

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
55th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON APPROPRIATIONS

Call to Order: By **CHAIRMAN TOM ZOOK**, on January 14, 1997, at 3:00 p.m., in Room 312.

ROLL CALL

Members Present:

Rep. Tom Zook, Chairman (R)
Rep. Edward J. "Ed" Grady, Vice Chairman (Majority) (R)
Rep. Joe Quilici, Vice Chairman (Minority) (D)
Rep. Beverly Barnhart (D)
Rep. Ernest Bergsagel (R)
Rep. John Cobb (R)
Rep. Roger DeBruycker (R)
Rep. Gary Feland (R)
Rep. Don Holland (R)
Rep. John Johnson (D)
Rep. Royal C. Johnson (R)
Rep. Betty Lou Kasten (R)
Rep. Bob Keenan (R)
Rep. Matt McCann (D)
Rep. William T. "Red" Menahan (D)
Rep. Ray Peck (D)
Rep. Steve Vick (R)
Rep. William R. Wiseman (R)

Members Excused: None.

Members Absent: None.

Staff Present: Clayton Schenck, Legislative Fiscal Division
Marjorie Peterson, Committee Secretary

Committee Business Summary:

Hearing: HB 84, HB 110
Executive Action: HB 110 DO PASS, FAILED

HEARING ON HB 84

Sponsor: REP. SAM KITZENBERG, HD 96, GLASGOW, opened the hearing on HB 84, "An Act Appropriating \$45,000 from the Accommodation Tax Special Revenue Fund for Establishment of the Fort Peck - Northeastern Montana Interpretive Center."

Rep. Kitzenberg explained the proposed Fort Peck Interpretive Center which would be significant in regards to paleontological, prehistoric, archaeological, historic, and natural treasures found in northeastern Montana. Rep. Kitzenberg offered an amendment to HB 84.

{Tape: 1; Side: A; Approx. Tape Counter: 1.4.}

Proponents:

Jeff Younkin, Immediate Past President, Chamber of Commerce, Glasgow. Mr. Younkin said the interpretive center at Fort Peck would bring in increased tourism to that part of the state.

EXHIBIT 1.

{Tape: 1; Side: A; Approx. Tape Counter: 5.8.}

Bernard Sullivan, Valley County Historical Society, Glasgow.

EXHIBIT 2.

{Tape: 1; Side: A; Approx. Tape Counter: 7.9. }

Larry Mires, Valley County Resource Management Council of Lower Missouri River, Glasgow. Mr. Mires testified that the interpretive center would be an educational facility as well, becoming self-supporting upon completion. The Corps of Engineers would be involved in this project.

{Tape: 1; Side: A; Approx. Tape Counter: 8.8.}

Dr. David Gregory, Retired Physician, Glasgow. Dr. Gregory talked about the center generating tourist dollars into the area, although it still is in the beginning planning stages.

{Tape: 1; Side: A; Approx. Tape Counter: 13.4.}

Opponents:

Brian Cockhill, Director, Historical Society, Helena. Mr. Cockhill does not oppose the bill but does oppose the funding from his budget at this time.

{Tape: 1; Side: A; Approx. Tape Counter: 21.5.}

Questions From the Committee:

REP. JOE QUILICI

Rep. Quilici asked Rep. Kitzenberg how the money would be used.

{Tape: 1; Side: A; Approx. Tape Counter: 24.2. }

REP. BETTY LOU KASTEN

Rep. Kasten asked Clayton Schenck, Legislative Fiscal Analyst, about reversions.

{Tape: 1; Side: A; Approx. Tape Counter: 25.3.}

REP. RED MENAHAN

Rep. Menahan questioned Mr. Cockhill.

{Tape: 1; Side: A; Approx. Tape Counter: 27.6.}

REP. JOHN JOHNSON

Rep. Johnson questioned Dr. Gregory about the Corps of Engineers responsibility in this project.

{Tape: 1; Side: A; Approx. Tape Counter: 29.1.}

REP. STEVE VICK

Rep. Vick questioned Mr. Cockhill about the process the Historical Society uses to determine how their money is spent.

{Tape: 1; Side: B; Approx. Tape Counter: 0.1.}

Rep. Vick questioned Rep. Kitzenberg where the money would come from for this project.

{Tape: 1; Side: B; Approx. Tape Counter: 2.0.}

REP. ROGER DEBRUYCKER

Rep. DeBruycker asked Rep. Kitzenberg about funding for upkeep and maintenance of the center.

