

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
54th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON APPROPRIATIONS

Call to Order: By **CHAIRMAN TOM ZOOK**, on March 22, 1995, at
8:00 a.m.

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. Marjorie I. Fisher (R)
Rep. Don Holland (R)
Rep. Royal C. Johnson (R)
Rep. John Johnson (D)
Rep. Mike Kadas (D)
Rep. Betty Lou Kasten (R)
Rep. Matt McCann (D)
Rep. William T. "Red" Menahan (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

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: SB 27, SB 415, HB 596
Executive Action: SB 27 BE CONCURRED IN, SB 415
BE CONCURRED IN, HB 528 DO PASS AS
AMENDED, HB 542 DO PASS AS AMENDED,
HB 596 TABLED

HEARING ON SB 27Opening Statement by Sponsor:

SEN. LORENTS GROSFIELD, SD 13, Big Timber, opened the hearing on SB 27, stating this bill occurred as a result of the de-earmarking study and deals with cleanup issues that were discovered during that study. The first change is Section 1, which had been very confusing regarding the percentage of coal severance tax. In this bill, 6.65% must be allocated to the credit of the local impact account, a change from the 17½% previously. This has been a source of confusion to the general public as well as the legislature for many years. In Section 2, the change of the bed tax is just a clarification -- a change in percentages from 75% to 67.5%. Sections 3 and 4 clarify the coal severance tax laws. **SEN. GROSFIELD** mentioned that Section 5 may be the only controversial section of the bill as it deals with gas dealers license tax distribution. In 1980, the Attorney General gave an opinion that the allocations should be made on gross receipts and that the legislature should fix the law as soon as possible. The difference for FY 96 is a total of \$79,000 -- \$20,000 from the Snowmobile account, \$50,000 from the Motorboat account, \$7,000 from the Off-highway account and \$2,000 from the Aeronautics account. **SEN. GROSFIELD** then mentioned he would offer an amendment which coordinates SB 83, HB 19, HB 422, HB 526 and HB 528 and percentages of total tax collections.

Proponents' Testimony:

None.

Opponents' Testimony:

None.

Questions From Committee Members and Responses:

REP. BEVERLY BARNHART, HD 29, Bozeman, asked if this bill reflects earlier action the committee took concerning the bed tax. **SEN. GROSFIELD** mentioned that the other bill would override this one.

REP. JOHN JOHNSON, HD 2, Glendive, referred to page 6, section 3, which deals with investments of the coal severance tax funds. He questioned if they would all be deposited in the general fund. **SEN. GROSFIELD** said that SB 378 put interest of the coal severance tax into the general fund. Presently, there are two statutes that deal with that; SB 378 only changed one of them and this bill changes the other one to reflect consistency. All of the interest from the coal severance tax would go into the

general fund. **REP. JOHNSON** then asked if the approximate amount involved was \$6 million as noted on the fiscal note and **SEN. GROSFIELD** was not sure. **REP. JOHNSON** then referred to the fiscal note under the heading, Coal Tax Interest Income, where \$6,270,000 would be taken from the school equalization account and put into the general fund.

{Tape: 1; Side: A; Approx. Counter: 12.6.}

REP. EDWARD GRADY, HD 55, Canyon Creek, asked **SEN. GROSFIELD** about the actions taking money from the Snowmobile, Motorboat, Off-highway and Aeronautics accounts. He mentioned that they wouldn't have those accounts, either. He asked **SEN. GROSFIELD** if he was going to make up what was being taken from these accounts. **SEN. GROSFIELD** did not think this bill would do anything to those accounts. It does take the money from the accounts and puts it into the general fund, but it doesn't de-earmark those accounts. He thought it was just a way of using the money.

REP. STEVE VICK, HD 31, Belgrade, asked if the reference on page 1, line 23, to the school equalization aid should be deleted. **SEN. GROSFIELD** answered that if SB 83 passes, that bill would override this one and would wipe out that whole section.

CHAIRMAN TOM ZOOK, HD 3, Miles City, reminded the committee that the school equalization aid fund is accounted for separately even though it is in the general fund.

REP. ROYAL JOHNSON, HD 10, Billings, reiterated that this bill just clarifies the statutes if SB 83 does not pass. **SEN. GROSFIELD** said that if SB 83 passes, there still are the various accounts. Also, he noted that the percentages for library services would be reduced from 1% to 0.38%; revenue for conservation districts would be reduced from ½ of 1% to 0.19%, as well as others noted in the bill. **SEN. GROSFIELD** reiterated that if SB 83 passes, it would override SB 27. He isn't clear on how the percentages would work out and would work with staff from the Legislative Council.

