

MINUTES

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

COMMITTEE ON APPROPRIATIONS

Call to Order: By **CHAIRMAN TOM ZOOK**, on January 23, 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 3, HB 178, HB 223
Executive Action: HB 4 DO PASS AS AMENDED, HB 9
DO PASS AS AMENDED, HB 10 DO
PASS AS AMENDED, HB 12 DO PASS
AS AMENDED

HEARING ON HB 223

Opening Statement by Sponsor:

REP. DOROTHY SIMPSON, HD 61, Florence, opened the hearing on HB 223, An act appropriating funds to the Department of Public Health and Human Services for use by the Office of Aging in the

provision of information services and to support long-term care ombudsman. REP. SIMPSON handed out letters from her constituents in support of HB 223. **EXHIBIT 1.**

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

Proponents:

Cindy Johnson Stevick, Formerly Employed by Area IV Agency on Aging. She handed in her written testimony. **EXHIBIT 2.**

{Tape: 1; Side: A; Approx. Tape Counter: 8.2.}

Susie Bever, Lewistown.

{Tape: 1; Side: A; Approx. Tape Counter: 17.1.}

Candace Bowman, Lewistown.

{Tape: 1; Side: A; Approx. Tape Counter: 23.4.}

Geri Burnett, Roundup. She offered her written testimony, including copies of forms to fill out for Medicare. **EXHIBIT 3.**

{Tape: 1; Side: A; Approx. Tape Counter: 25.8.}

Irvin Hutchison, Chester.

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

Melissa Case, United Health Care Union, Missoula.

{Tape: 1; Side: B; Approx. Tape Counter: 7.4.}

Verner Bertelsen, Helena.

{Tape: 1; Side: B; Approx. Tape Counter: 8.4.}

Ferne Prather, Big Timber.

{Tape: 1; Side: B; Approx. Tape Counter: 9.1.}

Clyde Dailey, State Auditor's Office, Helena.

{Tape: 1; Side: B; Approx. Tape Counter: 12.3.}

Susan Kunda, Kalispell.

{Tape: 1; Side: B; Approx. Tape Counter: 13.6.}

Hal Stearns, Helena.

{Tape: 1; Side: B; Approx. Tape Counter: 16.4.}

Sheryl Meica, Butte.

{Tape: 1; Side: B; Approx. Tape Counter: 16.9.}

Fergus County Council on Aging submitted their support and information on HB 223. **EXHIBIT 4.**

Evelyn Havskjold, Director, Hill County Council on Aging, Havre, sent a fax in support of HB 223. **EXHIBIT 5.**

Opponents:

None.

Questions From the Committee:

REP. RAY PECK wanted the committee to know that the Legacy Legislature also supports this bill.

{Tape: 1; Side: B; Approx. Tape Counter: 18.6.}

Closing by Sponsor:

REP. SIMPSON closed the hearing on HB 223.

{Tape: 1; Side: B; Approx. Tape Counter: 25.0.}

HEARING ON HB 3Opening Statement by Sponsor:

REP. TOM ZOOK, HD 3, Miles City, opened the hearing on HB 3, An act appropriating money to various state agencies for fiscal year ending June 30, 1997, often called the "supplemental bill." REP. ZOOK distributed two letters, one from the Legislative Fiscal Division on Subcommittee Recommendations and one from Clayton Schenck, Legislative Fiscal Analyst. Mr. Schenck explained the two exhibits. EXHIBITS 6, 7.

{Tape: 1; Side: B; Approx. Tape Counter: 27.3.}

The order of this hearing dealt with each section of the bill separately with proponents, informational testimony, and committee questions taken at each section.

Proponents and Questions from the Committee:

REP. ED GRADY explained the subcommittee's recommendations for the Department of Revenue. Mary Bryson, Director, Department of Revenue, Helena.

{Tape: 1; Side: B; Approx. Tape Counter: 29.9.}

REP. ROGER DEBRUYCKER explained the subcommittee's recommendations for the Department of Natural Resources and Conservation. Bob Kuchenbrod, Department of Natural Resources and Conservation, Helena, handed out an explanation of fire costs for the supplemental bill. EXHIBIT 8.

