

MINUTES OF THE MEETING
FINANCE AND CLAIMS
MONTANA STATE SENATE

April 15, 1977

The thirty eighth meeting of the Finance and Claims Committee met on the above date in room 331 of the State Capitol. Roll Call was taken, and the meeting was called to order at 8:07 A.M. by Senator Thiessen, Chairman.

HOUSE BILL 357 was explained by Representative Quilici. He said this was a bill to give the innocent victim of crime an opportunity to have some of the same privileges under the law that the criminal has. He said they had checked into the various means of funding the bill, and came up with the method proposed here which is a fine on violations of crimes except those of parking vehicles. He said other states are funded in this manner, and it is working well.

Mr. Frankino, Director of the Montana Catholic Conference said they are responsible for the study that was funded by the Montana Board of Crime Control. He said they are looking at the victims who are actually innocent. He passed out a sheet on "The Criminal Injustice System." Attached. He said the cost is not mandatory--if there is no money available there is no problem.

Al Murry spoke. He said he had conducted the study. The study analyzed the crime victim. It covers the violent crimes of murder, rape, sex offenses and violent assault. This bill should help to have people report crimes and also help to receive co-operation from witnesses in the prosecution of these crimes. He said Maryland, Kentucky, Ohio and Delaware have used this type of funding. This would be 6% of the violations.

Tom Honzel spoke from the Lewis and Clark County Attorney's office in favor of the bill.

Joan Uda, attorney for the office of Budget and Planning in the Governor's office, said she was speaking in behalf of the Governor in support of this bill and in support of this method of financing it.

Mike Koehnke, office of budget and planning said the amount on page 18 speaks of the funding, and is basically 6% of the fines. He said they estimate they will raise about \$429,000. They do not anticipate any loss of revenue to the cities and towns as a result of this.

Jan Brown, representing the Montana Association of Churches spoke in favor of the bill.

Representative Quilici referred to the resolution that requested this study be made. He said they had covered the questions in the resolution with answers in the bill, and felt they had done a good job.

HOUSE BILL 828 was explained by Representative Gerke. This is the Homestead Act and said there is one amendment that should go on the bill, and that Senator Regan would introduce it. It was in regard to the surplus based on certain criteria, and is in compliance with the vote of the people. He said the bill carried in every precinct in the state.

Senator Roberts asked about the different projections between the LFA and the Executive as to mill levy. He asked what sort of projection in actual mill levy they were projecting, and was told the mill levy increases each year and they are about 4 mills.

Senator Smith asked if this bill takes care of the administrative costs so that it does not add extra cost to the county level. Representative Gerke said no. Some of the counties are automated, but some of them still do the hand work.

Senator Regan said her amendment was enabling legislation from the Department of Revenue. When the budget was submitted he had the money in it. The subcommittee cut that out and they had the administrative costs added to come out of the bill itself.

Representative Gerke was asked how the bill itself worked, and was this only the appropriation. He said it varies from county to county and is a complicated process. He said people do not pay their taxes and get a refund; they make application for the credits that are accrued to their tax bill then it is adjusted before they pay their taxes. The tax bill will indicate the sum before they pay.

Senator Regan said it does not say it will take that much, but it could. She would offer enabling legislation-- there is some reference to the cost coming out of it. It is open ended in the bill, and my amendment will nail it down to a limit.

HOUSE BILL 701 was discussed by Representative Frates. This is the weatherization bill. It was included in the Montana energy advisory plan. This bill was handled on the local level, to winterize or insulate homes in the low income level. The benefit delivered about a 20% savings on fuel costs.

Senator Flynn asked if the state would qualify for this since they were taking up a program of winterizing the state buildings. Representative Frates answered no, that this was for low income individuals.

Senator Kolstad asked if the 3:1 matching funds were for real, or what, and was told that the bill as projected was for 2½%. Washington D. C. rumors indicate that it could be as high as 9%.

Mr. Jeff Rupp said the eligibility is fixed by the income of the families depending on the size of the families. He said the Department of Community Affairs would be administering this program.

Senator Himsl asked if they are saying they have to be on welfare to be on this poverty program? Is there a limit to the amount of money they can appropriate for this? He was told that there is a limit to the amount, it is \$350 per household. Senator Himsl then asked if he gets this done from the state can he then take a deduction from the state on taxes? Mr. Rupp said that all the work that is done by volunteer labor from local organizations such as the kiwanis, etc.

Senator Kolstad asked if anyone qualifying for food stamps could also get this. Representative Frates said it was only according to the need.

Senator Boylan said most of the people on welfare don't own their own homes. Do you then do it for the owner? Ans. We do get into some owner owned homes with tenents, but we have a contract with the owner that the rent will not go up if the insulating and weatherizing is done.

In answer to the question of a possible overlap of funding with the title 20 funds, Mr. Frates said the title 20 money is for renovation, and this money is for weatherization only.

HOUSE BILL 250, the study on air polution, Mr. Lewis said the reason the money had to be appropriated is because the cash flow they would have to get a loan from the general fund and then to pay it back when the interest came in from the resource indemnity trust fund in 1979.

Motion by Senator Thomas to "general fund and other appropriated funds" and insert "Resource indemnity trust interest account" Voted and passed, unanimous.

Motion by Senator Flynn to concur in as amended. Voted and passed.

HOUSE BILL 828, the homestead act, was briefly discussed.

Motion by Senator Regan to amend the bill page 1, line 25 to insert "section 3. Administrative costs. Included within the appropriation in section 1 are funds to administer the homestead tax relief act, not to exceed \$700,000. Voted, passed, Senator Lockrem asked to be recorded no.

The school foundation program was discussed as to whether it is funded in H.B. 145, or whether it is separate. Senator Smith asked what the \$72 million is based on. He asked if it were 8 to 8, 6 and 7 or what, and Senator Thiessen said it was 7 and 6. According to the budget office it is excessive. The budget director thinks it is \$66 million and funded it. There might be some deficiency at the end of the year.

Senator Smith said in discussing Senate Bill 365 they had set this school foundation program at 8 and 8 in the committee. We felt there was about a 3 mill deficit. Any time you raise the cost or expand the school foundation the taxpayer picks up the

tab. Even the salary schedule is 12th from the top on teachers in general and in the administrators it is up even more according to the National level.

Senator Thomas said a study that was made recently points out that this did not necessarily make for good education.

The meeting was adjourned and the committee is to come back at 10 A.M.

SENATOR THIESSEN, Chairman

ROLL CALL
FINANCE AND CLAIMS COMMITTEE
45th LEGISLATIVE SESSION 1977

8 AM
Date 4-15-77

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

SENATE

F + C

COMMITTEE

BILL

VISITORS' REGISTER

DATE 4-15-77