MINUTES

MONTANA SENATE 55th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE & CLAIMS

Call to Order: By CHAIRMAN CHUCK SWYSGOOD, on February 11, 1997, at 5:05 p.m., in Room 108.

ROLL CALL

Members Present:

Sen. Charles "Chuck" Swysgood, Chairman (R) Sen. Larry Baer (R) Sen. Thomas A. "Tom" Beck (R) Sen. James H. "Jim" Burnett (R) Sen. B.F. "Chris" Christiaens (D) Sen. Eve Franklin (D) Sen. Loren Jenkins (R) Sen. Greg Jergeson (D) Sen. John "J.D." Lynch (D) Sen. Dale Mahlum (R) Sen. Ken Miller (R) Sen. Arnie A. Mohl (R) Sen. Linda J. Nelson (D) Sen. Mike Taylor (R) Sen. Daryl Toews (R) Sen. Mignon Waterman (D)

Members Excused: Sen. Thomas F. Keating, Vice Chairman (R)

Members Absent: None

Staff Present: Taryn Purdy, Legislative Fiscal Division Sharon Cummings, Committee Secretary

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

Committee Business Summary:

Hearing(s) & Date(s) Poste	d: None
	Executive Actic	n: HB 89, BCCAA; HB 294, BCC;
		HB 12, BCC; HB 9, BCCAA;
		HB 10, BCC; HB 23, BCC;
		НВ 3, ВССАА

. . .

SENATE FINANCE & CLAIMS COMMITTEE February 11, 1997 Page 2 of 13

EXECUTIVE ACTION ON HB 89

Amendments: Amendment #hb008901.atp (EXHIBIT #1)

<u>Motion</u>: CHAIRMAN SWYSGOOD MOVES TO AMEND HB 89 WITH AMENDMENT #HB008901.ATP. On page 2, lines 2-4 the committee membership is being appointed by the presiding officers of the legislative finance and legislative audit committees. I don't know of any other committees where membership is not appointed by leadership. This amendment states committee appointments will be made by the committee on committees and the speaker.

<u>Discussion</u>: SEN. LOREN JENKINS With this amendment you are putting a member of the Senate and a member of the House of Representatives on this committee, line 2 states there will be two members of the House appointed by the Speaker. I don't see where the Senate is equalized. SEN. J.D. LYNCH The front page has two members of the Senate appointed by the Committee on Committees.

CHAIRMAN SWYSGOOD The committee appointments in the amendment are one from each house.

SEN. J.D. LYNCH You may be tipping the political balance on the committee if you have the speaker and the committee on committees appoint an additional member. In all likelihood, with the present makeup of the legislature, the speaker and the committee on committees would appoint Republican members. CHAIRMAN SWYSGOOD That is addressed in the bill.

SEN. LYNCH Line 6, page 2, states they may not appoint more than one member of the same political party. You need to have some kind of an agreement to have a balanced committee. Taryn Purdy, Legislative Fiscal Division (LFD) I think your concern is taken care of in that the committee on committees will appoint four members of this committee in total, two from the Senate at large, one from finance, one from audit. Amendment #5, page 2, line 6 & 7, says each appointment authority in subsection A-D may not appoint more than two members of the same political party. So, of the four, two would need to be Democrats and two Republican.

SEN. LYNCH Will it balance out to the same, there cannot be more Republicans than Democrats or vice versa? **Ms. Purdy** I do not believe so.

Vote: THE MOTION TO AMEND HB 89 CARRIED UNANIMOUSLY.

Motion: SEN. TOM BECK MOVES HB 89 BE CONCURRED IN AS AMENDED.

Discussion: CHAIRMAN SWYSGOOD What is the cost of this? Ms. Purdy \$20,000 per biennium.

<u>Vote</u>: THE MOTION CARRIED UNANIMOUSLY. SEN. JERGESON will carry this bill.

EXECUTIVE ACTION ON HB 294

Discussion: SEN. ARNIE MOHL I need some clarification on this, we are going to spend \$50,000 to have an appraisal done. Which appraisal will be used, the private, state or are we going to have to spend more money to get a third opinion? Mary Bryson, Department of Revenue (DOR) I believe the intent of this legislation is to provide an objective perspective related to the Computer Assisted Mass Appraisal System (CAMAS). The reason to hire a contract appraiser would be to validate the appraisal done by CAMAS.

