

MARCH 11, 2011

Montana

Independent Record

GOP budget plan cuts spending 6 percent

By MATT GOURAS

The budget battle moves to the Montana House floor on Friday with the Republican majority aiming to cut enough spending to meet conservative expectations – while beating back criticism from opponents that their proposed cuts will hurt the poor and could result in college tuition likes.

A tally of GOP budget actions so far in committee shows that

spending of state tax money would go down about 6 percent from the current budget, to about 53-percent less than what Gov. Brian Schweitzer proposed in his budget offering to lawmakers. Overall spending, including federal money, is reduced 10 percent largely because there is no federal stimulus money as



there was in the last two-year budget plar and Republican budge crafters are rejecting about \$120 million in federal money for social services.

Republicans say

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does not create a burden on state taxpayers.

The full House is scheduled to vote on the budget Friday, Saturday and Monday.
It is unlikely that any of the chamber's 32 Democrats, who feel ignored by the majority, will vote for the Republican budget plan.
That means Republicans will

plan.
That means Republicans will likely need to get 51 votes out of their 68 members to send a budget plan to the Senate.
Republican leaders will be woo-



Bison graze near the U.S. Route 89 highway just outside of Gardiner on Feb. 14. Hundreds of bison have left the boundaries of Yellowsto search of food.

Emergency injunction denied

Yellowstone | Judge rules request to stop capture, killing of park bison had no merit

By EVE BYRON
Independent Record

Independent Record

A federal court judge in Helena has refused to grant an emergency injunction halting the capture and killing of wild bison that roam outside of Yellowstone National Park, saying that on emergency exists that warrants the prohibition, especially in light of Gov. Brian Schweitzer's executive order that prohibits transporting the bison into Montana for slaughter for 90 days.

In his order issued Wednesday afternoon, U.S. District Court Charles Lovell wrote that by the time Schweitzer's order expires, the bison no longer will be exting the park and "any claimed emergency" will have expired.

"This Executive Order along."

expired. "This Executive Order alone

seems to have utterly decimated Plaintiffs' argument for injunctive relief; however, Plaintiffs have filed two briefs since the date of the Executive Order without even acknowledging its existence, let alone its effect as to the pending motion," Lovell wrote.

to the pending motion, "Loveil wrote. He added that Yellowstone's chief of aquatic and wildlife resources says they have no immediate plans to ship bison to slaughter — although the park service doesn't concede away its right to do so — and a Senate bill, if passed by the House of Representatives and signed by the governor, would prohibit free -roaming bison, or moving bison, into Montana. "This Court has determined that Plaintiffs are not entitled to succeed on the merits of the underlying litigation and that

Plaintiffs have not presented serious questions on the merits," Lovell wrote in the 26-page decision. "No emergency exists. Plaintiffs have not shown that they are likely to suffer imminent, irreparable harm. "Finally, the public interest is not served by granting the interim relief requested." The lawsuit was brought by a variety of wildlife conservation groups, headed by the Western Watersheds Project and the Buffalo Field Campaign. The groups said that plans to capture and send to slaughter several hundred wild bison in and around Yellowstone National Park would cause "irreparable harm" to them and the environment, and the injunction was necessary to preserve their rights and interests. Representatives from those groups

couldn't be reached for comment late Wednesday.
Yellowstone National Park
was a defendant in the case and
Al Nash, park spokesman, said
while they haven't had time to
fully review the order, not having an injunction gives the park
service more latitude to deal
with bison that migrate out of
the park in winter searching for
food at lower elevations. He said
they've captured about 500
bison outside the park so far this
year, and are holding them at
two facilities, west and north of
the park's boundaries, where
they're being tested for exposure to brucellosis.
About 60 percent are testing
negative for the disease and
will be released back into the
park in the spring. Those that

More INJUNCTION, page 8A

Digital PBS coming to Helena

Montana Public Television has a plan to upgrade its analog over-the-air signal to digital, allowing the transmission of five separate program streams—including one in high-definition—on its chamnel.

First, Montana PBS plans to raise about \$50,000 for purchase and installation of digital transmission equipment.

