

MINUTES OF THE MEETING  
FINANCE AND CLAIMS  
MONTANA STATE SENATE

March 8, 1977

The tenth meeting of the Senate Finance and Claims Committee met in room 331 of the State Capitol on the above date. The meeting was called to order by Senator Thiessen, Chairman, roll call was taken, time was 4:08 P. M.

Senator Hims1 said he thought the committee ought to consider something before we get into an embarrassing situation-- if we work piece meal or do we get an over-all look at the bills. He felt 3 things should be taken into consideration.

1. Can we find out if the Governor's tax refund package is going to be adopted.

2. Some understanding of what the pay increase is going to be.

3. The school foundation program. Are we going to fully fund the 80% level, or use it to balance the budget? This would bring higher taxes back to the local levels.

Senator Thiessen said he had no information on this as yet, and Representative Bardanouve seemed to be "sitting" on the bills. Senator Hims1 said he understood some of the bills had been acted on but were being held in committee.

Senator Hims1 explained that in spending in all these small areas we could find ourselves extremely short when it came to funding the big bills. He said we should have the big items first and then make the decisions on the small bills with what was left.

Senator Lockrem said every sub-committee had the same problem in not knowing what the pay plan would do to their budget, but it could mean a \$12 million recurring thing. He said he understood the sub-committee had not come out with its recommendations as yet.

Senator Thiessen gave an oral list of the bills still in committee.

Senate Bill 354 was discussed. Motion by Senator Regan that Senate Bill 354 do pass, second by Senator Mehrens, tie vote, and bill will go out of committee without recommendation.

Senate Bill 166 was discussed with a motion by Senator Lockrem, second by Senator Nelson that Senate Bill 166 do not pass. Discussion on this bill included an explanation by Senator Hims1 since he had heard the testimony in Labor Committee. Discussion was heard in regard to the amendments presented by the Workman's Compensation head, as to whether this bill came under the heading of essential or desirable, in regard to priority.

Discussion on the employer who paid his fees being charged through the legislation for the employer who did not do so. The Committee decided to pass consideration of the bill until the next meeting.

Senate Bill 247 was discussed. Motion by Senator Mehrens, second by Senator Boylan to amend the title by re-instating the Committee of the whole amendment, and page 3 line 22 as on the Committee of the whole amendment. Voted and passed.

Senate Bill 247 to be passed as amended, motion by Senator Story, second by Senator Boylan. Voted and passed.

Senate Bill 324 was discussed. A copy of the proposed amendments was given to the committee members, and Mr. Shannahan said it could be done simpler, that the first copy had been prepared in a hurry. Copy attached as exhibit 2.

Motion by Senator Roberts to reinstate the language on page 7 (first amendment attached), second by Senator Mehrens, Boted and passed.

Motion by Senator Roberts, second by Senator Mehrens that Senate Bill 324 as amended, do pass. Voted and passed.

Senate Bill 236 was discussed, and the committee decided to do some checking and hold it over until the next day.

Senate Bill 217 was discussed. Senator Himsl said this fiscal note was based on the House Bill. A motion by Senator Thomas to reinstate the stricken language and changing the 1/2 to 3/4 was voted and passed.

Motion by Senator Thomas, second by Senator Mehrens to amend the title by removing "all" on line 7 and substituting "eligible", voted and passed.


Motion by Senator Stephens, second by Senator Kolstad that Senate Bill 217 do pass as amended.

Motion to include deleting the effective date, Voted and passed, accepted with unanimous vote, motion by Senator Regan, second by Senator Lockrem.

Motion by Senator Stephens, second by Senator Kolstad that Senate Bill 217 as amended, do pass. Voted and passed.

General agreement of the committee on a verbal basis was to hold Senate Bill 217 in committee until more could be learned about the big spending bills to come out of appropriations.

The meeting adjourned.

