include"

Insert: "includes"

9. Page 4, line 21.

Strike: "do"

Insert: "does"

Following: "include"

Insert: ":

(i)"

Following: "15-6-132"

Insert: "; or

(ii) taxes collected on certain improvements under the provisions of [section 1]"

10. Page 5.

Following: line 11

Insert: "**Section 9.** Section 15-15-102, MCA, is amended to read:

"15-15-102. Application for reduction in valuation. The valuation of property may not be reduced by the county tax appeal board unless either the taxpayer or the taxpayer's agent makes and files a written application for reduction with the county tax appeal board. The application for reduction may be obtained at the local appraisal office or from the county tax appeal board. The completed application must be submitted to the county clerk and recorder. The date of receipt is the date stamped on the appeal form by the county clerk and recorder upon receipt of the form. The county tax appeal board is responsible for obtaining the applications from the county clerk and recorder. The application must be submitted on or before the first Monday in June or 30 days after receiving either a notice of classification and appraisal, including notice of appraisal under [section 1], or determination after review under 15-7-102(3), including review of an appraisal under [section 1], from the department, whichever is later. If the department's determination after review is not made in time to allow the county tax appeal board to review the matter during the current tax year, the appeal must be reviewed during the next tax year, but the decision by the county tax appeal board is effective for the year in which the request for review was filed with the department. The application must state the post-office address of the applicant, specifically describe the property involved, and state the facts upon which it is claimed the reduction should be made."

Insert: "**Section 10.** Section 20-9-161, MCA, is amended to read:

"20-9-161. Definition of budget amendment for budgeting purposes. As used in this title, unless the context clearly indicates otherwise, the term "budget amendment" for the purpose of school budgeting means an

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amendment to an adopted budget of the district for the following reasons:

(1) an increase in the enrollment of an elementary or high school district that is beyond what could reasonably have been anticipated at the time of the adoption of the budget for the current school fiscal year whenever, because of the enrollment increase, the district's budget for any or all of the regularly budgeted funds does not provide sufficient financing to properly maintain and support the district for the entire current school fiscal year;

(2) the destruction or impairment of any school property necessary to the maintenance of the school, by fire, flood, storm, riot, insurrection, or act of God, to an extent rendering school property unfit for its present school use;

(3) a judgment for damages against the district issued by a court after the adoption of the budget for the current year;

(4) an enactment of legislation after the adoption of the budget for the current year that imposes an additional financial obligation on the district;

(5) the receipt of:

(a) a settlement of taxes protested in a prior school fiscal year;

(b) taxes from a prior school fiscal year as the result of a tax audit by the department of revenue or its agents;

(c) delinquent taxes from a prior school fiscal year; ~~and~~

(d) any revenue distributed under [section 1]; and

(e) a determination by the trustees that it is necessary to expend all or a portion of the taxes received under subsection (5)(a), (5)(b), or (5)(c) for a project or projects that were deferred from a previous budget of the district; or

(6) any other unforeseen need of the district that cannot be postponed until the next school year without dire consequences affecting the safety of the students and district employees or the educational functions of the district. ""

Renumber: subsequent sections

11. Page 5.

Following: line 27

Insert: "NEW SECTION. Section 13. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 15, chapter 16, part 2, and the provisions of Title 15, chapter 16, part 2, apply to [section 1]."

Renumber: subsequent sections

12. Page 5, line 29.

Strike: "date"

Insert: "dates"

Strike: "[This act]"

Insert: "(1) Except as provided in subsection (2), [this act]"

Following: line 29

Insert: "(2) [Sections 1, 2, 4, 5, 8(6), 9, and 10] are effective July 1, 2001."

13. Page 6, line 1.

Strike: "Retroactive applicability"

Insert: "Applicability"

Strike: "[This act] applies"

Insert: "(1) [Sections 3, 6 through 8, 11, and 12] apply"

14. Page 6.

Following: line 2

Insert: "(2) [Section 8(6)] applies after June 30, 2001."

15. Page 6, line 4.

Strike: "2(3)"

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Insert: "6(3)"

Strike: "5"

Insert: "11"

Amendment **not** adopted as follows:

Ayes: Bixby, Bookout-Reinicke, Branae, Buzzas, Callahan, Carney, P. Clark, Cyr, Erickson, Facey, Forrester, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Gutsche, Haines, Harris, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lee, Lenhart, Lindeen, Mangan, Olson, Price, Raser, Schmidt, Shockley, Sliter, Smith, Tramelli, Tropila, Waddill, Younkin.

Total 45

Noes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, D. Brown, R. Brown, Brueggeman, Clancy, E. Clark, Curtiss, Dale, Davies, Dell, Devlin, Eggers, Esp, Fisher, Hedges, Himmelberger, Holden, Jackson, Kasten, Laible, Laszloffy, Lehman, Lewis, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Newman, Noennig, Pattison, A. Peterson, K. Peterson, Rice, Ripley, Rome, Schruppf, Somerville, Steinbeisser, Story, Thomas, Vick, Waitschies, Walters, Wanzenried, Whitaker, Witt, Wolery, Mr. Speaker.

Total 55

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Motion that **SB 501** be concurred in 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, Gallik, Gallus, Gillan, 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, Musgrove, Newman, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Rice, Ripley, Rome, Schmidt, Schruppf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.

Total 93

Noes: Fuchs, Golie, Mood, Pattison, Smith, Wanzenried.

Total 6

Excused: None.

Total 0

Absent or not voting: Galvin-Halcro.

Total 1

SB 508 - Representative Matthews moved **SB 508** be concurred in. Motion carried as follows:

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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, Gallus, Gillan, Golie, Haines, Hedges, Himmelberger, Holden, Jackson, Kasten, Laible, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Rice, Ripley, Rome, Schmidt, Schruppf, Shockley, Sliter, Smith, Somerville, Steinbeisser, Story, Thomas, Tramelli, Tropila, Vick, Waddill, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 73

Noes: Bixby, Branae, Buzzas, Carney, Cyr, Eggers, Erickson, Facey, Fritz, Fuchs, Gallik, Galvin-Halcro, Gutsche, Harris, Hurdle, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lee, Lindeen, Newman, Raser, Wanzenried.
Total 27

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 510 - Representative Bales moved **SB 510** be concurred in. Motion carried as follows:

Ayes: Adams, Andersen, Bales, Balyeat, Barrett, Bitney, Bookout-Reinicke, 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, Laible, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Masolo, Matthews, McCann, McKenney, Mood, Noennig, Olson, Pattison, A. Peterson, K. Peterson, Price, Rice, Ripley, Rome, Schruppf, Shockley, Sliter, Somerville, Steinbeisser, Story, Thomas, Tropila, Waitschies, Walters, Whitaker, Witt, Wolery, Younkin, Mr. Speaker.
Total 68

Noes: Bixby, Branae, Buzzas, Callahan, Carney, Cyr, Eggers, Erickson, Facey, Fritz, Gallik, Galvin-Halcro, Gutsche, Harris, Hurdle, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lee, Mangan, Musgrove, Newman, Raser, Schmidt, Smith, Tramelli, Vick, Waddill, Wanzenried.
Total 32

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 281 - Representative Jackson moved **SB 281** be concurred in.

SB 281 - Representative Noennig moved **SB 281**, second reading copy, be amended as follows :

1. Title, page 13.
Strike: "OF DELIVERY"
2. Page 4, line 8.

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Strike: "OF DELIVERY"

3. Page 5, lines 3 and 4.

Strike: "THAT" on page 5, line 3 through "ASSESSED" on page 5, line 4

Insert: "of the mailing"

4. Page 5, line 9.

Strike: "OF DELIVERY"

5. Page 6, lines 22 and 23.

Strike: "THAT" on page 6, line 22 through "ASSESSED" on page 6, line 23

Insert: "of the mailing"

Amendment **adopted** as follows:

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

Total 78

Noes: Adams, Balyeat, Bitney, Clancy, Curtiss, Davies, Esp, Forrester, Fuchs, Himmelberger, Jayne, Kasten, Laible, Laszloffy, Mood, Pattison, Somerville, Vick, Waitschies, Wanzenried, Mr. Speaker.

Total 21

Excused: None.

Total 0

Absent or not voting: R. Brown.

