

**HOUSE JOURNAL
58TH LEGISLATURE
SIXTY-FIRST LEGISLATIVE DAY**

Helena, Montana
March 22, 2003

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Balyeat. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Juneau and Windy Boy, excused. Quorum present.

Mr. Speaker introduced the honorary pages for the day:

Kenny Cranmer, Helena
James Lund, Havre
Colt Sales, Bozeman
Anna Metropoulos, Helena

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 2 passed as follows:

Ayes: Andersen, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Schrupf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.

Total 53

Noes: Ballantyne, Balyeat, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Kaufmann, Keane, Laslovich, Lindeen, Musgrove, Newman, Parker, Raser, Ryan, Sales, Small-Eastman, Smith, Wanzenried, Weiss, Wilson.

Total 45

Excused: Juneau, Windy Boy.

Total 2

Absent or not voting: None.

Total 0

SB 143 concurred in 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, Hurwitz, Jackson, Jacobson, Jayne, Jent, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lindeen, Matthews, McKenney, Mendenhall, Morgan,

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 22, 2003

Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Roberts, Ross, Ryan, Sales, Schruppf, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Witt, Younkin, Mr. Speaker.

Total 89

Noes: Barrett, Lewis, Maedje, Malcolm, Pattison, Ripley, Rome, Shockley, Sinrud.

Total 9

Excused: Juneau, Windy Boy.

Total 2

Absent or not voting: None.

Total 0

SJR 24 concurred in 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, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Gallus, Galvin-Halcro, Gibson, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, 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, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Witt, Younkin, Mr. Speaker.

Total 88

Noes: Barrett, Cohenour, Fuchs, Gallik, Gillan, Golie, Maedje, Malcolm, Smith, Wilson.

Total 10

Excused: Juneau, Windy Boy.

Total 2

Absent or not voting: None.

Total 0

SB 100, from consent calendar, concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Gibson, Golie, Gutsche, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, 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, Weiss, Wilson, Witt, Younkin, Mr. Speaker.

Total 90

Noes: Buzzas, P. Clark, Franklin, Galvin-Halcro, Gillan, Harris, Lawson, Wanzenried.

Total 8

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 22, 2003

Excused: Juneau, Windy Boy.
Total 2

Absent or not voting: None.
Total 0

SB 104, from consent calendar, concurred in 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, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, 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, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Witt, Younkin, Mr. Speaker.
Total 96

Noes: Gillan, Sinrud.
Total 2

Excused: Juneau, Windy Boy.
Total 2

Absent or not voting: None.
Total 0

**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 558 - Representative R. Brown moved consideration of **HB 558** be passed for the day. Motion carried.

HB 628 - Representative R. Brown moved consideration of **HB 628** be passed for the day. Motion carried.

HB 685 - Representative R. Brown moved consideration of **HB 685** be passed for the day. Motion carried.

HB 663 - Representative Laslovich moved **HB 663** 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, 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,

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 22, 2003

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: Franklin, Gillan.

Total 2

Voted Absentee: Juneau, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 741 - Representative Lindeen moved **HB 741** do pass. Motion carried as follows:

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

Total 89

Noes: Andersen, Bookout-Reinicke, Devlin, Everett, Gillan, Kasten, Mendenhall, Pattison, Sales, Waitschies, Mr. Speaker.

Total 11

Voted Absentee: Juneau, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 744 - Representative E. Clark moved **HB 744** 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, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallus, Galvin-Halcro, Gutsche, Haines, Harris, Hawk, 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, Schruppf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss,

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 22, 2003

Windy Boy, Witt, Younkin, Mr. Speaker.
Total 91

Noes: Dickenson, Gallik, Gibson, Gillan, Golie, Sales, Sinrud, Wilson.
Total 8

Voted Absentee: Juneau, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: Hedges.
Total 1

HB 6 - Representative Witt moved **HB 6** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, 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, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, 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, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 95

Noes: Balyeat, Bergren, Gillan, Laszloffy, Sales.
Total 5

Voted Absentee: Juneau, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 7 - Representative Witt moved **HB 7** do pass. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, 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, Gallus, Galvin-Halcro, Gibson, Golie, Gutsche, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, 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, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 92

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 22, 2003

Noes: Balyeat, Dowell, Gallik, Gillan, Harris, Laszloffy, Sales, Weiss.
Total 8

Voted Absentee: Juneau, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 8 - Representative Witt moved **HB 8** do pass. Motion carried as follows:

Ayes: Andersen, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, P. Clark, Cyr, Devlin, Fisher, Forrester, Fuchs, Gallus, Haines, Hawk, Hedges, Jayne, Kasten, Kaufmann, Lake, Lambert, Lange, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Roberts, Rome, Ross, Ryan, Schruppf, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 56

Noes: Ballantyne, Balyeat, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, Cohenour, Dickenson, Dowell, Erickson, Everett, Facey, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Hurwitz, Jacobson, Jent, Juneau, Keane, Laslovich, Musgrove, Parker, Raser, Sales, Sinrud, Small-Eastman, Wanzenried, Weiss, Wilson, Windy Boy.
Total 40

Voted Absentee: Juneau, Windy Boy, Noes.

Excused: None.
Total 0

Absent or not voting: Jackson, Laszloffy, Ripley, Shockley.
Total 4

HB 701 - Representative Newman moved **HB 701** 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, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 96

Noes: Gillan, Rice, Shockley.
Total 3

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 22, 2003

Voted Absentee: Juneau, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: Laszloffy.

Total 1

HB 736 - Representative R. Brown moved **HB 736** do pass. Motion carried as follows:

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

Total 88

Noes: Balyeat, Cyr, Dickenson, Everett, Franklin, Gillan, Golie, Kasten, Mendenhall, Sales, Sinrud, Weiss.

Total 12

Voted Absentee: Juneau, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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, Barrett, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, E. Clark, Cyr, Devlin, Everett, Fisher, Forrester, Fritz, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Jent, Kasten, Kaufmann, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schruppf, Shockley, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.

Total 65

Noes: Balyeat, Becker, Bixby, Buzzas, Callahan, Carney, P. Clark, Cohenour, Dickenson, Dowell, Erickson, Facey, Franklin, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Keane, Musgrove, Parker, Raser, Sales, Sinrud, Smith, Wanzenried, Weiss, Wilson.

Total 33

Excused: Juneau, Windy Boy.

HOUSE JOURNAL
SIXTY-FIRST LEGISLATIVE DAY - MARCH 22, 2003

Total 2

Absent or not voting: None.

Total 0

FIRST READING AND COMMITMENT OF BILLS

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

HB 762, introduced by Brueggeman, referred to Appropriations.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 1:00 p.m., Monday, March 24, 2003. Motion carried.

House adjourned at 9:16 a.m.

MARILYN MILLER
Chief Clerk of the House

DOUG MOOD
Speaker of the House