

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 March 2, 1987, at 1:00 p.m. in Room 104 of the State Capitol.

ROLL CALL: All members were present except Reps. Winslow, Rehberg, Poulsen, and Spaeth who were excused. Also in attendance were Judy Rippingale, LFA and Denise Thompson, Secretary.

COMMITTEE BILLS:

Rep. Manuel stated the Natural Resources and Conservation Subcommittee, looked at fees that are collected by the Department of Agriculture for regulatory inspections were probably not collected at a high enough cost. In checking with the department and with the people involved, they thought it was feasible the fees be raised. The fees collected amounted to 50 percent of the amount of money used and this bill would raise that to approximately 72 percent, with the remainder coming from the general fund.

Rep. Manuel moved a committee bill be drafted for the raising of the fees. Rep. Bardanouve asked how much revenue that would raise. Rep Manuel said about \$75,000. This money is used for inspector fees. Some examples are for checking warehouses, checking scales, checking produce, these are regulatory fees. Some of this money now comes out of the general fund.

Rep. Iverson suggested the fees be raised to cover the whole cost of the program. Rep. Manuel said some of this is a public problem.

Rep. Quilici called the question. The motion CARRIED unanimously.

Rep. Bradley spoke in regard to a committee bill draft to increase the marriage license fees by \$5 and putting that into the fund for domestic violence which was decreased by the subcommittee in earlier action, but it was decided that the fee would then raise it up to current level. The current level was approved by the subcommittee and therefore it is necessary this bill be passed.

(35:A:8.20) Rep. Bradley moved to draft a committee bill to add \$5 additional fee on the marriage license fee to be put into a funding of the domestic violence program. Rep. Nathe

called the question. Rep. Devlin voted NO. The motion carried.

Rep. Nathe spoke of the Audio Visual fund bill which has approved by the committee, he reported to the committee that this bill had arrived late and he may have to suspend the rules to have it brought to the floor of the house. He just wanted to let the full committee know his intent.

(35:A:11.16) HB 660: House Bill 660 was passed for the day by Rep. Peck as there were some amendments being drafted.

HB 217: House Bill 217 was passed for the day pending additional proponents requesting to be present for the bill.

HB 86: Rep. Swift stated the subcommittee recommended the bill DO PASS AS AMENDED. The bill was to establish the Montana Agricultural Marketing Program; authorizing the Department of Agriculture to administer the program. There was one amendment: Page 6, line 9, change general fund to private funds. This would delete the general fund from the bill. Rep. Asay stated he disagreed with that. He said the overall intent of the bill was to try to address, in a positive manner, the one thing about Agriculture that could possibly bring it around where there could be an optimistic look. He was trying to devise some means of putting together various community groups, Department of Commerce and other areas so they can look at a positive approach. He was also trying to analyze the problems that confront anyone who wishes to market agricultural products to try to help solve some of those problems and try to deal with some of the problems that various groups have who do not have a significant number of advocates.

Rep. Menahan asked why the Ag. Research School in the universities could not help do this. They could help market and sell products as well as do research.

Rep. Swift moved to accept the amendment (Exhibit 1), on Page 6, line 9. Rep. Peck called the question. There was a roll call vote. Reps. Donaldson, Thoft, Bradley, Connelly, Devlin, Iverson, Manuel, Menahan, Menke, Miller, Nathe, Peck, Swift and Switzer voted YES. Reps. Bardanouve and Quilici voted NO. Reps. Winslow, Poulsen, Rehberg, and Spaeth were excused. The motion CARRIED. Rep. Thoft moved to DO NOT PASS HB 86. Rep. Devlin made a substitute motion to TABLE HB 86. Reps. Switzer and Bardanouve voted NO. The motion CARRIED.