Total 1

Motion that **SB 281**, as amended, be concurred in carried 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, 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, 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 98

Noes: Balyeat, Jayne.

Total 2

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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 5:25 p.m. Motion carried.

House recessed at 5:05 p.m.

House reconvened at 5:25 p.m. All members present. Quorum present.

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

Representative Gallus made a substitute motion that **SB 494** be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion carried as follows:

Ayes: Andersen, Bales, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Buzzas, Carney, Clancy, E. Clark, Curtiss, Cyr, Dale, Dell, Devlin, Erickson, Esp, Facey, Fisher, Fritz, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Haines, Harris, Hedges, Holden, Jackson, Jacobson, Juneau, Kaufmann, Keane, Lawson, Lehman, Lenhart, Lewis, Lindeen, Mangan, Masolo, Matthews, McCann, McKenney, Mood, Musgrove, Noennig, Olson, A. Peterson, K. Peterson, Price, Raser, Ripley, Rome, Schmidt, Schrupf, Shockley, Sliter, Smith, Somerville, Story, Thomas, Tramelli, Tropila, Waddill, Waitschies, Witt, Wolery, Younkin, Mr. Speaker.
Total 72

Noes: Adams, Balyeat, Barrett, Brueggeman, Callahan, P. Clark, Davies, Eggers, Fuchs, Gutsche, Himmelberger, Hurdle, Jayne, Jent, Kasten, Laible, Laslovich, Laszloffy, Lee, Newman, Pattison, Rice, Steinbeisser, Vick, Walters, Wanzenried, Whitaker.
Total 27

Excused: None.
Total 0

Absent or not voting: Forrester.
Total 1

**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. Mr. Speaker in the chair.

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

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SB 494 - Representative Somerville moved **SB 494** be concurred in.

SB 494 - Representative Gallik moved **SB 494**, second reading copy, be amended.

Representative Gallik moved consideration of **HB 494** be passed for the day. Motion carried.

Representative Sliter moved the committee rise. Motion carried. Committee arose. House resumed.

MOTIONS

Representative A. Peterson moved that **SB 231** be taken from the table in the Committee on Appropriations and referred to the Committee of the Whole.

Representative Sliter moved that **SB 231** be taken from the table in the Committee on Appropriations, printed and placed on second reading today.

Representatives A. Peterson and Sliter withdrew their motions on **SB 231**. Motion carried.

Representative Waddill moved that the House reconsider its action on **SB 220** and that it be placed on second reading today. Motion failed as follows:

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

Total 47

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

Total 51

Excused: None.

Total 0

Absent or not voting: Hedges, Kasten.

Total 2

SPECIAL ORDERS OF THE DAY

Legislative Memorial Service
April 8, 2001

MANSON HARVEY BAILEY, JR.

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WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of Manson Bailey, Jr. on July 5, 2000, in Glasgow, Montana.

WHEREAS, it is fitting and proper that the record and accomplishments of the late Mr. Bailey be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Manson Bailey, passionate historian and three-term Representative, was born March 3, 1920, in Glasgow, a third generation Montanan. He was a 1938 graduate of Glasgow High School and later served the WW II effort as staff sergeant.

Manson and Betty Hansen Rushton began their life together August 7, 1946, in Great Falls and then moved to the three-room home they built on the Bailey family farm south of Glasgow. There they raised a son, Manson Bailey III, and three daughters, Mari, Tana Jean and Kim.

Manson Bailey was devoted to his community. He received the Silver Beaver Award in Boy Scouts and was a safety engineer during the construction of the second powerhouse at Fort Peck Dam. He was the recipient of an honorary Future Farmer Award and a Distinguished Jaycees Service Award. He was honored when he received the President's Award from the Montana Wildlife Federation.

Manson's perspective and passion for history served both his state and his community. He was proud to be Curator of the Valley County Pioneer Museum in Glasgow constructing dioramas and guiding visitors through a history of people and places. He was a trustee of the Montana Historical Society for ten years and former president of the Museum Association of Montana in 1975 and 1976.

Manson was regarded as a walking encyclopedia of history and is remembered for his tireless devotion as a museum volunteer and storyteller.

In addition to farm and ranch activities, Manson worked for the Montana Highway Department as a construction engineer and was an inspector for the B-52 Nose Dock construction at Glasgow Air Force Base. He was director of the Valley County Development Council for 20 years.

Manson Bailey was elected to the Montana House of Representatives in 1962 and served until 1970. He was the youngest individual ever appointed to the Montana Fish and Game Commission and served as chairman in 1955. He was also a member of the soil conservation district for many years.

Manson was an active member of the Church of Jesus Christ of Latter Day Saints serving twice as local branch president and former counselor to the district president.

FRED O. BROEDER

WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of Fred O. Broeder on February 22, 2001.

WHEREAS, it is fitting and proper that the record and accomplishments of the late Mr. Broeder be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Fred O. Broeder, timber specialist and Flathead County legislator, was born in St. Paul, Minnesota, January 2, 1918, to Fred and Alma Broeder. The Broeder family homesteaded in eastern Montana; then settled in the

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Flathead Valley in 1935.

Recognized for his knowledge of timber and sawmill operations, Fred began his career as a logger following graduation from Flathead County High School in 1936. He formed Broeder Lumber Company in Creston. When his brother Gordon joined the company in 1953, the name became Broeder Brothers Lumber Company which Fred managed until his retirement in 1972.

Fred married Hilda Yurman of Chester in 1941. Hilda preceded him in death. They are the parents of three daughters. In 1952, Fred married Ruth Crail. They are the parents of a daughter and a son.

An active member of many timber organizations, Fred was a partner in the Selkirk Spruce Lumber Mill in Golden, B.C. and after retirement, traveled to South America as a timber and sawmill consultant representing the Service Corp of Retired Executives.

Fred became a political legend in northwestern Montana for never campaigning for office. He represented Flathead County in the Montana House of Representatives for 14 years and was elected Speaker *pro tempore* by his legislative colleagues. He then served in the Senate for six years.

Fred was a 28-year member of the board of directors of Conrad National Bank and charter member of the Eastside Grange in Creston. He was instrumental in establishing the Creston Volunteer Fire Department.

Fred loved and cared for his family and was a proud supporter of his community and the wonderful state of Montana. He was widely regarded as a smart businessman and a fair employer, well known for his common roots and common sense. He was truly in touch with the people he represented.

He is survived by his wife, Ruth, daughters Debi, Joyce, Linda and Judith, son, Fred, seven grandchildren, five great-grandchildren and his brother Gordon and sister Fern Metcalf.

JAMES H. BURNETT

WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of James H. Burnett on August 14, 2000, in Salt Lake City, Utah.

WHEREAS, it is fitting and proper that the record and accomplishments of the late Mr. Burnett be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

James H. Burnett, rancher, accomplished pilot and Air Force Academy major, was born at the Burnett Ranch in Luther, July 1, 1917, to James M. and Eda Burnett.

He attended schools near Luther and then studied at Billings Polytechnic. In 1935, Jim started aviation training in Nebraska and began his life-long love of flying. He joined the Army Air Corps in 1942 and served in WWII until 1945. He remained in the Air Force Reserve as an air intelligence staff officer and continued flying until late in his life.

Jim married the former Alice "Betty" Boggio in Billings, December 12, 1941. They are the parents of three children, James Dwight, Joy Gunnells and Diane Jones.

Of his many contributions to the community and ranching, Jim's most unique accomplishment was the successful

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cross-breeding of buffalo with Hereford cattle. Genetic scholars said he had accomplished the impossible that summer in 1965 when male buffalo 903 was born. This new breed, first known as cattalo and later called beefalo, introduced a new hybrid of cattle.

Jim served in the Montana House of Representatives from 1969 to 1982, non-consecutively, and in the Montana Senate from 1991 to 1998. He was particularly interested in human services legislation.

He was a member of the State and National Bison Association, Montana Stockgrowers, Farm Bureau, Eastern Star, VFW and Masons. Jim served on the board of Carbon County Memorial Hospital, Red Lodge High School and Luther Grade School. He was a director of the U.S. National Bank in Red Lodge for 40 years.

Jim Burnett was a leader in his community, his church and his state. He never relinquished his care and concern for the people of the Big Sky.

EDWARD WILLIAM CHRISTIANSEN II

WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of Edward William Christiansen II on March 28, 2000, in Helena, Montana.

