

MINUTES

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

COMMITTEE ON APPROPRIATIONS

Call to Order: By **CHAIRMAN TOM ZOOK**, on March 11, 1997, at 8:00 a.m., in Room 312-2.

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. 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 581, HB 583, HB 584
Executive Action: HB 13 DO PASS AS AMENDED,
HB 17 TABLED, HB 223 TABLED,
HB 281 TABLED, HB 378 TABLED,
HB 467 TABLED, HB 493 TABLED,
HB 557 TABLED, HB 567 TABLED,
HB 574 TABLED, HB 576 DO PASS
AS AMENDED, HB 580 DO PASS

HEARING ON HB 584

Opening Statement by Sponsor:

REP. DICK KNOX, HD 93, Winifred, opened the hearing on HB 584, An act creating an orphan share account for comprehensive environmental cleanup and responsibility act sites, allocating certain fines, penalties, resource indemnity trust interest and tax proceeds, and metal mines license tax proceeds to the orphan share account, appropriating funds to the Department of Environmental Quality for reimbursements and orphan share defense costs from the orphan share account.

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

Proponents:

Denise Mills, Department of Environmental Quality, Helena. Ms. Mills submitted her written testimony. EXHIBIT 1.

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

Anne Hedges, Montana Environmental Information Center.

{Tape: 1; Side: A; Approx. Tape Counter: 12.8.}

Paige Drinnan, Pegasus, Helena.

{Tape: 1; Side: A; Approx. Tape Counter: 17.0.}

Frank Crowley, Asarco.

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

Don Allen, Montana Wood Products Association, Helena.

{Tape: 1; Side: A; Approx. Tape Counter: 28.3.}

Peter Nielsen, Missoula City-County Health Department. Mr. Nielsen's testimony was submitted by Anne Hedges. EXHIBIT 2.

Angela Janicaro, Montana Mining Association.

{Tape: 1; Side: A; Approx. Tape Counter: 29.6.}

Ronna Alexander, Montana Petroleum Marketers.

{Tape: 1; Side: A; Approx. Tape Counter: 30.2.}

Richard Dale, Golden Sunlight Mines, Whitehall.

{Tape: 1; Side: A; Approx. Tape Counter: 31.3.}

Opponents:

None.

Questions From the Committee:

{Tape: 1; Side: A; Approx. Tape Counter: 32.4.}

Mark Simonich, Director, Department of Environmental Quality, Helena.

{Tape: 1; Side: A; Approx. Tape Counter: 34.5.}

REP. KNOX closed the hearing on HB 584.

{Tape: 1; Side: B; Approx. Tape Counter: 7.4.}

HEARING ON HB 581 and HB 583

This was a joint hearing as the bills dealt with the same issue.

Opening Statement by Sponsor:

REP. BILL CAREY, HD 67, Missoula, opened the hearing on HB 581, An act establishing a housing trust fund, creating a housing trust fund advisory council, raising fees collected by a county clerk, depositing \$1 of each fee collected into the housing trust fund. **REP. CAREY** submitted a March 1994 newsletter on Current Topics from the Housing Trust Fund Project and four letters explaining the trust funds. **EXHIBITS 3, 4.**

{Tape: 1; Side: B; Approx. Tape Counter: 9.5.}

REP. DIANE SANDS, HD 66, Missoula, opened the hearing on HB 583, An act creating a housing trust fund, appropriating money to the board of housing for the housing trust fund.

{Tape: 1; Side: B; Approx. Tape Counter: 9.5.}

Proponents:

SEN. CHRIS CHRISTIANS, SD 23, Great Falls. **SEN. CHRISTIANS** added that the Great Falls Chamber of Commerce was a proponent.

{Tape: 1; Side: B; Approx. Tape Counter: 17.3.}

Jim Fleischmann, Montana Peoples' Action, Missoula. Mr. Fleischmann submitted an August 1993 newsletter on Current Topics from the Housing Trust Fund Project. **EXHIBIT 5.**

{Tape: 1; Side: B; Approx. Tape Counter: 24.2.}

Peter Blouke, Director, Department of Commerce, Helena.

{Tape: 1; Side: B; Approx. Tape Counter: 40.1.}

Betty Waddell, Montana Association of Churches, Helena.

{Tape: 1; Side: B; Approx. Tape Counter: 45.1.}

Sharon Huff, Montana Catholic Conference.

{Tape: 2; Side: A; Approx. Tape Counter: 0.5.}

Steve Yeakel, Human Resource Development Council, Helena.