SB 227:

(35:B:0.50) Sen. Haffey, Senate District 33, presented SB 227 by saying this was just to complete a circle on something that was started two years ago. Two years ago he explained, the A & E Division as they do work for state agencies where a contract is required for repair and maintenance, roofing etc.; their workload really comes in, those jobs are budgeted in the operating budgets of state agencies. Those jobs normally are done towards the end of the year. The agencies kind of husband their resources, get toward the end of the year and flow all of their jobs into the A & E Division, the workload at the A & E Division goes right up towards April, May, and June. It becomes very difficult. It is hard for them to complete the work that is committed can get done before the end of June. Last year the legislature enacted the ability for them to encumber funds beyond the end of an even numbered fiscal year. This bill requests that we complete that and let them do it beyond the end of the fiscal year. That means beyond the end of a biennium for which they have done their work. The language on page two says the obligation remains valid beyond the end of any year but it doesn't remain valid if it hangs around for a full year. They have to correct the workload spike that comes in April, May and June for the A & E Division. It is legitimate repair and maintenance work that is intended to be done and it doesn't get done because they can't encumber the funds.

Rep. Nathe asked if Sen. Haffey would mind if they exempt the general fund from this. Sen. Haffey stated yes he would. These are contemplated repair and maintenance projects at the time the budgets are presented, it doesn't beef up the base. It is not a significant amount of money, but there are jobs on which they can't make the commitment. It would allow them to begin a job in September if the money was encumbered in June.

(35:B:8.07) Rep. Peck asked if he could estimate an amount of money reverted. Sen. Haffey again said yes, about \$50,000 but it was minor. Rep. Peck asked if it would be higher in the second year than the first. Mr. Dave Hunter, OBPP said no he felt there would be no real difference. It would not add to the base as the executive and LFA would remove one time costs from the base, he felt it was not an issue. Reversion will be affected but only minor.

Rep. Nathe stated he did not understand why some people come before the legislature and ask to spend the money and why don't they spend it in the time allotted.

Mr. Hunter stated that agencies, because they apply vacancy savings and those kinds of things, will postpone until

toward the end of the year, those things that they have discretion over, repair, maintenance items and equipment purchases. If they make their vacancy savings and they have enough money, they go ahead and make them. If they don't they won't because that is the one thing that they have some clear management discretion on. That is mostly the case; they are postponed out of normal handling of their budget.

(35:B:12.10) Rep. Bardanouve moved to DO PASS SB 227. Rep. Manuel called the question. The motion CARRIED unanimously.

  
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Rep. Gene Donaldson, Chairman

DAILY ROLL CALL

APPROPRIATIONS COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date 3/2/87

NAME	PRESENT	ABSENT	EXCUSED
DONALDSON, GENE Chairman	✓		
THOFT, REP. BOB Vice Chair	✓		
WINSLOW, REP. CAL			
BARDANOUE, FRANCIS	✓		
BRADLEY, DOROTHY	✓		
CONNELLY, MARY ELLEN	✓		
DEVLIN, GERRY	✓		
IVERSON, DENNIS	✓		
MANUEL, REX	✓		
MENAHAN, RED	✓		
MENKE, LARRY	✓		
MILLER, RON	✓		
NATHE, DENNIS	✓		
PECK, RAY	✓		
POULSEN, HAROLD	✓	✓	
QUILICI, JOE	✗		
REHBERG DENNIS		✓	
SPAETH, GARY		✓	
SWIFT, BERNIE	✓		
SWITZER, DEAN	✓		

ROLL CALL VOTE

HOUSE APPROPRIATIONS COMMITTEE  
 DATE 3/2/87 BILL NO. House Bill NUMBER 86

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

CARRIED

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Denise Thompson  
Secretary

Rep. Gene Donaldson  
Chairman

MOTION: Rep. Swift moved to adopt the amendment on HB 86(Exhibit 1)

EXHIBIT 1  
DATE 5/4/87  
HB 86

**Amend House Bill 86**

**Page 6, Line 9**

**Following: "from"**

**Strike: "the general fund"**

**Insert: "private funds"**