

**MINUTES**

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

**COMMITTEE ON APPROPRIATIONS**

**Call to Order:** By CHAIRMAN TOM ZOOK, on March 4, 1997, at 8:00 a.m., in Room 312-2. The hearing on HB 2 continued until Friday, March 7, 1997 at 6:00 p.m. The complete set of minutes is contained in this document, since the hearing was only recessed in the evenings and did not adjourn until passage of the bill on Friday evening.

**ROLL CALL**

**Members Present:**

Rep. Tom Zook, Chairman (R)  
Rep. Edward J. "Ed" Grady, Vice Chairman (Majority) (R)  
Rep. Joe Quillici, 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: HB 2  
Executive Action: HB 2 DO PASS AS AMENDED

HEARING ON HB 2Tuesday, March 4, 1997, 8:00 a.m.Opening Statement by Sponsor:

REP. TOM ZOOK, CHAIRMAN of the House Appropriations Committee, HD 3, Miles City, opened the hearing on HB 2, An act appropriating money to various state agencies for the biennium ending June 30, 1999.

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

Opening Statement by Legislative Fiscal Analyst:

Clayton Schenck, Legislative Fiscal Analyst, gave an overview of the bill and explained the narrative that accompanied the bill. This bill reflects action taken by each subcommittee and strikes the entire first copy of the bill. One of the changes in the bill from previous formats is the language which includes performance measures adopted by all the subcommittees. There is also a new section, Section R, which are the rates approved by subcommittees. There are also boiler plates for clarification and reference to the rates. Order of the sections in this hearing is Section C, then Section A, Section B, Section D, Section E. The last will be Section R and the boilerplate language. The Overview Section in the narrative has some tables which might be helpful to the committee because they reflect the subcommittees actions thus far. There are tables which indicate what was requested by the Executive Budget and which legislative action is relative to that new proposal. The proposed amendment deals with an error in the Executive Budget of \$1.2 million. We need to put that money back into each agency. There is also a technical amendment which clarifies language and makes technical corrections in the bill.

{Tape: 1; Side: A; Approx. Tape Counter: 0.6.}

EXECUTIVE ACTION ON HB 2

[It should be noted that Testimony, Discussion, Questions from the Committee, and Executive Action occurred simultaneously throughout the hearing, section by section.]

Motion/Vote: REP. MENAHAN moved to accept the global amendment for the \$1.2 million to be shared among the various state agencies. CHAIRMAN ZOOK reiterated that this amendment was the result of a mistake made by the Office of Budget and Program Planning when the budgets were being calculated. Mr. Schenck distributed the Longevity Calculations Shortfall table showing the breakdown for each agency. Motion carried unanimously.

EXHIBIT 1.

{Tape: 1; Side: A; Approx. Tape Counter: 11.8.}

Motion/Vote: REP. BERGSAGEL moved technical amendment, HB000201.a35, Do Pass. Mr. Schenck explained the technical amendment which makes technical corrections in the bill. This includes language that had been inadvertently left out or corrections in dates and corrects some language in the rates section. CHAIRMAN ZOOK explained that it was just a clarification and doesn't remove any positions or change funding. EXHIBIT 2.

{Tape: 1; Side: A; Approx. Tape Counter: 14.4.}

SECTION C -- NATURAL RESOURCES AND COMMERCE  
REP. ROGER DEBRUYCKER, CHAIRMAN

NATURAL RESOURCES SUBCOMMITTEE CHAIRMAN REP. ROGER DEBRUYCKER, HD 89, Floweree, opened the hearing on Section C of HB 2, Natural Resources and Commerce. He introduced the other subcommittee members, REP. JOHN JOHNSON, HD 2, Glendive; REP. BILL WISEMAN, HD 41, Great Falls; SEN. TOM KEATING, Vice-Chair, SD 5, Billings; SEN. LARRY BAER, SD 38, Bigfork; and SEN. LINDA NELSON, SD 49, Medicine Lake. The agencies included in Section C are Fish, Wildlife and Parks, Environmental Quality, Livestock, Natural Resources and Conservation, Agriculture, and Commerce. REP. DEBRUYCKER gave an overview of the subcommittee's recommendations.

{Tape: 1; Side: A; Approx. Tape Counter: 19.5.}

Motion: REP. DEBRUYCKER moved amendment HB000202.a05 Do Pass.

{Tape: 1; Side: A; Approx. Tape Counter: 24.0.}

Proponents:

Pat Graham, Director, Department of Fish, Wildlife and Parks, Helena. Mr. Graham distributed a map showing the automated licensing system status of western states. EXHIBIT 3.

{Tape: 1; Side: A; Approx. Tape Counter: 24.6.}

Dave Mott, Administrator, Administration and Finance Division, Department of Fish, Wildlife and Parks, Helena. Mr. Mott distributed copies of the Resident Conservation License, License Consignment sheets, and an informational sheet on the Proposed Automated Licensing System. He also distributed an example of the hand-written license copies and a brochure on the IBM Sure-One computer terminal that agents would use with the automated license system. EXHIBITS 4, 5, 6, 7, 8.

{Tape: 1; Side: A; Approx. Tape Counter: 28.5.}

Bob LeFever, Fran's Sport Shop, Butte. Mr. LeFevre was chairman of the Point-of-Sale Advisory Council for the Department of Fish, Wildlife and Parks. He submitted his written testimony, along with a letter from Nancy Wilson, Sports, Inc., Lewistown, and a sample automated license from Oregon. EXHIBITS 9, 10, 11.

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

Maxine Morehouse, Bookkeeper, Capital Sports and Western Wear,  
Helena.

{Tape: 1; Side: B; Approx. Tape Counter: 4.6.}

Ken Hoovestall, Walleyes Unlimited of Montana, Helena.

{Tape: 1; Side: B; Approx. Tape Counter: 5.8.}

REP. DEBRUYCKER read the recommendations of the subcommittee for  
the automated licensing system.

{Tape: 1; Side: B; Approx. Tape Counter: 6.7.}

Questions From the Committee:

{Tape: 1; Side: B; Approx. Tape Counter: 8.4.}

Vote: Motion that amendment HB000202.a05 Do Pass carried  
unanimously.

{Tape: 1; Side: B; Approx. Tape Counter: 23.0.}

Motion/Vote: REP. BERGSAGEL moved to accept the subcommittee's  
recommendations. Motion carried 12 - 6, with REPS. JOHN JOHNSON,  
FELAND, PECK, MCCANN, KEENAN, and VICK voting no.

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

Questions From the Committee:

{Tape: 1; Side: B; Approx. Tape Counter: 29.2.}

Motion: REP. DEBRUYCKER moved Committee Study Bill amendment,  
which dealt with Page C-1, Line 18, Do Pass.

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

Questions From the Committee:

Mr. Graham submitted a sheet on the Endangered Native Trout - A  
Montana Solution. EXHIBIT 12.

{Tape: 1; Side: B; Approx. Tape Counter: 39.1.}

Vote: Motion that amendment on Page C-1, Line 18, Do Pass  
carried unanimously.

{Tape: 1; Side: B; Approx. Tape Counter: 42.0.}

Questions From the Committee:

Mr. Graham submitted a brochure on Montana's State Parks.  
EXHIBIT 13.

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

Motion/Vote: REP. WISEMAN moved amendment HB000206.a05 Do Pass.  
Motion carried 16 - 2, with REPS. KASTEN and DEBRUYCKER voting  
no.

