

**HOUSE JOURNAL
58TH LEGISLATURE
FIFTH LEGISLATIVE DAY**

Helena, Montana
January 10, 2003

House Chambers
State Capitol

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

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

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 1/10/2003
Correctly printed: **HB 16, HB 21, HB 36, HB 50, HB 117.**
Correctly engrossed: **HB 65.**

STATE ADMINISTRATION (Barrett, Chairman): 1/9/2003
HB 39, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

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

- HB 280**, introduced by Wanzenried, referred to Transportation.
- HB 281**, introduced by Sales, Balyeat, Everett, Fuchs, Lange, Lewis, Mood, Pattison, Shockley, referred to Education.
- HB 282**, introduced by Younkin, Curtiss, Gillan, Golie, Grimes, Kitzenberg, Mangan, Tester, F. Thomas, Wheat, referred to Judiciary.
- HB 283**, introduced by Fuchs, Andersen, Balyeat, Esp, Glaser, Laible, Rice, Sprague, referred to Fish, Wildlife and Parks.
- HB 284**, introduced by Gillan, Buzzas, referred to Judiciary.
- HB 285**, introduced by R. Brown, Gallik, Laszloffy, McGee, McKenney, Mood, F. Thomas, Wanzenried, referred to Business and Labor.
- HB 286**, introduced by B. Thomas, Hedges, McKenney, Roberts, Tropila, referred to Appropriations.
- HB 287**, introduced by Lindeen, Bergren, Bohlinger, Callahan, Hansen, B. Ryan, referred to Natural Resources.
- HB 288**, introduced by Erickson, referred to Taxation.
- HB 289**, introduced by Newman, Parker, referred to Judiciary.
- HB 290**, introduced by Ripley, E. Clark, Haines, Lehman, Lewis, Mahlum, Rome, B. Thomas, referred to Local Government.
- HB 291**, introduced by Lindeen, Gebhardt, referred to Human Services.
- HB 292**, introduced by Younkin, referred to Natural Resources.
- HB 293**, introduced by Smith, Bixby, Cooney, Ellingson, Franklin, Hedges, Jayne, Juneau, Pease, Roush, Small-Eastman, Tropila, Windy Boy, referred to Judiciary.
- HB 294**, introduced by Facey, Bohlinger, Buzzas, Ellingson, Gallus, Gutsche, Kaufmann, Newman, Toole, referred to Judiciary.
- HB 295**, introduced by Jent, referred to Judiciary.
- HB 296**, introduced by Jent, referred to Business and Labor.
- HB 297**, introduced by Wanzenried, referred to Appropriations.

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

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HJR 9, introduced by Smith, Bixby, Cooney, Ellingson, Franklin, Hedges, Jayne, Juneau, Lenhart, Pease, Roush, Small-Eastman, Tropila, Windy Boy, referred to Business and Labor.

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

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

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

HB 16 - Representative Haines moved **HB 16** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Sinrud, Aye.

Excused: None.

Total 0

Absent or not voting: Waitschies.

Total 1

HB 36 - Representative Lawson moved **HB 36** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 100

Noes: None.

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Total 0

Voted Absentee: Sinrud, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 50 - Representative Haines moved **HB 50** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Sinrud, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 117 - Representative Kaufmann moved **HB 117** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Sinrud, Aye.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 21 - Representative Smith moved **HB 21** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Raser, Rice, Roberts, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Younkin, Mr. Speaker.
Total 83

Noes: Balyeat, Callahan, Dickenson, Franklin, Galvin-Halcro, Golie, Lehman, McKenney, Morgan, Parker, Ripley, Rome, Ross, Ryan, Sales, Witt.
Total 16

Voted Absentee: Sinrud, Aye.

Excused: None.
Total 0

Absent or not voting: Jent.
Total 1

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

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Forrester, Fritz, Fuchs, Gallik, Gallus, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 91

Noes: Franklin, Galvin-Halcro.
Total 2

Excused: Sinrud.
Total 1

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Absent or not voting: Bookout-Reinicke, Fisher, Hawk, Lambert, Thomas, Wagman.
Total 6

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 49 passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin.
Total 94

Noes: Barrett, Hurwitz, Sales.
Total 3

Excused: Sinrud.
Total 1

Absent or not voting: Waitschies, Mr. Speaker.
Total 2

MOTIONS

Representative R. Brown moved **HB 10** be taken from the Committee on Natural Resources and be rereferred to the Committee on Appropriations. There being no objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 1:00 p.m., Monday, January 13, 2003. Motion carried.

House adjourned at 1:50 p.m.

MARILYN MILLER
Chief Clerk of the House

DOUG MOOD
Speaker of the House