REP. JOE QUILICI, HD 36, Butte, asked when the various funds are transferred into the general fund, if they would have separate accounts in SBAS so they could still be tracked. **SEN. GROSFIELD** said yes and no. The school money from state lands would be tracked separately; the interest money from this bill would not be tracked separately. **REP. QUILICI** reminded him that the only reason the legislature had these different accounts was to keep track of the money being spent.

REP. MIKE KADAS, HD 66, Missoula, said they would not lose touch with how much money was going into those accounts.

REP. ROYAL JOHNSON said once everything is de-earmarked, the percentages are lost and each session the legislature would have

to come back and decide how much percentages for each account. If 12% goes to the highway reconstruction trust fund that is earmarked fund. Once you've taken that percentage away and put it all in one big pot, the next legislature would have to decide on the percentage to use. **SEN. GROSFIELD** said no, the percentages would still be there. The coal money is not de-earmarked. Current language says that all other revenue must be credited to the general fund. If SB 83 passes, that percentage would be increased by what this bill does today.

{Tape: 1; Side: A; Approx. Counter: 30.5.}

Closing by Sponsor:

SEN. GROSFIELD said this was a very confusing bill. He reiterated that it is just a cleanup bill; that SB 83 would override this one. The only controversial issue would probably be the gas dealers license tax.

{Tape: 1; Side: A; Approx. Counter: 31.5.}

HEARING ON SB 415

Opening Statement by Sponsor:

SEN. LORENTS GROSFIELD, SD 13, Big Timber, opened the hearing on SB 415 which was requested by the Senate Natural Resources Committee. This bill clarifies the environmental quality protection fund which allows private funds to be donated to the Department of Health and Environmental Sciences (DHES) for cleanup at specific sites. There is no fiscal note for this bill. This bill specifies that a person who donates money to DHES to clean up a specific site or facility would not be liable for injuries, costs, damages, or expenses that might result from that cleanup, as a result of contributing to this account. This bill also puts in many new subsections. **SEN. GROSFIELD** mentioned that currently on the statutes, when the initial steps of a cleanup are undertaken, i.e., the first shovel of dirt, that person becomes responsible for the whole thing. By contributing money to DHES, that releases them of all liabilities. If DHES does not get enough money in one year to sufficiently clean up the site or facility, then that money is returned to the donor. **SEN. GROSFIELD** also explained that a person may donate in-kind services to help remediate a site and that person also would not be liable for any claims.

{Tape: 1; Side: A; Approx. Counter: 38.0.}

Proponents' Testimony:

Tim Baker, Department of Health and Environmental Sciences, Helena, said that DHES supports the efforts of the Senate Natural Resources Committee. The department's concerns are not with a particular site but with all the 270 sites that are currently on their list. He referred to amendments that DHES would like considered during executive action. Items 1, 2 and 3 are designed to fix concerns about sites where the department determines that cleanup activities would be a health or safety risk. Those sites should be conducted under formal department oversight. Mr. Baker wants to avoid providing opportunities for unnecessary litigation also wants to make sure the department's funds are used for resources and not attorney fees. DHES also feels that this should not be a mechanism for people to circumvent responsibilities by not cleaning up a site. Item 4 is a clerical change from "remedial action contractor" on page 3, line 10, to "the entity providing in-kind services." Item 5 is concerned with people who donate in-kind services and DHES would like to remain having some authority in oversight of a cleanup. There are occasions when someone may unknowingly cause health or safety risks when cleaning up a site. EXHIBIT 1.

Opponents' Testimony:

None.

Questions From Committee Members and Responses:

REP. EDWARD GRADY, HD 55, Canyon Creek, asked SEN. GROSFIELD for his thoughts on the amendments introduced by DHES. SEN. GROSFIELD discussed them in his closing.

Closing by Sponsor:

SEN. GROSFIELD said the amendments probably provided safeguards for cleanup guidelines and agreed that DHES should have oversight on some sites. The amendments would also keep people from abusing their responsibilities. He said parts of the bill make sure the department spends some of the money on actually fixing the sites rather than administrative costs.

REP. QUILICI asked how this would interact with the Superfund site. SEN. GROSFIELD did not think it would include that.

