

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

Helena, Montana  
January 13, 2003

House Chambers  
State Capitol

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

Roll Call. All members present, except Representatives Forrester and Gillan, excused. Quorum present.

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

Bookout-Reinicke, Chairman

Mr. Speaker introduced the pages of the week:

Jeff Clark, Laurel  
Katie Ellis, Billings  
Tim Ellis, Billings  
Amber Laszloffy, Laurel  
Chylo Laszloffy, Laurel  
Lyndsey Merchant, Volberg  
Peter Rae, Laurel  
Sharon Scott, Helena

**REPORTS OF STANDING COMMITTEES**

**BILLS** (Bookout-Reinicke, Chairman): 1/13/2003  
Correctly enrolled: **HR 1**.

**BUSINESS AND LABOR** (McKenney, Chairman): 1/10/2003  
**HB 45**, introduced bill, be amended as follows:

1. Title, line 6.

**Strike:** "\$100,000"

**Following:** "BOND"

**Insert:** "IN AN AMOUNT TO BE SET BY THE DEPARTMENT OF ADMINISTRATION BY RULE"

2. Page 1, line 28.

**Strike:** "the amount of \$100,000"

**Insert:** "an amount to be set by the department by rule"

And, as amended, do pass. Report adopted.

**HB 172**, do pass. Report adopted.

**HB 182**, introduced bill, be amended as follows:

1. Title, line 5.

**Following:** "REFERENCES"

**Insert:** "PERTAINING"

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2. Title, line 9.

**Following:** "SECTIONS"

**Insert:** "2-15-150,"

3. Page 1, line 15.

**Insert:** "**Section 1.** Section 2-15-150, MCA, is amended to read:

**"2-15-150. (Temporary) Lewis and Clark bicentennial commission -- membership -- purpose -- account.** (1) There is a Lewis and Clark bicentennial commission.

(2) The commission consists of 12 members, as follows:

(a) nine members who must be appointed by the governor, at least three of whom must be enrolled members of a Montana Indian tribe and live on a Montana Indian reservation, who shall serve 3-year staggered terms, who shall represent Montana's different geographical areas, and who must have an interest in the history of the Lewis and Clark expedition;

(b) the director of the Montana historical society, established in 22-3-101;

(c) the administrator of the parks division within the department of fish, wildlife, and parks, established in 2-15-3401; and

(d) ~~the director of travel Montana~~ administrator of the Montana promotions division within the department of commerce, established in 2-15-1801.

(3) The commission is responsible for coordinating and promoting observance of Montana's bicentennial commemoration of the Lewis and Clark expedition and the importance of the roles played by Montana's Indian people to the Lewis and Clark expedition. The commission may:

(a) cooperate with national, regional, statewide, and local events promoting the bicentennial;

(b) plan and coordinate or assist in planning and coordinating bicentennial events;

(c) engage in fundraising activities, including revenue-earning enterprises and the solicitation of grants, gifts, and donations;

(d) promote public education concerning the Lewis and Clark expedition and the history and culture of Montana's Indian people at the time of the Lewis and Clark expedition; and

(e) perform other related duties.

(4) (a) The Lewis and Clark bicentennial commission is authorized to enter into contracts, loan agreements, or other forms of indebtedness with the board of investments for an amount not to exceed \$3 million, payable over a term not to exceed 6 years, for the purposes identified in subsection (3).

(b) The Lewis and Clark bicentennial commission shall pledge to the repayment of any indebtedness the proceeds from the sale of Lewis and Clark bicentennial license plates as provided in 2-15-151.

(c) The proceeds of any loan from the board of investments to the Lewis and Clark bicentennial commission must be deposited in the account established in subsection (5).

(5) There is a Montana Lewis and Clark bicentennial account. Money in the account may include money from revenue-earning enterprises, grants, gifts, or donations, money appropriated by the legislature, and interest earned on the account. Account funds must be used for the purposes described in this section.

(6) The commission is attached to the Montana historical society for administrative purposes only as provided in 2-15-121. (Subsections (1) through (3), (5), and (6) terminate December 31, 2007--sec. 2, Ch. 428, L. 1997; subsection (4) terminates December 31, 2006--sec. 17, Ch. 414, L. 2001.)"

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**NATURAL RESOURCES** (Younkin, Chairman):

1/10/2003

**HB 46**, do pass. Report adopted.

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**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence: 1/10/2003

**SB 7**, introduced by Butcher  
**SB 17**, introduced by McGee  
**SB 21**, introduced by McNutt  
**SB 33**, introduced by Cobb  
**SB 80**, introduced by Laible  
**SB 85**, introduced by Cocchiarella

**Senate bills** passed and transmitted to the House for concurrence: 1/9/2003

**SB 10**, introduced by Grimes  
**SB 31**, introduced by Cobb  
**SB 32**, introduced by Mahlum  
**SB 75**, introduced by Stapleton

