

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 55th LEGISLATURE - REGULAR SESSION

JOINT SUBCOMMITTEE ON GENERAL GOVERNMENT

Call to Order: By CHAIRMAN ED GRADY, on February 18, 1997, at 7:03, in Room 402.

ROLL CALL

Members Present:

Rep. Edward J. "Ed" Grady, Chairman (R)
Sen. Loren Jenkins, Vice-Chairman (R)
Sen. Eve Franklin (D)
Rep. Bob Keenan (R)
Rep. Joe Quilici (D)

Members Excused: Sen. Dale Mahlum - left proxy with Rep. Ed Grady for day's executive action
Sen. Eve Franklin, joined meeting at 8:10, excused at 9:20

Members Absent: None

Staff Present: Cindy Weaver, Legislative Fiscal Division
Elaine Benedict, Committee Secretary

Committee Business Summary:

Hearing(s) & Date(s) Posted: Department of Transportation - 1/6/97

Executive Action: Department of Transportation

HEARING ON DEPARTMENT OF TRANSPORTATION

Informational Testimony:

Gary Gilmore, Engineering & Highways Division Administrator, Construction Program, Department of Transportation.
{Tape: 1; Side: A; Approx. Time Count: 0.6; Comments: None.}

Hearing Question/Responses:

{Tape: 1; Side: A; Approx. Time Count: 5.4; Comments: None.}

Informational Testimony (Resumed):

{Tape: 1; Side: A; Approx. Time Count: 6.5; Comments: None.}

Hearing Questions/Responses:

{Tape: 1; Side: A; Approx. Time Count: 8.8; Comments: None.}

Informational Testimony (Resumed):

{Tape: 1; Side: A; Approx. Time Count: 9.0; Comments: None.}

Hearing Questions/Responses:

{Tape: 1; Side: A; Approx. Time Count: 13.2; Comments: None.}

Non-Committee/Staff participants in discussion:

-Mr. Gilmore

-Jim Currie, Department of Transportation

Informational Testimony (Resumed):

{Tape: 1; Side: A; Approx. Time Count: 24.8; Comments: None.}

Hearing Questions/Responses:

{Tape: 1; Side: A; Approx. Time Count: 26.7; Comments: None.}

Informational Testimony (Resumed):

{Tape: 1; Side: A; Approx. Time Count: 34.7; Comments: None.}

Hearing Questions/Responses:

{Tape: 1; Side: A; Approx. Time Count: 36.2; Comments: None.}

Non-Committee/Staff participants in discussion:

-Mr. Gilmore

-Bill Salisbury, Department of Transportation

Informational Testimony (Resumed):

{Tape: 1; Side: A; Approx. Time Count: 39.2; Comments: None.}

Hearing Questions/Responses:

{Tape: 1; Side: A; Approx. Time Count: 41.1; Comments: None.}

Informational Testimony (Resumed):

{Tape: 1; Side: B; Approx. Time Count: 4.2; Comments: None.}

Hearing Questions/Responses:

{Tape: 1; Side: B; Approx. Time Count: 6.4; Comments: None.}

Informational Testimony (Resumed):

{Tape: 1; Side: B; Approx. Time Count: 7.3; Comments: None.}

Hearing Questions/Responses:

{Tape: 1; Side: B; Approx. Time Count: 8.5; Comments: None.}

Non-Committee/Staff participants in discussion:

-Mr. Gilmore

-Mr. Currie

Informational Testimony (Resumed):

{Tape: 1; Side: B; Approx. Time Count: 11.0; Comments: None.}

Hearing Questions/Responses:

{Tape: 1; Side: B; Approx. Time Count: 11.9; Comments: None.}

Informational Testimony (Resumed):

{Tape: 1; Side: B; Approx. Time Count: 15.2; Comments: None.}

Hearing Questions/Responses:

{Tape: 1; Side: B; Approx. Time Count: 17.1; Comments: None.}

Non-Committee/Staff participants in discussion:

-Joel Marshik, Department of Transportation

-Mr. Gilmore

Informational Testimony (Resumed):

{Tape: 1; Side: B; Approx. Time Count: 18.2; Comments: None.}

Hearing Questions/Responses:

{Tape: 1; Side: B; Approx. Time Count: 18.8; Comments: None.}

Informational Testimony (Resumed):

{Tape: 1; Side: B; Approx. Time Count: 19.1; Comments: None.}

Hearing Questions/Responses:

{Tape: 1; Side: B; Approx. Time Count: 20.5; Comments: None.}

Non-Committee/Staff participants in discussion:

-Mr. Gilmore

-Mr. Marshik

Informational Testimony (Resumed):

{Tape: 1; Side: B; Approx. Time Count: 26.4; Comments: None.}

Hearing Questions/Responses:

{Tape: 1; Side: B; Approx. Time Count: 31.0; Comments: None.}

Opponents' Testimony:

Pat Keim, Director of Government Affairs, Employee Burlington Northern Santa Fe Railway.

EXHIBIT 1

{Tape: 1; Side: B; Approx. Time Count: 33.9; Comments: None.}

Questions/Responses:

{Tape: 1; Side: B; Approx. Time Count: 38.9; Comments: None.}

Informational Testimony:

Marvin Dye, Department of Transportation Director.

{Tape: 2; Side: A; Approx. Time Count: 13.1; Comments: RESPONSE
TO OPPONENT'S TESTIMONY.}

Questions/Responses:

{Tape: 2; Side: A; Approx. Time Count: 15.5; Comments: None.}

Informational Testimony:

Patricia Saindon, Transportation Planning Division Administrator,
Department of Transportation.

{Tape: 2; Side: A; Approx. Time Count: 16.5; Comments: None.}

Hearing Questions/Responses:

{Tape: 2; Side: A; Approx. Time Count: 20.9; Comments: None.}

Informational Testimony (Resumed):

{Tape: 2; Side: A; Approx. Time Count: 21.4; Comments: None.}

Hearing Questions/Responses:

{Tape: 2; Side: A; Approx. Time Count: 27.9; Comments: None.}

Non-Committee/Staff participants in discussion:

-Ms. Saindon

-Mr. Currie

-Mr. Dye

-Mr. Salisbury

Informational Testimony (Resumed):

{Tape: 2; Side: A; Approx. Time Count: 40.0; Comments: None.}

Hearing Questions/Responses:

{Tape: 2; Side: A; Approx. Time Count: 43.5; Comments: None.}

Non-Committee/Staff participants in discussion:

-Ms. Saindon

-Mr. Dye

EXHIBIT 2. Ms. Saindon.

-Mr. Currie

Informational Testimony:

Cindy Weaver, Associate Fiscal Analyst.

EXHIBIT 3

{Tape: 2; Side: B; Approx. Time Count: 27.3; Comments: None.}

Questions/Responses:

{Tape: 2; Side: B; Approx. Time Count: 32.0; Comments: None.}

Non-Committee/Staff participants in discussion:

-Mr. Salisbury

-Mr. Dye

-Mr. Gilmore

EXECUTIVE ACTION ON DEPARTMENT OF TRANSPORTATION

Budget Item: GENERAL OPERATIONS PROGRAM

Motion/Vote: REP. JOE QUILICI moved to accept the base budget for the General Operations Program. Motion passed unanimously.
{Tape: 3; Side: A; Approx. Time Count: 17.4; Comments: None.}

Motion: REP. QUILICI moved to accept Present Law Adjustments 1, 2 & 3 as contained in the chart on page A-84 of Volume 1 of the Governor's Budget and Legislative Budget Analysis.

{Tape: 3; Side: A; Approx. Time Count: 17.6; Comments: None.}

Vote: Motion passed unanimously.