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

Opponents:

None.

Questions From the Committee:

None.

Closing by Sponsor:

REPS. CAREY and SANDS closed the hearing on HB 581 and HB 583.

REP. SANDS submitted a report from the state housing task force, A Decent Home for Every Montana Family. **EXHIBIT 6.**

{Tape: 2; Side: A; Approx. Tape Counter: 3.7.}

EXECUTIVE ACTION ON HB 13

Motion: REP. MENAHAN moved HB 13 Do Pass. REP. WISEMAN moved amendment HB001301.agp Do Pass.
{Tape: 2; Side: A; Approx. Tape Counter: 8.3.}

Discussion:

REP. VICK asked to separate #1 and #38 from the rest of the amendment.
{Tape: 2; Side: A; Approx. Tape Counter: 15.5.}

Vote: Motion to separate #1 and #38 from the rest of the amendment carried 17 - 1, with REP. DEBRUYCKER voting no.

Vote: Motion that #1 and #38 Do Pass failed 7 - 11 on a roll call vote, with REPS. GRADY, COBB, FELAND, HOLLAND, MENAHAN, QUILICI, and WISEMAN voting yes.

Motion/Vote: REP. GRADY moved substitute motion to reduce the amendment on the Commissioner of Political Practices to a Grade 17. Motion carried 17 - 1, with REP. DEBRUYCKER voting no.
{Tape: 2; Side: A; Approx. Tape Counter: 37.1.}

Motion/Vote: REP. COBB moved amendment Page 1, Line 24, compensation plan Do Pass. Motion carried 16 - 2, with REPS. VICK and DEBRUYCKER voting no.
{Tape: 2; Side: A; Approx. Tape Counter: 44.1.}

Discussion:

{Tape: 2; Side: B; Approx. Tape Counter: 0.3.}

Motion/Vote: REP. GRADY moved HB 13 Do Pass As Amended. Motion carried 12 - 6, with REPS. DEBRUYCKER, BERGSAGEL, BARNHART, KEENAN, VICK, and KASTEN voting no.
{Tape: 2; Side: B; Approx. Tape Counter: 8.6.}

EXECUTIVE ACTION ON HB 17

Motion/Vote: REP. WISEMAN moved amendment HB001705.aem Do Pass. Motion carried 13 - 5, with REPS. KASTEN, BARNHART, BERGSAGEL, PECK, and VICK voting no.
{Tape: 2; Side: B; Approx. Tape Counter: 16.9.}

Motion/Vote: REP. GRADY moved HB 17 Do Pass As Amended. Motion failed 8 - 10, with REPS. MCCANN, PECK, BARNHART, KASTEN, BERGSAGEL, COBB, VICK, KEENAN, ROYAL JOHNSON, and HOLLAND voting no.
{Tape: 2; Side: B; Approx. Tape Counter: 25.4.}

Motion/Vote: REP. GRADY moved HB 17 Be Tabled. Motion carried 17 - 1, with REP. MENAHAN voting no.
{Tape: 2; Side: B; Approx. Tape Counter: 31.8.}

EXECUTIVE ACTION ON HB 223

Motion/Vote: REP. MCCANN moved HB 223 Do Pass As Amended. Motion failed 6 - 12 on a roll call vote, with REPS. BARNHART, JOHN JOHNSON, MCCANN, MENAHAN, PECK, and QUILICI voting yes. {Tape: 2; Side: B; Approx. Tape Counter: 34.9.}

Motion/Vote: REP. HOLLAND moved HB 223 Be Tabled. Motion carried 17 - 1, with REP. GRADY voting no. {Tape: 2; Side: B; Approx. Tape Counter: 38.2.}

EXECUTIVE ACTION ON HB 281

Motion/Vote: REP. MENAHAN moved HB 281 Do Pass. REP. QUILICI moved amendment HB028101.aem Do Pass. Motion carried unanimously. {Tape: 2; Side: B; Approx. Tape Counter: 42.4.}

Motion/Vote: REP. QUILICI moved HB 281 Do Pass As Amended. Motion failed 9 - 9 on a roll call vote, with REPS. BERGSAGEL, DEBRUYCKER, FELAND, HOLLAND, KASTEN, KEENAN, VICK, WISEMAN, and CHAIRMAN ZOOK voting no. {Tape: 3; Side: A; Approx. Tape Counter: 0.1.}