HEARING ON HB 596Opening Statement by Sponsor:

REP. CARLA TUSS, HD 46, Black Eagle, introduced HB 596 which creates a housing trust fund to be used for housing to be made available to low-income people. This bill gives rulemaking authority to the Board of Housing for administration of the housing trust fund.

Proponents' Testimony:

SEN. CHRIS CHRISTIAENS, SD 23, Great Falls, said the housing task force met for six months and came up with this bill. He said there was a shortage of housing across the state that low-income people could afford. This bill takes \$1 million from the coal board to set up this project and is supported by the Governor's Office. EXHIBIT 2.

{Tape: 1; Side: A; Approx. Counter: 54.2.}

Kevin Hager, Great Falls, told the committee he was the chairman of the housing task force that SEN. CHRISTIAENS referred to. The task force analyzed there was a definite need for low-income housing in the state. The intention is to be bridge-financing by making housing affordable that would not otherwise be available for low-income people. For example, a loan may be given with 0% interest.

Greg VanHorsk, representing landlords associations, said there is a problem between landlords and tenants with not enough affordable housing. There should be a better market for the tenants and this bill may achieve that.

Maureen Rude, Board of Housing, said there are funds available by federal housing bonds which are rated nationally, but this bill would certainly help, also. These bonds provide good leverage to some who need low-income housing. Section 5 of the bill ensures that housing programs supported through this fund would be coordinated with other assistance programs, i.e., federal, local and tribal governments, state agencies and local public housing authorities. She mentioned she has only worked at the Board of Housing for a few weeks and is not sure she could answer many questions.

Ronda Carpenter, Montana Housing Providers, said there is certainly a need all over the state for affordable housing.

Opponents' Testimony:

None.

Questions From Committee Members and Responses:

REP. JOE QUILICI, HD 36, Butte, asked SEN. CHRISTIAENS how much money was in the coal tax fund. SEN. CHRISTIAENS said there was about \$5.8 million.

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

REP. QUILICI likes the intent of the bill as there is a great need for this type of housing, but not sure why it falls under this category. SEN. CHRISTIAENS said that the coal money could be allocated for other purposes and this is one of them.

REP. BEVERLY BARNHART, HD 29, Bozeman, wondered if the housing would be duplex or four-plex. This bill has been drafted with such a broad meaning that the Board of Housing could have some flexibility with a variety of affordable housing. SEN. CHRISTIAENS mentioned they were not thinking of welfare reform, but a vehicle to use for low-income people to buy homes.

REP. JOHN JOHNSON asked for the names of the communities in eastern Montana that were impacted from the coal situation. SEN. CHRISTIAENS said that areas around Billings, Absarokee, Colstrip and the Indian reservation. REP. JOHNSON stated that this bill would take money from the coal-impact fund which is designed to help those areas hurt from the coal, but that the money in this bill would be used for housing all over the state. He did not feel it was a proper use of the fund. SEN. CHRISTIAENS said this was one portion of the fund that the coal board had not used for a few years and would probably not impact other projects.

REP. ROYAL JOHNSON, HD 10, Billings, told Ms. Rude that he agreed with REP. JOHN JOHNSON that this was not a proper use of the coal money. He asked if it would be more appropriate to put this money in the housing authority for Montana to be used specifically and then take money from that source. He referred to possible federal regulations. Ms. Rude said she thought the mortgage program was funded in that way, but that source was limited. They have used that money to provide low mortgage rates; she reiterated she had only been in that job for a few weeks. REP. ROYAL JOHNSON asked about the reserve account. Ms. Rude said there was \$3.5 million in that account. REP. JOHNSON then asked if they could take \$1 million from that account and Ms. Rude said, no, the average cost of the bond was 6.3% and there is a 6.75% mortgage rate. She said they would not be able to do that with the funding reserve which would be a 7% mortgage rate. The trust fund has \$900,000, \$700,000 of which is already committed to their first-year mortgage program; the reverse mortgage program only has \$200,000.

REP. WILLIAM WISEMAN, HD 41, Great Falls, told **SEN. CHRISTIAENS** that one way to reduce costs would be to use a housing plan from California in which they build two houses side-by-side, with front, back and side yards, but with a common sound-proof wall. That reduces the cost of development considerably by saving on roads, land, construction, etc. They are individually-owned homes, not duplexes. **SEN. CHRISTIAENS** was not aware of any different plans. He thought it could be discussed with the planners, zoning commission, and developers.

REP. ROGER DEBRUYCKER, HD 89, Floweree, wanted to know what the match would be from private sources. If there is money from an estate for this specific purpose, or if the Board of Housing found some grants, the \$1 million would be used as a match. **REP. DEBRUYCKER** felt that the money should be put back and the coal board should allocate it instead of the Appropriations Committee.