Now, Helena viewers can watch Montana PBS over the air on Channel 49, Because that is a "translator" signal, it has not vet been required to convert to a digital signal as full-power stations have.

"We don't have cable or satellite TV in our home because frankly, except for PBS, most of the programming isn't worth it, and advertising is an amoyance, "Helena resident Christine Deveny wrote in a letter to Montana PBS. "With a converter box and rabbit ears attached to our 15-year-old TV, we are currently

able to receive clear digital sigmals from the major networks
and we long to be able to view
with equal clarity the terrific
commercial-free programs
Montana PBS offers."
Missoula, Billings, Great Falls
and Bozeman have the digital
signals with local origination.
Butte has a digital translator like
the one sough for Helena. Elsewhere in the state, a handful of
analog translators provide scattered over-the-air coverage.
Engineering plans are already
in place awaiting the funds, said
Montana PBS Development
Director Lisa Titus. She anticipated the project could be completed this year.
The digital signal enables
transmission of multiple program streams over one traditional channel. The Montana
PBS lineup includes its main
channel (in high-definition);
MontanaPBS Kids; MontanaPBS
Create, with programs on cooking, home PMILL mate 854

Bill would elect Supreme Court justices by region

By CHARLES S. JOHNSON

A Bozeman senator wants voters to change state law to elect or appoint Montana Supreme Court justices from seven regional districts instead of running statewide as they do now, but critics said it tries to solve a nonexistent problem. Senate Bill 268, by Sen. Joe Balyeat, R. Bozeman, would put the issue before voters in June 2012. As a statutory referendum, it won't go to Gov. Brian Schweitzer for his signature or veto if it passes both houses. Instead, it would go directly to the ballot. "Having a broad cross-section of Montanans serving in the Legislature brings multiple perspectives resulting in bal-

anced legislation," Balyeat told the House Judiciary Committee on Thursday, "Likewise, a Supreme Court similarly spread across Montana would reap the same benefits and reflect the diverse perspective favored by each local district."

He said it's not a good idea to have a court made up mostly of "folks with an winds the beltway! Helena mindset."

ATURE The court needs both the perspectives of the flatlanders from eastern Montana and the people from the mountains from western Montana. Chuck Denowh, representing United Property Owners of Montana, alandowners' group in central and eastern Montanana, said he looked back to



Craigslist

prostitution By ANGELA BRANDT independent Recon

Independent Record
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Independent Record
Two men face charges for soliciting prostitutes from a Missoula-based teenage prostitution ring on Craigalist.
Police cited Emmet McMahon, 28, of Boulder on Wednesday.
McMahon is set to appear today in Helena Municipal Court on the misdemeanor charge, which alleges he used a Craigalist listing to set up an exchange of money for sex at a Helena hotel room in May.
Keith Reimund, a 45-year-old Helena man, also was cited for soliciting a prostitute. He allegedly used Craigalist to set up a rendezvous with a teenage prostitute at an RV park in May, according to Helena Police Chief Troy McGee. Reimund is slated for an initial appearance in Justice Court on Monday.
The men are each facing a fine of up to \$1,000 and a jail sentence of up to a year.
McMahon and Reimund are added to the list of about a dozen other men in the Missoula area who have been cited for misdemeanor prostitution charges stemming from a ring run by two men.
One of those men — Anthony Fazzington — was sentenced

men.
One of those men — Anthony
Brazington — was sentenced
Tuesday in District Court to 10
years with six suspended for
posting ads in the "casual
encounters" section of the
online classified ad site. Brazington pleaded guilty in January

More CRAIGSLIST, page 6A

Helena man accused of holding woman hostage

By ANGELA BRANDT Independent Record

Police arrested a 30-year-old Helena man Wednesday on two felony charges of intimidation for allegedly holding an ex-girl-ined hostage for two days. Grant M. Kopp allegedly threatened the woman in order to keep her in an apartment, according to documents filed in Justice Court. Kopp is accused of pointing a handgun with a round in the chamber at her head and telling her if she tried to leave again he would kill her. Court documents state the incident began Tuesday morning when Kopp reported by grabbet he woman to the he woman told police Kopp "would not let her leave the residence at any time from the point of the assault occurred until she escaped." Kopp is accused of taking her phone and cell phone, making it impossible for her to contact anyone for help. He also faces two charges of tampering with or extraction, and the search of the contact anyone for help. He also faces two charges of tampering with or destruction of a communication device and one count of unlawfurstraint, all misdemeanors.