WHEREAS, it is fitting and proper that the record and accomplishments of the late Mr. Christiansen be filed on the official records of this Assembly and the facts relative to his career are hereby noted:

Edward William (Bill) Christiansen II, distinguished public servant, statesman and former Lieutenant Governor of Montana, was born in Fargo, North Dakota to Edward William Christiansen I and Mabel Cork, February 24, 1914.

He was a graduate of Fargo High School and North Dakota State University where he was an avid tennis and basketball player winning numerous tennis tournaments. He taught youth tennis and became a mentor to many children.

Bill married Hattie James, December 27, 1947, in Hardin. They are the parents of three children, Linda, Deborah and Edward William Christiansen III, Billy, who preceded his father in death.

He continued his devotion and many contributions to Montana youth when elected finance chairman of the Boy Scouts of America, president of Big Horn County Campfire Girls of America and president of the Hardin Youth Council. Bill also served as a chairman of the Big Horn County Senior Citizen's Association.

Bill Christiansen thus began his remarkable life of leadership in Montana.

He was elected to the House of Representatives in 1965 and was Democratic floor leader in 1971. He was a committeeman for Appropriations, Education, and Fish and Game and was elected to a term as Lieutenant Governor of Montana.

Representative Christiansen is remembered as the father of Montana's Coal Severance Tax and served on the Montana Coal Resources Research Council. During his tenure as a Representative, he introduced legislation establishing four-year certification for elementary teachers and protection for Native American handwork in Montana.

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His wise political bi-partisanship was recognized by his many national and local government appointments. He was selected to the White House Conference on Aging in 1971 and was selected Honorary State Chairman, Kennedy for President, in 1980. He served on the Environmental Quality Council and the Montana Crime Control Commission.

Western Broadcasting Company recognized Bill Christiansen as their Citizen of the Year in 1973. He received the JC Outstanding Citizen Award and numerous distinguished service awards including the Federal Executive Board of Distinguished Service in Government and the Toastmasters International Leadership Award.

Bill enjoyed hunting and fishing and was a member of the Elks Club. He continued playing golf until late in his life.

Edward William Christiansen II is well-remembered today by his fellow legislators as a revered Lieutenant Governor, statesman and Montana political leader.

DOROTHY ANN CODY

WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of Dorothy Ann Cody on May 28, 1999, in Wolf Point, Montana.

WHEREAS, it is fitting and proper that the record and accomplishments of the late Mrs. Cody be filed on the official records of this Assembly and the following facts relative to her career are hereby noted:

Dorothy Ann Cody was born November 22, 1935, in Springfield, Illinois, to Patrick and Martha McClernon.

She was recognized scholastically at Sacred Heart Academy for Girls in Springfield before moving with her family to San Diego. There she met her husband, Leo Cody, who was stationed in the Navy.

Leo Cody and Dorothy McClernon were married in the cathedral in Springfield, Illinois, on October 23, 1954, and later moved to Wolf Point where Leo was elected Sheriff of Roosevelt County. Dorothy and Leo are the parents of 11 children. One child died in infancy.

Dorothy held numerous jobs over the years. She mastered real estate school and became a licensed realtor with her own business in Roosevelt County.

In 1984, she ran as a Democrat for the Montana House of Representatives serving until 1993. Dorothy was fondly known as the "Mother of the House" because she would stand and lecture the body on lessons she had instilled in her ten children. Fellow Representative, John Cobb of Augusta, referred to her affectionately as the "boss" cow of the House.

She loved life with a hearty laugh that could be heard across the floor. If she considered you a friend (and most people were) she would greet you with a big hug. She taught us that a hug is a good thing not just reserved for family.

As a House member, Dorothy was privileged to serve on the powerful Appropriations Committee as well as the Agriculture and Highway Committees.

After retiring from the legislature, she served as Roosevelt County Assessor and County Commissioner.

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Dorothy was a member of Immaculate Conception Church where her faith was an important aspect of her life. She was a member of the Elks Club, Montana Bar Association and Board of Realtors.

BEN COHEN

WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of Ben Cohen on February 3, 2000, in Whitefish, Montana.

WHEREAS, it is fitting and proper that the record and accomplishments of the late Mr. Cohen be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Ben Cohen, Peace Corps worker, environmentalist, community leader and Representative, was born October 13, 1942, in Philadelphia, Pennsylvania. Ben was devoted to his parents, Diz & Jeanne Cohen, and his brothers, Martin, George and Howard.

As a child, he loved to walk in the woods, skate on the local pond and camp with his fellow Boy Scouts. He graduated from Central High School in Philadelphia and Penn State University, and later attended Sloan School at MIT. Ben applied his math skills in service to the Peace Corps in Nigeria and as a community organizer in Venezuela.

He married the former Connie Gregory in the spring of 1968 in an azalea garden in Philadelphia. While teaching at West Philadelphia High School, he earned a Master's Degree in Groups and Social Processes from Temple University and later taught this course at the University of Montana.

The Cohen family resided in Missoula and then Whitefish, where Ben worked for the US Forest Service as a wilderness guard and construction survey leader.

Ben entered politics out of regard for Montana water quality. An active Democratic precinct man for several years, he was the first representative ever elected in Whitefish when HD 80 was created. He served as Vice-Chairman of the House Taxation Committee and was respected for his ability to empower fellow legislators regardless of party affiliation. He worked hard to change the organization of the caucus, encouraging party members to foster cooperation and study.

Ben is remembered for his spirited service to the communities of Whitefish and Missoula. He initiated recycling and curbside recycling in the Flathead area as the owner of North Valley Refuse. He and his business partner and friend, Rich Hoffman, helped form a youth hockey league, and coached youth and adult soccer in the Flathead area. Ben volunteered to establish and coach the Flathead Moose Rugby Team. He was a frequent actor in Whitefish community theater productions.

Ben loved to ski and play rugby. He was an instructor for the Whitefish area Learn to Ski program and a former rugby coach at the University of Montana. He also helped organize and coach the Missoula rugby team, the Maggots.

Ben is remembered today for his political fair-mindedness and devotion to his community.

Ben and Connie are the parents of two children, Rachel and Isaac.

MAX ROBERT CONOVER

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WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of Max R. Conover on April 14, 2000, in Broadview, Montana.

WHEREAS, it is fitting and proper that the record and accomplishments of the late Mr. Conover be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Max R. Conover, Broadview farmer, rancher and Montana Senator, was the eldest of five children born to Robert and Carrie Conover, November 2, 1912, in Diamond, Washington.

The Conover family moved to Comanche where Max attended grade school. During his teenage years, the family moved to the Conover Ranch in Broadview where Max graduated from high school and began farming with his father.

Although he was employed at Occident Elevator in Billings and later managed General Mills elevator in Broadview, Max was happiest on the farm. He loved the land and was proud of the Conover farm.

Max and the former Luverne Sandbak, "Lovey," were married September 20, 1936, in Broadview. Max and Lovey moved to the Conover Ranch in 1947 where they raised their three daughters, Kay, Ann and Susan.

Max was elected as a Constitutional Convention delegate and helped craft the new Constitution in 1972.

He was elected to the Montana Senate in 1975 and during his tenure, served on Fish & Game and Agriculture Committees.

He was the chief sponsor of significant legislation including the first Family Farm Preservation Act, Montana Centennial License Plates and organ donor legislation.

Max was truly one of the friendliest people ever to serve in the legislature. You always knew where he was because he had a huge laugh that boomed through the hallways and chambers.

He liked to play a practical joke or two. More than once, I plunked down in my Senator's chair only to sit in a chair full of water.

He was a 50-year member of both the Order of Eastern Star and Rapelje Lodge No. 122. He was a charter member of the Broadview Lions Club, past president of the Montana Grain Growers Association and served on the county library board for 14 years. He was often a timekeeper at track meets and refereed ball games for 30 years.

I recall once he was walking awfully funny through the Senate hallway. I said, "Max, what on earth is wrong?" He said that he was itchin' to get home to get on his tractor so he was just practicing up.

Max enjoyed playing cards, shooting pool and bowling but his greatest love was the land and driving combines with his grandsons during harvest.

It's about springtime in heaven. My guess is Max is up there walking kinda bow-legged, getting ready to ride his tractor.

