

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: By Chairman Bardanoue, on March 23, 1989, at 7
a.m.

ROLL CALL

Members Present: All

Members Excused: None

Members Absent: None

Staff Present: Pam Joehler

Announcements/Discussion: None

HEARING ON HOUSE BILL 709

"AN ACT APPROPRIATING MONEY DURING THE BIENNIUM ENDING JUNE 30,
1991, FROM THE LOCAL IMPACT ACCOUNT TO THE DEPARTMENT OF HIGHWAYS
TO MATCH FUNDS FROM BIG HORN COUNTY TO FINANCE COMPLETION OF
MONTANA HIGHWAY 314; AND PROVIDING AN EFFECTIVE DATE."

Presentation and Opening Statement by Sponsor: Representative
Hanson said this bill would provide \$2.8 million from money
appropriated to the Coal Board to match an equal amount
provided by Big Horn County to complete Montana Highway 314
between Decker and Busby.

Representative Marian Hanson, House District 100, Ashland,

Testifying Proponents and Who They Represent:

James D. Bocher, Coal Tax Board

Proponent Testimony:

Mr. Bocher explained that this was a part of a deal and
landowners had literally gave land for the right of way.

Testifying Opponents and Who They Represent:

None

Opponent Testimony:

None

Questions From Committee Members: Rep. Connelly asked if this

had any impact on the LRP projects, and Rep. Bardanouve answered no, this was the percentage of money that is allocated to local impact in coal areas.

Representative Peck asked why this bill was being heard so late, and Rep. Hanson said this is a backup bill for the money that is allocated in House Bill 100. She said, in a sense, she did not need it since it is in the bill, and Rep. Bardanouve said in H. B. 100 the money is appropriated, but not for a definite purpose. This bill says you shall spend the money for this project. She said it is the number 1 priority.

The question was asked if there were any opponents to the bill in the Highway committee, and Rep. Hanson answered no. She was asked if she wanted the bill passed out and back on the floor. She answered yes. In answer to a 10 year wait, Rep. Hanson said this is a secondary road and the county has to prioritize it, and they did that at least 10 years ago, so all of their secondary funds have been allocated toward this road, and that is the 2.6 million from the county. With the 2.8 from the Coal Board, they can match it with other Highway money and build the whole road at once. In answer to a question on maintenance, Rep. Hanson said she was sure the county will be maintaining it.

Closing by Sponsor: Rep. Hanson said she closed by saying there is a lot of logging on this road and a lot of recreation to the Tongue River Reservoir.

Chairman Bardanouve declared the hearing on House Bill 709 closed.

DISPOSITION OF HOUSE BILL 709

Motion: Motion by Representative Spaeth that House Bill 709 DO PASS.

Discussion: None

Amendments, Discussion, and Votes: None

Recommendation and Vote: Voted, passed, unanimous vote.

DISPOSITION OF HOUSE BILL 789

Discussion: Representative Connelly said she had some amendments to the bill, Representative Bardanouve said he had some amendments to the bill, and Representative Marks said he had some also. EXHIBIT 1, and EXHIBIT 2, attached.

Motion: Motion by Representative Connelly to accept amendments on Exhibit # 2.

Discussion: None

Amendments, Discussion, and Votes: The amendments were voted, passed, unanimous vote.

Motion: Motion by Representative Connelly that House Bill 789 do pass as amended.

Recommendation and Vote: Voted, passed. 5 members voted no.

DISPOSITION OF HOUSE BILL 320

Motion: Motion to reconsider previous action on House Bill 320 by Representative Bradley.

Discussion: Representative Bradley said this would take the law clerk out, but would let them start a computer system for the courts. Rep. Bardanoue asked if this was just to get the process started, not to buy computers, and was told yes. Rep. Bradley said it would provide two FTE and equipment for 2 pilot programs. Rep. Quilici said they now have to go through ISD, to be sure they are compatible, and this money is necessary to start the process.

Amendments, Discussion, and Votes: Vote was taken for reconsideration of House Bill 320, voted and passed.

Motion: Motion by Representative Bradley to amend page 1, lines 15 and 16 and page 2, lines 1 through 3.