At one point Tuesday night, the woman was able to escape and ran toward the Law Enforcement Center, but Kopp allegedly caught up with her and took her back to the residence.

Bond was set at \$50,000, which Kopp posted Thursday night.

TodayInHistory

DailyHoroscope

(March 21 to April 19) (March 21 to April 19) Conversations with others, especially sib-lings and neighbors, are particularly positive today. It's also a great day to sell, market, teach, write or promote anything. You're in the zone!

CANCER
(June 21 to July 22)
You feel quietly contented today. You're athome with yourself in your own skin, as it were. Opportunities to help others will be rewarding for you. Life feels good.

LEO
(July 23 to A.

(July 23 to Aug. 22)
(July 23 to Aug. 22)
Meetings and group
activities are very positive today. This is a good
time to join with others
to achieve your objectives. Make it a win-win
situation.
VIROO
(Aug. 23 to Sept. 22)

VIROO
(Aug. 23 to Sept. 22)
It's easy to impress
bosses and authority figures today. They see you
as popular, wellreceived and successful,
just coast on this! How
can you lose?

LIBRA
(Sept. 22 to Cet. 23)

can you lose? LIBRA
(Sept. 23 to Oct. 22)
Grab every opportunity to travel today. You're
very keen to broaden
your horizons and
explore more of life.
Publishing, the media,
medicine and the law
also are blessed today.
SOORPO
(Oct. 23 to Nov. 21)
This is an excellent
day to talk about inheritances, taxes, debt and
anything that you share
with others. Decisions
that are made will be in
your favor. Share the
wealth! SAGITTARIUS

(Nov. 22 to Dec. 21)
It's easy to deal with
partners, close friends
and members of the
public. You feel charming, expansive and
warmhearted to everyone. It's a good day for
sales!

CAPRICORN (Dec. 22 to Jan. 19) (Dec. 22 to Jan. 19)
Co-workers are sup-portive of you today.
You can count on their help. Band together with others to achieve your objectives. Work-relat-ed travel is likely.
AQUARIUS
(Jan. 20 to Feb. 18)

AQUARIUS

(Jan. 20 to Feb. 18)
This is a fun-loving
day! Enjoy the theater,
the arts, musical performances, sports and
playful activities with
children. Romance and
love affairs are particularly blessed.
PISCES
(Feb. 19 to Mana-

PİSCES
(Feb. 19 to March 20)
Entertain at home
today. İnvite the gang
over. This is a wonderful
day for real estate deals.
You feel happy and
blessed. Gatherings at
home to promote learning or worship will
inspire you.

inspire you.

YOU BOOK TODAY

YOU have a shrewd and excellent understanding of people, which makes you successful at organizing others. You also know how to charm everyone. You're very modern and ahead of your time in many ways. You have excellent taste, but you don't like anything phony. In the next year something you've been involved with for about nine years will finish or diminish in order to make room for something new.

AreaDeaths

Henry Allen 'Al' Street

Henry Allen 'Al' Street
BUTTE - Surrounded
by his loving familly, Henry
Allen 'Al' Street, 72,
passed away peacefully at his home on Thursday,
March 10, following a courageous battle with
melanoma,
Al was born in Lancaster, Calif., on june 16, 1938,
the eldest child of Henry
"Hank" and Thelma
(Smith) Street. The Street
family moved back to the
Butte area when Al was a
small child.
In Al's early work career
he worked for a gas station
and delivered,
groceries while
attending

school, Al was a varsity foot-ball player and

ball player and was proud to be a Golden "B." After graduating high school, he worked for P&S and then went into the active Army. He was only in the Army for six months because he could not wait to get back home and marry his high-school sweetheart and love of his life, Annette (Williams) Street. Al and Annette were married on Oct. 13, 1957, in Butte. From their 53-year marriage, Al and Annette were blessed with four daughters: Teri, Rhetfour daughters: Te



ta, Mickey and Denice. Al worked for another 12 ½ years at F&S until the company sold out. He

the company sold out. He mainly worked in the construction industry where his family always stayed by his side, and Al made their family residences a special home. They lived all over Montana, including many small rural towns, East Helena for 23 years, Wise River for a 15 years, and then back to his true home of Butte. Al worked for Janney Construction for 13 years, Mergenthaler's, Capital Ford and Montana Tunnels until he retired.

tana Tur retired.

retired.