{Tape: 2; Side: A; Approx. Tape Counter: 30.4.}

Discussion:

{Tape: 2; Side: B; Approx. Tape Counter: 0.1 and Tape 3; Side: A;  
Approx. Tape Counter: 0.1.}

Motion/Vote: REP. COBB moved a voice amendment to delete the words "to attempt" from Page C-8, Line 20 and Page C-68. Motion carried unanimously.

{Tape: 3; Side: A; Approx. Tape Counter: 8.6.}

Discussion:

{Tape: 3; Side: A; Approx. Tape Counter: 13.1 and Tape: 3; Side: B; Approx. Tape Counter: 0.1.}

Motion: REP. QUILICI moved amendment HB251#1.wpd Do Pass.

{Tape: 3; Side: B; Approx. Tape Counter: 0.2.}

Questions From the Committee:

Peter Blouke, Director, Department of Commerce, Helena. Mr. Blouke distributed copies of the Montana Manufacturing Extension Center along with charts on hourly wages and employment size.

EXHIBIT 14.

{Tape: 3; Side: B; Approx. Tape Counter: 3.3.}

Vote: Motion that amendment HB251#1.wpd Do Pass failed 7 - 11 on a roll call vote, with REPS. BARNHART, JOHN JOHNSON, ROYAL JOHNSON, MENAHAN, PECK, QUILICI, and WISEMAN voting yes.

{Tape: 3; Side: B; Approx. Tape Counter: 21.7.}

Motion/Vote: REP. ROYAL JOHNSON moved amendment HB251#2.wpd Do Pass. Motion failed 5 - 13, with REPS. BARNHART, JOHN JOHNSON, ROYAL JOHNSON, WISEMAN and MENAHAN voting yes.

{Tape: 3; Side: B; Approx. Tape Counter: 25.0.}

Motion: REP. HOLLAND moved amendment on Page C-11, Line 15, Do Pass.

{Tape: 3; Side: B; Approx. Tape Counter: 29.0.}

Proponents:

Sue Olson, Musselshell County Commissioner, distributed a copy of the Coal Impact Inventory for Musselshell County for 1997.

EXHIBIT 15.

{Tape: 3; Side: B; Approx. Tape Counter: 30.1.}

Terry Taylor, Hardware Store Owner, Colstrip.

Peter Blouke, Director, Department of Commerce, Helena.

Monty Sealey, representing the Mayor of Roundup.

Tom Daubert, Montana Association of Oil, Gas and Coal Counties.

Jim Meckler, Director, Montana Coal Council.

{Tape: 3; Side: B; Approx. Tape Counter: 34.5.}

Questions From the Committee:

{Tape: 4; Side: A; Approx. Tape Counter: 0.1.}

Vote: Motion that Holland amendment on Page C-11, Line 15, Do Pass carried 12 - 6, with REPS. GRADY, BARNHART, DEBRUYCKER, FELAND, KASTEN and PECK voting no.

{Tape: 4; Side: A; Approx. Tape Counter: 21.7.}

Motion: REP. DEBRUYCKER moved amendment HB000202.a15 Do Pass.  
{Tape: 4; Side: A; Approx. Tape Counter: 24.3.}

Proponents:

John Doyle, Big Horn County Commissioner. Mr. Doyle submitted a folder with his written testimony and letters from Decker Coal Company. EXHIBIT 16.

Jim Meckler, Director, Montana Coal Council.

{Tape: 4; Side: A; Approx. Tape Counter: 32.0.}

Vote: Motion that amendment HB000202.a15 Do Pass carried 10 - 8, with REPS. GRADY, BARNHART, BERGSAGEL, ROYAL JOHNSON, KEENAN, MCCANN, PECK and CHAIRMAN ZOOK voting no.

{Tape: 4; Side: A; Approx. Tape Counter: 37.2.}

Motion: REP. COBB moved a voice amendment on Page C-11, Line 21, dealing with the Montana Science and Technology Alliance. After discussion he withdrew his motion.

{Tape: 4; Side: A; Approx. Tape Counter: 40.9.}

Motion/Vote: REP. COBB moved amendment HB000201.a15 Do Pass.

Motion failed 9 - 9 on a roll call vote, with REPS. GRADY, BERGSAGEL, JOHN JOHNSON, ROYAL JOHNSON, KASTEN, MENAHAN, QUILICI, WISEMAN and CHAIRMAN ZOOK voting no.

{Tape: 4; Side: B; Approx. Tape Counter: 0.1.}

Motion/Vote: REP. COBB moved a voice amendment on Page C-17, No. 1, Bear Management Specialist, to upgrade the proposed 0.76 FTE to 1.00 FTE in FY 98. Motion carried unanimously.

{Tape: 4; Side: B; Approx. Tape Counter: 11.7.}

Motion/Vote: REP. COBB moved a voice global amendment to delete the words "to attempt" and insert the word "shall" throughout the bill. Motion carried unanimously.

{Tape: 4; Side: B; Approx. Tape Counter: 13.9.}

Motion/Vote: REP. COBB moved amendment HB000202.a16 Do Pass.

Motion failed 6 - 12 on a roll call vote, with REPS. BARNHART, COBB, KASTEN, KEENAN, PECK and VICK voting yes.

{Tape: 4; Side: B; Approx. Tape Counter: 15.7.}

Motion/Vote: REP. DEBRUYCKER moved HB 2, Section C, Do Pass As Amended. Motion carried unanimously.

{Tape: 4; Side: B; Approx. Tape Counter: 19.0.}

SECTION A -- GENERAL GOVERNMENT AND TRANSPORTATION  
REP. ED GRADY, CHAIRMAN

REP. ED GRADY, HD 55, Canyon Creek, opened the hearing on Section A, General Government and Transportation. REP. GRADY introduced the other members of the subcommittee, REP. BOB KEENAN, HD 75, Bigfork; REP. JOE QUILICI, HD 36, Butte; SEN. LOREN JENKINS, Vice-Chair, SD 45, Big Sandy; SEN. EVE FRANKLIN, SD 21, Great Falls; and SEN. DALE MAHLUM, SD 35, Missoula. The agencies included in Section A are: Legislative Branch, Consumer Counsel, Judiciary, Montana Chiropractic Legal Panel, Governor's Office, Secretary of State, Commissioner of Political Practices, State Auditor, Transportation, Revenue, Administration, Appellate Defender Commission, Public Employees' Retirement Board, and Teachers' Retirement Board. REP. GRADY gave an overview of the subcommittee's recommendations.

{Tape: 4; Side: B; Approx. Tape Counter: 20.8.}

Questions From the Committee:

{Tape: 4; Side: B; Approx. Tape Counter: 37.5.}

Frank Cote, Deputy Insurance Commissioner, State Auditor's Office, Helena. Mr. Cote submitted a sheet showing the State Auditor's Office, Insurance Department, General Fund Budget and a list of Elected Officials Exempt Employees. EXHIBIT 17.

{Tape: 5; Side: A; Approx. Tape Counter: 0.2.}

David Rehbein, Chief Financial Officer, Attorneys Liability Protection Society, Missoula. Mr. Rehbein submitted his written testimony. EXHIBIT 18.

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

Motion: REP. KASTEN moved amendment HB000206.a16 Do Pass. REP. KASTEN withdrew her motion since this amendment was contingent on the passage of another bill.

{Tape: 5; Side: B; Approx. Tape Counter: 4.0.}

Motion/Vote: REP. KASTEN moved amendment HB000203.a16 Do Pass. Motion carried 10 - 8 on a roll call vote, with REPS. GRADY, BARNHART, COBB, JOHN JOHNSON, MENAHAN, PECK, QUILICI and WISEMAN voting no.

