

HOUSE MINUTES OF THE
FREE CONFERENCE COMMITTEE
ON HOUSE BILL 145
State Capitol, Room 225

April 19, 1977

The meeting of the Free Joint Conference Committee was called to order by Representative Francis Bardanouve, Chairman of the Conference Committee, at 4:00 p.m. All members of the Senate and House were present; roll call is attached.

MOTION: Representative Lynch moved that the conference committee report be the same as the first report with the exception of the seven (7) exceptions listed on the first page of the report (attached).

SUBSTITUTE MOTION: Representative Marks made a substitute motion to put \$30,000 back in the budget of the Legislative Council to fund the Oversight Tax Committee and language be put in stating that that committee be limited to that amount.

Discussion: Representative Marks stated that H.B. 773 reads "shall be funded by Legislative Council." The priorities committee has nothing to say about what is studied, he said. He also said that he is afraid if the tax oversight committee has as many meetings as anticipated, it will cause financial problems with the Legislative Council's budget. He would like to line in restrictive language stating that \$30,000 is all that committee may use.

Representative South agreed, saying it is irresponsible to pass legislation and not fund it. They money will come out of the Council's budget because it is required by statute. I don't want to open up H.B. 145, he said, but I am concerned.

Senator Flynn asked about the possibility of the Council coming in with a supplemental request.

Senator Regan explained she has a real concern with this committee. It is a 12-member committee, and can call itself into meeting any time; \$30,000 is not enough. Perhaps the House should ask the Governor for the return of the bill and write some amendatory language. If there is any movement in H.B. 145, it will be difficult to take it to the floor of the Senate, she explained, and she would not want to be put in the position of trying to explain this on the floor of the Senate.

Senator Roberts stated the most appropriate thing would be to reconsider the conference committee report and get it into a free conference committee. The tax oversight committee should be subject to the same priorities as other committees.

Representative Lynch stated that the taxation people are adamant on this, and have stated they know the money will be found someplace.

Representative Lund asked if there is a way through a gentlemen's agreement that we could open H.B. 145 on this one thing, and one thing only?

Senator Stephens protested this, stating that would be a mistake because it would be very difficult to go back to the floor and have to explain there was one more thing we had to do.

Senator Hims1 said that surely Council will have enough money to run into January. Could they come in for a supplemental and make it up, he asked? We have done this before.

The Chairman asked who will do the work? This obviously will only be for travel and expenses. Staff could run into many dollars for a committee of this size.

Representative Marks stated that if the Council has to pick up the costs, they would have to pick up the staff. Their budget is only \$100,000 for the biennium for research and this would cut 1/3 of their budget.

Chairman Bardanouve asked again concerning who will do the work. The priorities committee will assign Council enough work on their priorities to keep the Council busy; who will do the research required for this committee even if we fund the travel? Even if we give the oversight committee \$30,000, it is not enough.

Representative Lynch mentioned that the Dept. of Revenue was to assist on this. Representative Lund then asked what authority the committee has to come to the Legislative Council for this, and was told that the bill gives this authority. Senator Roberts stated if the money isn't available, the work can't be done. Representative Lynch said the bill requires that it be done; \$30,000 is just a "ball park guess" as to the cost.

Senator Thiessen asked why not make a motion to recall that conference committee report? Senator Hims1 has the answer.

Representative Lund asked if we could have the Governor veto H.B. 773.

Question called on the substitute motion of Representative Marks:

ROLL CALL VOTE: The motion failed 5 aye-7 no (House: 5-1 (Bardanouve,NO); Senate: 0-6).

Question called on motion by Representative Lynch:

ROLL CALL VOTE: The motion carried with a vote of 11-1. (House: 5-1, Marks,NO; Senate: 6-0).

Conference committee meeting adjourned at 4:45 p.m.

Francis Bardanouve, Chairman
Free Conference Committee

MINUTES OF THE APPROPRIATIONS COMMITTEE
HOUSE OF REPRESENTATIVES
State Capitol, Room 225

April 19, 1977

The Chairman called the meeting of the House Appropriations Committee to order at 6:00 p.m. Roll call taken (attached) and a quorum was present.

The Chairman stated that the Committee had two items to consider: H.B. 842, which was referred late this day to the Appropriations Committee, and a matter to consider which Representative South would discuss after the hearing on H.B. 842.

House Bill 842: Appropriating \$100,000 to the Legislative Council for additional interim research studies. Speaker of the House, Representative Driscoll, apologized to the committee if there were those who might think he was attempting to avoid a hearing on this bill. He was attempting to do a service, and the idea came to him quite late. It is good to have a hearing, he said.

Speaker Driscoll stated he has been on the Priorities Committee and has seen studies narrowed down to a very meager few, which have to be poorly staffed and thrown together due to the lack of money. Many worthwhile studies are not funded at all. The height of ridiculousness is to have a study passed by both the House and the Senate, on its way to the Governor for signature, and to have to suggest that it be called back and killed because the Legislative Council's budget could not fund the oversight tax committee. This would have priority over studies mandated by resolution. Speaker Driscoll further explained that he felt it was ridiculous to do this to the Legislative Council, so he asked that this bill be prepared; it was amended on the floor to limit the amount that could be used by the oversight committee. It was run through quickly, but was agreed upon and was done "according to Hoyle," he said.

