

MINUTES

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

COMMITTEE ON APPROPRIATIONS

Call to Order: By **CHAIRMAN TOM ZOOK**, on February 19, 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 166, HB 378, HB 398
Executive Action: HB 217 DO PASS AS AMENDED

HEARING ON HB 166

Opening Statement by Sponsor:

REP. TOM ZOOK, HD 3, Miles City, opened the hearing on HB 166, An act generally revising and clarifying statutes containing statutory appropriations and dedications of revenue, removing the statutory appropriation of certain funds, providing for the deposit of certain funds in the state general fund rather than the special revenue fund. **REP. ZOOK** submitted a summary of LFC

De-earmarking Recommendations, Attachment A, and a summary of LFC Statutory Appropriation Recommendations, Attachment B, dated November 22, 1996. **EXHIBIT 1.**

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

Proponents:

Beth Baker, Assistant Chief Deputy Attorney General, Department of Justice, Helena. Ms. Baker submitted information on the Antitrust Revolving Account and a suggested amendment to HB 166. **EXHIBITS 2, 3.**

{Tape: 1; Side: A; Approx. Tape Counter: 5.7.}

Will Kissinger, Department of Agriculture, Helena.

{Tape: 1; Side: A; Approx. Tape Counter: 9.8.}

Opponents:

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

{Tape: 1; Side: A; Approx. Tape Counter: 10.6.}

Informational, Proponent, and Opponent:

Peter Blouke, Director, Department of Commerce, Helena.

{Tape: 1; Side: A; Approx. Tape Counter: 11.8.}

Opponents:

Dan Pouliot, Director, Montana Telecommunications Access Program, Department of Public Health and Human Services, Helena. Mr. Pouliot submitted charts of the Revenue and Expenditure Summary Fiscal Years 1990 through 1999. **EXHIBIT 4.**

{Tape: 1; Side: A; Approx. Tape Counter: 17.3.}

Harry Helton, Gold West Country, Inc., Butte. Mr. Helton submitted a letter signed by the Gold West Country Executive Board in opposition to removing the accommodations tax from HB 166. **EXHIBIT 5.**

{Tape: 1; Side: A; Approx. Tape Counter: 21.8.}

REP. BOB PAVLOVICH, HD 37, Butte.

{Tape: 1; Side: A; Approx. Tape Counter: 23.7.}

Jerry Driscoll, Montana Building and Construction Trades.

{Tape: 1; Side: A; Approx. Tape Counter: 24.5.}

Betsy Baumgart, Volunteer, Governor Tourism Council, Helena.

{Tape: 1; Side: A; Approx. Tape Counter: 26.3.}

Joe Brand, Veterans of Foreign Wars.

{Tape: 1; Side: A; Approx. Tape Counter: 27.7.}

Riley Johnson, Air Transport Association of America. Mr. Johnson submitted a copy of the airline carriers number of departures and seats per city. **EXHIBIT 6.**

{Tape: 1; Side: A; Approx. Tape Counter: 32.1.}

Pat O'Connell Anderson, Wolf Creek Bed and Breakfast, and Montana Bed and Breakfast Association. Ms. Anderson submitted her written testimony. **EXHIBIT 7.**

{Tape: 1; Side: A; Approx. Tape Counter: 35.4.}

Mark Barry, State Compensation Insurance Fund, Department of Administration, Helena. Mr. Barry submitted a copy of the percentage of Old Fund Liability Tax that goes to the general fund and a suggested amendment from the state fund.

EXHIBITS 8, 9.

{Tape: 1; Side: A; Approx. Tape Counter: 36.9.}

Jacqueline Lenmark, American Insurance Association.

{Tape: 1; Side: A; Approx. Tape Counter: 41.1.}

Chris Gallus, Montana Chamber of Commerce.

{Tape: 1; Side: A; Approx. Tape Counter: 42.4.}

Stuart Doggett, Montana Innkeepers Association.

{Tape: 1; Side: A; Approx. Tape Counter: 43.0.}

Ann Bauchman, Department of Natural Resources and Conservation, Helena.

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

Keith Colbo, Tourism Coalition. Mr. Colbo submitted a letter from Elmer Frame, Owner of El-Mar Missoula KOA Campground in Missoula, a letter from Jack Clarkson, President, Campground Owners Association of Montana, a letter from Randy Gayner, Glacier Wilderness Guides, and a letter from Edythe McCleary, Executive Director, Montana's Custer Country. **EXHIBITS 10, 11, 12, 13.**

{Tape: 1; Side: B; Approx. Tape Counter: 1.6.}

Moe Wospka, Kalispell Chamber of Commerce.

{Tape: 1; Side: B; Approx. Tape Counter: 4.9.}

Dave Smith, Executive Director, Bozeman Chamber of Commerce.

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

Carl Kochman, Governor's Council on Advertisers, Great Falls.

{Tape: 1; Side: B; Approx. Tape Counter: 7.5.}

Ken Hoovestall, Montana Snowmobile Association, Helena.

{Tape: 1; Side: B; Approx. Tape Counter: 9.6.}

Dick Baumberger, Veterans of Foreign Wars, Helena.