{Tape: 5; Side: B; Approx. Tape Counter: 10.2.}

Hearing recessed at 6:10 p.m., Tuesday, March 4.

Hearing called back to order at 8:00 a.m., Wednesday, March 5.

Wednesday, March 5, 1997, 8:00 a.m.

Rep. Grady continued with Section A, General Government and Transportation.

Motion/Vote: REP. GRADY moved amendment HB000204.a16 Do Pass. This amendment deals with a technical error in the bill under the Department of Administration mail rates. Motion carried unanimously.

{Tape: 6; Side: A; Approx. Tape Counter: 0.1.}

Motion: REP. GRADY moved a voice amendment on Page A-12, Line 1, to insert \$75,000 for each year of the biennium for expert witness fees for the Department of Revenue.

{Tape: 6; Side: A; Approx. Tape Counter: 1.0.}

Proponents:

Mary Bryson, Director, Department of Revenue, Helena.

Rep. Jack Wells, HD 27, Bozeman, Taxation Committee.

Rep. Hal Harper, HD 52, Helena, Taxation Committee.

{Tape: 6; Side: A; Approx. Tape Counter: 2.9.}

Vote: Motion that Grady voice amendment Do Pass carried 15 - 3, with REPS. COBB, KASTEN and VICK voting no.

{Tape: 6; Side: A; Approx. Tape Counter: 10.2.}

Motion: REP. QUILICI moved amendment on Page A-6, Line 23, Do Pass. This amendment reinstates \$200,000 general fund vacancy savings and 5 FTE from Governor's Recommended Budget.

{Tape: 6; Side: A; Approx. Tape Counter: 10.7.}

Proponents:

Frank Cote, Deputy Insurance Commissioner, State Auditor's Office, Helena.

Motion: REP. GRADY moved a substitute amendment to reduce the amount to \$100,000 and delete the language on the amendment.

{Tape: 6; Side: A; Approx. Tape Counter: 19.0.}

Discussion:

{Tape: 6; Side: A; Approx. Tape Counter: 19.9.}

Vote: Motion that Grady substitute amendment Do Pass carried 14 - 4, with REPS. JOHN JOHNSON, MCCANN, PECK, and VICK voting no.

{Tape: 6; Side: A; Approx. Tape Counter: 34.0.}

Motion/Vote: REP. QUILICI moved amendment HB000209.a16 Do Pass. Motion failed 4 - 14, with REPS. BARNHART, JOHN JOHNSON, MENAHAN, and QUILICI voting yes.

{Tape: 6; Side: A; Approx. Tape Counter: 34.4.}



Motion/Vote: REP. QUILICI moved amendment HB000210.a16 Do Pass. Motion failed 4 - 14, with REPS. COBB, BARNHART, JOHN JOHNSON, and QUILICI voting yes.

{Tape: 6; Side: A; Approx. Tape Counter: 39.8.}

Motion: REP. COBB moved amendment HB000201.a07 Do Pass.

{Tape: 6; Side: B; Approx. Tape Counter: 0.1.}

Discussion:

REP. COBB distributed a sheet on the Misdemeanor Dangerous Drug Report. EXHIBIT 19.

Vote: Motion that amendment HB000201.a07 Do Pass carried 13 - 5, with REPS. QUILICI, MCCANN, JOHN JOHNSON, GRADY, and CHAIRMAN ZOOK voting no.

{Tape: 6; Side: B; Approx. Tape Counter: 4.0.}

Motion: REP. COBB moved amendment HB000202.cls Do Pass.

{Tape: 6; Side: B; Approx. Tape Counter: 5.1.}

Discussion:

{Tape: 6; Side: B; Approx. Tape Counter: 5.5.}

Vote: Motion that amendment HB000202.cls Do Pass failed 6 - 12, with REPS. COBB, KASTEN, PECK, MCCANN, KEENAN, and VICK voting yes.

{Tape: 6; Side: B; Approx. Tape Counter: 25.0.}

Motion/Vote: REP. COBB moved a voice amendment reducing the amount to \$11.7 million. Motion failed 5 - 13, with REPS. COBB, BARNHART, MENAHAN, KEENAN, and VICK voting yes.

{Tape: 6; Side: B; Approx. Tape Counter: 27.3.}

Motion: REP. DEBRUYCKER moved a voice amendment on Page A-94, striking the Office Rent for Cascade County Appraisers Office.

{Tape: 6; Side: B; Approx. Tape Counter: 32.8.}

Discussion:

{Tape: 6; Side: B; Approx. Tape Counter: 34.7.}

Vote: Motion that DeBruycker voice amendment Do Pass carried unanimously.

Motion/Vote: REP. ZOOK moved to strike Page A-7, Lines 12 and 13. Clayton Schenck explained that this language was no longer needed. Motion carried unanimously.

Motion/Vote: REP. HOLLAND moved HB 2, Section A, Do Pass As Amended. Motion carried unanimously.

{Tape: 6; Side: B; Approx. Tape Counter: 38.3.}

SECTION B -- HEALTH AND HUMAN SERVICES  
REP. BETTY LOU KASTEN, CHAIR

REP. BETTY LOU KASTEN, HD 99, Brockway, opened the hearing on Section B, Health and Human Services. REP. KASTEN introduced the other members of the subcommittee, REP. BEVERLY BARNHART, HD 29, Bozeman; REP. JOHN COBB, HD 50, Augusta; SEN. CHUCK SWYSGOOD, Vice-Chair, SD 17, Dillon; SEN. JIM BURNETT, SD 12, Luther; and SEN. MIGNON WATERMAN, SD 26, Helena. The agencies included in Section B are: Public Health and Human Services. REP. KASTEN gave an overview of the subcommittee's recommendations and emphasized that the Department of Public Health and Human Services' budget was \$1.5 billion.

{Tape: 6; Side: B; Approx. Tape Counter: 41.0.}

Proponents:

Laurie Ekanger, Director, Department of Public Health and Human Services, Helena.

Motion/Vote: REP. KASTEN moved amendment HB000205.a94 Do Pass. Motion carried 11 - 7 on a roll call vote, with REPS. DEBRUYCKER, KASTEN, KEENAN, MCCANN, PECK, VICK, and CHAIRMAN ZOOK voting no.

{Tape: 7; Side: B; Approx. Tape Counter: 0.1.}

Motion/Vote: REP. KASTEN moved amendment HB000202.a19 Do Pass. Motion carried 17 - 1, with REP. KASTEN voting no.

{Tape: 7; Side: B; Approx. Tape Counter: 24.2.}

Motion: REP. KASTEN moved amendment HB000203.a19 Do Pass.

{Tape: 7; Side: B; Approx. Tape Counter: 25.0.}

Motion/Vote: REP. COBB moved a substitute amendment to insert the words "future savings and downsizing used only for those on waiting lists". Motion failed 7 - 11 on a roll call vote, with REPS. BARNHART, BERGSAGEL, COBB, KASTEN, PECK, WISEMAN, and CHAIRMAN ZOOK voting yes.

{Tape: 8; Side: A; Approx. Tape Counter: 13.3.}

Motion/Vote: REP. COBB moved amendment HB000207.a31 Do Pass. Motion carried 10 - 7 on a roll call vote, with REPS. DEBRUYCKER, FELAND, JOHN JOHNSON, MCCANN, MENAHAN, QUILICI, and VICK voting no.

