

MINUTES

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

COMMITTEE ON APPROPRIATIONS

Call to Order: By **CHAIRMAN TOM ZOOK**, on March 24, 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: None.
Executive Action: HB 166 DO PASS AS AMENDED,
HB 169 DO PASS AS AMENDED,
HB 177 DO PASS AS AMENDED,
HB 298 DO PASS AS AMENDED,
HB 312 TABLED,
HB 398 DO PASS AS AMENDED,
HB 500 DO PASS AS AMENDED,
HB 567 DO PASS AS AMENDED,
HB 584 DO PASS AS AMENDED,
HJR 24 DO PASS

EXECUTIVE ACTION ON HB 298

Motion: REP. ROYAL JOHNSON moved HB 298 Do Pass.
{Tape: 1; Side: A; Approx. Tape Counter: 0.1.}

Discussion:
{Tape: 1; Side: A; Approx. Tape Counter: 2.3.}

Motion/Vote: REP. GRADY moved a substitute motion to remove the \$50,000 from the general fund. Motion carried 14 - 4, with REPS. ROYAL JOHNSON, COBB, KASTEN, and BARNHART voting no.
{Tape: 1; Side: A; Approx. Tape Counter: 13.0.}

Motion/Vote: REP. GRADY moved HB 298 Do Pass As Amended. Motion carried 15 - 3, with REPS. DEBRUYCKER, KASTEN, and VICK voting no.
{Tape: 1; Side: A; Approx. Tape Counter: 18.2.}

EXECUTIVE ACTION ON HB 312

Motion/Vote: REP. GRADY moved HB 312 Be Tabled. Motion carried 12 - 6, with REPS. DEBRUYCKER, KASTEN, FELAND, PECK, MENAHAN, and ZOOK voting no.
{Tape: 1; Side: A; Approx. Tape Counter: 20.1.}

EXECUTIVE ACTION ON HB 398

Motion: REP. ROYAL JOHNSON moved HB 398 Do Pass As Amended.
{Tape: 1; Side: A; Approx. Tape Counter: 23.4.}

Discussion:
{Tape: 1; Side: A; Approx. Tape Counter: 25.6.}

Motion/Vote: REP. KASTEN moved a substitute motion to remove the Justice Building in Billings. Motion carried 12 - 6 on a roll call vote, with REPS. BARNHART, DEBRUYCKER, ROYAL JOHNSON, PECK, QUILICI, and WISEMAN voting no.
{Tape: 1; Side: B; Approx. Tape Counter: 5.4.}

Motion/Vote: REP. KASTEN moved HB 398 Do Pass As Amended. Motion carried 16 - 2, with REPS. COBB and DEBRUYCKER voting no.
{Tape: 1; Side: B; Approx. Tape Counter: 9.1.}

EXECUTIVE ACTION ON HB 584

Motion: REP. QUILICI move HB 584 Do Pass.
{Tape: 1; Side: B; Approx. Tape Counter: 10.0.}

Motion/Vote: REP. FELAND moved amendment HB058401.agp Do Pass. Motion carried 13 - 5, with REPS. KASTEN, BARNHART, JOHN JOHNSON, PECK, and MENAHAN voting no.

{Tape: 1; Side: B; Approx. Tape Counter: 14.7.}

Motion: REP. GRADY moved Knox amendment HB058401.alm Do Pass.

{Tape: 1; Side: B; Approx. Tape Counter: 21.4.}

Motion/Vote: REP. VICK moved a substitute motion to vote separately on #2 of the amendment. Motion failed 2 - 16, with REPS. COBB and VICK voting yes.

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

Motion/Vote: REP. GRADY moved the remaining parts of the amendment. Motion carried unanimously.

{Tape: 1; Side: B; Approx. Tape Counter: 25.6.}

Motion: REP. GRADY moved HB 584 Do Pass As Amended. The motion was set aside until clarification on the amendment.

EXECUTIVE ACTION ON HB 567

Motion/Vote: REP. MENAHAN moved to reconsider HB 567 which had been Tabled on March 11. Motion carried 16 - 2, with REPS. WISEMAN and VICK voting no.

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

Motion: REP. MENAHAN moved HB 567 Do Pass.

{Tape: 2; Side: A; Approx. Tape Counter: 6.7.}

Motion/Vote: REP. GRADY moved a substitute motion to delete general fund appropriations. Motion carried 12 - 6, with REPS. BARNHART, JOHN JOHNSON, PECK, QUILICI, MENAHAN, and DEBRUYCKER voting no.

{Tape: 2; Side: A; Approx. Tape Counter: 7.8.}

Motion/Vote: REP. MENAHAN moved HB 567 Do Pass As Amended. Motion carried 14 - 4, with REPS. VICK, KASTEN, BERGSAGEL, and KEENAN voting no.

{Tape: 2; Side: A; Approx. Tape Counter: 13.0.}

EXECUTIVE ACTION ON HB 584

Motion/Vote: Earlier motion from REP. GRADY that HB 584 Do Pass As Amended was taken up again. REP. DEBRUYCKER moved a substitute motion that HB 584 Be Tabled. Motion carried 14 - 4, with REPS. MENAHAN, COBB, QUILICI, and GRADY voting no.