Motion/Vote: REP. KASTEN moved HB 281 Be Tabled. Motion carried 12 - 6, with REPS. MENAHAN, JOHN JOHNSON, BARNHART, GRADY, QUILICI, and PECK voting no. {Tape: 3; Side: A; Approx. Tape Counter: 4.2.}

EXECUTIVE ACTION ON HB 378

Motion/Vote: REP. GRADY moved HB 378 Be Tabled. Motion carried unanimously. {Tape: 3; Side: A; Approx. Tape Counter: 11.3.}

EXECUTIVE ACTION ON HB 467

Motion/Vote: REP. MENAHAN moved HB 467 Do Pass. Motion failed 5 - 13 on a roll call vote, with REPS. JOHN JOHNSON, MCCANN, MENAHAN, PECK, and QUILICI voting yes. {Tape: 3; Side: A; Approx. Tape Counter: 14.2.}

Motion/Vote: REP. WISEMAN moved HB 467 Be Tabled. Motion carried 13 - 5, with REPS. JOHN JOHNSON, MCCANN, MENAHAN, PECK, and QUILICI voting no. {Tape: 3; Side: A; Approx. Tape Counter: 17.5.}

EXECUTIVE ACTION ON HB 493

Motion/Vote: REP. DEBRUYCKER moved HB 493 Be Tabled. Motion carried 17 - 1, with REP. COBB voting no.
{Tape: 3; Side: A; Approx. Tape Counter: 18.9.}

EXECUTIVE ACTION ON HB 557

Motion/Vote: REP. DEBRUYCKER moved HB 557 Be Tabled. Motion carried 14 - 4, with REPS. WISEMAN, MENAHAN, COBB, AND QUILICI voting no.
{Tape: 3; Side: A; Approx. Tape Counter: 21.7.}

EXECUTIVE ACTION ON HB 567

Motion/Vote: REP. DEBRUYCKER moved amendment HB056701.a94 Do Pass. Motion carried unanimously.
{Tape: 3; Side: A; Approx. Tape Counter: 23.4.}

Motion/Vote: REP. MENAHAN moved HB 567 Do Pass As Amended. Motion failed 8 - 10 on a roll call vote, with REPS. GRADY, BARNHART, FELAND, JOHN JOHNSON, MCCANN, MENAHAN, PECK, and QUILICI voting yes.
{Tape: 3; Side: A; Approx. Tape Counter: 29.8.}

Motion/Vote: REP. WISEMAN moved HB 567 Be Tabled. Motion carried 10 - 8, with REPS. GRADY, BARNHART, FELAND, JOHN JOHNSON, MCCANN, MENAHAN, PECK, and QUILICI voting no.
{Tape: 3; Side: A; Approx. Tape Counter: 31.2.}

EXECUTIVE ACTION ON HB 574

Motion/Vote: REP. DEBRUYCKER moved HB 574 Be Tabled. Motion carried 17 - 1, with REP. MENAHAN voting no.
{Tape: 3; Side: A; Approx. Tape Counter: 33.4.}

EXECUTIVE ACTION ON HB 576

Motion/Vote: REP. BARNHART moved HB 576 Do Pass. REP. COBB moved amendment HB057602.agp Do Pass. Motion carried 17 -1, with REP. DEBRUYCKER voting no.
{Tape: 3; Side: A; Approx. Tape Counter: 36.8.}

Motion/Vote: REP. COBB moved HB 576 Do Pass As Amended. Motion carried 13 - 5, with REPS. GRADY, FELAND, KEENAN, VICK, and DEBRUYCKER voting no.
{Tape: 3; Side: A; Approx. Tape Counter: 38.2.}

EXECUTIVE ACTION ON HB 578

Motion: REP. ROYAL JOHNSON moved HB 578 Do Pass.
{Tape: 3; Side: A; Approx. Tape Counter: 42.3.}

Discussion:

REP. ROYAL JOHNSON withdrew his motion after discussion. He stated he would offer the motion at a later time.
{Tape: 3; Side: B; Approx. Tape Counter: 0.1.}

EXECUTIVE ACTION ON HB 580

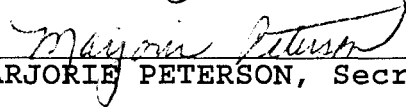
Motion/Vote: REP. MCCANN moved HB 580 Do Pass. Motion carried unanimously.
{Tape: 3; Side: B; Approx. Tape Counter: 5.4.}

ADJOURNMENT

Adjournment: 5:35 p.m.



REP. TOM ZOOK, Chairman



MARJORIE PETERSON, Secretary

TZ/MP