{Tape: 8; Side: A; Approx. Tape Counter: 22.5.}

Motion/Vote: REP. COBB moved amendment HB000201.a94 Do Pass. Motion carried 17 - 1, with REP. MCCANN voting no.

{Tape: 8; Side: A; Approx. Tape Counter: 27.8.}

Motion: REP. ROYAL JOHNSON moved amendment on Page B-3, Line 8, to restore funds for mental health managed care contract, Do Pass.

{Tape: 8; Side: A; Approx. Tape Counter: 30.9.}

[NOTE: Tape 8, Side B, was not used.]

Questions From the Committee:

Dan Anderson, Administrator, Addictive and Mental Disorders Division, Department of Public Health and Human Services, Helena. Jane McCulloch, Director, Montana Community Partners. Ms. McCulloch submitted a sheet describing the Mental Health Access Plan. **EXHIBIT 20.**

Allen Shusterman, Community Partners Health Access Program, Maryland.

{Tape: 9; Side: A; Approx. Tape Counter: 0.1.}

Vote: Motion that Johnson amendment Do Pass failed 4 - 14 on a roll call vote, with REPS. BARNHART, JOHN JOHNSON, ROYAL JOHNSON, and PECK voting yes.

{Tape: 9; Side: A; Approx. Tape Counter: 21.4.}

Motion/Vote: REP. KASTEN moved amendment HB000219.a09 Do Pass. Motion failed 7 - 11 on a roll call vote, with REPS. GRADY, DEBRUYCKER, HOLLAND, KASTEN, VICK, WISEMAN, and CHAIRMAN ZOOK voting yes.

{Tape: 9; Side: A; Approx. Tape Counter: 35.0.}

Motion/Vote: REP. KASTEN moved amendment HB000218.a09 Do Pass. Motion carried 14 - 4, with REPS. BARNHART, PECK, MCCANN, and DEBRUYCKER voting no.

{Tape: 9; Side: A; Approx. Tape Counter: 43.2.}

Motion/Vote: REP. MENAHAN moved amendment EPP 1999 Biennium Request, for general fund for Individuals Aging Out of CCH, Do Pass. Motion failed 7 - 11 on a roll call vote, with REPS. BARNHART, COBB, JOHN JOHNSON, MENAHAN, PECK, QUILICI, and CHAIRMAN ZOOK voting yes.

{Tape: 9; Side: B; Approx. Tape Counter: 5.9.}

Motion: REP. KASTEN moved amendment HB002med.grt Do Pass.

{Tape: 9; Side: B; Approx. Tape Counter: 30.7.}

Motion/Vote: REP. COBB moved substitute motion on Page B-3, Line 20, to strike the words "The department may not ask for a supplemental appropriation." Do Pass. Motion carried 17 - 1, with REP. QUILICI voting no.

{Tape: 9; Side: B; Approx. Tape Counter: 36.9.}

Motion: REP. KASTEN moved amendment HB002crs.cut Do Pass.

{Tape: 9; Side: B; Approx. Tape Counter: 39.0.}

Motion/Vote: REP. COBB moved substitute amendment HB000215.a09 Do Pass. Motion carried 13 - 5 on a roll call vote, with REPS. JOHN JOHNSON, ROYAL JOHNSON, MCCANN, MENAHAN, and QUILICI voting no.

{Tape: 10; Side: A; Approx. Tape Counter: 0.1.}

Motion: REP. BERGSAGEL moved amendment HB000225.a09 Do Pass.

{Tape: 10; Side: A; Approx. Tape Counter: 8.9.}

Motion/Vote: REP. COBB moved substitute amendment COBAMEND.WK4, #3, Do Pass. Motion failed 5 - 13, with REPS. COBB, MENAHAN, BARNHART, QUILICI, and PECK voting yes.

{Tape: 10; Side: A; Approx. Tape Counter: 9.4.}

Vote: Motion that amendment HB000225.a09 Do Pass carried 13 - 5, with REPS. COBB, BARNHART, MENAHAN, DEBRUYCKER, and QUILICI VOTING NO.

Motion/Vote: REP. COBB moved amendment, \$1.4 million for Children's Catastrophic and Accident Insurance Program, Do Pass. Motion carried 10 - 8 on a roll call vote, with REPS. GRADY, BERGSAGEL, FELAND, HOLLAND, ROYAL JOHNSON, KASTEN, VICK, and WISEMAN voting no.

{Tape: 10; Side: A; Approx. Tape Counter: 39.2.}

Hearing recessed at 6:15 p.m., Wednesday, March 5.

Hearing called back to order at 8:00 a.m., Thursday, March 6.

Thursday, March 6, 1997, 8:00 a.m.

Rep. Kasten continued with Section B, Public Health and Human Services.

Discussion:

{Tape: 11; Side: A; Approx. Tape Counter: 0.1.}

Motion/Vote: REP. MENAHAN moved a voice amendment to add \$300,000 per biennium to the Department of Justice for Addictive Diseases. Motion failed 6 - 12 on a roll call vote, with REPS. BARNHART, COBB, JOHN JOHNSON, MENAHAN, PECK, and QUILICI voting no.

{Tape: 11; Side: A; Approx. Tape Counter: 4.4.}

Motion/Vote: REP. JOHN JOHNSON moved amendment HB000212.a09 Do Pass. Motion failed 7 - 10 on a roll call vote, with REPS. BARNHART, HOLLAND, JOHN JOHNSON, MENAHAN, PECK, QUILICI, and WISEMAN voting yes.

{Tape: 11; Side: A; Approx. Tape Counter: 15.5.}

Motion/Vote: REP. BARNHART moved amendment HB000a001.000 Do Pass. Motion failed 3 - 15, with REPS. BARNHART, JOHN JOHNSON, and MENAHAN voting yes.

{Tape: 11; Side: A; Approx. Tape Counter: 22.1.}

Motion/Vote: REP. GRADY moved amendment HB000201.a19 Do Pass. Motion failed 8 - 10 on a roll call vote, with REPS. GRADY, BARNHART, COBB, JOHN JOHNSON, MCCANN, MENAHAN, PECK, and QUILICI voting yes.

{Tape: 11; Side: B; Approx. Tape Counter: 0.1.}

Motion/Vote: REP. COBB moved amendment HB000205.a09 Do Pass. Motion failed 7 - 10 on a roll call vote, with REPS. BARNHART, COBB, JOHN JOHNSON, KASTEN, MENAHAN, QUILICI, and VICK voting yes.

{Tape: 11; Side: B; Approx. Tape Counter: 19.0.}

Motion/Vote: REP. COBB moved a voice amendment on B-4, Line 15, to insert the words "child care" before "sliding fee scale". Motion carried unanimously.

{Tape: 11; Side: B; Approx. Tape Counter: 26.4.}

Clayton Schenck distributed the Longevity Calculations Shortfall which added in the \$1.2 million error from previously. This sheet the adjustments for each agency. EXHIBIT 21.

Motion/Vote: REP. PECK moved the shortfall amendment. Motion carried unanimously.

{Tape: 11; Side: B; Approx. Tape Counter: 27.2.}

Motion/Vote: REP. COBB moved amendment HB000211.a09 Do Pass. Motion carried 10 - 5 on a roll call vote, with REPS. BERGSAGEL, DEBRUYCKER, KASTEN, KEENAN, and VICK voting no.

{Tape: 11; Side: B; Approx. Tape Counter: 27.7.}

Motion/Vote: REP. DEBRUYCKER moved a voice amendment on Page B-17, to strike the 1.00 FTE for legal staff, Do Pass. Motion failed 1 - 17, with REP. DEBRUYCKER voting yes.