Al was always a very hard worker, and there were not many challenges that he did not conquer, including this challenge. He did acknowledge that he never jumped from a perfectly good airplane, but he did take the challenge of riding a hull

but he did take the chal-lenge of riding a bull (once).
Al enjoyed his special vacations, but especially his fishing trips to Alaska and Canada. Al was an

avid hunter and was always willing to help oth-ers get their elk. He was able to hunt for two years longer than expected and passed on even more of his hunting skills to his grand-children. Al was also an avid bowler and outstand-ing coach. Some of Al's favorite times were hunting coach. Some of Al's favorite times were hunting and fishing with his grandchildren, and watching sports – especially wrestling. A few years ago his Uncle Jim asked if he wanted his old golf clubs and he said no, then he got to thinking about it and decided why not, it would give him something to do. Then the monster was created. Golf became a passion of his, and he thoroughly enjoyed golfing

bughly enjoyed golfing with family and friends. During his entire life he had many lifelong friends who remained close had many lifelong friends who remained close throughout the years and especially during his illness. His precious friends include, but are certainly not limited to, Al Martini, Don Lemke, Donny O'Neil, Gary Dunfee, John Sprunger, Leroy Gerry, Pete Enrooth, Ron Lowney, Sam Lindquist and many, many others. He received phenomenal care from his family, Rocky Mountain Hospice, Dr. Shawna Yates, nurse Jug Steiner and friend and

physician Dr. Ray Kauff-man

physician Dr. Ray Kauffman.

Al was preceded in death by his parents; his sister. Connie Wagenmann; his friend and uncle, lim Street; his Aunt Florence Street; and his mother-in-law, Lois Meier. He is survived by his wife, Annette; his daughters, Terit (Don' Kellogg, Rhetta Street, Mickey (Dean) Gregory, and Denice Street; his eight grandchildren, Jenny Freeman, Jasen Kellogg, Derek Burch, Nick Burch, 17. Street, Julie Street, Tra-achelle Gregory and Tony Gregory; his three great-grandchildren, Kalob Whaley, Kylee Whaley and Kristian Austin; his brother-in-law, Dan Wagenmann; cousins, Pat (Hoot) Gibson, Nancy (Dan) Sullivan, Bettyjim McLeod and Mary Jo Turner; numerous nephews and nices; and many other special four-legged friends.

A memorial service will be held at the new loca-

friends.

A memorial service will be held at the new location of Duggan & Dolan Mortuary at 1805 Meadowlark, Butte, on Saturday at noon. Visitations will be held from 11 a.m.

will be lied to noon. The family suggests that memorials be sent to the Butte Humane Society or Rocky Mountain Hospice.

Today is Friday, March 11, the 70th day of 2011. There are 295 days left in the year. Today's Highlight in Histo-

Today's Highlight in HistoTraday's Highlight in HistoTraday's Highlight in HistoTraday's Highlight in HistoTraday in History
Ton March 11, 1861, the Constitution of the Confederate States of America was adopted by the Confederate Congress in Montgomery, Ala.
On this date:
In 1810, French
Emperor Napoleon I was married by proxy to Archduchess Marie
Louise of Austria.
In 1888, the famous Blizzard of '88 began inundating the northeastern United States, resulting in some 400 deaths.

deaths.

In 1930, former President and Chief Justice William Howard Taft was buried in Arlington National Cemetery.

In 1941, President Franklin D. Roosevelt signed the Lend-Lease Bill, providing war supplies to countries fighting the Asia.