Recommendation: Voted, passed.

Motion: Motion by Representative Spaeth to delete line 16.

Recommendation: Voted, passed.

Motion: Motion by Representative Marks to put in another subsection that says it should be coordinated with the Department of Administration and section 2-17-501.

Recommendation: Voted, passed.

Motion: Motion by Representative Bradley that House Bill 320, as amended, do pass.

Recommendation and Vote: Voted, passed. 4 members voted no.

DISPOSITION OF HOUSE BILL 730

Representative Peck said he had been working on some amendments to the bill and was concerned about Rep. Marks question about getting the lists down to the precinct level. He said he felt it should be in the law itself, but didn't have the amendments ready. He said there is also a question of cost. He said we need to deal with H.B. 100 with a combination of spending authority and general fund authority. He said he

felt the Secretary of State's office would be able to absorb some of the costs, and felt it was less than \$86,000 impact on the general fund, but that would be the maximum. Representative Quilici said the Secretary of State's budget is too tight to handle much.

Representative Swysgood asked about the bottom of the fiscal note when it says the counties meet the cost of the requirements for filing this in the office of the Secretary of state. Rep. Spaeth said it would be nominal costs, basically some cost in sending their lists into the Secretary of State's office. Mr. Mitchell said some counties will have much more information on their list than the Sec. of State's office would need, and when they spin out their computer tapes, they may have to spin out one for their use and another for his office. He said the expense of the tapes run \$11, so it would not be much.

Motion: Motion by Representative Spaeth that House Bill 730 do pass.

Discussion: No further discussion.

Amendments, Discussion, and Votes: None

Recommendation and Vote: Voted, passed, 3 members voting no.

DISPOSITION OF HOUSE BILL 788

480) Representative Bardanouve expressed concern that in depending on other bills, there was no assurance some of the things might be done. Rep. Peterson said there is a note on her bill that says it hinges on H. B. 283. Rep. Spaeth said his understanding is the Governor will propose an amendatory veto to a degree, and the impact will be that the \$3 million reduction in the general fund from tax credits on capital company donations, and will reduce it to \$1.5 million to take the money for this. Rep. Marks said he had some questions, he thought it might be promising something back that might never occur. Discussion was held on the proposed 5 year program, and thought it might be reduced from \$1.5 million to \$600,000 for the biennium.

Motion: Motion by Representative Spaeth to reduce the money to \$600,000 for the biennium commensurate with income being received from S.B. 283.

Discussion: None

Amendments, Discussion, and Votes: Voted, passed.

Motion: Motion by Representative Spaeth that House Bill 788, as amended, do pass.

Recommendation and Vote: Voted, failed. Roll call vote, 7

voting yes,

Motion: Motion by Representative Kadas that House Bill 788 be tabled.

Recommendation and Vote: Voted, passed.

DISPOSITION OF HOUSE BILL 240

Representative Spaeth said this was a bill that the Speaker and Senator Galt had put together to help business.

Motion: Motion by Representative Spaeth to reconsider the committee action on House Bill 240.

Recommendation : Voted, passed.

Motion by Representative Spaeth to strike \$5,000 and insert \$500.

Recommendation: Voted, passed, Representative Cody voting no.

Motion: Motion by Representative Spaeth that House Bill 240 do pass as amended.

Discussion: None

Amendments, Discussion, and Votes:

Recommendation and Vote: Voted, Passed, 13 voting yes, 7 voting no.

DISPOSITION OF HOUSE BILL 774

Representative Iverson said he thought there was a contract there and the real issue is that it really is a road. He said the one that Rep. DeBruycker was interested is a legitimate part of the state system. He said it not only connects two county seats, it connects two major arteries. He said it is 100 miles from Shelby to Havre, and that road through Chester and Ft. Benton is the only way to get south. He said it is heavily traveled with canadian traffic, fertilizer imports, etc.

Motion: Motion by Representative Iverson to reconsider committee action on House Bill 774.

Discussion: None

Recommendation: Voted, passed.

Amendments, Discussion, and Votes: Motion by Representative Iverson to strike all the money. EXHIBIT 1.