{Tape: 11; Side: B; Approx. Tape Counter: 36.0.}

Motion/Vote: CHAIRMAN ZOOK asked for a motion to reconsider HB000201.a19. REP. GRADY moved to reconsider amendment. Motion carried 17 - 1, with REP. BERGSAGEL voting no.

{Tape: 12; Side: A; Approx. Tape Counter: 5.2.}

Motion/Vote: REP. GRADY moved amendment HB000201.a19 Do Pass. Motion carried 16 - 2, with REPS. DEBRUYCKER and BERGSAGEL voting no.

{Tape: 12; Side: A; Approx. Tape Counter: 5.9.}

Motion/Vote: REP. COBB moved amendment HB000208.a09 Do Pass. Motion failed 7 - 10 on a roll call vote, with REPS. BARNHART, COBB, DEBRUYCKER, JOHN JOHNSON, MENAHAN, PECK, and QUILICI voting yes.

{Tape: 12; Side: A; Approx. Tape Counter: 19.2.}

Motion: REP. COBB moved a voice amendment to give \$50,000 each year from general fund for Big Brothers Big Sisters of Montana.

{Tape: 12; Side: A; Approx. Tape Counter: 35.4.}

Discussion:

Doug Brown, Director, Big Brothers Big Sisters of Montana, Helena. Mr. Brown submitted a brochure which explained this organization. EXHIBIT 22.

Vote: Motion that Cobb Big Brothers Big Sisters amendment Do Pass failed 7 - 11, with REPS. COBB, MENAHAN, BARNHART, JOHN JOHNSON, PECK, MCCANN, and QUILICI voting yes.

Motion/Vote: REP. COBB moved amendment HB000206.a09 Do Pass. Motion failed 5 - 13, with REPS. COBB, BARNHART, JOHN JOHNSON, MENAHAN, and PECK voting yes.  
{Tape: 12; Side: B; Approx. Tape Counter: 0.1.}

Motion/Vote: REP. COBB moved amendment AMENDO2.WK4 #2, Do Pass. Motion failed 6 - 12, with REPS. COBB, BARNHART, JOHN JOHNSON, MCCANN, QUILICI, and MENAHAN voting yes.  
{Tape: 12; Side: B; Approx. Tape Counter: 10.6.}

Motion/Vote: REP. COBB moved amendment March 3, 1997, Vocational Rehabilitation Program, Do Pass. Motion failed 5 - 13, with REPS. COBB, BARNHART, JOHN JOHNSON, QUILICI, and MENAHAN voting yes.  
{Tape: 12; Side: B; Approx. Tape Counter: 17.7.}

Motion/Vote: REP. COBB moved amendment March 3, 1997, Vocational Rehabilitation Program, #3, Do Pass. Motion failed 4 - 14, with REPS. BARNHART, JOHN JOHNSON, MENAHAN, and QUILICI voting yes.  
{Tape: 12; Side: B; Approx. Tape Counter: 23.0.}

Motion/Vote: REP. COBB moved amendment HB000226.a09 Do Pass. Motion carried 17 - 1, with REP. WISEMAN voting no.  
{Tape: 12; Side: B; Approx. Tape Counter: 28.7.}

Motion/Vote: REP. COBB moved amendment HB000202.a09 Do Pass. Motion failed 6 - 12, with REPS. COBB, BERGSAGEL, PECK, HOLLAND, KEENAN, and VICK voting yes.  
{Tape: 12; Side: B; Approx. Tape Counter: 31.3.}

Motion/Vote: REP. COBB moved amendment COBAMEND.WK4 #1 Do Pass. Motion failed 5 - 13, with REPS. COBB, BARNHART, JOHN JOHNSON, PECK, and MENAHAN voting yes.  
{Tape: 12; Side: B; Approx. Tape Counter: 38.6.}

Motion/Vote: REP. COBB moved amendment COBAMEND.WK4 #2 Do Pass. Motion failed 5 - 13, with REPS. COBB, BARNHART, JOHN JOHNSON, PECK, and MENAHAN voting yes.  
{Tape: 13; Side: A; Approx. Tape Counter: 0.1.}

Motion/Vote: REP. COBB moved amendment HB000202.a31 Do Pass. Motion failed 9 - 9 on a roll call vote, with REPS. GRADY, DEBRUYCKER, FELAND, HOLLAND, ROYAL JOHNSON, KASTEN, QUILICI, VICK, and WISEMAN voting no.  
{Tape: 13; Side: A; Approx. Tape Counter: 5.4.}

Clayton Schenck offered the committee clarification on the Attorney amendment as a one-time-only appropriation.

Motion/Vote: REP. GRADY moved clarification amendment. Motion carried 15 - 3 with REPS. QUILICI, MENAHAN, and JOHN JOHNSON voting no.

{Tape: 13; Side: A; Approx. Tape Counter: 11.2.}

Motion/Vote: REP. COBB moved amendment HB000204.a31 Do Pass. Motion carried 14 - 4, with REPS. DEBRUYCKER, BERGSAGEL, QUILICI, and KEENAN voting no.

{Tape: 13; Side: A; Approx. Tape Counter: 14.0.}

Motion/Vote: REP. COBB moved amendment "The Department shall..." Do Pass. Motion carried 11 - 7 on a roll call vote, with REPS. GRADY, DEBRUYCKER, FELAND, ROYAL JOHNSON, KASTEN, VICK, and WISEMAN voting no.

{Tape: 13; Side: A; Approx. Tape Counter: 16.1.}

Motion: REP. KASTEN moved amendment Option S.

{Tape: 13; Side: A; Approx. Tape Counter: 29.4.}

Discussion:

REP. COBB distributed three sheets. Implications of the New Payment Method, Cobb RBRVS Option which was his substitute motion, and Table on the Simulated Impact by Provider Specialty or Type. EXHIBITS 23, 24, 25.

{Tape: 13; Side: A; Approx. Tape Counter: 32.7.}

Motion/Vote: REP. COBB moved substitute amendment on Exhibit 27, the Corrections Population Management Plan. Motion failed 5 - 13 on a roll call vote, with REPS. BARNHART, COBB, MENAHAN, PECK, and QUILICI voting yes.

{Tape: 13; Side: B; Approx. Tape Counter: 10.0.}

Vote: Motion that Kasten amendment Option S Do Pass carried 14 - 4 on a roll call vote, with REPS. COBB, DEBRUYCKER, PECK, and WISEMAN voting no.

{Tape: 13; Side: B; Approx. Tape Counter: 10.8.}

Motion/Vote: REP. ROYAL JOHNSON moved amendment on Page B-2, Line 9, Do Pass. Motion failed 4 - 14, with REPS. BARNHART, JOHN JOHNSON, ROYAL JOHNSON, and COBB, voting yes.

{Tape: 13; Side: B; Approx. Tape Counter: 15.2.}

Motion/Vote: REP. KASTEN moved HB 2, Section B, Do Pass As Amended. Motion carried 17 - 1, with REP. COBB voting no.

{Tape: 13; Side: B; Approx. Tape Counter: 34.6.}

## SECTION D -- INSTITUTIONS AND PUBLIC SAFETY

REP. GARY FELAND, CHAIRMAN

[Note: Rep. Steve Vick took over as Chairman and presented this subcommittee's recommendations for HB 2 as Rep. Feland was ill.]