{Tape: 3; Side: A; Approx. Time Count: 18.5; Comments: None.}

Non-Committee/Staff participants in discussion:

-Mr. Dye

Motion: REP. QUILICI moved to accept Present Law Adjustments 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 & 14 as contained in the chart on page A-84.

{Tape: 3; Side: A; Approx. Time Count: 23.5; Comments: None.}

Non-Committee/Staff participants in discussion:

-Mr. Dye

-Mr. Salisbury

-Mr. Gilmore

Vote: Motion passed with REP. BOB KEENAN and SEN. LOREN JENKINS voting no.

{Tape: 3; Side: B; Approx. Time Count: 5.9; Comments: None.}

Motion/Vote: SEN. EVE FRANKLIN moved to accept "Other Base Adjustments as contained in the chart on page A-84. Motion passed unanimously.

{Tape: 3; Side: B; Approx. Time Count: 6.4; Comments: None.}

Non-Committee/Staff participants in discussion:

-Mr. Salisbury

Motion/Vote: SEN. FRANKLIN moved to accept New Proposals 1, 2, 3 & 4 as contained in the chart on page A-86. Motion passed with REP. KEENAN and SEN. JENKINS voting no.

{Tape: 3; Side: B; Approx. Time Count: 10.7; Comments: None.}

Motion: SEN. JENKINS moved to accept New Proposal 5, less \$100,000 in each fiscal year.
{Tape: 3; Side: B; Approx. Time Count: 11.0; Comments: None.}

Non-Committee/Staff participants in discussion:

-Mr. Salisbury

Vote: Motion passed with REP. KEENAN and REP. QUILICI voting no.
{Tape: 3; Side: B; Approx. Time Count: 14.1; Comments: None.}

Motion: REP. QUILICI moved to accept New Proposals 6 & 7, and, in lieu of the Executive Language Recommendation on page A-87, moved a \$1,400,000 biennial restricted, one-time only appropriation.
{Tape: 3; Side: B; Approx. Time Count: 14.3; Comments: None.}

Vote: Motion passed unanimously.
{Tape: 3; Side: B; Approx. Time Count: 15.3; Comments: None.}

Non-Committee/Staff participants in discussion:

-Mr. Salisbury

Motion/Vote: REP. QUILICI moved to revise his previous motion to accept only New Proposal 7. Motion passed unanimously.
{Tape: 3; Side: B; Approx. Time Count: 17.8; Comments: None.}

Budget Item: CONSTRUCTION PROGRAM

Motion/Vote: REP. QUILICI moved to accept the base budget for the Construction Program. Motion passed unanimously.
{Tape: 3; Side: B; Approx. Time Count: 18.0; Comments: None.}

Motion/Vote: SEN. FRANKLIN moved to accept Present Law Adjustments 1, 2 & 3. Motion passed unanimously.
{Tape: 3; Side: B; Approx. Time Count: 18.2; Comments: None.}

Non-Committee/Staff participants in discussion:

-Mr. Gilmore

Motion: SEN. FRANKLIN moved to accept Present Law Adjustments 4, 5, 6, 7, 8 & 9 as contained in the chart on page A-89.

{Tape: 3; Side: B; Approx. Time Count: 20.9; Comments: None.}

Non-Committee/Staff participants in discussion:

-Mr. Gilmore

Vote: Motion passed unanimously.

{Tape: 3; Side: B; Approx. Time Count: 26.3; Comments: None.}

Motion/Vote: SEN. FRANKLIN moved to accept "Other Base Adjustments" as contained in the chart on page A-89. Motion passed unanimously.

{Tape: 3; Side: B; Approx. Time Count: 26.4; Comments: None.}

Motion: REP. QUILICI moved to accept New Proposal 4, amended to read 3.75 FTE, but with the same dollar amounts as contained in the chart on page A-92, and to delete New Proposals 11, 12 & 13.

{Tape: 4; Side: A; Approx. Time Count: 0.4; Comments: None.}

Vote: Motion passed unanimously.

