

MINUTES

**MONTANA SENATE
55th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON FINANCE & CLAIMS

Call to Order: By **CHAIRMAN CHUCK SWYSGOOD**, on January 30, 1997,
at 5:00 p.m., in Room 108.

ROLL CALL

Members Present:

Sen. Charles "Chuck" Swysgood, Chairman (R)
Sen. Thomas F. Keating, Vice Chairman (R)
Sen. Larry Baer (R)
Sen. James H. "Jim" Burnett (R)
Sen. B.F. "Chris" Christiaens (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 A. "Tom" Beck (R)
Sen. Eve Franklin (D)

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) Posted: SB 19, 1/27/97
Executive Action: SB 19, Do Pass As Amended

HEARING ON SB 19

Sponsor: SEN. DELWYN GAGE, SD 43, CUT BANK

Proponents: None

Opponents: None

Opening Statement by Sponsor:

SEN. DELWYN GATE, SD 43, CUT BANK This bill was heard on the floor a week or so ago. Some members didn't care for parts of the bill therefore amendments are being proposed.

Proponents' Testimony: None

Opponents' Testimony: None

EXECUTIVE ACTION ON SB 19

Amendments: Taryn Purdy, Legislative Fiscal Analyst Amendment #sb001901.agp is as a result of auditor's concerns that they wouldn't know how to determine whether or not the agencies were complying with the law. This amendment would clarify what budget of the legislature meets. (EXHIBIT #1)

Motion/Vote: SEN. MIKE TAYLOR MOVES TO AMEND SB 19. THE MOTION CARRIED UNANIMOUSLY. (#SB001901.AGP)

Amendments: Ms. Purdy Amendment #sb001903.atp is in the section that discusses program transfers. Agencies are allowed to do program transfers but only to 5% of the budget. This bill would give them additional flexibility and require them to come to the Finance Committee before it happens. This amendment makes the definition for transfers appropriate. (EXHIBIT #2)

Motion/Vote: SEN. JIM BURNETT MOVES TO AMEND SB 19. THE MOTION CARRIED UNANIMOUSLY. (#SB001903.ATP)

Amendments: CHAIRMAN SWYSGOOD I have been concerned with the wording regarding the base budget on page 5, line 6 that could mean rolling present level. This amendment addresses this so there is no confusion. (EXHIBIT #3)

Motion: SEN. ARNIE MOHL MOVES TO AMEND SB 19. (EXHIBIT #3)

Discussion: SEN. J.D. LYNCH Is this practiced today or has there been problems that it has been exceeding the base budget? Is this a safeguard?

CHAIRMAN SWYSGOOD This is a safeguard. For this biennium we have a base 1996 figure and we have present law adjustment to that. We didn't want to be presented with a base budget figure that included present law in one column.

SEN. TOM KEATING How do budget amendments affect this language?

Steve Bender, Office of Budget and Program Planning We didn't intend to do anything different. We've always assumed we'd use actual expenditures for the base. The concern was raised that the language in the bill might allow us to do something different. We are trying to clarify our intent with this

amendment. Budget amendments are excluded because they aren't considered and appropriated by the previous legislature. We always bring those in as new proposals.

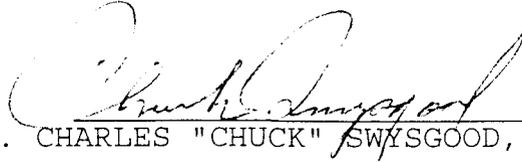
SEN. GAGE I spoke with Dave Lewis about the amendment and it makes sense to me.

Vote: THE MOTION TO AMEND SB 19 CARRIED UNANIMOUSLY. (EXHIBIT #3)

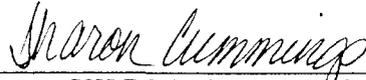
Motion/Vote: SEN. BURNETT MOVES SB 19 DO PASS AS AMENDED. THE MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

Adjournment: 5:13 p.m.



SEN. CHARLES "CHUCK" SWYSGOOD, Chairman



SHARON CUMMINGS, Secretary

CS/SC