REP. STEVE VICK, HD 31, Belgrade, opened the hearing on Section D, Institutions and Public Safety. REP. VICK introduced the other members of the subcommittee, REP. GARY FELAND, HD 88, Shelby, Chairman; REP. RED MENAHAN, HD 57, Anaconda; SEN. ARNIE MOHL, Vice-Chair, SD 39, Kalispell; SEN. CHRIS CHRISTIAENS, SD 23, Great Falls; and SEN. MIKE TAYLOR, SD 37, Proctor. The agencies included in Section D are: Board of Crime Control, Justice, Public Service Regulation, Corrections, Labor and Industry and Military Affairs. REP. VICK gave an overview of the subcommittee's recommendations.

{Tape: 13; Side: B; Approx. Tape Counter: 40.6.}

Proponents:

Attorney General Joe Mazurek, Department of Justice, Helena.

{Tape: 14; Side: A; Approx. Tape Counter: 3.2.}

Pat Haffey, Commissioner, Department of Labor and Industry, Helena.

{Tape: 14; Side: A; Approx. Tape Counter: 6.4.}

Pat Etchart, Chair, Human Rights Commission. Ms. Etchart submitted the Human Rights Commission Facts Sheet. EXHIBIT 26.

{Tape: 14; Side: A; Approx. Tape Counter: 8.7.}

Doug Booker, Department of Military Affairs, Helena.

{Tape: 14; Side: A; Approx. Tape Counter: 23.8.}

Rick Day, Director, Department of Corrections, Helena. Mr. Day submitted a sheet showing the Corrections Population Management Plan and a sheet showing the Male Institutional System Projected Needs vs. Legislative Approval. EXHIBITS 27, 28.

{Tape: 14; Side: A; Approx. Tape Counter: 26.5.}

Motion: REP. COBB moved amendment HACAMDO2.BCC Do Pass.

{Tape: 14; Side: A; Approx. Tape Counter: 31.4.}

Proponents:

Gene Kiser, Administrator, Board of Crime Control, Helena.

{Tape: 14; Side: A; Approx. Tape Counter: 32.5.}

Vote: Motion that amendment HACAMDO2.BCC Do Pass carried 17 - 1, with REP. DEBRUYCKER voting no.

Motion/Vote: REP. VICK moved amendment HACAMDO2.DOJ Do Pass.

Motion carried unanimously.

{Tape: 14; Side: A; Approx. Tape Counter: 34.0.}



Motion: REP. VICK moved amendment March 5, 1997, D-3, Line 7 Do Pass.

{Tape: 14; Side: A; Approx. Tape Counter: 37.2.}

Proponents:

Attorney General Joe Mazurek, Department of Justice, Helena.  
Attorney General Mazurek submitted an explanation of Replacing  
Montana's Breathalyzers. EXHIBIT 29.

{Tape: 14; Side: A; Approx. Tape Counter: 38.7.}

Vote: Motion that amendment D-3, Line 7 Do Pass carried  
unanimously.

Motion/Vote: REP. VICK moved amendment HACAMD01.D0J Do Pass.  
Motion carried unanimously.

{Tape: 14; Side: A; Approx. Tape Counter: 40.3.}

Motion: REP. GRADY moved amendment HB2gis.fwp Do Pass.

{Tape: 14; Side: A; Approx. Tape Counter: 42.5.}

Proponents:

Tony Herbert, Administrator, Information Services Division,  
Department of Administration, Helena.

Dennis Taylor, Deputy Director, Department of Justice, Helena.

{Tape: 14; Side: B; Approx. Tape Counter: 0.1.}

Vote: Motion that amendment HB2gis.fwp Do Pass carried 13 - 5,  
with REPS. DEBRUYCKER, WISEMAN, BERGSAGEL, KASTEN, and MCCANN  
voting no.

Motion: REP. ROYAL JOHNSON moved amendment March 5, 1997, D-2,  
Lines 5 and 6, Do Pass.

{Tape: 14; Side: B; Approx. Tape Counter: 3.1.}

Proponents:

John Connor, Bureau Chief, County Prosecutor Services Bureau,  
Department of Justice, Helena.

{Tape: 14; Side: B; Approx. Tape Counter: 4.1.}

Vote: Motion that amendment D-2, Lines 5 and 6, Do Pass failed  
9 - 9 on a roll call vote, with REPS. GRADY, BERGSAGEL, COBB,  
DEBRUYCKER, FELAND, HOLLAND, KASTEN, VICK, and WISEMAN voting no.

Motion/Vote: REP. COBB moved amendment March 5, 1997, D-2, Line  
8, Do Pass. Motion carried 12 - 6, with REPS. DEBRUYCKER,  
QUILICI, GRADY, VICK, MENAHAN, and KEENAN voting no.

{Tape: 14; Side: B; Approx. Tape Counter: 14.9.}

Motion: REP. GRADY moved amendment HB000202.a94 Do Pass.

{Tape: 14; Side: B; Approx. Tape Counter: 20.8.}

Proponents:

Brian McCullough, Chief, Hearing Bureau, Legal/Centralized Services Division, Department of Labor and Industry, Helena.

{Tape: 14; Side: B; Approx. Tape Counter: 32.2.}

Vote: Motion that amendment HB000202.a94 Do Pass failed 8 - 10 on a roll call vote, with REPS. GRADY, BARNHART, COBB, JOHN JOHNSON, ROYAL JOHNSON, MENAHAN, PECK, and QUILICI voting yes.

Motion: REP. ROYAL JOHNSON moved amendment Independent Contractor Central Unit, D-5, Line 19, Do Pass.

{Tape: 14; Side: B; Approx. Tape Counter: 38.7.}

Proponents:

Chuck Hunter, Administrator, Employment Relations Division, Department of Labor and Industry, Helena.

Vote: Motion that Independent Contractor Central Unit, D-5, Line 19, Do Pass carried 11 - 7, with REPS. DEBRUYCKER, BERGSAGEL, KEENAN, GRADY, KASTEN, COBB, and CHAIRMAN ZOOK voting no.

Motion/Vote: REP. MENAHAN moved amendment Legal Hearings, D-5, Line 15, Do Pass. Motion carried 9 - 8, with REPS. DEBRUYCKER, WISEMAN, VICK, FELAND, COBB, BERGSAGEL, KASTEN, and GRADY voting no.

{Tape: 14; Side: B; Approx. Tape Counter: 43.9.}

Motion: REP. GRADY moved amendment Human Rights Commission, D-5, Line 23, Do Pass.

{Tape: 15; Side: A; Approx. Tape Counter: 0.1.}

Proponents:

Anne MacIntyre, Human Rights Commission, Helena.

Opponents:

Margaret Morgan, Montana Association of Realtors.

Vote: Motion that amendment D-5, Line 23, Do Pass failed 6 - 12 on a roll call vote, with REPS. GRADY, BARNHART, JOHN JOHNSON, ROYAL JOHNSON, PECK, and QUILICI voting yes.

Hearing recessed at 6:30 p.m., Thursday, March 6.

Hearing called back to order at 8:00 a.m., Friday, March 7.

Friday, March 7, 1997, 8:00 a.m.

Rep. Vick continued with Section D, Institutions and Public Safety.

{Tape: 16; Side: A; Approx. Tape Counter: 0.1.}

Motion/Vote: REP. VICK moved amendment HB000207.a15 Do Pass. Motion carried unanimously.

Motion: REP. VICK moved amendment HB000205.a15 Do Pass.  
{Tape: 16; Side: A; Approx. Tape Counter: 2.3.}

Discussion:

Doug Booker, Department of Military Affairs, Helena.  
Clayton Schenck explained that this was a technical amendment and corrected what the subcommittee voted on. It did not change any appropriations.

