

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
55th LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: By CHAIRMAN TOM ZOOK, on March 21, 1997, at
8:00 a.m., in Room 312-2.

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 Analyst
Marjorie Peterson, Committee Secretary

Committee Business Summary:

Hearing: HB 600, HB 602, HB 605, HB 298
Executive Action: HB 244 TABLED, HB 366 TABLED,
HB 391 TABLED, HB 499 DO PASS,
HB 511 TABLED, HB 581 TABLED,
HB 583 TABLED, HB 588 TABLED,
HB 593 TABLED, HB 594 DO PASS,
SB 269 TABLED, SB 310 DO PASS

HEARING ON HB 605Opening Statement by Sponsor:

REP. BOB RANEY, HD 26, Livingston, opened the hearing on HB 605, An act prohibiting money that is deposited in the highway account in state special revenue fund and that is subject to Article VIII, Section 6 of the Montana Constitution from being transferred between programs. REP. RANEY submitted a sheet showing Program Transfers for the Construction Division of the Department of Transportation. EXHIBIT 1.
{Tape: 1; Side: A; Approx. Tape Counter: 0.1.}

Proponents:

None.

Opponents:

None.

Questions From the Committee:

{Tape: 1; Side: A; Approx. Tape Counter: 7.8.}

Closing by Sponsor:

REP. RANEY closed the hearing on HB 605.
{Tape: 1; Side: A; Approx. Tape Counter: 28.9.}

HEARING ON HB 602Opening Statement by Sponsor:

REP. KIM GILLAN, HD 11, Billings, opened the hearing on HB 602, An act providing for secure communities and safe schools, providing for and funding local government, community, and school programs for minors at risk of engaging in criminal activity.
{Tape: 1; Side: A; Approx. Tape Counter: 29.2.}

Proponents:

REP. DEB KOTTEL, HB 45, Great Falls.
{Tape: 1; Side: A; Approx. Tape Counter: 33.3.}

James Kembel, City of Billings.
{Tape: 1; Side: A; Approx. Tape Counter: 36.5.}

Don Merritt, Board of Crime Control Finance Officer, Department of Justice, Helena.
{Tape: 1; Side: A; Approx. Tape Counter: 37.7.}

Opponents:

None.

Questions From the Committee:

{Tape: 1; Side: A; Approx. Tape Counter: 39.3.}

Closing by Sponsor:

REP. GILLAN closed the hearing on HB 602.

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

HEARING ON HB 600Opening Statement by Sponsor:

REP. ERNEST BERGSAGEL, HD 95, Malta, opened the hearing on HB 600, An act directing the Department of Corrections to prepare and distribute requests for proposals for the privatization of management of main functions of the Montana State Prison at Deer Lodge and for the development of a boot camp incarceration program, including a boot camp incarceration program as a community corrections facility or program. REP. BERGSAGEL offered an amendment that would remove Montana State Prison from this bill.

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

Proponents:

SEN. CHRIS CHRISTIAENS, SD 23, Great Falls.

{Tape: 1; Side: B; Approx. Tape Counter: 2.1.}

Opponents:

Rick Day, Director, Department of Corrections, Helena. Mr. Day submitted a sheet showing the comparison costs of Louisiana prisons and an illustration depicting the institutional system. EXHIBITS 2, 3.

{Tape: 1; Side: B; Approx. Tape Counter: 3.2.}

Captain Michael O'Hara, Missoula County Jail Administrator, Missoula.

{Tape: 1; Side: B; Approx. Tape Counter: 18.2.}

Mike Mahoney, Warden, Montana State Prison, Deer Lodge.

{Tape: 1; Side: B; Approx. Tape Counter: 19.1.}

Mike Ferriter, Community Corrections Division, Department of Corrections, Helena.

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

Terry Minow, Montana Federal and State Employees.

{Tape: 1; Side: B; Approx. Tape Counter: 30.9.}

Dan Russell, former corrections officer.

{Tape: 1; Side: B; Approx. Tape Counter: 33.5.}

Sharon Hoff, Montana Catholic Conference. Ms. Hoff submitted an article on Prisons: America's newest growth industry.