SEN. MOHL I would like to amend HB 294 stating the private appraisal would be used if there was a difference.

SEN. BECK I don't believe that is the purpose of this bill. They are trying to see if CAMAS is working. As I understand it, we won't actually use the appraisals.

Ms. Bryson It is my understanding the bill is to conduct a performance audit of the property appraisal process that is conducted by the Property Assessment Division of the DOR. During that process our discussions with the sponsor and legislative auditor indicated that the legislative auditor doesn't have appraisal experts on staff. We suggested that if they were going to do appraisals, they should contract with an appraiser to do that. REP. COBB said he would state, in the bill, that the legislative auditor would have to contract with an appraiser to provide the objective appraisal and do a statistical sample on residential properties throughout the state. The goal is not to use these as independent appraisals of those specific pieces of property, but rather to do a statistical analysis of CAMAS and the appraisals that were completed as a part of that system.

CHAIRMAN SWYSGOOD Page 2, lines 2-4 basically states if they find some problem with the process being used on the CAMAS system it is to be reported during the next legislative session. At that time we would have to make a decision on what to do about this.

Amendments: None

Motion: SEN. EVE FRANKLIN MOVES HB 294 BE CONCURRED IN.

Discussion: SEN. MIGNON WATERMAN My understanding of this is that we have 120 pieces of property appraised, if they are all within 1% or 2% of being correct we'd know the system works. If 100 of them are 50% off, we'd know there is a serious problem with the system and go from there.

SEN. MIKE TAYLOR How was the \$50,000 figure arrived at? CHAIRMAN SWYSGOOD As I remember it, they did an investigation of what it would cost for a private appraiser and this was an average. SENATE FINANCE & CLAIMS COMMITTEE February 11, 1997 Page 4 of 13

SEN. GREG JERGESON It would be issued as a request for proposal and if the bids came in under \$50,000 the difference would revert.

<u>Vote</u>: THE BE CONCURRED IN MOTION CARRIED 8-6 ON ROLL CALL VOTE. SEN. CHRIS CHRISTIAENS will carry this bill.

{Tape: 1; Side: A; Approx. Time Count: 5:22; Comments: None.}

EXECUTIVE ACTION ON HB 12

Amendments: None

Motion/Vote: SEN. BECK MOVES HB 12 BE CONCURRED IN. THE MOTION CARRIED UNANIMOUSLY. SEN. LYNCH will carry this bill.

EXECUTIVE ACTION ON HB 9

Amendments: Amendment #hb000912.anl (EXHIBIT #2)

<u>Motion</u>: SEN. DALE MAHLUM MOVES TO AMEND HB 9 WITH AMENDMENT #HB000912.ANL. This amendment strikes out lines 23-28 on page 7, which is the language put in by amendment in House Appropriations.

<u>Discussion</u>: CHAIRMAN SWYSGOOD As you will recall, during testimony I asked for a copy of the poster. (EXHIBIT #3) is passed around.

SEN. CHRIS CHRISTIAENS I believe that anytime an organization has received funding through cultural trust grants it is a requirement that they list so on literature. I don't know if this is specific to everything they do or only productions and art funded by the grant.

CHAIRMAN SWYSGOOD I will read the letter from Dr. Kriley that accompanied this poster. (EXHIBIT #4)

SEN. LARRY BAER There has been some talk about censure by the legislature and the chilling effect on people's first amendment rights of expression. I look on this part of the bill as simply an expression by the legislature of what kind of activity we are willing to fund.

<u>Vote</u>: THE MOTION TO AMEND HB 9 CARRIED WITH SEN. BAER, JENKINS AND TOEWS VOTING NO.

Amendments: Amendment #hb000911.anl. (EXHIBIT #5)

<u>Motion</u>: SEN. WATERMAN MOVES TO AMEND HB 9 WITH AMENDMENT #HB000911.ANL. Someone objected to the look of the horses in a grant to the Holter Art Museum during House committee action. The horse looked a lot like a drawing in a pictograph, someone thought it looked like it was done by a first grader. This

SENATE FINANCE & CLAIMS COMMITTEE February 11, 1997 Page 5 of 13

collection also includes other artists and will be a traveling exhibit on horses in the west and I think it is an excellent exhibit. I chose not to restore all of the funding because a number of funds were reduced. I spoke with **REP. BERGSAGEL** and his recommendation to me was that I not put the whole amount back in. I have inserted \$20,000. I believe **REP. BERGSAGEL** put it right the other day, he said he didn't envy these people their job, he thought they did a good job of reviewing. We need to be careful that we don't insert our subjective judgement in these issues.