REP. RED MENAHAN, HD 57, Anaconda, said he always hears about the coal impact. He would like someone, someday, to tell him where the impact was. He asked where the people were who were impacted -- Colstrip wasn't impacted, they've lost population. He felt it was a misnomer; maybe some roads are impacted from heavy trucks, but the population isn't. He wanted to know if there were going to be any residency requirements, for example, residing in Montana for 3 years. He doesn't want Montana to become like California. He also asked if the Board of Housing was going to give cheap loans to those who have sold expensive homes and moved to Montana. **SEN. CHRISTIAENS** said there were no residency requirements at this time, but the Board of Housing would probably have some guidelines.

REP. JOHN COBB, HD 50, Augusta, asked if there was only \$1 million in the trust fund, and only the interest would be spent (about \$100,000 a year), if this could be made into an expendable trust fund. **Ms. Rude** said the loans they make aren't in the budget; this bill is only authority spending for their expenses. They are reviewing their books to make some necessary changes, as the reverse mortgage program was created back in 1990. All their trust indenture is tied to federal tax laws and she doesn't know what is included in that yet.

REP. WISEMAN has maintained for a long time that this program should be publicizing the reverse mortgage program. He doesn't think people know much about it. **Ms. Rude** said they did do some public service announcements, but people have a fear of going into debt or trusting government. They have also changed their income status to relate to the current poverty level.

{Tape: 1; Side: B; Approx. Counter: 25.3.}

Closing by Sponsor:

SEN. CHRISTIAENS said this bill was patterned after Idaho's program and there are 25 other states that have this fund. There is a great need out there for low-income housing.

EXECUTIVE ACTION ON SB 27

Motion/Vote: REP. KASTEN MOVED SB 27 BE CONCURRED IN. CHAIRMAN ZOOK reminded her that there were some coordinating amendments presented by SEN. GROSFIELD. EXHIBIT 3. REP. KASTEN MOVED SB 27 AMENDMENTS BE CONCURRED IN. Motion carried 11 - 0.

Motion/Vote: REP. KASTEN MOVED SB 27 BE CONCURRED IN AS AMENDED. Motion carried 11 - 0.

{Tape: 1; Side: B; Approx. Counter: 29.9.}

EXECUTIVE ACTION ON SB 415

Motion: REP. DEBRUYCKER MOVED SB 415 AMENDMENT, ITEMS 1, 2, 3 AND 4, BE CONCURRED IN.

Discussion: REP. JOHN JOHNSON asked why Item 5 had been excluded and REP. DEBRUYCKER said he didn't care for it. He doesn't like state agencies having so much power and this part of the amendment would put DHES back in.

Vote: Motion carried 11 - 0.

Motion: REP. JOHN JOHNSON MOVED SB 415 AMENDMENT, ITEM 5, BE CONCURRED IN.

Discussion: REP. JOHN JOHNSON said that the testimony from DHES convinced him that the department felt it should have some oversight with people doing the work in the proper manner, not just coming in with a shovel or bulldozer and not satisfactorily completing the work. REP. DEBRUYCKER agreed with that part, but felt there might be a 'happy-medium' somewhere. REP. VICK asked if the department could perform in-kind services and CHAIRMAN ZOOK said no, but that was probably not what they intended. DHES would only have to approve of the actions, not perform them.

REP. GARY FELAND, HD 88, Shelby, thought the idea of the bill was to get some of these sites cleaned up and by putting the department back in would probably delay actions. Also, 20% goes to administration costs and the subcontractors usually charge 10%.

Motion/Vote: REP. JOHN JOHNSON MADE A SUBSTITUTE MOTION FOR ITEM 5 TO DELETE "be performed and." Motion carried 14 - 4, with REPS. KASTEN, DEBRUYCKER, FISHER and BERGSAGEL voting no.

Vote: Motion on Amendment, Item 5 carried 12 - 6, with REPS. FELAND, DEBRUYCKER, KASTEN, BERGSAGEL, HOLLAND and FISHER voting no.

Motion/Vote: REP. DEBRUYCKER MOVED SB 415 BE CONCURRED IN AS AMENDED. Motion carried unanimously.

{Tape: 1; Side: B; Approx. Counter: 39.4.}

EXECUTIVE ACTION ON HB 596

Motion: REP. COBB MOVED HB 596 CONCEPTUAL AMENDMENT DO PASS.