  
SENATOR THIESSEN, Chairman

# ROLL CALL

## FINANCE AND CLAIMS COMMITTEE

45th LEGISLATIVE SESSION 1977

Date 3-8-77

NAME	PRESENT	ABSENT	EXCUSED
THIESSEN, CH	✓		
HIMSL, V.C.	✓		
STORY	✓		
ETCHART	✓		
KOLSTAD	✓		
LOCKREM	✓		
NELSON	✓		
SMITH	✓		
STEPHENS	✓		
FASBENDER	ab		
BOYLAN	✓		
FLYNN	✓		
MEHRENS	✓		
REGAN	✓		
ROBERTS	✓		
THOMAS	✓		

Senate Bill 324, be amended as follows:

1. Amend page 7, section 2, lines 4 through 8.

Following: "."

Insert: "The revenues derived from the filing fee shall be used by the department in compiling the information required for rendering a decision on a certificate and for carrying out its other responsibilities under this chapter."

2. Amend page 9, section 3, line 15 through page 10, line 8.

Following: "(1)"

Strike: The remainder of line 15 through page 10 line 8

Insert: "Any person may be a party to any hearing under this chapter by following the procedure established in subsection (2). (2) Any person may become a party by filing within 60 days of the department's report to the board pursuant to 70-807 (1). A written designation setting forth his name, address, home and business phones, and position towards the proposed facility and by participating orally at the hearing."

3. Amend page 10, section 3, lines 9.

Strike: "of subsection (1) of this section"

Insert: "(3) A person"

4. Amend page 10, section 3, line 10.

Following "not"

Insert: file the written designation and"

5. Amend page 10, section 3, line 10.

Following: "at"

Strike: "the"

Insert: "a"

6. Amend page 10, section 3, line 10.

Strike: "before the board"

#2  
NAME Ward A. Shanahan BILL NO. SB 324  
ADDRESS 301 1st Nat. Bank Bldg, Helena DATE 030777  
WHOM DO YOU REPRESENT Dreyer Bros., Inc.  
SUPPORT \_\_\_\_\_ OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_ XXX

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

We respectfully request that Senate Bill 324 be amended  
as follows:

*Amend page 9, section 3, lines 15 through page 10, line 1*

Amend Section 3, page 9, by deleting beginning on line  
15 all words after the (1) and continuing the deletion through  
page 10, line 11, after the "." and be inserting: "Any  
person may be a party to any hearing under this chapter by  
following the procedure established in subsection (2).

(2) Any person may become a party by filing within 60  
days of the department's report to the board pursuant to  
70-807(1), a written designation setting forth his name, ad-  
dress, home and business phones, and position towards the  
proposed facility and by participating orally at the hearing.  
A person waives his right to be a party if he does not file  
the written designation and participate orally at a hearing."

Respectfully submitted,

Ward A. Shanahan

Registered Lobbyist

301 First National Bank Building

Post Office Box 1686

Helena, Montana 59601

# COMMITTEE OF THE WHOLE AMENDMENT

11

MR. CHAIRMAN: I MOVE TO AMEND Senate Bill No. 247, second reading, as follows:

1. Amend title, line 13.

Following: "CERTIFICATE"

Insert: "AND TO CARRY OUT THE RESPONSIBILITIES OF THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION UNTIL THE CONCLUSION OF THE HEARING BY THE BOARD OF NATURAL RESOURCES"

2. Amend page 3, section 1, line 22.

Following: "certificate"

Insert: "and for carrying out its other responsibilities under this chapter with respect to the facility covered by the certificate until the conclusion of the hearing by the board of natural resources"

*Passed.  
unanimously*

*Harold Hower*

## SENATE COMMITTEE

## FINANCE AND CLAIMS

Date \_\_\_\_\_

Bill No. 324Time 5:02

NAME	YES	NO
Himsl, V.C.	✓	
Story	✓	
Etchart	✓	
Kolstad	✓	
Lockrem	✓	
Nelson	✓	
Smith	✓	
Stephens	✓	
Fasbender	✓	
Boylan	✓	
Flynn	✓	
Mehrens	✓	
Regan		✓
Roberts	✓	
Thomas	✓	
Thiessen, Chairman	✓	