EXHIBIT 4.

{Tape: 1; Side: B; Approx. Tape Counter: 44.8.}

Questions From the Committee:

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

Closing by Sponsor:

REP. BERGSAGEL closed the hearing on HB 600.
{Tape: 2; Side: B; Approx. Tape Counter: 7.4.}

EXECUTIVE ACTION ON HB 588

Motion/Vote: REP. DEBRUYCKER moved HB 588 Be Tabled. Motion carried unanimously.
{Tape: 2; Side: B; Approx. Tape Counter: 11.0.}

EXECUTIVE ACTION ON HB 594

Motion/Vote: REP. DEBRUYCKER moved HB 594 Do Pass. Motion carried unanimously.
{Tape: 2; Side: B; Approx. Tape Counter: 12.2.}

EXECUTIVE ACTION ON HB 511

Motion/Vote: REP. VICK moved HB 511 Be Tabled. Motion carried 17 - 1, with REP. WISEMAN voting no.
{Tape: 2; Side: B; Approx. Tape Counter: 13.2.}

EXECUTIVE ACTION ON HB 581 and 583

Motion: REP. KEENAN moved HB 581 and HB 583 Be Tabled. The committee asked to split them and vote on each bill separately.
{Tape: 2; Side: B; Approx. Tape Counter: 13.7.}

Motion/Vote: REP. COBB moved HB 581 Be Tabled. Motion carried unanimously.
{Tape: 2; Side: B; Approx. Tape Counter: 15.3.}

Vote: Motion that HB 583 Be Tabled carried 14 - 4, with REPS. MENAHAN, QUILICI, BARNHART, and COBB voting no.
{Tape: 2; Side: B; Approx. Tape Counter: 22.0.}

HEARING ON HB 298Opening Statement by Sponsor:

REP. ROYAL JOHNSON opened the hearing on HB 298, An act providing for two-year terms for members of the health care advisory council, providing that a member may serve three terms; extending the termination provision for the health care advisory council to the year 2001.
{Tape: 2; Side: B; Approx. Tape Counter: 22.5.}

Proponents:

GOVERNOR MARC RACICOT.
{Tape: 2; Side: B; Approx. Tape Counter: 24.1.}

Cindy Lewis, Chair, Health Care Advisory Council, Helena. Ms. Lewis submitted a pamphlet on Health Care in Montana: What Montana Legislators Should Know, a sheet showing health care expenditures, and facts about health care in Montana.

EXHIBITS 5, 6, 7.

{Tape: 2; Side: B; Approx. Tape Counter: 28.4.}

Laurie Ekanger, Director, Department of Public Health and Human Services, Helena.

{Tape: 2; Side: B; Approx. Tape Counter: 31.8.}

SEN. MIKE FOSTER, SD 20, Townsend.

{Tape: 2; Side: B; Approx. Tape Counter: 32.2.}

John Flynn, Montana Hospital Association. He also mentioned Jerry Loendorf would like to be listed as a proponent.

{Tape: 2; Side: B; Approx. Tape Counter: 34.9.}

Chuck Butler, Blue Cross Blue Shield of Montana.

{Tape: 2; Side: B; Approx. Tape Counter: 36.3.}

Opponents:

None.

Questions From the Committee:

{Tape: 2; Side: B; Approx. Tape Counter: 38.3.}

Closing by Sponsor:

REP. JOHNSON closed the hearing on HB 298.

{Tape: 3; Side: A; Approx. Tape Counter: 17.3.}

EXECUTIVE ACTION ON HB 366

Motion: REP. PECK moved HB 366 Do Pass.

{Tape: 3; Side: A; Approx. Tape Counter: 23.5.}

Discussion:

REP. PECK submitted a letter from Stuart Knapp, Interim Deputy Commissioner for Academic Affairs, Montana University System, dated February 19, 1997. EXHIBIT 8.