Discussion: REP. COBB made a conceptual amendment to HB 596 which appropriates money to the Board of Housing based on its analysis of excess reserves and subject to approval of the Board, \$1 million to a nonexpendable trust fund. The corpus of the fund must be pledged to the obligations of the Board of Housing. This amendment strikes the local impact money.

REP. KADAS noted that it should read "up to \$1 million" instead of "\$1 million." REP. COBB agreed.

REP. DON HOLLAND, HD 7, Forsyth, asked if Section 7 replaces subsection (1). REP. COBB clarified that Section 7, subsection (1) would be stricken and inserted with the new language. Section 7, subsection (2) would be used as is, but with the added new language at the end.

Clayton Schenck, Legislative Fiscal Analyst, reminded the committee that they could not appropriate money from a trust fund. The only funds that are appropriated are state special and general funds. The Board of Housing can take the money but they don't need an appropriation for that. Mr. Schenck suggested that the committee just strike the words, "There is appropriated to" from Section 7, subsection (1), to read, "The Board of Housing may ..."

REP. KASTEN wanted to know if they were taking excess reserves from one program and starting another program with money for the same purpose. She thought it sounded convoluted.

REP. COBB said **SEN. CHRISTIAENS** was just trying to fill the gap in the Board of Housing financing problems. **REP. KASTEN** asked if they would return to the legislature, like other programs have done, and tell them they were under-funded and needed more money to continue projects they should have been doing in the first place. **REP. KADAS** mentioned that if they don't use these reserves, then someone like himself comes along and takes the money for something else. He felt it was to their advantage to establish this and move the money and put it to use rather than the general fund. **REP. VICK** asked if the Board of Housing agreed with the amendment. Yes, they were in agreement with whatever the task force had suggested. It probably would not increase the workload, based on the types of low interest loans, there probably wouldn't be a whole lot of activity after the first few years. **REP. WISEMAN** mentioned that most Board of Housing money was for first-time home buyers. **Ms. Rude** said this program would allow them to serve people not ordinarily served before.

Vote: Motion that HB 596 Conceptual Amendment Do Pass carried 15 - 3, with REPS. KASTEN, FISHER, and ROYAL JOHNSON voting no.

Motion: REP. COBB MOVED HB 596 DO PASS AS AMENDED.

Discussion: Linda Reed, Governor's Office, was not able to attend the earlier hearing, but wanted the committee to know that the Governor's office supported this bill. **REP. VICK** wanted to know how many units could be built because of this program. **Ms. Rude** thought they would be able to finance 55 units. **REP. FISHER** asked about closing costs and **Ms. Rude** said that was one of the problems. There are other federal programs that would probably provide match money for closing costs.

Vote: Motion that HB 596 Do Pass As Amended failed 9 - 9 on a roll call vote, with REPS. GRADY, BERGSAGEL, DEBRUYCKER, FISHER, HOLLAND, ROYAL JOHNSON, KASTEN, VICK and CHAIRMAN ZOOK voting no.

Motion/Vote: REP. COBB MOVED HB 596 BE TABLED. Motion carried unanimously.

Hearing was recessed from 10:40 a.m. to 3:25 p.m.

{Tape: 2; Side: A; Approx. Counter: 0.6.}

EXECUTIVE ACTION ON HB 542

Motion/Vote: REP. COBB MOVED HB 542 BE TAKEN OFF THE TABLE.
Motion carried 17 - 1, with REP. DEBRUYCKER voting no.

Discussion: REP. COBB suggested that Section 7, Appropriation, be removed from the bill. He offered a conceptual amendment to strike Section 7 and renumber and fix the title.

Motion/Vote: REP. COBB MOVED HB 542 AMENDMENT. Motion carried unanimously.

Motion/Vote: REP. COBB MOVED HB 542 TO PASS AS AMENDED. Motion carried 14 - 4, with REPS. KASTEN, DEBRUYCKER, VICK and ZOOK voting no.

{Tape: 2; Side: A; Approx. Counter: 2.2.}

EXECUTIVE ACTION ON HB 528

Motion: REP. GRADY MOVED HB 528 BE TAKEN OFF THE TABLE.

Discussion: REP. KADAS asked about the reference in the gray bill to any funds received from Big Horn County. He isn't sure where the money will come from. If the county has the money, why don't they just fix the road and not move the money to the state.
EXHIBIT 4.