He was a true friend, a statesman, and we all miss his smile and kind heart.

DANIEL DYKSTRA

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***WHEREAS,** it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of Daniel Dykstra on March 25, 1999, in Orange, California.*

***WHEREAS,** it is fitting and proper that the record and accomplishments of the late Mr. Dykstra be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:*

Daniel Dykstra, Helena native and Lewis & Clark County Representative, was born to Daniel and Pearl Dykstra, August 30, 1920, in Helena.

Dan attended Emerson and Central Grade Schools in Helena and was a 1938 graduate of Helena High School. He studied law for one year and received a B.S. degree from Montana State University and later graduated from Rutgers' University School of Banking.

Daniel and Lillian Neville were married May 5, 1944, in Helena and are the parents of a daughter, Kathryn and a son, Douglas. The Dykstras were married one month short of 55 years.

Dan was awarded a Purple Heart while serving in the U.S. Marine Corps and attained the rank of captain.

While serving in the South Pacific, he continued his love of sports as catcher for the Quantico Marines baseball team. He was offered a contract to play with the Yankees during this time but had to decline the offer because of the war injury to his arm.

Dan celebrated an extensive and successful 35-year career in Helena banking beginning as a messenger for the former Union Bank & Trust Company and then as Vice President and Trust Officer of Norwest Bank.

He served two terms in the Montana House of Representatives in 1961 and 1963 as Vice-Chairman of the Senate Business & Industry and Judiciary Committees. He was particularly interested in bank and trust legislation.

He pursued many civic activities in Helena as a member of the State Cancer Board, Deaconess School for Children, Florence Crittenton Home, Marine Toys for Tots, Lions Club, Montana Club and Green Meadow Country Club.

For nearly 50 years, Dan was the official Santa at Norwest Bank, and even after his retirement he faithfully worked one day a year as Santa. He was a devoted Grizzly booster and Alumni President organizing bus trips to football games that included opportunities for wagering and festivities.

Dan was a member of the First Baptist Church of Montana in Helena.

Dan retired from public service in 1980 to spend more time with his grandchildren Anna Marie, Krista, Theresa, Mary, Julianne, Alyssa, Stephanie and Daniel and great-grandchildren Nathan, Michael and Talon.

MILLS FOLSOM

***WHEREAS,** it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of Irvin Mills Folsom on March 29, 2000 in Missoula, Montana.*

***WHEREAS,** it is fitting and proper that the record and accomplishments of the late Mr. Folsom be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:*

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Mills Folsom, Missoula businessman, former state Senator and East Rattlesnake rancher, was born January 28, 1919 in Helena to Roy and Ethel Vachierry Folsom of Wolf Creek. Mills was a student at Helena and Great Falls elementary schools.

He was a state champion wrestler and played on the state championship football team at Great Falls High School where he was an Eagle Scout and member of DeMolay.

He studied at Kinman Business College in Spokane, Washington where he met his wife, Helen Percy Cox. They were married April 2, 1938 in Coeur d'Alene, Idaho and later resided in Missoula where they raised their children Zana, Roy, Helen and Cindy.

Mills was a Marine in the 1st Marine Division in the South Pacific during WWII. Following his return to Missoula, he re-entered business with his father, later owning and managing the Folsom Co., specialists in field irrigation systems. Mills Folsom and his family owned and operated the M/F ranch in the upper East Rattlesnake.

Mills made many contributions for the betterment of the Missoula community. He was a trustee of the Missoula County High School from 1964 to 1967 and served as chairman in 1966. He was a former director of the Missoula County Civil Defense and served on the Job Corps Community Relations Council.

Mills was active in the Navy League and belonged to the American Legion. He was a past president of both Hellgate Lions Club and the Missoula Chamber of Commerce. Mills was a former Boy Scout troop leader and a member of the Missoula Area Chamber of Commerce.

Mills Folsom was elected to the Montana Senate in 1967 and served until 1972. He chaired the Senate Fish & Game Committee and was a member of the Education Committee. He was particularly interested in small business and fish and game legislation.

In addition to his tenure as a Montana Senator, Mills was a State Republican Central Committeeman, and former chairman, and was appointed to the State Convention to Select National Delegates in 1976.

He enjoyed making rustic furniture prized by his family and friends and was an avid outdoorsman who hunted and fished throughout Montana.

Mills and Helen celebrated their post retirement years in the San Juan Islands and Spokane.

Mills was beloved by his family and known by his many friends. He was a member of Church of the Holy Spirit in Missoula.

DONALD RAY FOSTER

WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of Donald Ray Foster on January 22, 2000, in Billings, Montana.

WHEREAS, it is fitting and proper that the record and accomplishments of the late Mr. Foster be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Donald Ray Foster, Senator, pastoral minister and successful beekeeper, was born in Idaho on April 18, 1937, to Eva and Howard Foster. He attended elementary school in Montana and then California, and graduated from Colusa High School in 1954.

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Don continued his education at Stanford University where he pledged Alpha Sigma Phi and was a musician in the university marching band. He was President of the Methodist Wesley Foundation at Stanford and a member of the Class of 1958 Executive Committee.

Following two years of study at Stanford Medical School, he accepted a commission as an aviation physiologist in the U.S. Navy Medical Service Corps where he was a member of the Gemini and Apollo space research team.

Don married Rosalie Levitte of Lewistown on July 6, 1963. They resided in Lewistown for 22 years where they raised their five children and operated Foster's Honey Ranch, once one of Montana's largest honey-producing businesses. He was a past-vice president of the Mid-U.S. Honey Producers Association.

Donald Ray Foster represented Fergus County in the Montana Senate from 1975 to 1976 and was Chairman of the State Institutions Finance Subcommittee. He was a past-delegate to both the Democratic National Convention and the Montana Constitutional Convention.

Don served as a legislative assistant to former Congressman Pat Williams in Arlington, Virginia. After returning to Montana in 1989, he became an advisor and counselor for the St. Vincent De Paul Society. As pastoral minister of St. Pius X Catholic Church in 1997, he coordinated preparation for marriages and baptisms. He studied clinical pastoral education at this time and was devoted in his ministry to hospital patients and the homebound.

Don loved beekeeping, the San Francisco 49ers, and author, Henri Nouwen. He was a past-president of the Lewistown Rotary Club and also supported the Billings Clergy Association and Habitat for Humanity.

He is survived by his wife, Rosalie and his children Laura Gilsky of Hilger, Michael of Richmond, Virginia, Bryan of Louisville, Kentucky, MaeLynn of Evansville, Indiana, and Elisa Foster of Denver, Colorado.

HELEN CHAFFIN JOHNSON

WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of Helen Chaffin Johnson on November 30, 2000, in Bozeman, Montana

WHEREAS, it is fitting and proper that the record and accomplishments of the late Mrs. Johnson be filed on the official records of this Assembly and the following facts relative to her career are hereby noted:

Helen Chaffin Johnson, Bozeman's "grande dame" of real estate and Republican politics, was born June 7, 1905, in Hamilton. She was raised by her sister and aunt following the death of her parents, Cerilla Wall and Baylum Siegel.

She graduated from Stevensville High School and received a degree in home economics from the University of Montana in Missoula.

Influential, generous, formidable and classic are words friends and colleagues use to describe Helen Johnson. She was a high school teacher, social worker and small business owner best known as one of Bozeman's highly regarded real estate agents selling property until her retirement at 90 years old. The Montana Board of Real Estate recognized her with their highest award for professionalism.

Helen Johnson served in the Montana House of Representatives in 1970 representing Park and Gallatin counties. She was a staunch Republican dedicated to helping other Republicans who sought her political advice and savvy. She served as precinct committeewoman, Central Committee Chairwoman and President of the Gallatin County

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Republican Women. She was a voting delegate to three Republican National Conventions and an Elector for the state of Montana.

Helen was a devout Christian who generously supported Eaglemount and the Salvation Army.

I first met Helen when we moved to Bozeman in early 1991. At that time, she was deeply involved as one of the founders of the Gallatin Valley Presbyterian Church. The church has continued to grow due, in large part, to Helen's active support and participation.

Helen was a warm and friendly lady who is sincerely missed by all her friends, associates, and fellow church members.

GEORGE ROBERT JOHNSTON

WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of George Robert Johnston on May 16, 2000, in Cut Bank, Montana.