Vote: Motion that amendment HB000205.a15 Do Pass carried 16 - 1, with REP. KASTEN voting no.

Motion/Vote: REP. VICK moved amendment VICK02.DOC Do Pass.  
Motion carried unanimously.  
{Tape: 16; Side: A; Approx. Tape Counter: 7.9.}

Motion: REP. JOHN JOHNSON moved amendment HACAMD01.ASD Do Pass.

Discussion:

Bill Furois, Administrator, Administrative Services Division,  
Department of Corrections, Helena.

This amendment was set aside until more information could be obtained. It will be dealt with later in the day.

Motion/Vote: REP. MENAHAN moved amendment HACAMD16.MSP Do Pass.  
Motion failed 4 - 13, with REPS. MENAHAN, JOHN JOHNSON, QUILICI,  
and BARNHART voting yes.

Motion/Vote: REP. MENAHAN moved amendment HACAMD17.MSP Do Pass.  
Motion failed 5 - 12, with REPS. MENAHAN, QUILICI, PECK, JOHN  
JOHNSON, and ROYAL JOHNSON voting yes.  
{Tape: 16; Side: A; Approx. Tape Counter: 29.2.}

Motion/Vote: REP. MENAHAN moved amendment HACAMD18.MSP Do Pass.  
Motion failed 5 - 12, with REPS. BARNHART, JOHN JOHNSON, PECK,  
QUILICI, and MENAHAN voting yes.  
{Tape: 16; Side: A; Approx. Tape Counter: 35.0.}

Motion: REP. ROYAL JOHNSON moved amendment HACAMD04.DO Do Pass.  
{Tape: 16; Side: B; Approx. Tape Counter: 5.3.}

Discussion:

REP. PECK submitted a letter from the Legislative Fiscal  
Division, dated January 21, 1997, in response to questions about  
Montana compared to surrounding states on Corrections budgets.  
EXHIBIT 30.

Vote: Motion that amendment HACAMD04.DO Do Pass failed 8 - 9,  
with REPS. PECK, ROYAL JOHNSON, KEENAN, MCCANN, GRADY, QUILICI,  
MENAHAN, and COBB voting yes.

Motion/Vote: REP. COBB moved amendment D-29, 35% increase, Do Pass. Motion failed 4 - 13, with REPS. COBB, BERGSAGEL, KASTEN, and BARNHART voting yes.

{Tape: 16; Side: B; Approx. Tape Counter: 21.9.}

Motion: REP. COBB moved amendment \$48 Cost Per Day Do Pass.

Discussion:

REP. COBB submitted a sheet showing the Cost Per Day Per ADP at MSP which was approved by the subcommittee. EXHIBIT 31.

Vote: Motion that amendment \$48 Cost Per Day Do Pass carried 10 - 8 on a roll call vote, with REPS. GRADY, DEBRUYCKER, JOHN JOHNSON, ROYAL JOHNSON, MENAHAN, QUILICI, WISEMAN, and CHAIRMAN ZOOK voting no.

Motion: REP. JOHN JOHNSON moved amendment HACAMD01.ASD Do Pass.

{Tape: 17; Side: A; Approx. Tape Counter: 7.7.}

Discussion:

REP. JOHN JOHNSON submitted the requested information of EPP 1999 Biennium, on the Corrections Automation Plan. EXHIBIT 32.

Vote: Motion that amendment HACAMD01.ASD Do Pass failed 6 - 11, with REPS. JOHN JOHNSON, BARNHART, QUILICI, MENAHAN, PECK, and ROYAL JOHNSON voting yes.

Motion/Vote: REP. VICK moved HB 2, Section D, Do Pass As Amended. Motion carried 17 - 1, with REP. MENAHAN voting no.

{Tape: 17; Side: A; Approx. Tape Counter: 10.4.}

SECTION E -- EDUCATION  
REP. ROYAL JOHNSON, CHAIRMAN

EDUCATION SUBCOMMITTEE CHAIRMAN REP. ROYAL JOHNSON, HD 10, Billings, opened the hearing on Section E of HB 2, Education. He introduced the other subcommittee members, REP. DON HOLLAND, HD 7, Forsyth; REP. RAY PECK, HD 91, Havre; SEN. DARYL TOEWS, Vice-Chair, SD 48, Lustre; SEN. GREG JERGESON, SD 46, Chinook; and SEN. KEN MILLER, SD 11, Laurel. The agencies included in Section E are: Office of Public Instruction, Board of Public Education, School for the Deaf and Blind, Montana Arts Council, State Library Commission, Vocational Education Council, Montana Historical Society, Montana University System, Commissioner of Higher Education, Community Colleges, Colleges of Technology, Agricultural Experiment Station, Cooperative Extension Service, Forestry and Conservation Experiment Station, Bureau of Mines and the Fire Services Training School. REP. JOHNSON gave an overview of the subcommittee's recommendations.

{Tape: 17; Side: A; Approx. Tape Counter: 13.8.}

Motion: REP. MENAHAN moved amendment HB000201.a08 Do Pass.  
{Tape: 17; Side: A; Approx. Tape Counter: 25.7.}

Discussion:

Scott Buswell, Information/Technology Support Administrator,  
Office of Public Instruction, Helena.

{Tape: 17; Side: A; Approx. Tape Counter: 26.9.}

Vote: Motion that amendment HB000201.a08 Do Pass failed 6 - 11,  
with REPS. MENAHAN, COBB, BARNHART, JOHN JOHNSON, QUILICI, and  
PECK VOTING YES.

Motion: REP. PECK moved amendment HB000202.a08 Do Pass.

{Tape: 17; Side: A; Approx. Tape Counter: 30.8.}

Discussion:

Dori Nielson, Education Analyst, Office of Public Instruction,  
Helena.

Vote: Motion that amendment HB000202.a08 Do Pass failed 5 - 12,  
with REPS. MENAHAN, JOHN JOHNSON, BARNHART, PECK, and QUILICI  
voting yes.

Motion: REP. ROYAL JOHNSON moved amendment HB000207.a08 Do Pass.

{Tape: 17; Side: B; Approx. Tape Counter: 3.4.}

Discussion:

Madalyn Quinlan, Chief of Staff, Office of Public Instruction,  
Helena.

Vote: Motion that amendment HB000207.a08 Do Pass carried 14 - 3,  
with REPS. PECK, MENAHAN, and QUILICI voting no.

Motion: REP. DEBRUYCKER moved a voice amendment to delete the  
Bus Transportation Safety FTE.

{Tape: 17; Side: B; Approx. Tape Counter: 18.6.}

Discussion:

Gail Gray, Assistant Superintendent, Accreditation and Curriculum  
Services, Office of Public Instruction, Helena.

Vote: Motion that DeBruycker voice amendment Do Pass carried  
10 - 8 on a roll call vote, with REPS. GRADY, BARNHART, HOLLAND,  
JOHN JOHNSON, ROYAL JOHNSON, MENAHAN, QUILICI, and PECK voting  
no.

Motion: REP. ROYAL JOHNSON moved amendment HB000206.a08 Do Pass.

{Tape: 17; Side: B; Approx. Tape Counter: 30.5.}

Discussion:

REP. JOHNSON submitted a sheet dated January 28, 1997 and signed  
by Nancy Ellery and Nancy Keenan. EXHIBIT 33.

Vote: Motion that amendment HB000206.a08 Do Pass carried 13 - 4, with REPS. KASTEN, VICK, DEBRUYCKER, and BARNHART voting no.