Representative Iverson said the reason for this is we don't appropriate any money to other roads, so therefore if the

Highway is going to be made to take over these roads it should be part of their regular maintenance schedule, and they do it as they see fit to budget the money.

Substitute Motion: Substitute motion by Representative Spaeth to accept the motion of Representative Iverson but to eliminate the Malta North road. See EXHIBIT 2.

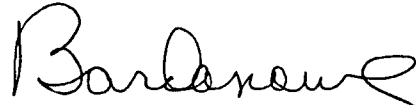
Recommendation: Voted, passed, roll call vote, 11 voting yes, 7 no

Motion: Motion by Representative Iverson that House Bill 774, as amended, do pass.

Recommendation and Vote: Voted, passed. 12 members voted yes, 7 voted no.

ADJOURNMENT

Adjournment At: 9:10 a.m.



REP. FRANCIS BARDANOUE, Chairman

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DAILY ROLL CALL

HOUSE APPROPRIATIONS

COMMITTEE

51st LEGISLATIVE SESSION -- 1989

Date

3/23/89

NAME	PRESENT	ABSENT	EXCUSED
REPRESENTATIVE BARDANOUVE	✓		
REPRESENTATIVE SPAETH	✓		
REPRESENTATIVE PECK	✓		
REPRESENTATIVE IVERSON	✓		
REPRESENTATIVE SWIFT	✓		
REPRESENTATIVE QUILICI	✓		
REPRESENTATIVE BRADLEY	✓		
REPRESENTATIVE PETERSON	✓		
REPRESENTATIVE MARKS	✓		
REPRESENTATIVE CONNELLY	✓		
REPRESENTATIVE MENAHAN	✓		
REPRESENTATIVE THOFT	✓		
REPRESENTATIVE KADAS	✓		
REPRESENTATIVE SWYSGOOD	✓		
REPRESENTATIVE KIMBERLEY	✓		
REPRESENTATIVE NISBET	✓		
REPRESENTATIVE COBB	✓		
REPRESENTATIVE GRINDE	✓		
REPRESENTATIVE CODY	✓		
REPRESENTATIVE GRADY	✓		

STANDING COMMITTEE REPORT

March 23, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that HOUSE BILL 774 (first reading copy -- white) do pass as amended .

Signed: 
Francis Bardanouve, Chairman

And, that such amendments read:

1. Title, line 4.

Following: "ENTITLED: AN ACT"

Strike: the remainder of the title

Insert: "REQUIRING THE DEPARTMENT OF HIGHWAYS TO ASSUME THE MAINTENANCE OF CERTAIN ROADS."

2. Page 2, line 4.

Following: "Section 1."

Strike: Remainder of Section 1 in its entirety.

Insert: "Assumption of maintenance. The department of highways shall, as of July 1, 1989, assume maintenance of the following road:

Route No.
FAS 223

Location
Ft. Benton-Chester"

STANDING COMMITTEE REPORT

March 23, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that HOUSE BILL 240 (second reading copy -- yellow) do pass as amended .

Signed:


Francis Bardanoue, Chairman

And, that such amendments read:

1. Page 2, line 8.

Strike: "\$5,000"

Insert: "\$500"

2. Page 2, line 10.

Strike: "\$5,000"

Insert: "\$500"

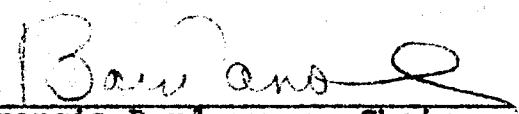
STANDING COMMITTEE REPORT

March 23, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that HOUSE BILL 730 (third reading copy -- blue) do pass .

Signed:


Francis Bardanoue, Chairman

CORRECTED STANDING COMMITTEE REPORT

March 23, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that HOUSE BILL 320 (first reading copy -- white) do pass as amended .

Signed: Francis Bardanouve, Chairman

And, that such amendments read:

1. Page 1, lines 15 and 16.

Strike: Lines 15 and 16 in their entirety.

2. Page 2, lines 1 through 3.

Strike: Lines 1 through 3 in their entirety.