WHEREAS, it is fitting and proper that the record and accomplishments of the late Mr. Johnston be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

George Robert Johnston, engineer, farmer and six-term Montana Representative, was born July 16, 1912, to Dean and Bertha Johnson in Lansford, North Dakota. George worked on the family sheep ranch and assisted in management of their family-owned hotel in Cut Bank.

George graduated from Cut Bank High School in 1931 and was easily recognized by his ready smile and congenial nature. He worked his way through the Montana School of Mines, graduating as a civil engineer in 1939. He volunteered to serve the WWII effort but was placed at Boeing in Seattle instead because of his education. While at Boeing, George worked on B-17's and B-29's.

Later in his career, George was a geologist in the oilfield for A. B. Cobb and an engineer for Phillips Petroleum.

George and the former Mary Murphy were united in marriage in 1941 in Anaconda. They raised three children, Patricia, Judy and George Johnston, Jr. The Johnstons farmed for 30 years until George's retirement in 1978.

As a member of the House of Representatives, George was known for his sharp wit in floor debate. His thorough understanding of scientific and natural resource issues drew respect from fellow legislators. George was a partisan Democrat who was not afraid to speak his mind. He was most interested in Fish & Game and Smith River legislation.

George was a Glacier County surveyor and served one term as county commissioner.

Whenever time allowed, George loved to fly fish and hunt. He was a member of the Moose Lodge.

He is survived by his two brothers Lloyd Johnston of Tucson, Arizona, and Harold Johnston of Wenatchee, Washington, his grandchildren Jan, Greg, David, Nathan, Meghan, Shauna and Steve.

LADA JAMES KAFKA

WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of

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the State of Montana record the passing of Lada James Kafka on September 13, 2000, in Havre, Montana.

WHEREAS, *it is fitting and proper that the record and accomplishments of the late Mr. Kafka be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:*

Lada James Kafka, Hill County legislator and farmer, was born August 23, 1922, on the family homestead near Fort Assiniboine to Czechoslovakian immigrants George and Josefa Kafka.

He attended a country school walking three miles uphill each day. He graduated from Havre High School in 1939 and continued to study at Northern Montana College until his father's death urged his return to farming.

Lada married Hinsdale elementary teacher Sylvia Sara Schafer on June 7, 1944, in Chester. They are the parents of three children, a son, Kim, and daughters Ladene, Deitra and Dorcie.

For a brief period of time, Lada was employed with the Agricultural Stabilization and Conservation Services but spent most of his life as a grain and livestock rancher.

Lada Kafka, Hill County Democratic Senator, served in the Montana legislature in 1965 as Vice-chairman of the Journal Committee and was a member of the Agriculture, Commerce, Labor and Taxation committees. The following session, he chaired the Public Lands and Journal committees and was committeeman of Taxation, Agriculture, Commerce and Labor committees.

The Kafkas enjoyed international travel to New Zealand, Australia and the Czech Republic for nearly 20 years. Lada sponsored several visits to Montana for his relatives from Czechoslovakia. During winter months, the Kafkas resided in Sun City, Arizona, where they visited Lada's brother, George.

Lada and Sylvia Kafka have 11 grandchildren, one great-grandson, several nieces and nephews and a sister, May.

The ashes of Lada and his brother, George, his mother and uncle, were recently scattered in the sanctuary where Lada often meditated...on eagle's wings, Senator Lada James Kafka.

WALTER LAAS

WHEREAS, *it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of Walter Laas on August 22, 2000, in Chester, Montana.*

WHEREAS, *it is fitting and proper that the record and accomplishments of the late Mr. Laas be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:*

Walter Laas, construction businessman who was best known for introducing the \$5 speeding ticket, was born on the family homestead northwest of Chester to Nickolas Laas and Lisa Kerbes, emigrants from Estonia.

He attended Trommer Country School and was a 1935 graduate of Chester High School. Walt received his teaching certificate from Northern Montana College in Havre although he chose to return to farming with his father instead.

During the Depression, Walt began his business career buying animal hides from local ranchers and selling used tires to area farmers. With his profits, he purchased land in 1942 near the family farm. He later managed both the Laas Bar in Chester and his business, Laas Construction.

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As a contractor and road builder, Walt was involved in numerous state construction projects including road work at Swan Lake, Thompson Falls, Yaak River and Lake Elwell. He had a natural ability to accurately assess a construction project without the aid of a pencil, paper or calculator. Engineers often marveled at this special gift.

While campaigning door-to-door, Walt met his wife, Lila. They were married June 17, 1939, in Great Falls and are the parents of three children, Jim, Darlene and Trudy.

He served eight terms in the Montana House of Representatives beginning in 1949 and rose to speaker *pro tempore*. In response to federal government demand to conserve energy, Representative Walter Laas introduced legislation that imposed a \$5 state fuel-consumption fee on speeders. He is remembered as one of the committee who welcomed President Harry Truman to Montana in 1950.

After leaving state office, Walt was elected mayor of Chester in 1975.

Walt was always community-minded. He was a charter member of the Chester Lions Club and past chairman of the Chester School Board. His other memberships included the Shelby Elks, Moose and Eagles Lodges. He was a parishioner at Our Savior's Lutheran Church in Chester.

Walt enjoyed stamp and coin collecting and playing pinochle. He was a devoted fan of the Denver Broncos.

GLENN H. LARSON

WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of Glenn H. Larson on November 17, 1999.

WHEREAS, it is fitting and proper that the record and accomplishments of the late Mr. Larson be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Glenn H. Larson, Senator and former chairman of "Montana's Little Hoover Commission," was born in Sprague, Washington, April 27, 1911, and raised in Heron.

He received an economics degree from UCLA in 1933 and one year later, he became the Sanders County Deputy Clerk and Recorder and bookkeeper for First State Bank in Thompson Falls. He rose to president of the bank and remained president until his retirement in 1976.

Sixty-two years ago, Glen met his wife, Marie. They were married September 17, 1938, in Spokane, Washington.

His distinguished life of service is recognized in his numerous chairman positions.

Elected to the Montana Senate in 1943, Glenn began his political career at the young age of 27. He served as chairman of the first legislative interim committee known as "Montana's Little Hoover Commission," established by President Herbert Hoover to check government efficiency at state levels.

Glenn was the Senate Majority Leader during five of his Senate terms. He led Montana's delegation to the Republican National Convention held in San Francisco in 1956. He served as chairman of the seven-state commission from 1958 to 1961.

In 1962, he served as chairman of the Columbia Interstate Compact Commission and from 1965 to 1970, Glenn was elected chairman of the Federal Reserve Board of the Western States.

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Throughout his career and distinguished service to Montana, Glenn never forgot his roots. He was always charitable to the Heron Community Center and was very active in educational programs including scholarships foundations.

He and Marie loved to travel and enjoyed golf.

Glenn was the beloved husband of Marie, father of Glenda and grandfather of Stacy.

CONRAD FREDERICK LUNDGREN

WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of Conrad Lundgren on May 22, 2000, in Kalispell, Montana.

WHEREAS, it is fitting and proper that the record and accomplishments of the late Mr. Lundgren be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Conrad "Con" Lundgren was born to Dan and Marie Lundgren on August 31, 1915, in Bottineau, North Dakota.

Con graduated from Sweetgrass High School and worked his way through Montana School of Mines in Butte where he received a B.S. degree in geological engineering. Prior to serving in WW II, Con was employed in geology positions in the mining industry.

He served in the Army Air Corps in WW II achieving the rank of captain. Following service in the war, Con returned to the geology profession.

He married Betty Gibb in West Glacier in 1946. She preceded him in death in 1951.

During this time, Con became a partner with his brothers in the West Glacier Tourism Business, which also had facilities in Kalispell.

Con married Jean M. McConochie in May 1955 and became the father of her two children, Gail and Robert. Jean preceded Con in death in 1982.

Conrad Lundgren was first a director, and later chairman, of Flathead Electric Cooperative. He was the only Montana board member to serve on the Pacific Power and Light Board in Washington state from 1964 to 1986.

Con was an achiever and natural leader. He was elected to the House of Representatives in 1961 and served until 1964, then re-elected in 1966 serving through 1974 when he was elected speaker *pro tempore* by his colleagues. He was interested in taxation legislation throughout his legislative sessions and was named a Paul Harris Fellow three times for his work in the legislature.