**Senate joint resolution** passed and transmitted to the House for concurrence: 1/10/2003

**SJR 1**, introduced by F. Thomas

**FIRST READING AND COMMITMENT OF BILLS**

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

**HB 298**, introduced by Younkin, Bohlinger, Glaser, Harrington, Keane, Lawson, Mahlum, McNutt, Newman, Noennig, Perry, Peterson, Schrupf, Wanzenried, Wheat, referred to Local Government.  
**HB 299**, introduced by Peterson, Bales, Barrett, Ripley, Tash, referred to Agriculture.  
**HB 300**, introduced by Hedges, referred to Taxation.  
**HB 301**, introduced by Facey, Cooney, Elliott, Pattison, referred to Transportation.  
**HB 302**, introduced by Lewis, Ballantyne, Barrett, Becker, Bixby, Branae, Brueggeman, Callahan, Carney, P. Clark, Cocchiarella, Cohenour, Cyr, Devlin, Dowell, Ellingson, Elliott, Erickson, Facey, Forrester, Gallik, Gallus, Gibson, Gillan, Golie, Grimes, Harrington, Hedges, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Kitzenberg, Lange, Laslovich, Lawson, Lehman, Lenhart, Lindeen, Mangan, Matthews, McGee, McKenney, McNutt, Mood, Nelson, Newman, Noennig, A. Olson, B. Olson, Pease, Peterson, Raser, Ripley, Rome, Ross, Roush, B. Ryan, D. Ryan, Schrupf, Shea, Shockley, Small-Eastman, Smith, Sprague, Steinbeisser, B. Thomas, Toole, Tropila, Wanzenried, Witt, referred to Education.  
**HB 303**, introduced by A. Olson, Bales, Keane, Lange, Matthews, McGee, Peterson, referred to Federal Relations, Energy, and Telecommunications.  
**HB 304**, introduced by A. Olson, Bales, Lange, Matthews, McGee, Peterson, referred to Federal Relations, Energy, and Telecommunications.  
**HB 305**, introduced by Peterson, Bales, Mood, Nelson, Sprague, Witt, Younkin, referred to State Administration.  
**HB 306**, introduced by Balyeat, Andersen, Bitney, Black, Bookout-Reinicke, D. Brown, Brueggeman, P. Clark, Cohenour, Everett, Forrester, Fuchs, Gallus, Gibson, Golie, Haines, Jackson, Lake, Lambert, Lange, Laslovich, Laszloffy, Lewis, Maedje, McGee, Mendenhall, Mood, Perry, Roberts, Rome, Sales, Schrupf, Shea, Shockley, Sinrud, Sprague, Tropila, Wagman, Weiss, Wheat, Witt, referred to Fish, Wildlife and Parks.  
**HB 307**, introduced by B. Thomas, referred to Business and Labor.  
**HB 308**, introduced by Musgrove, Tester, referred to Judiciary.

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**HB 309**, introduced by R. Brown, Balyeat, D. Brown, Brueggeman, Devlin, Fisher, Fuchs, Kasten, Laszloffy, Lehman, McNutt, Mood, A. Olson, Ripley, Sinrud, Stapleton, Steinbeisser, F. Thomas, Younkin, referred to State Administration.

**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 Laszloffy in the chair.

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

**HB 39** - Representative Gallik moved **HB 39** 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.  
Total 99

Noes: None.  
Total 0

Voted Absentee: Forrester, Gillan, Ayes.

Excused: None.  
Total 0

Absent or not voting: Mr. Speaker.  
Total 1

**HB 65** - Representative Matthews moved **HB 65** 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, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 99

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Noes: None.  
Total 0

Voted Absentee: Forrester, Gillan, Ayes.

Excused: None.  
Total 0

Absent or not voting: Schrupf.  
Total 1

Representative Brown moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Laszloffy moved the Committee of the Whole report be adopted. Report adopted 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, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, 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, 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 96

Noes: None.  
Total 0

Excused: Forrester, Gillan.  
Total 2

Absent or not voting: Fisher, Parker.  
Total 2

**THIRD READING OF BILLS**

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

**HB 16** passed 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, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, 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,

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Younkin, Mr. Speaker.  
Total 98

Noes: None.  
Total 0

Excused: Forrester, Gillan.  
Total 2

Absent or not voting: None.  
Total 0

**HB 21** passed 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, Fritz, Fuchs, Gallik, Gallus, Gibson, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, 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, Ryan, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 84

Noes: Balyeat, Callahan, Dickenson, Franklin, Galvin-Halcro, Golie, Lehman, McKenney, Morgan, Parker, Ripley, Rome, Ross, Sales.  
Total 14

Excused: Forrester, Gillan.  
Total 2

Absent or not voting: None.  
Total 0

**HB 36** passed 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, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, 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, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 98

Noes: None.  
Total 0

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Excused: Forrester, Gillan.  
Total 2

Absent or not voting: None.  
Total 0

**HB 50** passed 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, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, 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, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 98

Noes: None.  
Total 0

Excused: Forrester, Gillan.  
Total 2

Absent or not voting: None.  
Total 0

**HB 117** passed 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, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, 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, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.  
Total 98

Noes: None.  
Total 0

Excused: Forrester, Gillan.  
Total 2

Absent or not voting: None.  
Total 0

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**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 1:00 p.m., Tuesday, January 14, 2003. Motion carried.

House adjourned at 1:24 p.m.

MARILYN MILLER  
Chief Clerk of the House

DOUG MOOD  
Speaker of the House