CHAIRMAN ZOOK clarified to the committee that the state (Department of Transportation) doesn't have to match the money, just that they may accept any amount Big Horn County may make available to fix the roads.

Clayton Schenck, Legislative Fiscal Analyst, told the committee that an appropriation has to have a limit included, so there may be a need to put an upper limit on this bill. Another option would be to establish a limit now and have the Legislative Council concur.

Vote: Motion that HB 528 Be Taken Off the Table carried 17 - 1, with REP. DEBRUYCKER voting no.

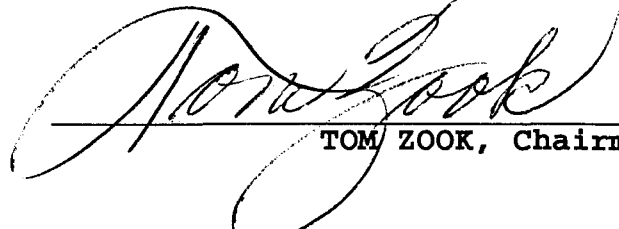
Motion/Vote: REP. FISHER MOVED TO STRIKE THE AMENDMENTS FROM THE INTRODUCED VERSION OF THE BILL. Motion carried 17 - 1, with REP. DEBRUYCKER voting no.

Motion/Vote: REP. GRADY MOVED HB 528 AMENDMENTS DO PASS. Motion carried 17 - 1, with REP. DEBRUYCKER voting no.

Motion/Vote: REP. GRADY MOVED HB 528 DO PASS AS AMENDED. Motion carried 17 - 1, with REP. DEBRUYCKER voting no.

ADJOURNMENT

Adjournment: 3:35 p.m.



TOM ZOOK, Chairman



MARJORIE PETERSON, Secretary

TZ/mp

HOUSE OF REPRESENTATIVES

Appropriations

ROLL CALL

DATE 3-22-95

NAME	PRESENT	ABSENT	EXCUSED
Rep. Tom Zook, Chairman	✓		
Rep. Ed Grady, Vice Chairman, Majority	✓		
Rep. Joe Quilici, Vice Chairman, Minority	✓		
Rep. Beverly Barnhart	✓		
Rep. Ernest Bergsagel	✓		
Rep. John Cobb	✓		
Rep. Roger DeBruycker	✓		
Rep. Gary Feland	✓		
Rep. Marj Fisher	✓		
Rep. Don Holland	✓		
Rep. John Johnson	✓		
Rep. Royal Johnson	✓		
Rep. Mike Kadas	✓		
Rep. Betty Lou Kasten	✓		
Rep. Matt McCann	✓		
Rep. Red Menahan	✓		
Rep. Steve Vick	✓		
Rep. Bill Wiseman	✓		



HOUSE STANDING COMMITTEE REPORT

March 23, 1995

Page 1 of 2

Mr. Speaker: We, the committee on Appropriations report that House Bill 528 (first reading copy -- white) do pass as amended.

Signed:


Tom Zook, Chair

And, that such amendments read:

1. Title, lines 4 and 5.

Following: "AN ACT ENTITLED: AN ACT"

Strike: "REVISING THE FUNDING OF HIGHWAYS IN THE COAL-IMPACTED AREAS OF THE STATE;"

2. Title, lines 5 and 6.

Following: "APPROPRIATING MONEY"

Strike: "FROM THE HIGHWAY SPECIAL REVENUE ACCOUNT AND THE LOCAL IMPACT ACCOUNT"

Insert: "RECEIVED FROM BIG HORN COUNTY"

3. Title, lines 7 and 8.

Following: "HIGHWAY 314;"

Strike: "ALLOCATING A PORTION OF THE COAL SEVERANCE TAX TO THE COAL AREA HIGHWAY IMPROVEMENT ACCOUNT; AMENDING SECTIONS 15-35-108 AND 90-6-202, MCA;"

4. Page 1, lines 12 and 13.

Following: "from Big Horn Country"

Strike: "for the allocation of \$10.5 million to be used"

5. Page 1, line 19.

Following: "beginning July 1, 1995"

Strike: ":"

Insert: ", any funds received from Big Horn County for the purpose described in subsection (2)."

Committee Vote:
Yes 17, No 1.

670826SC.Hbk

March 23, 1995

Page 2 of 2

6. Page 1, lines 20 and 21.

Strike: lines 20 and 21 in their entirety.