{Tape: 2; Side: A; Approx. Tape Counter: 5.2.}

REP. ROGER DEBRUYCKER explained the subcommittee's recommendations for the Department of Environmental Quality. Judy Hanson, Department of Environmental Quality, Helena.

{Tape: 2; Side: A; Approx. Tape Counter: 7.6.}

REP. ROGER DEBRUYCKER explained the subcommittee's recommendations for the Department of Livestock.

{Tape: 2; Side: A; Approx. Tape Counter: 9.3.}

REP. GARY FELAND explained the subcommittee's recommendations for the Department of Corrections. Rick Day, Director, Department of Corrections, Helena.

{Tape: 2; Side: A; Approx. Tape Counter: 10.6.}

REP. GARY FELAND explained the subcommittee's recommendations for Department of Military Affairs. Mike McCabe, Attorney, Department of Military Affairs, Helena.

{Tape: 2; Side: A; Approx. Tape Counter: 14.2.}

REP. ROYAL JOHNSON explained the subcommittee's recommendations for the School for the Deaf and Blind, Great Falls, in relation to a lawsuit against the school.

{Tape: 2; Side: A; Approx. Tape Counter: 19.4.}

Opponents:

None.

Questions From the Committee:

{Tape: 2; Side: A; Approx. Tape Counter: 23.1.}

Closing by Sponsor:

REP. ZOOK closed the hearing on HB 3.

HEARING ON HB 178

Opening Statement by Sponsor:

REP. JOHN COBB, HD 50, Augusta, opened the hearing on HB 178, An act creating a general fund budget stabilization and cash reserve fund, providing for funding from excess ending general fund balance; appropriating the reserve fund for certain designated use, limiting the amount in the fund, providing that excess amounts be used to reduce state equalization aid levy.

{Tape: 2; Side: A; Approx. Tape Counter: 28.3.}

Proponents:

None.

Opponents:

Dave Lewis, Director, Office of Budget and Program Planning, Governor's Office, Helena.

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

Questions From the Committee:

None.

Closing by Sponsor:

REP. COBB closed the hearing on HB 178.

EXECUTIVE ACTION ON HB 4

Motion: REP. RED MENAHAN moved HB 4 Do Pass.

{Tape: 2; Side: B; Approx. Tape Counter: 6.4.}

Motion/Vote: REP. GRADY moved HB 4 Amendment HB4-2amd, dated January 22, 1997 Do Pass. Motion carried 17 - 1 with REP. BERGSAGEL voting no.

Motion/Vote: REP. GRADY moved HB 4 Amendment HB4-amd, dated January 16, 1997 Do Pass. Motion carried 15 - 3 with REPS. DEBRUYCKER, BERGSAGEL, and KASTEN voting no.

Motion/Vote: REP. QUILICI moved HB 4 Do Pass As Amended. Motion carried unanimously.
{Tape: 2; Side: B; Approx. Tape Counter: 13.2.}

EXECUTIVE ACTION ON HB 10

Motion: REP. BERGSAGEL moved HB 10 Do Pass.
{Tape: 2; Side: B; Approx. Tape Counter: 13.6.}

Motion/Vote: REP. QUILICI moved HB 10 Amendment HB001001.anl, dated January 18, 1997, Do Pass. Motion carried unanimously.

Motion/Vote: REP. QUILICI moved HB 10 Amendment HB10amd2.wpd, dated January 23, 1997, Do Pass. Motion carried unanimously.

Motion/Vote: REP. KASTEN moved HB 10 Amendment HB001002.anl, dated January 22, 1997, Do Pass. Motion carried unanimously.

Motion/Vote: REP. COBB moved HB 10 Amendment HB001004.anl, dated January 22, 1997, Do Pass. Motion failed 8 - 10 on a roll call vote with REPS. BERGSAGEL, HOLLAND, JOHN JOHNSON, ROYAL JOHNSON, KEENAN, MENAHAN, PECK, QUILICI, WISEMAN and CHAIRMAN ZOOK voting no.

Motion/Vote: REP. COBB moved HB 10 Amendment HB001003.anl, dated January 22, 1997, Do Pass. Motion carried 11 - 7 on a roll call vote with REPS. GRADY, BERGSAGEL, HOLLAND, ROYAL JOHNSON, VICK, WISEMAN and CHAIRMAN ZOOK voting no.