<u>Discussion</u>: SEN. JENKINS Are we going to take Montana Alliance for Arts Education out? Nan LeFebvre, LFD No. The original amount for the Holter Museum project was \$23,089, the committee reduced that to \$10,000. This amendment would restore partial funding at \$20,000.

CHAIRMAN SWYSGOOD It would not affect any of the other projects? Ms. LeFebvre That is correct.

SEN. JENKINS How much money is left over from this? Ms. LeFebvre The balance is projected to be \$82,791.

SEN. BECK I think it was a unanimous decision on the committee's part to reduce that to \$10,000. What is the project? SEN. WATERMAN It is a touring exhibit of art of horses in the west. This exhibit will be touring cities in Montana.

SEN. BECK I think that is probably why we reduced it to \$10,000.

Vote: THE MOTION TO AMEND HB 9 FAILS 8-7 ON ROLL CALL VOTE.

SEN. JENKINS I was here when the Museum of the Rockies first came in requesting money. We were told they would run the museum with private funds and this was a one time request. I would like Marilyn Wessel to share what she and I discussed earlier today. Marilyn Wessel, MSU In the mid 1980's the Board of Directors of the Museum of the Rockies came to the legislature to ask for authority to build an addition to the museum. They didn't ask for state money but asked for the authority to raise \$9 million for the current building. The discussion SEN. JENKINS is referring to is that REP. BARDENOUVE, who was chair of long-range planning, reluctantly agreed with the museum's request to raise the private money but he wanted to make sure the museum would not be back the next year to ask for operations and maintenance. He was given that assurance. The museum board tested the water a few years later and found the legislature has a long memory and didn't want to do that. The museum has confined itself to occasional requests to the cultural trust for grants they qualify for. They are very careful never to apply in the on-going operations section, they only apply in that section of the cultural trust that allows for one-time grants. There is no money in this particular grant request for operations,

SENATE FINANCE & CLAIMS COMMITTEE February 11, 1997 Page 6 of 13

maintenance or staff. I hope the museum is not inappropriate in this, we thought we were following the rules.

CHAIRMAN SWYSGOOD I believe this amendment was added on the House Floor. What did the committee pass? SEN. LYNCH Zero funding.

CHAIRMAN SWYSGOOD The \$20,000 was put on during discussion on the House Floor and stated if the funds are not available the museum will not get the funding. Ms. LeFebvre That is correct. There is contingency language at the back of the bill stating before any of the other grants are cut on a pro rata basis, the Museum of the Rockies grant would be cut first.

<u>Motion/Vote</u>: SEN. FRANKLIN MOVES HB 9 BE CONCURRED IN AS AMENDED. THE MOTION CARRIED WITH SEN. BAER VOTING NO. SEN. BECK will carry this bill.

{Tape: 1; Side: A; Approx. Time Count: 5:38; Comments: None.}

EXECUTIVE ACTION ON HB 10

Amendments: None

<u>Motion/Vote</u>: SEN. MAHLUM MOVES HB 10 BE CONCURRED IN. THE MOTION CARRIED WITH SEN. BAER VOTING NO. SEN. LYNCH will carry this bill.

{Tape: 1; Side: A; Approx. Time Count: 5:40; Comments: None.}

EXECUTIVE ACTION ON HB 23

Amendments: None

<u>Motion/Vote</u>: SEN. JERGESON MOVES HB 23 BE CONCURRED IN. THE MOTION CARRIED UNANIMOUSLY. SEN. JERGESON will carry this bill.

{Tape: 1; Side: A; Approx. Time Count: 5:41; Comments: None.}

EXECUTIVE ACTION ON HB 3

CHAIRMAN SWYSGOOD You have informational sheets pertaining to what the sub-committees approved and one from the Legislative Fiscal Division that explains some of these supplementals. (EXHIBIT #6 & 7)

Motion: SEN. WATERMAN MOVES HB 3 BE CONCURRED IN.