{Tape: 1; Side: B; Approx. Tape Counter: 10.3.}

Mike Hanshew, Department of Public Health and Human Services,
Helena.

{Tape: 1; Side: B; Approx. Tape Counter: 11.4.}

Jim Jacobsen, Montana Veterans Affairs Commission.

{Tape: 1; Side: B; Approx. Tape Counter: 11.9.}

Tony Herbert, Information Services Division, Department of
Administration, Helena.

{Tape: 1; Side: B; Approx. Tape Counter: 13.9.}

Questions From the Committee:

{Tape: 1; Side: B; Approx. Tape Counter: 14.9.}

Closing by Sponsor:

REP. ZOOK closed the hearing on HB 166.

{Tape: 1; Side: B; Approx. Tape Counter: 32.1.}

HEARING ON HB 378

Opening Statement by Sponsor:

REP. BILL RYAN, HD 44, Great Falls, opened the hearing on HB 378,
An act requiring the Department of Revenue to supply employees
who are appraisers with cellular phones, requiring appraisers to
pay cellular phone charges that exceed reimbursement limits,
except for emergency phone use.

{Tape: 1; Side: B; Approx. Tape Counter: 36.1.}

Proponents:

Pete Fontana, President, Federal Property Assessment Division,
Great Falls.

{Tape: 1; Side: B; Approx. Tape Counter: 39.2.}

Terry Minnow, Montana Federation of State Employees.

{Tape: 1; Side: B; Approx. Tape Counter: 43.4.}

Mary Bryson, Director, Department of Revenue, Helena.

{Tape: 1; Side: B; Approx. Tape Counter: 45.1.}

Opponents:

None.

Questions From the Committee:

{Tape: 2; Side: A; Approx. Tape Counter: 2.4.}

Closing by Sponsor:

REP. RYAN closed the hearing on HB 378.

{Tape: 2; Side: A; Approx. Tape Counter: 15.2.}

HEARING ON HB 398

Opening Statement by Sponsor:

REP. ROYAL JOHNSON, HD 10, Billings, opened the hearing on HB 398, An act generally revising the laws governing the lease with option to purchase for state buildings, providing timing for legislative approval, providing for a request for proposals process, exempting lease-purchase provisions from state construction contract requirements, revising appointment of architects for building lease projects, eliminating certain requirements concerning leases for buildings, removing the statutory provisions governing rent, approving the lease with option to purchase for specific buildings, creating a state debt.
{Tape: 2; Side: A; Approx. Tape Counter: 16.2.}

Proponents:

Debra Fulton, Administrator, General Services Division, Department of Administration, Helena. Ms. Fulton submitted her written testimony. EXHIBIT 14.
{Tape: 2; Side: A; Approx. Tape Counter: 27.7.}

Kathy Fabiano, Office of Public Instruction, Helena.
{Tape: 2; Side: A; Approx. Tape Counter: 34.9.}

David Scott, Legal Services, Department of Labor and Industry, Helena.
{Tape: 2; Side: A; Approx. Tape Counter: 37.2.}

Opponents:

Mike Casey, Executive Director, Helena Business Improvement District.
{Tape: 2; Side: A; Approx. Tape Counter: 38.3.}

Joe Kiely, Manager, Real Estate Buildings in Montana, Helena.
{Tape: 2; Side: A; Approx. Tape Counter: 41.7.}

Questions From the Committee:

{Tape: 2; Side: B; Approx. Tape Counter: 0.1.}

Closing by Sponsor:

REP. JOHNSON closed the hearing on HB 398.
{Tape: 2; Side: B; Approx. Tape Counter: 10.1.}

Additional Discussion on HB 398:

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

EXECUTIVE ACTION ON HB 217

Motion/Vote: REP. BERGSAGEL moved HB 217 Amendment HB0217001.agp Do Pass. Motion carried 15 - 3, with REPS. ROYAL JOHNSON, FELAND and PECK voting no.

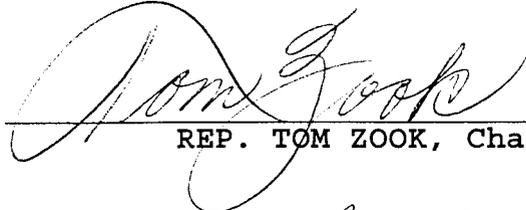
{Tape: 2; Side: B; Approx. Tape Counter: 22.0.}

Motion/Vote: REP. BERGSAGEL moved HB 217 Do Pass As Amended. Motion carried 12 - 6, with REPS. DEBRUYCKER, KEENAN, VICK, ROYAL JOHNSON, FELAND and PECK voting no.

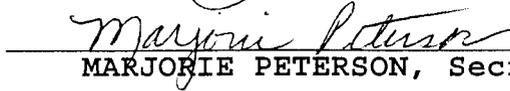
{Tape: 2; Side: B; Approx. Tape Counter: 25.0.}

ADJOURNMENT

Adjournment: 6:00 p.m.



REP. TOM ZOOK, Chairman



MARJORIE PETERSON, Secretary

TZ/mp