7. Page 1, line 22.

Following: "use"

Strike: "the money"

Insert: "any money that Big Horn County may make available"

8. Page 1, line 25 through page 5, line 15.

Strike: sections 2 and 3 in their entirety

Renumber: subsequent section

-END-



HOUSE STANDING COMMITTEE REPORT

March 23, 1995

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 542 (first reading copy -- white) do pass as amended.

Signed:

A handwritten signature in cursive script, appearing to read "Tom Zook".

Tom Zook, Chair

And, that such amendments read:

1. Title, line 8.

Strike: "APPROPRIATING MONEY;"

2. Page 6, lines 10 through 19.

Strike: section 7 in its entirety.

Renumber: subsequent sections

-END-

Committee Vote:
Yes 14, No 4.

670829SC.Hbk



HOUSE STANDING COMMITTEE REPORT

March 24, 1995

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that Senate Bill 27 (third reading copy -- blue) be concurred in as amended.

Signed:

A handwritten signature in cursive script, appearing to read "Tom Zook".

Tom Zook, Chair

Carried by: Rep. Vick

And, that such amendments read:

1. Page 1, line 7.

Strike: "AN"

Following: "EFFECTIVE"

Strike: "DATE"

Insert: "DATES"

2. Page 10, following line 11.

Insert: "NEW SECTION. Section 7. Coordination. If Senate Bill No. 83, House Bill No. 19, House Bill No. 422, House Bill No. 526, or House Bill No. 528 is passed and approved in a form that amends 15-35-108, percentages in that section must be expressed as percentages of total tax collections consistent with [this act]."

Renumber: subsequent section

3. Page 10, line 12

Strike: "date. [This act] is"

Insert: "dates. (1) [Section 7 and this section] are effective on passage and approval.

(2) [Sections 1 through 6] are"

-END-

Committee Vote:

Yes 11, No 0.

680902SC.Hbk



HOUSE STANDING COMMITTEE REPORT

March 24, 1995

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that Senate Bill 415 (third reading copy -- blue) be concurred in as amended.

Signed:

A handwritten signature in cursive script, appearing to read "Tom Zook".

Tom Zook, Chair

Carried by: Rep. Quilici

And, that such amendments read:

1. Page 2, line 24.

Following: "(7)"

Strike: "does not"

Insert: "is not intended to interfere with or to"

Following: "authority"

Insert: "or actions"

2. Page 2, line 27.

Following: "state."

Insert: "Subsections (7) and (8) do not pertain to facilities where the department has initiated actions under this part."

3. Page 3, line 10.

Following: "CONDUCT OF"

Strike: "THE REMEDIAL ACTION CONTRACTOR"

Insert: "the entity providing in-kind services"

4. Page 3

Following: line 15

Insert: "(e) Any donated in-kind services that are employed as part of a remedial action pursuant to this subsection (8) must be approved by the department as appropriate remedial action."

-END-

Committee Vote:
Yes 18, No 0.

680904SC.Hbk

**HOUSE OF REPRESENTATIVES
54TH LEGISLATIVE SESSION - 1995**

ROLL CALL VOTE

APPROPRIATIONS COMMITTEE

DATE 3-22-95 BILL NO. HB 596

MOTION Rep. Cobb moved HB 596 Do Pass
As Amended. Motion failed 9-9.

NAME	AYE	NO
Rep. Ed Grady, VICE CHAIRMAN, MAJORITY		✓
Rep. Beverly Barnhart	✓	
Rep. Ernest Bergsagel		✓
Rep. John Cobb	✓	
Rep. Roger DeBruycker		✓
Rep. Gary Feland	✓	
Rep. Marjorie Fisher		✓
Rep. Don Holland		✓
Rep. John Johnson	✓	
Rep. Royal Johnson		✓
Rep. Mike Kadas	✓	
Rep. Betty Lou Kasten		✓
Rep. Matt McCann	✓	
Rep. Red Menahan	✓	
Rep. Joe Quilici, VICE CHAIRMAN, MINORITY	✓	
Rep. Steve Vick		✓
Rep. Bill Wiseman	✓	
Rep. Tom Zook, CHAIRMAN		✓

EXHIBIT 1
DATE 3-22-95
SB 415

Amendments to SB 415, Third Reading Copy
Submitted by DHES with Concurrence of Sponsor

March 21, 1995

1. Page 2, line 24
Following: "subsection (7)"
Strike: "does not "
Insert: "is not intended to interfere with or to"

2. Page 2, line 24
Following: "authority"
Insert: "or actions"

3. Page 2, line 27
Following: "state!"
Insert: "Subsections (7) and (8) do not pertain to facilities
where the department has initiated actions under Title
75 Chapter 10, Part 7, MCA."