Questions:

Representative Marks said he had heard concern about the expanse of Legislative Council in one way or another and wondered if we could cut this back to \$30,000 and earmark it for the oversight tax committee; he feels the Senate will cut it back. Speaker Driscoll answered that the Council has been requested to do many worthwhile studies - he mentioned in particular the Human Services Study which will cost at least \$95,000 - the rest of this appropriation could be used for several other good studies which should be made. If you are concerned about expanding the Council, I understand that concern, he stated. He further said he believes in the Council and feels they should be funded so they can do the job. Even with this amount, not half of the studies can be done. He does not feel \$100,000 is exorbitant.

Chairman Bardonouve expressed concern that the Senate will oppose the \$100,000 amount, but said he has no quarrel with the \$30,000. It bothered him to enlarge the council at this late hour, he said. There are always many requests for studies every session; that is why the

Priorities Committee was established. Only the most important studies can be made. He can't accept adding more to the Council in order to do more studies.

Speaker Driscoll replied there are two exceptions: the Oversight Tax Committee has priority, and the Human Services Study. We have a problem in overlap in the Human Services. The executive failed with their study, and everyone is excited about this study, but it will cost approximately \$100,000.

Chairman Bardanouve felt in all sincerity that if this bill goes over at \$100,000, it will have trouble in the Senate Finance & Claims Committee. The taxation committee has a high priority on this, and if you don't confine it to the \$30,000, you will jeopardize the entire bill, he said. Speaker Driscoll replied that, of course, this would be left to the decision of the full committee.

MOTION: Representative Lynch moved that House Bill 842 DO PASS.

SUBSTITUTE MOTION: Representative Moore moved to amend H.B. 842, reducing the appropriation to \$30,000 and confining it to funding the Interim Taxation Oversight Committee authorized under H.B. 733 (amendment attached).

Seconded and the question was called.

ROLL CALL VOTE: The substitute motion failed with a vote of 4 aye - 11 no; Representative Gunderson and Halvorson absent.

Discussion: Representative Estenson explained that there are people in the House who feel studies are necessary; Legislative Council does a good job. She feels it is incumbent on those who feel the studies are necessary to talk to Senators and say that they feel this way. She does not like always to sit back and say the Senate will kill something, she said. Legislators come in every two years, and if they need these studies, let's do them correctly, she concluded.

Representative Moore agreed that more money is needed, but he feels that because the Oversight Committee was created by statute they must have money to fund it. His amendment was an attempt to save the \$30,000 which they must have. He further stated he had talked with some of the Senators, and if we go for the \$100,000, they will kill the whole bill.

The question was called on the motion by Rep. Lynch that H.B. 842 DO PASS.

ROLL CALL VOTE: The motion carried by a vote of 11-4, 2 absent.

Representative South said that he prepared a letter of intent from the Education Subcommittee to the Board of Regents showing the intent when the appropriations were established; that letter is attached. He asked that if there are no objections, we make this our intent. Senate Finance and Claims has already made it their intent.

Chairman Bardanouve gave a brief explanation of paragraphs 1 and 2.

MOTION: Representative Moore moved that we favorably endorse the letter of intent to the Board of Regents on the intent of the Appropriations Subcommittee on Education, and further state that it is the intent of the Appropriations Committee.

Discussion: Representative South explained that item 4 was brought in by the Commissioner's office and put in the letter at their request because of the trouble with collective bargaining. This is intended to make the Regent's position less difficult.

Representative Estenson stated she agreed with Mr. Moore. The Board of Regents are not going to pay attention to this letter because their philosophy, and that of the Commissioner's office, is that they have autonomy over the university system. If the Senate Finance & Claims and the House Appropriations Committees wish to sign a letter, the Regent's and the Commissioner do not consider that a mandate of the full legislative body. She would suggest we make this a letter from the House and the Senate.

Representative South stated that we can't do that; the most we can do is sign this indicating the intent of the two committees.

Representative South was asked by the Chairman to clarify the last line of paragraph 5, concerning the uniform recharge system. MSU is the only unit, Representative South explained, that pays all utilities with one state warrant and charges back to the units on campus. It is the intent of the committee that the Board of Regents get this system on at all 6 units. The Chairman observed that this bill will return general fund money back to the general fund, rather than use it for services not in the budget, such as dormitories, etc.

Question called on Representative Moore's motion.

VOICE VOTE: The motion carried unanimously with Representative Estenson abstaining, Representatives Halvorson and Gunderson absent.

The Chairman then thanked the committee for the hours of work they have put in during the session, and for the help they had been to him. He stated this has been the hardest session ever; the budgets seem to become ever larger and more complicated. We came in with a surplus, and everyone thought the dollars were unlimited. You had to make many hard decisions, he told the committee. I thank you from the bottom of my heart, the Chairman said.

Representative Moore stated that he spoke for himself and the other members of the committee in saying that Chairman Bardanouve had been a good Chairman; that is also appreciated.

The meeting adjourned at 6:35 p.m.

Francis Bardanouve, Chairman