In 1942, as Japanese forces continued to advance in the Pacific during World War JI, Gen. Douglas MacArthur left the Philippines for Australia. (MacArthur, who subsequently ovowed, "I shall return," kept that promise more than 21/2 years later.) In 1959, the Lorraine Hansberry drama "A Raisin in the Sun" opened at New York's Ethel Barrymore Theater. In 1965, the Rev. James J. Reeb, a white minister from Boston, died after being beaten by whites during civil rights disturbances in Selma, Ala.

In 1977, more than 130 hostages held in Washington, D.C., by Hanafi Muslims were freed after ambassadors from three Islamic nations joined the negotiations.

In 1985, Mikhall S. Milland Gorbachev was chosen, a to succeed the late Soviet President Konstantin U. Chernenko.

In 2004, 10 bombs exploded in quick succession across the commuter and network in Madrid, Spain, killing 191 people and wounding more than 2,000 in an artack linked to al Qatda-inspired militants.

Tenpars ager. Masked Zapatist ar belieb urged passage of an Indian rights bill after riding triumphantly into the leart of Mexico's capital in a march supported by the president and wel-comed by 75,000 cheerings supporters.

the president and welcomed by 75,000 cheering supporters.

Five year agor Former
Serb leader Slobodan
Milosevic was found
Milosevic was found
Head of a heart attack in
his prison cell in the
Netherlands, abruptly
ending his four-year
U.N. war crimes trial for
orchestrating a decade
of conflict that had killed
a quarter of a million
people; he was 64.

On year agor A federal
appeals court in San
Francisco upheld the use
of the words "mider God"
in the Pledge of Allegiance and "in God We
Trust" on U.S. curreny.
Today's Bithdays: Media
in So. ABC News corespondent Sam Donaldson is 77. Supreme
Court Justice Antonin

spondent Sam Donald-son is 77. Supreme Court Justice Antonin Scalia is 75. Thought for Today: "There are some people with leave impressions not so lasting as the imprint of an oar upon the water." — Kate Chopin, American writer (1851–1904).





Paddy Jo Damschen

Paddy Jo Damschen (Kvande) passed away unexpectedly Tuesday, March 8, 2011, from a heart attack. A loving mother, grandmother, wife, daughter, sister, auni and friend was taken from us too soon.

wife, daughter, sister, aunt and friend was taken from us too soon.
Paddy was born on Aug. 24, 1950, in Havre to Trygve and Tracy Kvande. She graduated from Havre High School in 1968 and from Montan State University in 1972, with a BS degree in microbiology. She married Barry Damsothee for Sept. 12, 1970, in Havre. After graduation they moved to Omaha, Neb., where Paddy worked in a lab doing cancer research. They moved to Helena in 1975. She worked as a payroll clerk for the state until her son Ryan was born on Oct. 22, 1977. On March 31, 1980, daughter Carrie was born. Paddy's greatest joy was spending time with her children. She also loved



going to her kids' sport-

waterskiing, snow skiing, camping at the lake, going to Bobcat

Damschen gioing to her kids' sport-ing events. Paddy never missed one of Carrie or Ryan's games or track meets throughout their entire lives. Her four grandchildren were the light of her life and filled her with more joy than she could have ever imagined. Paddy worked as the business manager for Damschen and Associates for 15 years. At the time of her death she worked as the office manager for Anderson Montgomery Engineering. She enjoyed spending time with family and friends. Many Thursdays were spent watching "Sur-vivors" with friends and Friday nights at Lakeside. Paddy lived for weekends at the lake with her family and friends, perfecting her hostess skills over the 11

years she lived at the lake. Paddy was a Girl Scout, a member of Soroptomist for many years, a member of Our Redeemer's Church and was a board member of the Bobeat Track and Field Association. Paddy is survived by husband, Barry Damschen of Helma; her son, Ryan (Tara) Damschen of Lynnwood, Wash.; daughter, Carrie (Freddy) Krepps of Helena; grandchildren, Morgan and Carson Damschen, and Ella and Sarah Krepps; mother, Tracy Kvande of Helena; sister, Sally (David) Chvil policiek of Havre; brother, Duane (Linda) Kvande of Longview, Wash.; brotherin-law, Jack McCracken of Port Orchard, Wash.; sister-in-law, Buck McCracken of Port Orchard, Wash.; sister-in-law, Beces and nephews; and her beloved dog, Reggle. She was preceded in death by her father, Trygve, and sisters, Joyce and Mancy.

