

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

Helena, Montana
March 5, 2003

House Chambers
State Capitol

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

Roll Call. All members present, except Representatives Bitney, Carney, Dowell, Harris, and Lambert, excused. Quorum present.

Mr. Speaker introduced the Montana Logging & Ballet Company who then performed for the House. This internationally known singing group performs political satire and is comprised of all native born Montanans: Rusty Harper, Tim Holmes and Bob Fitzgerald. Their special connection with Bishop Desmond Tutu of South Africa has had them performing benefit concerts in Washington D.C. and here and they are a regular on Montana Public Radio.

Mr. Speaker introduced the Public Information Officers from the Republic of Georgia. The International Republican Institute, in conjunction with Secretary of State Bob Brown, have brought these members to Helena for the purpose of acquainting them with how governmental tasks are communicated between government agencies, with the press, and with the public. The week they will spend in Helena will be followed by a week in Washington, D.C.

Mr. Speaker introduced this weeks pages:

Samantha Blough, Victor
Christie Forszowsky, Great Falls
Matthew Palmer, Troy
Brittany Scalabrin, Butte
Michael Torre, Livingston
Sarah Zerbe, Frazer
Jackie Woyth, Great Falls

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 3/5/2003
Correctly engrossed: **HB 624**.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/28/2003

SB 46, introduced by Gebhardt
SB 277, introduced by Curtiss
SB 314, introduced by McCarthy
SB 330, introduced by Mangan
SB 341, introduced by F. Thomas
SB 349, introduced by Anderson
SB 359, introduced by Cromley
SB 370, introduced by Gebhardt
SB 375, introduced by Elliott
SB 386, introduced by Gebhardt

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SB 387, introduced by Cobb
SB 392, introduced by Bales
SB 394, introduced by Perry
SB 395, introduced by Perry
SB 402, introduced by Cocchiarella
SB 415, introduced by F. Thomas
SB 422, introduced by Black
SB 428, introduced by Esp
SB 429, introduced by Esp
SB 430, introduced by Ellingson
SB 441, introduced by D. Ryan
SB 442, introduced by Stonington
SB 444, introduced by Tester
SB 449, introduced by Cooney
SB 450, introduced by Cocchiarella
SB 456, introduced by Esp

Senate joint resolutions passed and transmitted to the House for concurrence:

2/28/2003

SJR 25, introduced by Bohlinger
SJR 26, introduced by Bohlinger
SJR 27, introduced by Johnson

MESSAGES FROM THE GOVERNOR

February 27, 2003

The Honorable Doug Mood
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Mood:

Please be informed that I have signed **House Bill 114** sponsored by Representative Jent on February 27, 2003.

Sincerely,

JUDY MARTZ
Governor

February 28, 2003

The Honorable Doug Mood
Speaker of the House
State Capitol
Helena, Montana 59620

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Dear Representative Mood:

Please be informed that I have signed **House Bill 22** sponsored by Representative Kaufmann, **House Bill 51** sponsored by Representative E. Clark, **House Bill 80** sponsored by Representative Jackson, and **House Bill 121** sponsored by Representative E. Clark on February 28, 2003.

Sincerely,

JUDY MARTZ
Governor

Majority Leader Brown moved that the House recess until 1:55 p.m. for caucuses. Motion carried.

House recessed at 1:22 p.m.

House reconvened at 1:55 p.m. All members present, except Representatives Bitney, Dowell, Harris, and Lambert, excused. Quorum present.

**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 Fuchs in the chair.

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

HB 60 - Representative McKenney moved **HB 60** do pass. Motion carried as follows:

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

Total 90

Noes: Balyeat, D. Brown, R. Brown, Everett, Kasten, Lewis, Sales.

Total 7

Voted Absentee: Bitney, Dowell, Harris, Lambert, Ayes.

Excused: None.

Total 0

Absent or not voting: Bookout-Reinicke, Fisher, Haines.

Total 3

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HB 160 - Representative R. Brown moved consideration of **HB 160** be placed at the bottom of the second reading board. Motion carried.

HB 176 - Representative Pattison moved **HB 176** do pass. Motion carried 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, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, 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 96

Noes: None.

Total 0

Voted Absentee: Bitney, Dowell, Harris, Lambert, Ayes.

Excused: None.

Total 0

Absent or not voting: Bookout-Reinicke, Fisher, Haines, Maedje.

Total 4

HB 376 - Representative B. Olson moved **HB 376** do pass. Motion **failed** as follows:

Ayes: Andersen, Bitney, D. Brown, R. Brown, Brueggeman, E. Clark, Cyr, Devlin, Forrester, Fuchs, Gallus, Hedges, Hurwitz, Jackson, Kasten, Keane, Lambert, Lange, Lawson, Matthews, McKenney, Noennig, A. Olson, B. Olson, Peterson, Rome, Ross, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Younkin.

Total 34

Noes: Ballantyne, Balyeat, Barrett, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Jacobson, Jayne, Jent, Juneau, Kaufmann, Lake, Laslovich, Laszloffy, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Mendenhall, Morgan, Musgrove, Newman, Parker, Pattison, Raser, Rice, Ripley, Roberts, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Mr. Speaker.

Total 66

Voted Absentee: Bitney, Lambert, Ayes; Dowell, Harris, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 160 - Representative R. Brown moved consideration of **HB 160** be passed for the day. Motion carried.

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

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bixby, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Hawk, 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, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 94

Noes: Newman.

Total 1

Excused: Bitney, Dowell, Harris, Lambert.

Total 4

Absent or not voting: Bookout-Reinicke.

Total 1

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 1:00 p.m., Thursday, March 6, 2003. Motion carried.

House adjourned at 2:27 p.m.

MARILYN MILLER
Chief Clerk of the House

DOUG MOOD
Speaker of the House