

MINUTES OF THE MEETING
APPROPRIATIONS COMMITTEE
50TH LEGISLATIVE SESSION

The meeting of the Appropriations Committee was called to order by Chairman Rep. Gene Donaldson on February 4, 1987, at 1:30 p.m. in Room 104 of the State Capitol.

ROLL CALL: All members were present except Rep. Nathe who was absent and Reps. Connelly and Poulsen who were late. Also present were Judy Rippingale, LFA; Tom Cleary, Legislative Intern; and Denise Thompson, Secretary.

(18:A:43)

Rep. Rehberg moved to reconsider the committee's action on HB 357. Rep Peck called the question. The motion CARRIED unanimously.

Rep. Rehberg presented a change to his amendment which was passed in committee on February 3. His proposal was to change the amendment on page 1, line 19 to read: "Legislative intent for the general appropriations act is included in the narrative that is contained in the act."

Rep. Rehberg moved his proposal. The question was called and the motion CARRIED unanimously.

(18:A:4.58) Rep. Winslow presented his amendments to the bill (Exhibit 2). He stated that some of the amendments would replace the Rehberg amendment of the prior day. Rep. Winslow moved his amendments be approved. Rep. Bardanouve called the question. The motion CARRIED unanimously.

Rep. Spaeth asked Mr. John Northey of the Legislative Auditor's office to comment on the legislative intent. Mr. Northey spoke in regard to the amendment changing in accordance to contained in. Mr. Northey stated that it addresses his concern in the prior amendment. He stated he would make a couple wording suggestions. He suggested it read: "Legislative intent for the general appropriations act includes the narrative....."

Rep. Rehberg moved to reconsider the previous action on the amendment he gave today. Rep. Bardanouve called the question. The motion CARRIED unanimously.

Rep. Rehberg moved to insert the language to read: "Legislative intent for the general appropriations act includes a formally adopted narrative that accompanies the act."

Rep. Spaeth spoke against the amendment.

Rep. Peck called the question. There was a roll call vote. Reps. Thoft, Winslow, Bardanouve, Devlin, Menke, Miller, Peck, Poulsen, Rehberg, Swift and Switzer voted YES. Reps. Donaldson, Bradley, Connelly, Manuel, Menahan, Quilici, and Spaeth voted NO. The motion CARRIED.

(18:A:42.56) Rep. Bardanouve moved to DO PASS HB 357 AS AMENDED. Rep. Quilici called the question. Reps. Quilici, Bradley, Spaeth, and Menahan voted NO. The motion CARRIED.

HB 573:(18:A:44.26)

(18:B:0.01) Rep. Winslow presented his bill to the committee stating it addresses: 1) the fact that we can't write out a \$20 million supplemental when they don't have the money to pay for it; and 2) no biennium will be permitted to end with a negative general fund balance. The legislature needs to address quickly, the problem they have and take care of the problems that face us now.

There were no other Proponents to the bill. There were no opponents to the bill.

Rep. Winslow stated this legislature needs to pass their intent that there will not be a deficit and it will not be carried over, we need to make the decision to do something about it now.

There was no executive action.

ADJOURNMENT:

There being no further business before the committee, the meeting adjourned at 2:05 p.m.


Rep. Gene Donaldson, Chairman

DAILY ROLL CALL

APPROPRIATIONS COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date 2/4/87

NAME	PRESENT	ABSENT	EXCUSED
DONALDSON, GENE (Chairman)	✓		
THOFT, BOB (Vice Chairman)	✓		
WINSLOW, CAL (Vice Chairman)	✓		
BARDANOUE, FRANCIS	✓		
BRADLEY, DOROTHY	✓		
CONNELLY, MARY ELLEN	✓		
DEVLIN, GERRY	✓		
IVERSON, DENNIS		✓	
MANUEL, REX	✓		
MENAHAN, WILLIAM "RED"	✓		
MENKE, LARRY	✓		
MILLER, RON	✓		
NATHE, DENNIS		✓	
PECK, RAY	✓		
POULSEN, HAROLD	✓	late	✓ had a Bill
QUILICI, JOE	✓		
REHBERG, DENNIS	✓		
SPAETH, GARY	✓		
SWIFT, BERNIE	✓		
SWITZER, DEAN	✓		