<u>Discussion</u>: SEN. BAER For the Department of Revenue, I have a problem with page 2, line 9. During the hearing I asked about the \$125,000 expert witness expense and how far along this lawsuit is. I believe you responded it is in the discovery stage and that \$20,000 had been spent on the lawsuit to date. Expert

SENATE FINANCE & CLAIMS COMMITTEE February 11, 1997 Page 7 of 13

witness fees normally are not incurred until the trial stage of a litigation. I can't understand how you could have spent \$125,000 on these fees, please explain this to me. **Ms. Bryson** This case has gone to the State Tax Appeal Board and the DOR has contracted for an expert witness, the total amount of that contract is \$20,000. The expert witnesses are in the process of putting together exhibits that will be submitted at the time of the trial. We have not, technically, spent the money but we have entered into a contract with an expert witness. We have also requested the authority to enter into a contract for a specific attorney that would help in the defense of this case.

SEN. BAER It is my understanding that supplemental bills are suppose to reimburse emergency funds that have already been spent. This looks more like a new proposal than a supplemental request. CHAIRMAN SWYSGOOD To a degree that is right, if the DOR incurs this cost before the end of FY97 this money would not be in their budget. This is addressing a cost that is going to occur before the end of this fiscal year. If it is going to be after that then it should properly be in next biennium's budget and part of their department request. If they are going to the Tax Appeal Board in April and are contracting for an attorney that is proficient in this type of litigation that would also be paid for before the end of the fiscal year. I think it is justified to approve the supplemental as it is.

SEN. BAER I believe \$20,000 has been spent in preparation for expert testimony at a trial that could be years from now. You have it listed as expert witnesses, it isn't making sense to me because expert witnesses don't come into play until much later in the litigation. Ms. Bryson They will be here in April to testify at the State Tax Appeal Board hearing. We will have expert witnesses at that time.

{Tape: 1; Side: B; Approx. Time Count: 5:43; Comments: None.}

SEN. BAER How many witnesses are there and what are their qualifications? Mary Whittinghill, DOR These expert witnesses will be performing appraisals of the pipeline company we are in litigation with. We anticipate there will be at least 5 expert witnesses testifying.

SEN. BAER It isn't just expert witnesses we're talking about. It is an attorney retainer and appraisal costs with those appraisers later testifying, right? Ms. Whittinghill That is correct.

SEN. BAER I think I understand what you are doing now.

SEN. JENKINS How much are you looking at in this case? Ms. Whittinghill This would be over \$2 million in property taxes on an annual basis for this case.

SEN. JENKINS How much would it cost if the DOR loses this case? Ms. Whittinghill The first indication we have is that their appraisal could reduce property taxes 30% or more.

CHAIRMAN SWYSGOOD Does this have further ramifications as it relates to centrally assessed property? Ms. Whittinghill This has questions of interstate commerce and equal protection questions that will affect the other centrally assessed property valuations.

SEN. BAER Is the State of Montana being sued? Ms. Bryson They have appealed their property appraisal and we are defending our appraisal.

SEN. BAER Are we suing them to collect property tax? We are not in litigation now at all, are we? CHAIRMAN SWYSGOOD No, we are defending the tax that was assessed, they are appealing that the tax is improper. Therefore, the DOR is defending their appraisal.

CHAIRMAN SWYSGOOD Page 2, lines 10 & 11 states all remaining FY97 General Funds supplemental authority for expert witnesses is authorized to continue into FY98. We are appropriating money through a supplemental process that could be rightfully addressed in the budget process before the committees now. How much of this do you anticipate to carry over? Ms. Bryson I suspect we will carry over approximately \$55,000.

CHAIRMAN SWYSGOOD If that is the case, why didn't you ask for \$70,000 on the supplemental and then ask for an appropriation from the budget committee to carry this on? Ms. Bryson In our discussions with the sub-committee we explained this as being a specific case and that we would be limiting the expert witness and attorney fees to this case only. Putting it all in one place allowed us to do that. We have a category for expert witnesses in our budget, this would segregate it for this case.

CHAIRMAN SWYSGOOD We don't usually do something like this. You are going to have an unanticipated expense in FY97 which is addressed in the supplemental. I don't want to cut you short on what you need to carry on through the rest of this year but I don't want to give you more money than you need. You can line item this and get it through the revenue process. Please tell this committee what amount of money you need to get through till July 1, 1997. Ms. Bryson It is possible we could spend the full \$125,000 before July 1, 1997 but I have no way of knowing whether we will or not. If the committee chooses to, I would request, at a minimum, they give us \$75,000 until the end of FY97.