Motion/Vote: REP. GRADY moved amendment HB000209.a08 Do Pass. Motion failed 7 - 10, with REPS. MENAHAN, KEENAN, COBB, WISEMAN, GRADY, PECK, and JOHN JOHNSON voting yes.  
{Tape: 17; Side: B; Approx. Tape Counter: 33.2.}

Discussion:

{Tape: 17; Side: B; Approx. Tape Counter: 40.4.}

Motion/Vote: REP. ROYAL JOHNSON moved amendment HB000204.a08 Do Pass. Motion carried 14 - 3, with REPS. KEENAN, VICK, and BERGSAGEL voting no.  
{Tape: 18; Side: A; Approx. Tape Counter: 10.7.}

Motion/Vote: REP. ROYAL JOHNSON moved amendment HB000205.a08 Do Pass. Motion failed 3 - 14, with REPS. MENAHAN, WISEMAN, and ROYAL JOHNSON voting yes.  
{Tape: 18; Side: A; Approx. Tape Counter: 14.1.}

Motion: REP. DEBRUYCKER moved HB000208.a08 Do Pass.  
{Tape: 18; Side: A; Approx. Tape Counter: 18.1.}

Discussion:

Kris Schmitz, Accountant, Montana State Library, Helena. Mr. Schmitz submitted information on the Montana Talking Books Program. EXHIBIT 34.

Karen Strege, State Librarian, Montana State Library, Helena.

Vote: Motion that amendment HB000208.a08 Do Pass carried 13 - 4, with REPS. KASTEN, WISEMAN, HOLLAND, and VICK voting no.

Motion/Vote: REP. ROYAL JOHNSON moved amendment HB000210.a08 Do Pass. Motion carried unanimously.  
{Tape: 18; Side: A; Approx. Tape Counter: 26.3.}

Discussion:

Richard Crofts, Commissioner of Higher Education, Helena. Dr. Crofts submitted information on the Accountability and the Montana University System, dated January 7, 1997, and tables showing the State Support per Resident. EXHIBITS 35, 36.

Rod Sundsted, Fiscal Affairs, Commissioner of Higher Education Office, Helena.

{Tape: 18; Side: B; Approx. Tape Counter: 0.1.}

Motion/Vote: REP. JOHN JOHNSON moved amendment E-7, Line 24, #1 Do Pass. Motion failed 3 - 15, with REPS. JOHN JOHNSON, QUILICI, and BARNHART voting yes.  
{Tape: 18; Side: B; Approx. Tape Counter: 26.0.}

Motion/Vote: REP. JOHN JOHNSON moved amendment E-7, Line 24, #2 Do Pass. Motion failed 4 - 14, with REPS. JOHN JOHNSON, MENAHAN, QUILICI, and BARNHART voting yes.

Motion/Vote: REP. JOHN JOHNSON moved amendment E-7, Line 24, #3 Do Pass. Motion failed 4 - 14, with REPS. JOHN JOHNSON, MENAHAN, QUILICI, and BARNHART voting yes.

Motion: REP. QUILICI moved amendment E-7, Line 24, Do Pass.  
{Tape: 18; Side: B; Approx. Tape Counter: 37.6.}

Discussion:

REP. QUILICI submitted the Technology/Enhanced Learning Initiative, Distance Learning, Budget Priorities. EXHIBIT 37. Richard Crofts, Commissioner of Higher Education, Helena.

Vote: Motion that amendment E-7, Line 24, Do Pass failed 4 - 13 on a roll call vote, with REPS. BARNHART, JOHN JOHNSON, MENAHAN, and QUILICI voting yes.

Motion/Vote: REP. COBB moved amendment E-7, Line 24 and E-7, Line 1, Do Pass. Motion carried 11 - 7 on a roll call vote, with REPS. BARNHART, JOHN JOHNSON, ROYAL JOHNSON, MENAHAN, QUILICI, VICK, and CHAIRMAN ZOOK voting no.  
{Tape: 19; Side: A; Approx. Tape Counter: 15.7.}

Motion/Vote: REP. ROYAL JOHNSON moved amendment HB000202.a06 Do Pass. Motion carried 17 - 1 on a roll call vote, with REP. DEBRUYCKER voting no.  
{Tape: 19; Side: A; Approx. Tape Counter: 21.5.}

Motion: REP. MENAHAN moved amendment E-7, Line 1, Montana Historical Society, Do Pass.  
{Tape: 19; Side: A; Approx. Tape Counter: 29.6.}

Discussion:

Brian Cockhill, Director, Montana Historical Society, Helena.  
{Tape: 19; Side: A; Approx. Tape Counter: 31.2.}

Vote: Motion that amendment E-7, Line 1 Do Pass failed 5 - 13, with REPS. MENAHAN, BARNHART, JOHN JOHNSON, PECK, and QUILICI voting yes.

Motion/Vote: REP. ROYAL JOHNSON moved HB 2, Section E, Do Pass As Amended. Motion carried 17 - 1, with REP. DEBRUYCKER voting no.  
{Tape: 19; Side: A; Approx. Tape Counter: 33.6.}

Discussion:

There was a technical amendment offered to fix an error in Section B.

Motion/Vote: REP. KASTEN moved amendment HB000205.a94 Do Pass. Motion carried unanimously.  
{Tape: 19; Side: A; Approx. Tape Counter: 36.1.}

Motion/Vote: REP. KASTEN moved amendment HB000204.a94 Do Pass. Motion carried unanimously.

Motion: REP. GRADY moved amendment HB000211.a16 Do Pass.  
{Tape: 19; Side: A; Approx. Tape Counter: 39.2.}

Discussion:

Clayton Schenck explained that this was an amendment that dealt with Section R, Rates, which are dealt with in each agency's overview.

Vote: Motion that amendment HB000211.a16 Do Pass carried unanimously.

Motion/Vote: REP. GRADY moved that Section R be adopted and Do Pass As Amended. Motion carried unanimously.  
{Tape: 19; Side: B; Approx. Tape Counter: 0.1.}

Motion/Vote: REP. COBB moved amendment HB000228.a09 Do Pass. Motion carried unanimously.  
{Tape: 19; Side: B; Approx. Tape Counter: 2.4.}

Motion/Vote: REP. GRADY moved amendment HB000202.a35 Do Pass. This amendment was added to the boilerplate language for HB 2. Motion carried unanimously.  
{Tape: 19; Side: B; Approx. Tape Counter: 5.7.}

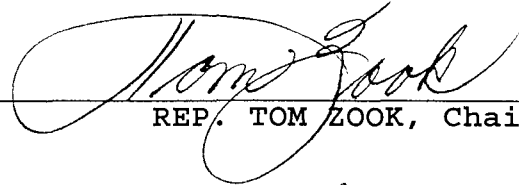
Motion/Vote: REP. GRADY moved to adopt the boilerplate language for HB 2. Motion carried unanimously.  
{Tape: 19; Side: B; Approx. Tape Counter: 6.0.}

Motion/Vote: REP. GRADY moved HB 2 DO PASS AS AMENDED. Motion carried 15 - 3, with REPS. DEBRUYCKER, MENAHAN, and PECK voting no.  
{Tape: 19; Side: B; Approx. Tape Counter: 6.8.}

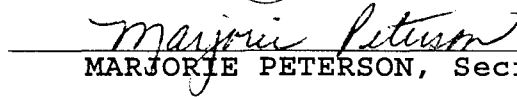


ADJOURNMENT

Adjournment: 6:03 p.m.



REP. TOM ZOOK, Chairman



MARJORIE PETERSON, Secretary

TZ/MP