Con was an avid outdoorsman who especially enjoyed hiking, goose hunting and skiing. It is fitting that he was assigned as the first chairman of the House Committee on Natural Resources.

Con was a longtime member of the Elks, Shriners, Masons and Lions Clubs. He was a member of Bethlehem Lutheran Church in Kalispell.

Con was characterized by his industrious nature, hearty goodwill and ability to bring out the very best in everyone. He rose steadily in life always supported by his family and many friends. He was an uncommon, common man.

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WILLIAM RAYNOR MACKAY, SR.

WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of William Raynor Mackay on December 6, 1999, in Columbus, Montana.

WHEREAS, it is fitting and proper that the record and accomplishments of the late Mr. Mackay be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

William Raynor Mackay, Sr., rancher, senator, musician and arts patron, was born November 12, 1911, in Tenafly, New Jersey. The Mackay family moved west to Montana in 1901. They homesteaded on Morris Creek near Roscoe where they began their ranching legacy at the Lazy E-L Ranch.

Bill took over family ranch operations from his father, Malcolm Mackay, in 1935. Several years later on January 8, 1937, he married Joyce Childs in Englewood, New Jersey. Bill and Joyce returned to the Lazy E-L where they lived for over 60 years and raised their three children, Julie, Helen and Bill, Jr. Father and son became ranch partners in 1972; a partnership that lasted 20 years.

His love of agriculture and ranching started his life-long community and political service to Montana. Bill served as two-term president and board member of the Montana Stockgrowers Association and volunteered on many boards of directors including the Roscoe School Board, Rocky Mountain College, and Carbon County Memorial Hospital Board. He was a former board member of the National Cowboy Hall of Fame.

During his terms as both a Montana Representative, 1951 to 1953, and Senator, 1953 to 1972, Bill was a member of the Commission on the Reorganization of State Government and the Legislative Audit Committee.

Make no mistake about it; Bill Mackay, Sr. was a Republican. A partisan he was not. In the days before reapportionment, he was the Senator from Carbon County. He was a member, and former chairman, of the Legislative Council and a Republican National Committeeman as well as State Chairman of the Republican Party.

William Raynor Mackay, Sr. loved music and the arts. He was a versatile and accomplished pianist who performed both classical and Dixieland Jazz, his greatest love. He played often at the Lazy E-L or a community party surrounded by family and friends.

Bill Mackay, Sr. was an honored trustee of the Montana Historical Society. His parents, Joyce and Malcolm Mackay, amassed the Mackay Collection of C. M. Russell art which comprises the bulk of the Montana Historical Society's permanent collection. Bill and his brother, Bud, continued the preservation of Russell's prominence in Montana. Bill's wife, Joyce, is a renowned artist in her own right, continuing the family tradition of devotion to the arts.

He is remembered by the Montana Historical Society as a thoughtful, devoted patron of the arts. He supported the Billings Symphony and the Red Lodge Music Festival.

Bill Mackay, Sr. and his ranch were one and the same. He was a cowboy's cowboy as well as a Senator's Senator and his fierce devotion to the clean air, sparkling waters and unparalleled vistas of the E-L on the flanks of the Beartooth Mountains are noteworthy.

Bill Mackay, Sr. embodied the finest traditions of the Senate. A true gentleman and a gentle man, his word was his bond. His membership in the Early Times Club was probably more related to serious senatorial socializing than a passing, simple academic interest in pioneers.

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One of the last times I was on the E-L for fall cattle gathering, I was staying in one of the cabins on the ranch and noticed a familiar C. M. Russell brand on the mantel of the fireplace. When I asked if that was the Charlie Russell, Bill said, "Why, yes." Charlie had stayed in the cabin when he came to the E-L.

The past was as alive to him as that day's work on horseback. That's why he and his family's deep commitment to Montana, its history and its arts, was as natural to him as riding a good saddle horse. Think of the value we now enjoy as a result of that commitment. And celebrate his many contributions to our state and the Montana Senate.

CHARLES REX MANUEL

WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of Charles Rex Manuel on June 5, 2000, in Great Falls, Montana.

WHEREAS, it is fitting and proper that the record and accomplishments of the late Mr. Manuel be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Charles Rex Manuel, farmer, eight-term Representative and Fairfield mayor, was born June 11, 1930, in Lewistown, Montana, to Archie and Minnie Manuel.

Rex attended school in Fairfield and married Jeannine DePratu, October 3, 1948. The Manuels are the parents of five children, Vickie, Barbara, Jane, Michael and Robert who preceded his father in death. Rex and Jeannine have 12 grandchildren and six great-grandchildren.

Early in his life as a Fairfield farmer, Rex was recognized as Outstanding Farmer of the Year. Throughout his life, he worked closely as a volunteer for the Agriculture Museum in Fort Benton.

Rex Manuel was elected to the House of Representatives in 1973, his first bid for public office, and was known for his dedication to his constituents over party affiliation. Rex voted his conscience and what he believed was right, Republican or Democrat.

He chaired the House Fish & Game Committee throughout his legislative tenure and was a longstanding member of the House Appropriations Committee. In 1981, he was elected speaker *pro tempore* by his colleagues and served as Chairman of the Legislative Council in 1983. Rex was a lobbyist during the past several sessions.

Rex was an outstanding and varied Montana public servant. He was appointed to the Montana Board of Crime Control and selected by then-Gov. Stan Stephens to the Public Service Commission serving a six-month term. Rex was past-chairman of the Agriculture and Stabilization Commission for Teton County.

He was active in St. Paul's Lutheran Church serving many years on the church council and teaching Sunday School. He was a Lions Club member for 39 years and served as District Governor in 1990.

Rex Manuel is remembered by his fellow Representative Francis Bardanouve of Harlem as a good person, an honest man and a devoted family man.

CHARLES GORDON MCGOWAN

WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of Charles Gordon McGowan on May 26, 1999, in Great Falls, Montana.

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WHEREAS, it is fitting and proper that the record and accomplishments of the late Mr. McGowan be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Charles Gordon McGowan, conservation steward, rancher and Senator, was born September 5, 1911, on a Highwood-area ranch to Frank and Theresa McGowan. He graduated from high school in 1930 and married Lila K. Ahrendes in Fort Benton in 1934.

Charles is recognized today for his lifetime of devotion to developing, and supporting, programs for the protection of Montana's greatest resource; its surface and ground waters.

His distinguished life of stewardship began with an appointment to the Montana Soil Conservation Committee in 1943. Charles organized a Chouteau County soil district and was a past-president of the Montana Association of Soil Conservation Districts. He was a member of the board of directors of the National Soil and Water District Association.

Charles was elected to the Montana Senate in 1954 representing Chouteau, Judith, Basin, Liberty and Hill counties. Senator McGowan was Chairman of the Water and Irrigation and Natural Resources committees and was considered one of the state's most knowledgeable water law experts. He was a member of Senate Taxation, Judiciary, Highway and Business and Industry committees and served on the Legislative Council.

Charles was considered one of Montana's most knowledgeable water law experts. The Upper Missouri Water Users Association recognized his 35 years of service promoting wise use of Montana's land and water. He was named to Who's Who of American Association of Conservation Districts and received the Arrowhead Award for outstanding service to Extension Service programs.

Charles was appointed to the advisory council for Montana State College and served for 35 years assisting students with post-graduation jobs and sponsoring pages at the legislature. He was active in the Highwood Commercial Club, Montana Stockgrowers Association, Cattleman's Association, and 4-H.

Charles and Lila are the parents of three children, Duane, Sharon and Kathleen, eight grandchildren and nine great-grandchildren.

JOHN R. (JACK) MCNAMARA

WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of John R. (Jack) McNamara on April 19, 1999, in Helena, Montana.

WHEREAS, it is fitting and proper that the record and accomplishments of the late Mr. McNamara be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

John R. (Jack) McNamara, Helena postmaster and two-term Representative, was born in Helena, September 30, 1913, to John McNamara and Katherine Flavin McNamara. Jack was raised in the Helena area where he attended grade school and high school and subsequently graduated from Helena Business College.

Jack was proud to be Irish and proud to be a Democrat. His lifetime of service to the Helena community was diversified and extensive.