3. Page 2, following line 5.

Insert: "NEW SECTION. Section 3. Review by department of administration. The department of administration shall review and approve all system specifications and acquisitions proposed by the supreme court as required in 2-17-501."

STANDING COMMITTEE REPORT

March 23, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that HOUSE BILL 320 (first reading copy -- white) do pass as amended .

Signed: 
Francis Bardanoue, Chairman

And, that such amendments read:

1. Page 1, lines 15 and 16.
Strike: lines 15 and 16 in their entirety.
2. Page 2, lines 1 through 3.
Strike: lines 1 through 3 in their entirety.

STANDING COMMITTEE REPORT

March 23, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that HOUSE BILL 789 (first reading copy -- white) do pass as amended .

Signed: 
Francis Bardanouve, Chairman

And, that such amendments read:

1. Page 3, line 2.

Strike: "shall"

Insert: "may"

2. Page 3, line 3.

Following: "Montana"

Insert: ", upon completion of the Tobin mansion renovation project."

3. Page 3, line 7.

Following: "for the"

Insert: "ongoing"

4. Page 3, line 13.

Following: "recorder"

Insert: "The department of administration is authorized to accept and expend private donations and such donations are appropriated for the purposes of this act."

STANDING COMMITTEE REPORT

March 23, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that HOUSE BILL 709 (second reading copy -- yellow) do pass .

Signed: *Francis Bardanoue*
Francis Bardanoue, Chairman

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①
Bard

EXHIBIT 1
DATE 3/23/89
HB 789

Amendments to House Bill No.789
Introduced Copy

Requested by Rep. Bardanouve
For the Committee on House Appropriations

Prepared by LFA
March 22, 1989

- 1. Page 1, line 6.
Following: "MONTANA"
Strike: "AUTHORIZING THE SALE OF THE EXISTING GOVERNOR'S MANSION;
PROVIDING THAT PROCEEDS OF THE SALE BE USED FOR RENOVATION
AND MAINTENANCE OF THE POWER-TOBIN MANSION;"
- 2. Page 3, line 1.
Following: "Section 2."
Strike: "Sale"
Insert: "Disposition"
- 3. Page 3, line 2.
Following: "commissioners"
Strike: "shall sell"
Insert: "is authorized to determine the disposition or use of"
- 4. Page 3, line 3.
Following: "Montana."
Strike: Remainder of Section 2.

3
Connelly
amended

Passed

EXHIBIT 2
DATE 3/23/89
HB 789

Amendments to House Bill No.789
First Reading Copy

Requested by Rep. Connelly
For the Committee on House Appropriations

Prepared by LFA
March 22, 1989

1. Page 3, line 2.

Strike: "shall"

Insert: "may"

2. Page 3, line 3.

Following: "Montana"

Insert: ", upon completion of the Tobin mansion renovation project."

3. Page 3, line 7.

Following: "for the"

Insert: "ongoing"

4. Page 3, line 13.

Following: "recorder"

Insert: "The Department of Administration is authorized to accept and expend private donations and such donations are appropriated for the purposes of this act."

Amendments to House Bill No.320
Introduced Bill

Requested by House Appropriations Committee

Prepared by LFA
March 23, 1989

EXHIBIT 1
DATE 3/23/89
HB 320

1. Page 1, lines 15 and 16.

Strike: Lines 15 and 16 in their entirety.

2. Page 2, lines 1 through 3.

Strike: Lines 1 through 3 in their entirety.

Amendments to House Bill No.240
Second Reading Copy

Requested by House Appropriations Committee

Prepared by LFA
March 23, 1989

1. Page 2, line 8.
Strike: "\$5,000"
Insert: "\$500"

2. Page 2, line 10.
Strike: "\$5,000"
Insert: "\$500"

EXHIBIT /
DATE 3/23/89
HB 240

Amendments to House Bill No. 774
Introduced Copy

Requested by House Appropriations Committee

Prepared by LFA
March 23, 1989

EXHIBIT 1
DATE 3-23-89
HB 774

1. Title, line 4.

Following: "ENTITLED: AN ACT"

Strike: REST OF TITLE

Insert: "REQUIRING THE DEPARTMENT OF HIGHWAYS TO ASSUME THE
MAINTENANCE OF CERTAIN ROADS."