CHAIRMAN SWYSGOOD I want you to have enough money to carry this through as this case is vital to the whole process. But I don't want the supplemental process to be used as an appropriating mechanism circumventing the normal budget process. Ms. Bryson Would you feel more comfortable if you took that language out? SENATE FINANCE & CLAIMS COMMITTEE February 11, 1997 Page 9 of 13

Then we are limited to spend this amount through the end of this fiscal year.

CHAIRMAN SWYSGOOD What happens if the DOR doesn't spend the complete \$125,000? Ms. Purdy The extra funds would revert.

SEN. WATERMAN If they had some expenses in the next biennium would they have authority within their other budget appropriations to finish this suit? CHAIRMAN SWYSGOOD I have the same concerns. I hope the department would go before the sub-committee and explain what they are doing here.

SEN. JENKINS I would like some clarification, are you saying if they don't use this money it would revert to the General Fund and our committee would have to kick it out of the General Fund into their budget when we next meet. CHAIRMAN SWYSGOOD That is what the department has to decide. Whether they feel comfortable that they have enough for this biennium and if they don't they will have to come to your sub-committee and ask for some kind of contingency.

CHAIRMAN SWYSGOOD How much money do you currently have for expert witnesses in the budget being addressed? Ms. Bryson I believe around \$20,000 annually.

CHAIRMAN SWYSGOOD If you feel uncomfortable about what is happening here, please take it up with your subcommittee and let them make the decision.

SEN. BAER We don't have enough information here to verify the cost of these so-called expert witnesses and appraisers. We just approved \$50,000 to do 200 appraisals for comparison of our mechanisms.

{Tape: 1; Side: B; Approx. Time Count: 5:59; Comments: None.}

Motion: SEN. BAER MOVES TO AMEND HB 3, PAGE 2, LINE 9 BY REDUCING THE AMOUNT TO \$75,000.

<u>Motion/Vote</u>: SEN. WATERMAN MOVES A SUBSTITUTE AMENDMENT TO STRIKE THE LANGUAGE ON PAGE 2, LINES 10 & 11. THE SUBSTITUTE MOTION TO AMEND HB 3 CARRIED WITH SEN. BECK VOTING NO.

<u>Discussion</u>: SEN. BECK For the Department of Military Affairs, has the satisfactory judgement of \$80,200 been expended and is that the full amount of the judgement? Doug Booker, Department of Military Affairs That money has not been expended, we would pay that amount if the Supreme Court upholds the judgement. \$125,000 has been expended so far, \$100,000 from the Air Guard and \$25,000 from the General Fund. That was done 3 years ago.

SEN. BECK The information we have shows it could be reduced \$36,000, please explain that and why you need \$80,200 if there is going to be a reduction? Why can't we reduce that amount from

SENATE FINANCE & CLAIMS COMMITTEE February 11, 1997 Page 10 of 13

the supplemental? **Mr. Booker** That is what is in contention, the judge amended the judgement that was signed and told the state we have to pay back the employee's retirement that he drew out after he was terminated. PERS tells us \$36,000 is what it would cost to pay back his retirement plus interest. If you reduce the amount we requested by \$36,000 and the court agrees with the judge we will not have enough to pay this settlement. The \$80,200 is the total settlement on a worst case basis.

SEN. WATERMAN I see the same language as we dealt with earlier. Please explain why that language is there. Mr. Booker We do not know when the Supreme Court will make their ruling, that is the only reason.

SEN. WATERMAN To be consistent there should be an appropriation that will revert with a line item appropriation in the next biennium's budget to satisfy this if it falls in the next biennium.

CHAIRMAN SWYSGOOD Right now we are appropriating money through the supplemental process for something we don't know the cost of. I understand where the agency is coming from but I think they have other options, they could go to their budget sub-committee and request contingency language to appropriate the amount of money relating to the decision of the court. Ms. Purdy The agencies do have a couple of other options if they get into a problem in the next year. One is the supplemental process, in which the agency would request that some of their second year appropriation authority be moved into the first. That can be done when the legislature is not in session. Agency recourse, if the second year appropriation gets damaged, is to come to you during the next session and ask for funds to cover this. The other option is to try to squeeze it out of their 1998 budget.

CHAIRMAN SWYSGOOD You have no idea when the court decision is going to be? Mr. Booker No.

SEN. TAYLOR I think we need to change the language to say they go back to the committee for the ability to move the money when the judgement comes down or go before the appropriations committee at the proper time next year and request the funding.