A public viewing will be held on Sunday, March 13, at Retz Funeral Home between 4 and 6 p.m. Memorial services will be held at Our Redeemer's Lutheran Church on Monday, March 14, at 1 p.m. with burial services following at Forestvale Cemetery, A reception will follow the burial at Green Meadow Country Club. Memorials in Paddy's name can be sent to Hospole of St. Peter's Hospital or to Wells Fargo in care of the Paddy Damschen Memorial Track Scholar-ship Fund, which will be awarded to a Helena track and field athlete. To ofter condolences to the family or to share a memory of Paddy, please visit www.retzmeralhome.com. Paddy's warmth, kindness and giving spirit touched many lives. Her passing leaves us with a void in our hearts, but her spirit and legacy will live on forever.

BIG SKY CREMATIONS

Larry W. Scholz & Donna Amaro

We have two locations

Craigslist

to conspiracy to commit aggravated promotion of prostitution and conspira-cy to commit promotion of prostitution. The aggra-vated charge stems from the fact that three of the four girls involved were

younger than 18. The ages of all of the girls ranged from 16 to 19. His co-defendant, Richard Carpita, who was the ringleader of the crimes, received a 20-year sentence with 10 years suspended last month.





"In Our Care"

SATURDAY

SWINDLER, Betty A., 64, of Helena. A social gathering with the family receiving friends will be Saturday, March 12, from 1 to 3 p.m. at Anderson Stevenson Wilke Funeral Home. Placement of her cremated remains will be in Butte at a later date. Condolences may be sent to the family by visiting www.aswfuneral home.com.

TUESDAY

LeBRUN, Douglas G., 74, of Helena. A vigil service will be held at 7 p.m. Monday, March 14, at Our Lady of the Valley Catholic Church. Funeral Mass will be to a.m. Tuesday, March 15, at Our Lady of the Valley Catholic Church. Burlal will be in Ronan Cemetery in Ronan. Condolences may be sent to the family by visiting www.aswfuneralbome.com.

erson Wilke Stevenson Funeral Home 442-8520

TWICHEL FUNERAL & CREMATION SERVICE 314 N. Rodney Street

East Helen 227-2241 www.bigskyfunerals.com
'Be Comfortable with Paying Less

SATURDAY Cremation Service, 314 N. Rodney, Helena.

BYKONEN, Betty, 69, of Helena, services will be 2 p.m. Saturday, March 12, at Twichel Funeral &

Big Sky Cremations 227-2241 Retz Funeral Home

Chris Holt 406-442-1550

CLOSE, Linda Lee, 62, of Helena. A celebration of life for Linda will be held at 9, m., today, March 11, at the Banquet Room on the second floor of the Helena Regional Airport. To offer condolences to the family or to share a memory of Linda Lee, please visit www.retzfuneralhome.com.

MONDAY

DAMSCHEN, Paddy J.,
60, of Helena. Family will
receive friends from 4 to
6 p.m. Sunday, March 13,
at Retz Funeral Home.
Funeral services will be
held at 1 p.m. Monday,
March 14, at Our
Redeemer's Lutheran
Church with interment to
follow at Forestvale
Cemetery. A reception

www.retzfuneralhome.com
will be held at the Green
Meadow Country Club,
2720 Country Club Ave.,
following graveside seryices. Memorials in
Paddy's name can be sent
to Hospica of 5t. Peter's
Hospital or to Wells
Fargo in care of the Paddy
Damschen Memorial
Track Scholarship Fund,
which will be awarded to
a Helena track and field
athlet. To offer condolences to the family or to
share a memory of Paddy,
please visit www.
retzfuneralhome.com.

Retz Funeral Hon

mic Myrna Loy Cen THE COMPANY MEN (R) 7:00 - 9:00pm HINACKS MN (R) 9:15p