4. Page 3, line 10
Following: "conduct of"
Strike: "THE REMEDIAL ACTION CONTRACTOR"
Insert: "the entity providing in-kind services"

5. Page 3, line 16
Following: "SUBSTANCE" on line 15
Insert: "(E) Any donated in-kind services that are employed as
part of a remedial action pursuant to subsection (7)
must be performed and be approved by the department as
appropriate remedial action."

EXHIBIT 2
DATE 3-22-95
HB 596

A DECENT HOME FOR EVERY MONTANA FAMILY

**A Report to the Governor and the 54th Legislature
from the STATE HOUSING TASK FORCE**

November 1994

Published by



Montana Legislative Council

**Montana Legislative Council
State Capitol, Room 138
Helena, Montana 59620-1706
PHONE: (406) 444-3064
FAX: (406) 444-3036**

EXHIBIT 3
DATE 3-22-95
SB 27

Amendments to Senate Bill No. 27
Third Reading Copy

For the House Appropriations Committee

Prepared by Roger Lloyd
March 1, 1995

1. Page 1, line 7.

Strike: "AN"

Following: "EFFECTIVE"

Strike: "DATE"

Insert: "DATES"

2. Page 10, following line 11.

Insert: "NEW SECTION. **Section 7. Coordination.** If Senate Bill No. 83, House Bill No. 19, House Bill No. 422, House Bill No. 526, or House Bill No. 528 is passed and approved in a form that amends 15-35-108, percentages in that section must be expressed as percentages of total tax collections consistent with [this act]."

Renumber: subsequent section

3. Page 10, line 12

Strike: "**date.** [This act] is"

Insert: "**dates.** (1) [Section 7 and this section] are effective on passage and approval.

(2) [Sections 1 through 6] are"

{Office of Legislative Fiscal Analyst

444-2986}

EXHIBIT 4
DATE 3-22-95
HB 528

HOUSE BILL NO. 528

INTRODUCED BY _____

A BILL FOR AN ACT ENTITLED: ~~"AN ACT REVISING THE FUNDING OF HIGHWAYS IN THE COAL IMPACTED AREAS OF THE STATE; APPROPRIATING MONEY FROM THE HIGHWAY SPECIAL REVENUE ACCOUNT AND THE LOCAL IMPACT ACCOUNT RECEIVED FROM BIG HORN COUNTY TO THE DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF MONTANA HIGHWAY 314; ALLOCATING A PORTION OF THE COAL SEVERANCE TAX TO THE COAL AREA HIGHWAY IMPROVEMENT ACCOUNT; AMENDING SECTIONS 15-35-108 AND 90-6-202, MCA; AND PROVIDING AN EFFECTIVE DATE."~~

WHEREAS, the Big Horn County Board of Commissioners, in a resolution adopted on December 22, 1994, urged the 54th Legislature to support a request from Big Horn County ~~for the allocation of \$10.5 million to be used for the expeditious reconstruction of a portion of Montana Highway 314 between Decker and Busby, Montana.~~

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Appropriation. (1) There is appropriated to the department of transportation for the biennium beginning July 1, 1995: ANY FUNDS RECEIVED FROM BIG HORN COUNTY FOR THE PURPOSE DESCRIBED IN (2).

- (a) ~~\$5.5 million from the state highway account in the state special revenue fund; and~~
- (b) ~~\$5 million from the local impact account in the state special revenue fund.~~

(2) The department of transportation shall use ~~the money~~ ANY MONEY WHICH BIG HORN COUNTY MAY MAKE AVAILABLE to reconstruct 13 miles of Montana highway 314 between Decker and Busby, Montana.

~~Section 2. Section 15-35-108, MCA, is amended to read:~~

~~"15-35-108. (Temporary) Disposal of severance taxes. Severance taxes collected under this chapter must, in accordance with the provisions of 15-1-501(6), be allocated as follows:~~

HOUSE OF REPRESENTATIVES

VISITOR'S REGISTER

Appropriations COMMITTEE BILL NO. HB 596
DATE 3-22-95 SPONSOR(S) _____ SB27
SB415

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
Ronda Carpenter	Mt Housing Providers WMLA, MLA, IPM'S	HB596		✓
Kevin Hoge	MONTANA NHRO Municipal Housing, City of	HB596		X
Maureen Rude	Board of Housing	HB596		✓
Chris Christensen	Housing Task Force	HB596		✓

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.