{Tape: 1; Side: B; Approx. Time Count: 6:07; Comments: None.}

<u>Motion/Vote</u>: SEN. WATERMAN MOVES TO AMEND HB 3 BY DELETING LINES 19 & 20 ON PAGE 2. THE MOTION CARRIED WITH SEN. BECK AND LYNCH VOTING NO.

Motion: SEN. TAYLOR MOVES TO AMEND HB 3 BY STRIKING LINE 18.

<u>Discussion</u>: SEN. JENKINS The sub-committees are working on the budgets from July 1, 1997 forward two years. If this is settled before then we don't have a chance to give them the funds. That is what this bill is for.

SENATE FINANCE & CLAIMS COMMITTEE February 11, 1997 Page 11 of 13

CHAIRMAN SWYSGOOD If the court comes out in May saying you owe this money, how much time would you need to make the payment? Mr. Booker That would be adequate time to make the payment before the end of the fiscal year. Our concern would be if the decision was made the last week of June or July 1.

CHAIRMAN SWYSGOOD SEN. TAYLOR has a motion to strike line 18. This won't cure their problem if the judgement happens before July 1, 1997. They would be able to deal with it if it happened after July 1 by moving appropriation forward from the second year of the biennium and requesting a supplemental if they run short of funds during that second year. SEN. TAYLOR'S motion might be putting them in a bind.

SEN. TAYLOR RESCINDS THE MOTION.

SEN. TAYLOR Please explain the appropriations by ISD. Ms. Bryson The \$124,000 appropriation relates to operational costs associated with processing on the mainframe at the Department of Administration. Mainframe use has continued to escalate because we have three separate processing applications in the income tax system and we went to the escalated filing for recording payments. These were unanticipated costs that we incurred as a result of legislation in 1996. We believe we will be short this amount in our current operating budget.

SEN. TAYLOR The legislation that requires small businesses to file every week has increased the costs by \$124,000, is that correct? Ms. Bryson That is one of the reasons we've had increased processing.

CHAIRMAN SWYSGOOD Since we took the language out on the bottom of page 2, lines 19 & 20, if there is no judgement from the court by July 1, 1997 does this \$80,000 revert back to the General Fund? Ms. Purdy Yes it does. The Department of Military Affairs would then need to find the money for the judgement.

Jane Hamman, Office of Budget & Program Planning You might also want to amend the title on page 1, line 6 & 7 to make it consistent with the two amendments passed.

<u>Motion/Vote</u>: SEN. WATERMAN MOVES TO AMEND HB 3 BY DELETING THE LANGUAGE PROVIDING THAT CERTAIN APPROPRIATIONS CONTINUE INTO FISCAL YEAR 1998 ON PAGE 1, LINES 6 & 7. THE MOTION CARRIED WITH SEN. LYNCH AND BECK VOTING NO.

<u>Discussion</u>: CHAIRMAN SWYSGOOD For the Department of Corrections (DOC) regarding the juvenile placement portion of this budget. When this was transferred to DOC from family services did they give you consultation on what to put in your budget for juvenile placement? Rick Day, DOC As it was transferred there was a computer run and an educated guess on how much it would cost. SENATE FINANCE & CLAIMS COMMITTEE February 11, 1997 Page 12 of 13

CHAIRMAN SWYSGOOD That was \$5 million less than what it turned out to be, is that right? Mr. Day Yes, that is correct.

SEN. MAHLUM Mr. Day was going to give us some information on juvenile housing and cost. Mr. Day I have two handouts pertaining to juvenile housing & cost, one for out-of-state (EXHIBIT #8) and one for in-state (EXHIBIT #9).

SEN. BAER I am nervous about this, I think we are coming dangerously close to using the supplemental bill to obtain appropriation money. I hope we're not setting a precedent for this committee to entertain this type of procedure in the future. I think we should warn the executives that they should be a little more careful with appropriations.

<u>Vote</u>: THE MOTION THAT HB 3 BE CONCURRED IN AS AMENDED CARRIED WITH SEN. MOHL AND BAER VOTING NO. CHAIRMAN SWYSGOOD will carry this bill. SENATE FINANCE & CLAIMS COMMITTEE February 11, 1997 Page 13 of 13

ADJOURNMENT

Adjournment: 6:18 p.m.

Chairman SEN. CHARLES SWY

Secretary JMMINGS ON SHA

CS/SC