2. Page 2, line 4.

Following: "Section 1."

Strike: Remainder of Section 1 in its entirety.

Insert: "Assumption of maintenance. The department of highways
shall, as of July 1, 1989, assume maintenance of the
following road:

Route No.
FAS 223

Location
Ft. Benton-Chester"

*Amended
Passed
Malta bill*

Amendments to House Bill No. 774
First Reading Copy

Requested by Rep. De Bruycker
For the Committee on Appropriations

Prepared by John MacMaster
March 18, 1989

EXHIBIT 2
DATE 3/23/89
HB 774

1. Title, line 7.

Following: "STANDARDS"

Insert: "AND REQUIRING THE DEPARTMENT TO ASSUME THE MAINTENANCE
OF CERTAIN ROADS"

2. Page 2, lines 14 and 15.

Strike: lines 14 and 15 in their entirety

3. Page 2.

Following: line 17

Insert: "NEW SECTION. Section 2. Assumption of maintenance.

The department of highways shall, as of July 1, 1989, assume
maintenance of the following roads:

Route No. Location

~~FAS 242 Malta - North~~

FAS 223 Ft. Benton - Chester"

EXHIBIT 3
DATE 3-23-89
HB 774

Amendments to House Bill No.774
Second Reading Copy

For the Committee on Appropriations

Prepared by LFA
March 17, 1989

1. Page 2, line 5.

Following: "for"

Strike: "each year of"

2. Page 2.

Strike: Line 16 through line 17 in their entirety.

ROLL CALL VOTE

HOUSE APPROPRIATIONS COMMITTEE
 DATE 3/23/89 BILL NO. 788 NUMBER _____

NAME	AYE	NAY
REPRESENTATIVE SPAETH	✓	
REPRESENTATIVE PECK		✓
REPRESENTATIVE IVERSON		✓
REPRESENTATIVE SWIFT		✓
REPRESENTATIVE OUILICI	✓	
REPRESENTATIVE BRADLEY	✓	
REPRESENTATIVE PETERSON		✓
REPRESENTATIVE MARKS		✓
REPRESENTATIVE CONNELLY <i>ab</i>		
REPRESENTATIVE MENAHAN	✓	
REPRESENTATIVE THOFT		✓
REPRESENTATIVE KADAS	✓	
REPRESENTATIVE SWYSGOOD		✓
REPRESENTATIVE KIMBERLEY	✓	
REPRESENTATIVE NISBET	✓	
REPRESENTATIVE COBB		✓
REPRESENTATIVE GRINDE		✓
REPRESENTATIVE CODY		✓
REPRESENTATIVE GRADY		✓
REPRESENTATIVE BARDANOUIVE		✓

TALLY

7 12

Sylvia Kinsey
Secretary

Representative Bardanouve
Chairman

MOTION: 1692

Sp. Amend

Failed

ROLL CALL VOTE

HOUSE APPROPRIATIONS

COMMITTEE

DATE 3/23/89 BILL NO. 240 NUMBER 1

NAME	AYE	NAY
REPRESENTATIVE SPAETH	✓	
REPRESENTATIVE PECK	✓	
REPRESENTATIVE IVERSON	✓	
REPRESENTATIVE SWIFT		✓
REPRESENTATIVE OUILICI	✓	
REPRESENTATIVE BRADLEY	✓	
REPRESENTATIVE PETERSON		✓
REPRESENTATIVE MARKS		✓
REPRESENTATIVE CONNELLY	✓	
REPRESENTATIVE MENAHAN	✓	
REPRESENTATIVE THOFT		✓
REPRESENTATIVE KADAS	✓	
REPRESENTATIVE SWYSGOOD		✓
REPRESENTATIVE KIMBERLEY	✓	
REPRESENTATIVE NISBET	✓	
REPRESENTATIVE COBB		✓
REPRESENTATIVE GRINDE		✓
REPRESENTATIVE CODY	✓	
REPRESENTATIVE GRADY	✓	
REPRESENTATIVE BARDANOIVE	✓	