Motion/Vote: REP. MENAHAN moved HB 10 Do Pass As Amended. Motion carried unanimously.
{Tape: 2; Side: B; Approx. Tape Counter: 29.6.}

EXECUTIVE ACTION ON HB 12

Motion: REP. QUILICI moved HB 12 Do Pass.
{Tape: 2; Side: B; Approx. Tape Counter: 30.7.}

Motion/Vote: REP. QUILICI moved HB 12 Amendment HB001201.amd, dated January 20, 1997, Do Pass. Motion carried unanimously.

Motion/Vote: REP. QUILICI moved HB 12 Do Pass As Amended. Motion carried unanimously.
{Tape: 3; Side: A; Approx. Tape Counter: 10.5.}

EXECUTIVE ACTION ON HB 9

Motion: REP. BERGSAGEL moved HB 9 Do Pass.
{Tape: 3; Side: A; Approx. Tape Counter: 11.1.}

Motion/Vote: REP. BERGSAGEL moved HB 9 Amendment HB000901.anl, dated January 13, 1997, Do Pass. Motion carried unanimously.

Motion: REP. KEENAN moved HB 9 Amendment HB000905.anl, dated January 23, 1997, Do Pass.

Discussion:

REP. KEENAN and other committee members discussed their objection to the legislature using general public tax dollars for cultural and art projects that are inappropriate for the general public. REP. KEENAN handed out an advertisement of a program that was for mature audiences only. EXHIBIT 9.

Arlyn Fishbaugh, Montana Arts Council, Helena, stated the Arts Council would need the advice and guidance of the legislature to tell them the guidelines of programs that were rated for mature audiences only. She submitted an explanation from the Montana Repertory Theatre. EXHIBIT 10.

CHAIRMAN ZOOK stated that he had been involved in other arts grants hearings and was never told the legislature was supporting grants for limited audiences, such as programs for mature audiences only.

{Tape: 3; Side: A; Approx. Tape Counter: 21.9.}

Vote: Motion that HB 9 Amendment HB000905.anl Do Pass carried 14 - 4 with REPS. MENAHAN, QUILICI, JOHN JOHNSON, and BARNHART voting no.

Motion/Vote: REP. BARNHART moved HB 9 Amendment HB000904.anl, dated January 21, 1997 Do Pass. Motion failed 8 - 9 on a roll call vote with REPS. BERGSAGEL, COBB, FELAND, HOLLAND, KASTEN, KEENAN, MCCANN, WISEMAN and CHAIRMAN ZOOK voting no.

Motion/Vote: REP. BERGSAGEL moved HB 9 Amendment HB000902.anl, dated January 18, 1997, Do Pass. Motion carried unanimously.

Motion/Vote: REP. GRADY moved HB 9 Amendment HB9000903.anl, dated January 21, 1997, Do Pass. Motion failed 8 - 9 on a roll call vote with REPS. BERGSAGEL, COBB, HOLLAND, KASTEN, KEENAN, MCCANN, VICK, WISEMAN and CHAIRMAN ZOOK voting no.

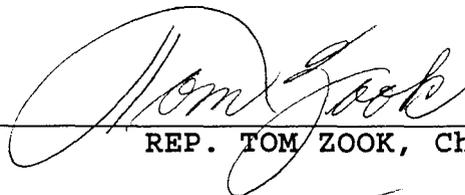
Motion/Vote: REP. DEBRUYCKER moved HB 9 Amendment HB000906.anl, dated January 23, 1997, Do Pass. Motion carried 12 - 5 on a roll call vote with REPS. BERGSAGEL, COBB, KASTEN, VICK, and WISEMAN voting no.

Motion/Vote: REP. BERGSAGEL moved HB 9 Do Pass As Amended. Motion carried 13 - 4 with REPS. VICK, KEENAN, ROYAL JOHNSON and COBB voting no.

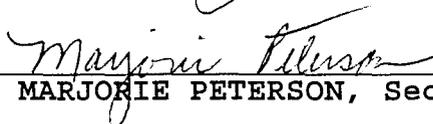
{Tape: 3; Side: B; Approx. Tape Counter: 31.4.}

ADJOURNMENT

Adjournment: 5:40 p.m.



REP. TOM ZOOK, Chairman



MARJORIE PETERSON, Secretary

TZ/MP