{Tape: 2; Side: B; Approx. Tape Counter: 1.6.}

EXECUTIVE ACTION ON HB 500

Motion: REP. KEENAN moved HB 500 Do Pass.
{Tape: 2; Side: B; Approx. Tape Counter: 23.0.}

Discussion:
REP. KEENAN submitted an explanation of proposed amendments and the gray bill for HB 500. EXHIBIT 1.

Motion/Vote: REP. KEENAN moved amendment HB050001.agp Do Pass.
Motion carried unanimously.
{Tape: 2; Side: B; Approx. Tape Counter: 26.4.}

Motion: REP. BARNHART moved amendment HB050004.agp Do Pass.
{Tape: 2; Side: B; Approx. Tape Counter: 27.0.}

Discussion:
{Tape: 3; Side: A; Approx. Tape Counter: 0.1.}

Vote: Motion that amendment HB050004.agp Do Pass failed 5 - 13, with REPS. MENAHAN, JOHN JOHNSON, BARNHART, QUILICI, and GRADY voting yes.

Motion/Vote: REP. GRADY moved a voice amendment to fix possible errors with conflicting language. Motion carried 10 - 8 on a roll call vote, with REPS. DEBRUYCKER, FELAND, ROYAL JOHNSON, KASTEN, KEENAN, MCCANN, PECK, and WISEMAN voting no.
{Tape: 3; Side: A; Approx. Tape Counter: 13.3.}

Motion/Vote: REP. KEENAN moved a voice amendment to add appropriations from the Barnhart amendment. Motion failed 5 - 12 on a roll call vote, with REPS. FELAND, ROYAL JOHNSON, MCCANN, PECK, and WISEMAN voting yes.
{Tape: 3; Side: B; Approx. Tape Counter: 9.0.}

Motion/Vote: REP. KEENAN moved HB 500 Do Pass As Amended.
Motion carried 13 - 5 on a roll call vote, with REPS. GRADY, BARNHART, JOHN JOHNSON, MENAHAN, and QUILICI voting no.
{Tape: 3; Side: B; Approx. Tape Counter: 12.9.}

EXECUTIVE ACTION ON HJR 24

Motion/Vote: REP. MENAHAN moved HJR 24 Do Pass. Motion carried unanimously.
{Tape: 3; Side: B; Approx. Tape Counter: 14.0.}

EXECUTIVE ACTION ON HB 584

Motion/Vote: REP. FELAND moved to reconsider HB 584 which was Tabled earlier. Motion carried 15 - 3, with REPS. DEBRUYCKER, KASTEN, and ROYAL JOHNSON voting no.
{Tape: 3; Side: B; Approx. Tape Counter: 18.0.}

Motion/Vote: REP. FELAND moved HB 584 Do Pass As Amended.
Motion carried 13 - 5 on a roll call vote, with REPS. BARNHART,
DEBRUYCKER, ROYAL JOHNSON, KASTEN, and PECK voting no.
{Tape: 3; Side: B; Approx. Tape Counter: 23.4.}

EXECUTIVE ACTION ON HB 166

Motion: REP. BERGSAGEL moved HB 166 Do Pass.
{Tape: 4; Side: A; Approx. Tape Counter: 1.5.}

Motion/Vote: REP. GRADY moved amendment HB016604.arl Do Pass.
Motion failed 8 - 10 on a roll call vote, with REPS. GRADY,
HOLLAND, JOHN JOHNSON, KEENAN, QUILICI, VICK, WISEMAN, and
CHAIRMAN ZOOK voting yes.
{Tape: 4; Side: A; Approx. Tape Counter: 2.4.}

Motion/Vote: REP. DEBRUYCKER moved amendment HB016604.agp Do
Pass. Motion carried 11 - 7, with REPS. KASTEN, PECK, WISEMAN,
KEENAN, VICK, MENAHAN, and QUILICI voting no.
{Tape: 4; Side: A; Approx. Tape Counter: 8.9.}

Motion/Vote: REP. ZOOK moved amendment HB016605.a05 Do Pass.
Motion carried 12 - 6 on a roll call vote, with REPS. KASTEN,
KEENAN, MCCANN, PECK, VICK, and WISEMAN voting no.
{Tape: 4; Side: A; Approx. Tape Counter: 11.2.}

Motion/Vote: REP. DEBRUYCKER moved amendment HB016602.arl Do
Pass. Motion carried 15 - 3, with REPS. BERGSAGEL, KEENAN, and
VICK voting no.
{Tape: 4; Side: A; Approx. Tape Counter: 15.8.}

Motion/Vote: REP. JOHN JOHNSON moved amendment HB016602.agp Do
Pass. Motion carried 12 - 6 on a roll call vote, with REPS.
BERGSAGEL, COBB, KASTEN, KEENAN, MCCANN, and VICK voting no.
{Tape: 4; Side: A; Approx. Tape Counter: 24.1.}