{Tape: 4; Side: A; Approx. Time Count: 1.5; Comments: None.}

Motion/Vote: REP. QUILICI moved to accept New Proposals 1, 2, 3, 5, 6, 7, 8, 9, 10, 14, 15 & 16 as contained in the chart on page A-92. Motion passed with REP. KEENAN voting no.

{Tape: 4; Side: A; Approx. Time Count: 1.9; Comments: None.}

Non-Committee/Staff participants in discussion:

-Mr. Gilmore

Motion: REP. QUILICI moved to accept the Executive Language Recommendation as stated on page A-95, amending the second portion of the language to stipulate that all appropriations for the Construction Program will be biennial appropriations.

{Tape: 4; Side: A; Approx. Time Count: 4.2; Comments: None.}

Vote: Motion passed unanimously.

{Tape: 4; Side: A; Approx. Time Count: 5.6; Comments: None.}

Motion/Vote: REP. KEENAN moved to remove \$3,000,000 each fiscal year from the CTEP program budget as presented in the agency's "Budget Issues" exhibit from the 2/13/97 hearing. Motion passed unanimously.

{Tape: 4; Side: A; Approx. Time Count: 6.3; Comments: None.}

Non-Committee/Staff participants in discussion:

-Mr. Gilmore

Motion/Vote: SEN. JENKINS moved to accept the agency's request for \$14,963 in FY98 and \$15,092 in FY99 for "Equipment Rental for Core drill". Motion passed unanimously.

{Tape: 4; Side: A; Approx. Time Count: 7.0; Comments: None.}

Non-Committee/Staff participants in discussion:

-Mr. Gilmore

Motion/Vote: REP. KEENAN moved to accept the agency's request for "Reclassifications" and "Emergency Relief Funds" as contained in the agency's "Budget Requests" exhibit from the 2/13/97 hearing. Motion passed unanimously.

{Tape: 4; Side: A; Approx. Time Count: 7.5; Comments: None.}

Non-Committee/Staff participants in discussion:

-Mr. Currie

Budget Item: MAINTENANCE PROGRAM

Motion/Vote: REP. QUILICI moved to accept the base budget for the Maintenance Program. Motion passed unanimously.

{Tape: 4; Side: A; Approx. Time Count: 8.0; Comments: None.}

Motion/Vote: REP. KEENAN moved to accept Present Law Adjustments 1, 2 & 3 as contained in the chart on page A-96. Motion passed unanimously.

{Tape: 4; Side: A; Approx. Time Count: 8.2; Comments: None.}

Motion: REP. QUILICI moved to accept Present Law Adjustments 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 & 14 as contained in the chart on page A-96, with item 6 as a restricted, one-time only appropriation.

{Tape: 4; Side: A; Approx. Time Count: 8.4; Comments: None.}

Non-Committee/Staff participants in discussion:

-John Blacker, Department of Transportation

-Mr. Salisbury

Vote: Motion passed unanimously.

{Tape: 4; Side: A; Approx. Time Count: 11.4; Comments: None.}

EXHIBIT 4. John Patrick, OBPP.

Motion: REP. QUILICI moved to accept New Proposals 1(A) and 1(B) as contained in the chart on Exhibit 4.

{Tape: 4; Side: A; Approx. Time Count: 13.5; Comments: None.}

Non-Committee/Staff participants in discussion:

-Mr. Blacker

Vote: Motion passed unanimously.

{Tape: 4; Side: A; Approx. Time Count: 20.1; Comments: None.}

Motion/Vote: REP. QUILICI moved to accept New Proposals 2, 3, 4, 5 & 6 as contained in the chart on page A-98. Motion passed unanimously.

{Tape: 4; Side: A; Approx. Time Count: 20.4; Comments: None.}

Motion/Vote: REP. KEENAN moved to accept the Executive Language Recommendation as stated on page A-100, stipulating that all appropriations for the Maintenance Program will be biennial appropriations and the second language item will be restricted. Motion passed unanimously.