TALLY

13 7

Sylvia Kinsey
Secretary

Representative Bardanouve
Chairman

MOTION: Reconsider NB 240

Passed

ROLL CALL VOTE

HOUSE APPROPRIATIONS COMMITTEE
 DATE 3-23-89 BILL NO. 240 NUMBER 2

NAME	AYE	NAY
REPRESENTATIVE SPAETH	✓	
REPRESENTATIVE PECK	✓	
REPRESENTATIVE IVERSON	✓	✓
REPRESENTATIVE SWIFT		✓
REPRESENTATIVE QUILICI	✓	
REPRESENTATIVE BRADLEY	✓	
REPRESENTATIVE PETERSON		✓
REPRESENTATIVE MARKS		✓
REPRESENTATIVE CONNELLY	✓	
REPRESENTATIVE MENAHAN	✓	
REPRESENTATIVE THOFT		✓
REPRESENTATIVE KADAS	✓	
REPRESENTATIVE SWYSGOOD		✓
REPRESENTATIVE KIMBERLEY	✓	
REPRESENTATIVE NISBET	✓	
REPRESENTATIVE COBB		✓
REPRESENTATIVE GRINDE		✓
REPRESENTATIVE CODY	✓	
REPRESENTATIVE GRADY	✓	
REPRESENTATIVE BARDANOUE	✓	

TALLY

13 7

Sylvia Kinsey
Secretary

Representative Bardanoue
Chairman

MOTION: 16

ROLL CALL VOTE

HOUSE APPROPRIATIONS

COMMITTEE

DATE 3-23-89

BILL NO. 774

NUMBER 1

NAME	AYE	NAY
REPRESENTATIVE SPAETH	✓	
REPRESENTATIVE PECK	✓	
REPRESENTATIVE IVERSON	✓	
REPRESENTATIVE SWIFT		✓
REPRESENTATIVE OUILICI		✓
REPRESENTATIVE BRADLEY		
REPRESENTATIVE PETERSON		✓
REPRESENTATIVE MARKS		✓
REPRESENTATIVE CONNELLY		
REPRESENTATIVE MENAHAN	✓	
REPRESENTATIVE THOFT	✓	
REPRESENTATIVE KADAS	✓	
REPRESENTATIVE SWYSGOOD	✓	
REPRESENTATIVE KIMBERLEY	✓	
REPRESENTATIVE NISBET	✓	
REPRESENTATIVE COBB	✓	
REPRESENTATIVE GRINDE		✓
REPRESENTATIVE CODY		✓
REPRESENTATIVE GRADY		✓
REPRESENTATIVE BARDANOUE	✓	

TALLY

11 7

Sylvia Kinsey
Secretary

Representative Bardanoue
Chairman

MOTION:

Delete Malta

ROLL CALL VOTE

HOUSE APPROPRIATIONS COMMITTEE
 DATE 3-23-89 BILL NO. 774 NUMBER 2

NAME	AYE	NAY
REPRESENTATIVE SPAETH	✓	
REPRESENTATIVE PECK		✓
REPRESENTATIVE IVERSON	✓	
REPRESENTATIVE SWIFT	✓	
REPRESENTATIVE QUILLICI	✓	
REPRESENTATIVE BRADLEY		
REPRESENTATIVE PETERSON	✓	
REPRESENTATIVE MARKS	✓	
REPRESENTATIVE CONNELLY	✓	
REPRESENTATIVE MENAHAN		✓
REPRESENTATIVE THOFT		✓
REPRESENTATIVE KADAS	✓	
REPRESENTATIVE SWYSGOOD	✓	
REPRESENTATIVE KIMBERLEY	✓	
REPRESENTATIVE NISBET		✓
REPRESENTATIVE COBB	✓	
REPRESENTATIVE GRINDE	✓	
REPRESENTATIVE CODY		✓
REPRESENTATIVE GRADY		✓
REPRESENTATIVE BARDANOUE		✓

TALLY

12 7

Sylvia Kinsey
Secretary

Representative Bardanouve
Chairman

MOTION:

Agreed

Passed