ROLL CALL VOTE

HOUSE APPROPRIATIONS

COMMITTEE

DATE 2/4/87 BILL NO. HOUSE BILL NUMBER 357

NAME	AYE	NAY
Rep. Gene Donaldson, Chairman		✓
Rep. Bob Thoft, Vice Chairman	✓	
Rep. Cal Winslow, Vice Chairman	✓	
Rep. Francis Bardanouve	✓	
Rep. Dorothy Bradley		✓
Rep. Mary Ellen Connelly		✓
Rep. Gerry Devlin	✓	
Rep. Dennis Iverson		
Rep. Rex Manuel		✓
Rep. Red Menahan		✓
Rep. Larry Menke	✓	
Rep. Ron Miller	✓	
Rep. Dennis Nathe		
Rep. Ray Peck	✓	
Rep. Harold Poulsen	✓	
Rep. Joe Quilici		✓
Rep. Dennis Rehberg	✓	
Rep. Gary Spaeth		✓
Rep. Bernie Swift	✓	
Rep. Dean Switzer	✓	

TALLY THE MOTION CARRIED.

11 7

Denise Thompson
Secretary

Rep. Gene Donaldson
Chairman

MOTION: Rep. Rehberg Moved to amend Page 1, line 19 to read:

"Legislative intent for the general appropriations act includes
a formally adopted narrative that accompanies the act."

EXHIBIT
DATE 2/4/87
HB 357
Rehberg

Statement of Intent
House Bill 357

A statement of intent is not required for this bill but is included to clarify certain issues regarding the implementation of the bill.

It is not the intent of this bill that the department of administration put controls into the statewide budgeting and accounting system (SBAS) that would preclude a state agency from expending funds differently than as provided in its approved operational plan.

House Bill 357 (Yellow Copy)

1) Page 1, line 19.

Following: "intent."

Insert: "Legislative intent for the general appropriations act is included in the narrative that accompanies the act."

House Bill 357 (Yellow Copy)

1) Page 2, following line 4.

Insert: "(3) A person authorizing an expenditure in violation of this section is subject to the same penalties imposed under 17-8-104, for a violation of 17-8-103."

STANDING COMMITTEE REPORT

2/4/87

357

WINSLOW

February 4

19 87

Mr. Speaker: We, the committee on HOUSE APPROPRIATIONS

report HOUSE BILL 357

do pass
 do not pass

be concurred in
 be not concurred in

as amended
 statement of intent attached

Chairman

1. Title, line 6
Following: "IN"
Strike: "ACCORDANCE"
Insert: "SUBSTANTIAL COMPLIANCE"
2. Page 1, line 13
Following: "agency"
Strike: "may"
Insert: "must"
Following: "made"
Strike: "only in accordance"
Insert: "in substantial compliance"
3. Page 1, line 15
Following: "."
Insert: "Substantial compliance means that no category in the approved operating budget may be exceeded by 5 percent."
4. Page 1, line 19.
Following: "intent"
Insert: "Legislative intent for the general appropriations act includes a formally adopted narrative that accompanies the act." To
5. Page 1, line 21
Following: "by"
Insert: "the categories of"
6. Page 2, line 2
Following: "approved"
Strike: "operational plan"
Insert: "operating budget"
7. Page 2, following line 4
Insert: "(3) A person authorizing an expenditure in violation of this section is guilty of misfeasance in office and shall be subject to removal from office or from employment. An action under this subsection may be brought upon complaint of the attorney general or the legislature by joint resolution."

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yellow

reading copy ()

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STATEMENT OF INTENT
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