{Tape: 4; Side: A; Approx. Time Count: 22.0; Comments: None.}

Non-Committee/Staff participants in discussion:

-Mr. Dye

Motion/Vote: SEN. JENKINS moved to accept the rates for the State Motor Pool to allow the program to maintain a 60 day working capital. Motion passed unanimously.
{Tape: 4; Side: A; Approx. Time Count: 24.4; Comments: None.}

Motion/Vote: REP. KEENAN moved to accept the Performance-Based Budget language as stated on pages G-13 through G-16. Motion passed unanimously.
{Tape: 4; Side: A; Approx. Time Count: 25.2; Comments: None.}

COMMITTEE BUSINESS

{Tape: 4; Side: A; Approx. Time Count: 25.9; Comments: None.}

EXECUTIVE ACTION ON DEPARTMENT OF TRANSPORTATION

{Tape: 4; Side: A; Approx. Time Count: 27.0; Comments: None.}

Budget Item: TRANSPORTATION PLANNING DIVISION

Motion/Vote: REP. QUILICI moved to accept the base budget for the Transportation Planning Division. Motion passed unanimously.
{Tape: 4; Side: A; Approx. Time Count: 29.0; Comments: None.}

Motion: SEN. JENKINS moved to accept Present Law Adjustments 4, 5, 6, 7 & "Other Base Adjustments" as described in the chart on page A-108, with items 4 & 7 as a one-time only appropriation.
{Tape: 4; Side: A; Approx. Time Count: 29.2; Comments: None.}

Vote: Motion passed with REP. KEENAN voting no.
{Tape: 4; Side: B; Approx. Time Count: 2.5; Comments: None.}

Motion/Vote: SEN. JENKINS moved to accept Present Law Adjustments 1, 2 & 3 as contained in the chart on page A-108. Motion passed unanimously.
{Tape: 4; Side: B; Approx. Time Count: 2.6; Comments: None.}

Motion: SEN. JENKINS moved to accept New Proposal 1 as contained in the chart on page A-109.

{Tape: 4; Side: B; Approx. Time Count: 4.3; Comments: None.}

Non-Committee/Staff participants in discussion:

-Mr. Dye

Vote: Motion passed unanimously.

{Tape: 4; Side: B; Approx. Time Count: 5.1; Comments: None.}

Motion/Vote: REP. KEENAN moved to appropriate \$25,000 in each fiscal year, to be used biennial appropriation, for the "Department of Agriculture Biennial Appropriation" portion of the agency's "Budget Issues" exhibit from the 2/13/97 hearing.

Motion passed unanimously.

{Tape: 4; Side: B; Approx. Time Count: 5.9; Comments: None.}

Non-Committee/Staff participants in discussion:

-Ms. Saindon

Motion: SEN. JENKINS moved appropriate \$100,000 each fiscal year, as a biennial appropriation, for the "McCarty Farms" portion of the agency's "Budget Issues" exhibit from the 2/13/97 hearing.

{Tape: 4; Side: B; Approx. Time Count: 7.8; Comments: None.}

Vote: Motion passed with REP. KEENAN voting no.

{Tape: 4; Side: B; Approx. Time Count: 7.9; Comments: None.}

Budget Item: GLOBAL ISSUES

Non-Committee/Staff participants in discussion:

-Mr. Currie

Motion/Vote: REP. QUILICI moved to exclude the Department of Transportation from the 3% Vacancy Savings reduction of the base budget. Motion passed unanimously.

{Tape: 4; Side: B; Approx. Time Count: 10.2; Comments: None.}

Non-Committee/Staff participants in discussion:

-Mr. Blacker

ADJOURNMENT

Adjournment: 12:01



REP. EDWARD J. "ED" GRADY, Chairman



ELAINE BENEDICT, Secretary

EJG/emb