Secretary \_\_\_\_\_

Chairman \_\_\_\_\_

Motion: 3.1 Reinstated Larry on 4?9 x 4 - 1unanimous6 x 20 #3.1 - 496 x 20 #16 92

# STANDING COMMITTEE REPORT

March 8, 1977 19

MR. **PRESIDENT**

We, your committee on **FINANCE AND CLAIMS**

having had under consideration **SENATE** Bill No. **324**

Respectfully report as follows: That **SENATE** Bill No. **324**  
second reading, be amended as follows:

1. Amend page 7, section 2, lines 4 through 8.

Following: "."

Insert: "The revenues derived from the filing fee shall be used by the department in compiling the information required for rendering a decision on a certificate and for carrying out its other responsibilities under this chapter."

2. Amend page 9, section 3, line 15 through page 10, line 11.

Following: "(1)"

Strike: lines 15 through page 10, line 11

Insert: "Any person may be a party to any hearing under this chapter by following the procedure established in subsection (2).

(2) Any person may become a party by filing within 60 days of the department's report to the board pursuant to 70-807(1), a written designation setting forth his name, address, home and business phones, and position towards the proposed facility and by participating orally at the hearing. A person waives his right to be a party if he does not file the written designation and participate orally at the hearing.

AND AS SO AMENDED, DO PASS



STANDING COMMITTEE REPORT

..... March 3 ..... 19 77 .....

MR. **PRESIDENT**.....

We, your committee on ..... **FINANCE AND CLAIMS** .....

having had under consideration ..... **SENATE** ..... Bill No. **354** .....

Respectfully report as follows: That ..... **SENATE** ..... Bill No. **354** .....

WITHOUT RECOMMENDATION

DO PASS  
XXXXX

## SENATE COMMITTEE

FINANCE AND CLAIMSDate 3-82 Bill No. 354Time 4:26

NAME	YES	NO
Himsel, V.C.	✓	
Story	✓	
Etchart		✓
Kolstad	✓	
Lockrem		✓
Nelson		✓
Smith	ab	
Stephens		✓
Fasbender	ab	
Boylan	✓	
Flynn		✓
Mehrens	✓	
Regan	✓	
Roberts	✓	
Thomas		✓
Thiessen, Chairman		✓

Secretary

Chairman

Motion: 16Without

# STANDING COMMITTEE REPORT

..... March 8 ..... 19 77 .....

MR. .... **PRESIDENT** .....

We, your committee on ..... **FINANCE AND CLAIMS** .....

having had under consideration ..... **SENATE** ..... Bill No. **247** .....

Respectfully report as follows: That ..... **SENATE** ..... Bill No. **247**,  
second reading, be amended as follows:

1. Amend title, line 13.

Following: "CERTIFICATE"

Insert: "AND TO CARRY OUT THE RESPONSIBILITIES OF THE DEPARTMENT  
OF NATURAL RESOURCES AND CONSERVATION UNTIL THE CONCLUSION OF  
THE HEARING BY THE BOARD OF NATURAL RESOURCES"

2. Amend page 3, section 1, line 22.

Following: "certificate"

Insert: "and for carrying out its other responsibilities under this  
chapter with respect to the facility covered by the certificate  
until the conclusion of the hearing by the board of natural  
resources"

AND AS SO AMENDED, DO PASS

~~ENCLASX~~

## SENATE COMMITTEE

## FINANCE AND CLAIMS

Date 3-8Bill No. 247  
166Time 4:50

NAME	YES	NO
Himsel, V.C.	✓	
Story	✓	
Etchart	✓	
Kolstad	✓	
Lockrem	✓	
Nelson	✓	
Smith	✓	
Stephens	✓	
Fasbender	af	
Boylan	✓	
Flynn		✓
Mehrens	✓	
Regan		✓
Roberts		✓
Thomas	✓	
Thiessen, Chairman	✓	

Secretary

Chairman

Motion: 169