He was an accountant for 18 years at the Asarco Smelter before becoming an instructor in the Army Tank Destroyer Corps. He achieved the rank of major in the Army Reserve and retired in 1966. Jack returned to his

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accounting position at Asarco following the war and later opened his insurance agency, McNamara Agency. Under the Johnson administration, Jack was appointed postmaster of the Helena Post Office and served for 17 years.

Jack and Mary Ann Cooney of Harlowton were married March 22, 1943, in Helena where they made their home for 58 years. They are the parents of two daughters, Susan and Betsey.

Representative Jack McNamara was very proud of the two terms he served in the legislature as a Representative of Lewis and Clark County. He was particularly interested in legislation regarding education, tax reduction, the Coal Tax Trust Fund and pay increases for public employees. He was president of the Helena Federal Community Credit Union for 20 years during this time.

Jack was a devout Notre Dame supporter since his childhood. Wearing his Notre Dame hat, he would watch every football game from his living room chair if he couldn't attend in person. If the Fighting Irish were losing, he would put on his Notre Dame jacket to lend additional support.

Jack was a life member of the Knights of Columbus and Eagles, the Montana Club and Green Meadow Country Club. He was a member of the Parish Council and worshiped at the Catholic Church.

Jack was devoted to his two daughters, six grandchildren and nine great-grandchildren.

AMBROSE G. MEASURE

WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of Ambrose G. Measure on December 8, 2000, in Kalispell, Montana.

WHEREAS it is fitting and proper that the record and accomplishments of the late Mr. Measure be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Ambrose G. Measure, attorney and Representative is remembered for establishing the Flathead Electric Cooperative. He was born to John and Kathryn Measure on December 6, 1908, in the town of Little Falls, Minnesota.

He graduated from Flathead County High School and attended Carroll College and the University of Minnesota. He received his law degree from the University of Montana in June 1935. Ambrose was 92 years old at the time of his death, Montana's oldest practicing attorney.

He married Laura Jo Forhan on August 12, 1940, in Kalispell where they raised their four children, Loraine, Susanne, Edward, and Bruce who is his law partner and who was also a Montana State Representative.

Ambrose Measure is recognized today for his foresight and efforts in making electricity and communications available throughout the Flathead Valley.

During the Roosevelt administration, Ambrose traveled to Washington D.C. to develop administrative rules for implementing the Rural Electrification Act. He returned to Kalispell where he continued these efforts and started his law practice of 65 years. Ambrose was also a lobbyist for Hungry Horse Dam, Bureau of Reclamation, and was affiliated with Mission Valley Power.

He served as in-house counsel for Flathead and Lincoln County Electric Cooperative established in 1938. A

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memorial service held in Kalispell in April 2001 recognized his many diverse contributions to communications and electricity in the Flathead Valley.

Ambrose was elected as the Flathead County Attorney in 1948 and served in that capacity until 1952. This was during the construction of the Hungry Horse Dam.

Ambrose served in the Montana House of Representatives from 1937 to 1938 as a member of the Appropriations, Judiciary, Health, Railroad and Transportation committees. Ambrose was a strong proponent of a unicameral legislature and smaller state government. During the session, he stayed in quarters at the Montana Club in Helena and walked daily to the Capitol.

Out of his love for the outdoors, especially the Flathead region, Ambrose organized the Glacier National Park's Over-the-Hill-Gang Hiking Club in the 1950's and they are still going strong today. The Gang meets every Thursday to climb the peaks of Glacier or ski the slopes of Big Mountain. Most of the members are over 60 years young and leaders of the community.

Ambrose was a former Lt. Gov. of Kiwanis and Exalted Ruler for the Elks Club, and was a member of St. Matthew's Catholic Church in Kalispell.

He is remembered for his depth of character both intimidating and inquisitive and his gentle nature and conviction regarding the common person.

O. GEORGE OMMUNDSEN

WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of O. George Ommundsen on April 28, 2000, in Livingston, Montana.

WHEREAS, it is fitting and proper that the record and accomplishments of the late Mr. Ommundsen be filed on the official record of this Assembly and the following facts relative to his career are hereby noted:

George Ommundsen, former mayor of Livingston, farmer and State Representative, was born in Livingston, September 7, 1913, to Ommund and Melene Ommundsen. He grew up on the family homestead near Shorthill Cemetery. He was a student at Mill Creek Flat School, the Jardine Grade School in Park County, and finished high school in Great Falls.

George married the former Hilma L. Webster, June 1, 1939, in Park County where they raised their four daughters, Norma Busby, Janet Habenicht, Gail McCormick and Susan Bidwell.

George worked for Northern Pacific Railroad as an electrician beginning in 1941, and helped establish the Montana chapter of the International Brotherhood of Electrical Workers before retiring from Burlington Northern Railroad. He was also a gold assayer in Jardine (near Yellowstone National Park).

George was a devoted public servant to both local and state government for 35 years. He was a Livingston city councilman, and city mayor for three terms. He was elected to the House of Representatives 40th Legislative Session in 1967 as a Representative from Park County and was most interested in city and county Republican affairs.

Representative Ommundsen was a member of the Towns and Cities Committee, Research and Resources Committee and Townships and Counties Committee and was the sponsor of legislation requiring city councils to

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purchase surety bonds for city officers and employees. He successfully increased the gas tax with monies directed to city and county road work projects.

George was a member, and volunteer, of many organizations in Park County including the Grace United Methodist Church, Park County Pioneers Society, Park County Museum and the Park County Senior Citizens Association. He was a Mason, belonged to the Sons of Norway, and also volunteered at the Park County Historical Society.

He was especially proud to have been selected as an extra in the Robert Redford movie, "A River Runs Through It," playing the part of a county fair judge.

George is survived by his wife, Hilma, his four daughters, Norma, Janet, Susan and Gail, his sister, Jane Williams of Livingston, five grandchildren and three great-grandchildren.

PATRICK L. RYAN

WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of Patrick L. Ryan on January 24, 2000, in Great Falls, Montana.

WHEREAS, it is fitting and proper that the record and accomplishments of the late Mr. Ryan be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Patrick L. Ryan, former legislator and Cascade County Commissioner, was born May 15, 1928, in Great Falls. He is remembered as a feisty, Irish-American known for his honest and diligent work in both the Montana House of Representatives and Montana Senate.

An ace basketball player at St. Mary's Catholic High School in Great Falls, Pat attended college at Montana State University, Bozeman, and later received a degree in technology and personnel management from the National University of San Diego in 1972.

He married Shirley Mabel Smith, August 18, 1951, at St. Ann's Cathedral in Great Falls. The Ryans are the parents of Patricia, Kelly, Barbara, Brennan, Bridget and a daughter, Bernadette, who preceded Pat in death.

Pat was a U.S. Navy chief warrant officer and served in WW II, Korea and Viet Nam until his retirement in 1974. He returned to Great Falls following the war and worked briefly as a city firefighter before becoming a state probation and parole officer.

He was elected to the Montana House of Representatives in 1976 and then served in the Senate in 1978. Senator Ryan worked tirelessly on legislation to construct new facilities at the Montana School for the Deaf and Blind.

Pat sought to overcome inefficiencies in government and often referred to himself as "very businesslike." As a Cascade County Commissioner from 1983 to 1989, he initiated extensive renovation of the historic Cascade County Courthouse.

He was a member of the Disabled American Veterans and the American Legion and is remembered by his many friends for his keen sense of humor. He was an avid fisherman.

Patrick Ryan was dedicated to his family, his faith, and his country.

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ELMER "BUD" SEVERSON

WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of Elmer "Bud" Severson July 19, 1999 in Stevensville, Montana.

WHEREAS, it is fitting and proper that the record and accomplishments of the late Mr. Severson be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Elmer "Bud" Severson, legislator, stockman and Bitterroot Valley rancher, was born in 1922 in Minnesota to Sam and Lena Severson of Anoka.

The Severson family moved west to Billings when Bud was six months old. He attended schools in Worden and raised sheep, beef and dairy cattle and registered pigs on the Severson ranch.

His love of agriculture earned him the prestigious FFA award, the American Farm Degree. Later, on the The Flying E Ranch, he raised polled Herefords, Angus, Charolais and Maine Anjou cattle.