{Tape: 1; Side: B; Approx. Tape Counter: 4.6.}

REP. TOM ZOOK

Rep. Zook asked Rep. Kitzenberg to explain the Drumheller project in Alberta, Canada, that this project is emulated after.

{Tape: 1; Side: B; Approx. Tape Counter: 6.1.}

REP. BETTY LOU KASTEN

Rep. Kasten asked Clayton Schenck about reversions, permanent statutory appropriations and permanent authority.

{Tape: 1; Side: B; Approx. Tape Counter: 9.7.}

Closing by Sponsor:

REP. KITZENBERG closed the hearing on HB 84.

HEARING ON HB 110

Sponsor: **REP. EMILY SWANSON, HD 30, BOZEMAN**, opened the hearing on HB 110, Authorizing Issuance of Loans to Department of Justice for Natural Resource Damage Litigation in Clark Fork River Basin. EXHIBIT 3.

{Tape: 1; Side: B; Approx. Tape Counter: 16.5.}

Proponents:

Joe Mazurek, Attorney General, Helena.

Attorney General Mazurek distributed a background sheet on HB 110. EXHIBIT 4.

{Tape: 1; Side: B; Approx. Tape Counter: 20.1.}

Judy Browning, Chief of Staff and Legal Counsel, Governor's Office, Helena.

Ms. Browning explained the legal process in this litigation.

{Tape: 1; Side: B; Approx. Tape Counter: 28.0.}

Bob Lane, Chief Legal Counsel, Department of Fish, Wildlife and Parks, Helena.

Mr. Lane offered written testimony. EXHIBIT 5.

{Tape: 2; Side: A; Approx. Tape Counter: 1.0.}

Geoffrey Smith, Clark Fork-Pend Oreille Coalition, Missoula.

Mr. Smith offered written testimony. EXHIBIT 6.

{Tape: 2; Side: A; Approx. Tape Counter: 2.9.}

Opponents:

John Fitzpatrick, Pegasus Gold, Helena.

Mr. Fitzpatrick offered written testimony. EXHIBIT 7.

{Tape: 2; Side: A; Approx. Tape Counter: 7.1.}

Angela Janacaro, Montana Mining Association, Helena.

{Tape: 2; Side: A; Approx. Tape Counter: 16.6.}

Questions From the Committee:

REP. MENAHAN

{Tape: 2; Side: A; Approx. Tape Counter: 17.1.}

REP. PECK

{Tape: 2; Side: A; Approx. Tape Counter: 17.5.}

REP. QUILICI

Rep. Quilici questioned Robert Collins, Supervising Assistant Attorney General, Natural Resource Damage Program, Department of Justice, Helena.

{Tape: 2; Side: A; Approx. Tape Counter: 20.9.}

REP. COBB

{Tape: 2; Side: A; Approx. Tape Counter: 25.6.}

REP. GRADY

Rep. Grady questioned Sandy Stash, Manager for ARCO in Montana, about ARCO's cleanup costs.

{Tape: 2; Side: A; Approx. Tape Counter: 26.9.}

REP. MENAHAN

Rep. Menahan questioned Ms. Stash about ARCO.

{Tape: 2; Side: A; Approx. Tape Counter: 30.0.}

Reps. Menahan, Bergsagel, Peck, Royal Johnson, Wiseman, Kasten and Feland questioned Ms. Stash and Attorney General Mazurek about the natural resource damages and litigation.

{Tape: 2; Side: B; Approx. Tape Counter: 1.4.}

Rep. Swanson closed the hearing on HB 110.

{Tape: 3; Side: A; Approx. Tape Counter: 0.3.}

EXECUTIVE ACTION ON HB 110

Motion: REP. QUILICI MOVED HB 110 DO PASS.

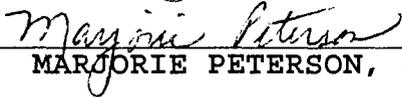
Vote: MOTION THAT HB 110 DO PASS failed 8 - 9 on a roll call vote with REPS. BERGSAGEL, COBB, DEBRUYCKER, FELAND, HOLLAND, ROYAL JOHNSON, KASTEN, KEENAN and VICK voting no. EXHIBIT 8.
{Tape: 3; Side: A; Approx. Tape Counter: 0.9.}

ADJOURNMENT

Adjournment: 5:40 p.m.



REP. TOM ZOOK, CHAIRMAN



MARJORIE PETERSON, SECRETARY

TZ/mp