Motion/Vote: REP. GRADY moved a voice amendment from Beth Baker,
Department of Justice. Motion failed 9 - 9 on a roll call vote,
with REPS. BERGSAGEL, DEBRUYCKER, FELAND, KASTEN, KEENAN, MCCANN,
PECK, VICK, and WISEMAN voting no.
{Tape: 4; Side: B; Approx. Tape Counter: 1.6.}

Motion/Vote: REP. ZOOK moved amendment HB016601.arl Do Pass.
Motion carried 16 - 2, with REPS. KEENAN and VICK voting no.
{Tape: 4; Side: B; Approx. Tape Counter: 4.7.}

Motion/Vote: REP. ZOOK moved amendment HB016601.agp Do Pass.
Motion carried 16 - 2, with REPS. DEBRUYCKER and BERGSAGEL voting
no.
{Tape: 4; Side: B; Approx. Tape Counter: 9.9.}

Motion/Vote: REP. ZOOK moved amendment HB016603.agp Do Pass.
Motion carried 13 - 5, with REPS. DEBRUYCKER, KEENAN, VICK,
BERGSAGEL, and KASTEN voting no.
{Tape: 4; Side: B; Approx. Tape Counter: 15.4.}

Motion/Vote: REP. MCCANN moved HB 166 Do Pass As Amended.
Motion carried 14 - 4 on a roll call vote, with REPS. GRADY,
KASTEN, KEENAN, and VICK voting no.
{Tape: 4; Side: B; Approx. Tape Counter: 31.0.}

EXECUTIVE ACTION ON HB 281

Motion/Vote: REP. QUILICI moved to reconsider HB 281 which had
been Tabled on March 11. Motion to reconsider passed 12 - 6,
with REPS. KASTEN, FELAND, BERGSAGEL, KEENAN, VICK, and WISEMAN
voting no.
{Tape: 5; Side: A; Approx. Tape Counter: 0.1.}

Motion: REP. QUILICI moved HB 281 Do Pass As Amended. This
motion was set aside until the next day for further information.
{Tape: 5; Side: A; Approx. Tape Counter: 10.0.}

EXECUTIVE ACTION ON HB 177

Motion: REP. COBB moved HB 177 Do Pass.
{Tape: 5; Side: A; Approx. Tape Counter: 12.0.}

Motion/Vote: REP. COBB moved Grinde amendment HB017701.agp Do
Pass. Motion carried unanimously.
{Tape: 5; Side: A; Approx. Tape Counter: 13.2.}

Motion/Vote: REP. COBB moved HB 177 Do Pass As Amended. Motion
carried unanimously.
{Tape: 5; Side: A; Approx. Tape Counter: 15.5.}

EXECUTIVE ACTION ON HB 166

Motion/Vote: REP. ROYAL JOHNSON moved to reconsider HB 166.
Motion carried 17 - 1, with REP. DEBRUYCKER voting no.
{Tape: 5; Side: A; Approx. Tape Counter: 16.7.}

Motion/Vote: REP. ROYAL JOHNSON moved State Fund amendment Do
Pass. Motion carried unanimously.
{Tape: 5; Side: A; Approx. Tape Counter: 18.6.}

Motion: REP. ROYAL JOHNSON moved HB 166 Do Pass As Amended.
{Tape: 5; Side: A; Approx. Tape Counter: 19.1.}

Motion/Vote: REP. BERGSAGEL moved to reconsider the bed tax
amendment. Motion carried 12 - 6, with REPS. KASTEN, BARNHART,
FELAND, COBB, MENAHAN, and PECK voting no.

{Tape: 5; Side: A; Approx. Tape Counter: 19.5.}

Motion/Vote: REP. BERGSAGEL moved Grady amendment. Motion carried 12 - 6, with REPS. DEBRUYCKER, COBB, BARNHART, KASTEN, PECK, and MCCANN voting no.

{Tape: 5; Side: A; Approx. Tape Counter: 21.4.}

Motion/Vote: REP. BERGSAGEL moved HB 166 Do Pass As Amended. Motion carried 13 - 5, with REPS. KASTEN, DEBRUYCKER, BARNHART, PECK, and MCCANN voting no.

{Tape: 5; Side: A; Approx. Tape Counter: 22.6.}

EXECUTIVE ACTION ON HB 169

Motion: REP. BERGSAGEL moved HB 169 Do Pass.

{Tape: 5; Side: A; Approx. Tape Counter: 23.3.}

Motion/Vote: REP. BERGSAGEL moved amendment HB016901.alm Do Pass. Motion carried unanimously.

{Tape: 5; Side: A; Approx. Tape Counter: 24.2.}

Motion/Vote: REP. BERGSAGEL moved HB 169 Do Pass As Amended. Motion carried unanimously.

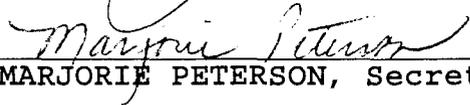
{Tape: 5; Side: A; Approx. Tape Counter: 29.3.}

ADJOURNMENT

Adjournment: 5:45 p.m.



REP. TOM ZOOK, Chairman



MARJORIE PETERSON, Secretary

TZ/MP