{Tape: 3; Side: A; Approx. Tape Counter: 26.3.}

Vote: Motion that HB 366 Do Pass failed 6 - 12 on a roll call vote, with REPS. BARNHART, JOHN JOHNSON, MCCANN, MENAHAN, PECK, and QUILICI voting yes.

Motion/Vote: REP. GRADY moved HB 366 Be Tabled. Motion carried 12 - 6, with REPS. BARNHART, JOHN JOHNSON, MCCANN, MENAHAN, PECK, and QUILICI voting no.

EXECUTIVE ACTION ON HB 391

Motion/Vote: REP. DEBRUYCKER moved HB 391 Be Tabled. Motion carried 17 - 1, with REP. COBB voting no.

{Tape: 3; Side: B; Approx. Tape Counter: 3.6.}

EXECUTIVE ACTION ON HB 244

Motion/Vote: REP. DEBRUYCKER moved HB 244 Be Tabled. Motion carried 16 - 2, with REPS. MENAHAN and QUILICI voting no.

{Tape: 3; Side: B; Approx. Tape Counter: 4.7.}

EXECUTIVE ACTION ON HB 499

Motion: REP. DEBRUYCKER moved HB 499 Do Pass.

{Tape: 3; Side: B; Approx. Tape Counter: 11.9.}

Motion/Vote: REP. PECK moved amendment HB049901.agp Do Pass.

Motion failed 4 - 14 on a roll call vote, with REPS. BARNHART, JOHN JOHNSON, MENAHAN, and PECK voting yes.

{Tape: 3; Side: B; Approx. Tape Counter: 14.3.}

Vote: Motion that HB 499 Do Pass carried 17 - 1, with REP. VICK voting no.

EXECUTIVE ACTION ON HB 593

Motion: REP. KEENAN moved HB 593 Do Pass.

{Tape: 3; Side: B; Approx. Tape Counter: 18.9.}

Motion/Vote: REP. GRADY moved substitute motion that HB 593 Be Tabled. Motion carried 13 - 5, with REPS. MENAHAN, QUILICI, KEENAN, DEBRUYCKER, and COBB voting no.

{Tape: 3; Side: B; Approx. Tape Counter: 20.9.}

EXECUTIVE ACTION ON HB 17

Motion/Vote: REP. GRADY moved to reconsider HB 17. Motion carried 11 - 7 on a roll call vote, with REPS. BERGSAGEL, HOLLAND, ROYAL JOHNSON, KASTEN, MCCANN, PECK, and VICK voting no.

{Tape: 3; Side: B; Approx. Tape Counter: 25.6.}

Motion: REP. GRADY moved HB 17 Do Pass As Amended.

{Tape: 3; Side: B; Approx. Tape Counter: 27.3.}

Discussion:

{Tape: 4; Side: A; Approx. Tape Counter: 0.1.}

REP. BERGSAGEL asked to set this bill aside at this time.

EXECUTIVE ACTION ON SB 269

Motion: REP. QUILICI moved SB 269 Be Concurred In.
{Tape: 4; Side: A; Approx. Tape Counter: 12.5.}

Motion/Vote: REP. KEENAN moved substitute motion that SB 269 Be Tabled. Motion carried 13 - 5, with REPS. JOHN JOHNSON, QUILICI, GRADY, MENAHAN, and ZOOK voting no.
{Tape: 4; Side: A; Approx. Tape Counter: 13.2.}

EXECUTIVE ACTION ON SB 310

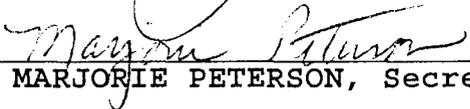
Motion/Vote: REP. HOLLAND moved SB 310 Be Concurred In. Motion carried 13 - 5, with REPS. KEENAN, DEBRUYCKER, BERGSAGEL, FELAND, and VICK voting no.
{Tape: 4; Side: A; Approx. Tape Counter: 22.5.}

ADJOURNMENT

Adjournment: 5:00 p.m.



REP. TOM ZOOK, Chairman



MARJORIE PETERSON, Secretary

TZ/MP