A true patriot devoted to his country, he enlisted in the Army Air Corps in 1943 and was a trained bombardier stationed in England where he flew the "flying fortresses," B-17's. While he was a prisoner in the German camp, Stalag Luft 3, he designed his brand, "The Flying E," as he watched the night skies light up from bombing.

In 1946, Elmer married Emma Logan. They lived at their Burnt Fork-area ranch east of Stevensville where they raised their children Dan, Gen, Ross David, Marcia and Michael. They later divorced, and Elmer remarried Bearnice Prather.

He was a founding member and first president of the Montana Dairy Association and helped establish the Bitterroot Grade A Dairy Association. In addition to ranching, Bud sold Allis Chalmers tractors and equipment throughout the Bitterroot Valley for 20 years.

Elmer believed individuals could make a difference. He was elected to the Montana House of Representatives in 1977 and then served in the Senate from 1979 through 1990. He was known for his expertise in taxation, agricultural issues and water rights adjudication. He received praise for his efforts to secure the historic Marcus Daly Mansion and adjoining estate.

Elmer was well-known for his harmonica tunes. He played often at family gatherings or on pack trips riding into the mountains he so loved. If he didn't know the words to a song, he could fill in the bars with a bit of humming or a riff on his harmonica. The Montana Legislature has often closed its sessions with a few bars of "Elmer's Tune."

Elmer was a volunteer for the Stevensville Rural Fire Department and instrumental in developing the Burnt Fork Water Commission. He was a founder of the Stevensville Boxing Club and a member of the American Legion and Masons.

Elmer was a skilled horseman devoted to the care of his horses. He often said, "If you can't ride a horse there, why would you want to go?"

Elmer was a member of the St. Mary's Saddle Club and supported FFA and 4-H throughout his life.

He was my good friend and mentor, Elmer Severson.

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WESLEY FRANCIS TEAGUE

WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of Wesley F. Teague on December 10, 1999, in Great Falls, Montana.

WHEREAS, it is fitting and proper that the record and accomplishments of the late Mr. Teague be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Wesley "Wes" Teague, school counselor, coach, psychologist and businessman, was born the first day of January, 1940, to Bruce and Margaret Teague of Great Falls.

Enterprising and earnest in his devotion to young people, Wes embarked on a life of service and achievement. He was educated at both the College of Great Falls where he received a Bachelor's Degree in Business Administration and Education and Eastern Montana College where he received a Master's Degree in Guidance and Counseling.

Wes is remembered for his many contributions to young people in schools in Billings, Troy and Redfield, South Dakota, as a school counselor, instructor, coach and assistant administrator. He was also a counselor and instructor at Boys' State and guest lecturer and substitute teacher at Eastern and Rocky Mountain Colleges in Billings.

Wes was a Billings businessman and owner of the Coco Club and Silver Dollar Lounge. Following the sale of his tavern, he returned to Great Falls where he cared for his large family in various ways including home care.

Wes represented Billings HD 69 in the House of Representatives from 1975 to 1982 and was recognized during this time in Who's Who Among Young Men in Politics. He was a Boys' State instructor and counselor as well as a state seminar lecturer for McGraw-Hill Publishing Company.

Wes gave fully of himself to his community. He was a Great Falls community counselor, Cascade County Restitution Officer and volunteer at the Billings Crisis Center. He enjoyed, and participated fully, in activities of the Knights of Columbus and Elks Club.

Wes constantly had a smile on his face and a twinkle in his eye. He had a unique sense of humor and loved playing pranks on people. This enterprising individual washed dishes in a local establishment part-time while serving in the legislature and often referred to his need to supplement his legislative salary.

He loved 50's music, the Green Bay Packers and the University of Montana football teams.

I do not say goodbye today but wish him farewell.

ELEANOR L. VAUGHN

WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh legislative Assembly of the State of Montana record the passing of Eleanor Vaughn on April 6, 2000, in Spokane, Washington.

WHEREAS, it is fitting and proper that the record and accomplishments of the late Mrs. Vaughn be filed on the official records of this Assembly and the following facts relative to her career are hereby noted:

Eleanor L. Vaughn, former Lincoln County Clerk and Recorder and state legislator, was born in Troy, Idaho, on November 12, 1922, to Carl and Annie Sanderson Grandlund. She graduated from Troy High School in 1940.

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Eleanor attended Kinman School of Business in Spokane before marrying Ben Vaughn in 1942. The Vaughns moved to Libby where they raised their three children Jan, Ben and Jerry.

It seemed as though Eleanor knew everyone in Libby and Lincoln County. She served as Clerk and Recorder for 17 years and was so well-liked that when she decided to run for the Senate in 1986, it was an easy victory. She was the kind of person who could talk to anyone as if she had known them forever.

Eleanor was a true public servant, conscientious in her approach to her duties as a Senator. She was always meticulously prepared for presentation of the bills she carried on the Senate floor.

She was gentle in her demeanor and gracious to fellow legislators, staff and every citizen who came to testify before the State Administration Committee which she so capably chaired.

Eleanor's focus was always Libby and its people. She led local government efforts regarding forestry issues and was presented an award from the U.S. Department of Agriculture in recognition of her many efforts.

She was active in Libby's civic life and served on many boards including the Libby Women's Club, the Democratic Central Committee, the Libby Senior Citizens Center and the Veterans of Foreign Wars Auxiliary where she was a life member. She was named Libby Senior Citizen of the Year in 1995 and was president of the state Clerk and Recorders' Association.

Eleanor was elected to the Senate twice, in 1986 and again in 1990. As a Senator, she was instrumental in the development and completion of the National Guard Armory building project in Libby.

She was a long-time member of the United Methodist Church where services were conducted before an overflow gathering.

Eleanor was truly one of Libby's finest citizens. Libby is a better place for her presence in the community.

NORMAN E. WALLIN

WHEREAS, it is with deep and sincere sorrow that the members of the Fifty-seventh Legislative Assembly of the State of Montana record the passing of Norman E. Wallin on March 5, 2001, in Chandler, Arizona.

WHEREAS, it is fitting and proper that the record and accomplishments of the late Mr. Wallin be filed on the official records of this assembly and the following facts relative to his career are hereby noted:

Norman E. Wallin, owner of Bozeman Ford for three decades, is remembered today as a gracious gentleman and seven-term Montana Representative.

He was born on a farm north of Walum, North Dakota, October 4, 1914, to Eric and Cora Wallin. The family later moved to the small farming community of Steele, North Dakota where Norm attended school and was a clarinetist in the band.

He attended the Lutheran liberal arts school, Concordia College, in Moorhead, Minnesota, and continued his love of music as a member of the concert band woodwind section. Their concert tour of Scandinavian countries sparked his love of travel. Norm and his wife, Clarice, later enjoyed traveling to over 42 countries visiting several locations more than once.

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He graduated from Concordia College in 1936 and although it had been his intent to pursue a teaching career, he decided instead to hone his business skills and work for Commercial Credit.

At the onset of WWII, Norm joined the Navy Officers Training Program and served on an amphibious assault boat in the South Pacific theater.

Following the war, he and his college friend, Sterling Rygg, began searching for a car dealership and soon purchased the Ford Agency, Glacier Motors, in Whitefish. Later, in 1954, Norm purchased Lundgren Ford in Bozeman which his son David bought in 1986. Norm was nationally recognized by Time Magazine as the recipient of their Dealer Award in 1973; the best in Montana.

He registered for the legislative race ten minutes before deadline at the urging of fellow Republicans and served seven terms in the Montana House of Representatives as a member of the Local Government and Business and Industry committees. He consistently supported Montana State University and funding for higher education.

He was a member of the 1988 National Republican Platform Committee in New Orleans.

Norm is remembered for his honesty, integrity, and loyalty in all endeavors. He and Clarice are the parents of David and Eileen. He thoroughly enjoyed his grandchildren giving them a special place of prominence at all times.

Norm was an active and faithful member and Sunday School Superintendent of Hope Lutheran Church in Bozeman. He was a loyal Kiwanian, Red Cross board member and avid spectator sports fan.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Sliter moved that the House adjourn until 10:00 a.m., Tuesday, April 10, 2001. Motion carried.

House adjourned at 6:10 p.m.

MARILYN MILLER
Chief Clerk of the House

DAN MCGEE
Speaker of the House