

MINUTES OF THE MEETING
FINANCE AND CLAIMS
MONTANA STATE SENATE

April 16, 1977

The forty first meeting of the Senate Finance and Claims Committee met in room 331 of the State Capitol on the above date. Roll call was taken, and the meeting was called to order at 9:38 A.M. for the purpose of taking some action on bills that had been heard and studied by the committee.

HOUSE BILL 357, the bill by Representative Quilici to give aid to the victim of a crime was discussed. In answer to a question from Senator Smith, Mike Kohnke, governor's office, said they would not expect a decrease in funds to the counties through this legislation. He said the justices would simply raise the fines. Most of the money is collected through the forfeiture of bonds, etc.

Motion was duly made and seconded that House Bill 357 do pass. Voted and passed, 9:42 A.M.

HOUSE BILL 838, a bill by Representative Driscoll to appropriate moneys to operate the legislature. He said this was the money for the legislature to run the 90 days.

Motion by Senator Stephens that H.B. 838 do pass. Voted and passed, unanimous.

HOUSE BILL 828, the Governor's Homestead Tax Relief was discussed and Senator Regan moved the bill be amended to say on page 1, line 25 new section 3. Administrative Costs. Included within the appropriation in Section 1 are funds to administer the Homestead Tax Relief Act, not to exceed a total of \$700,000.

Motion was voted, passed.

Motion by Senator Regan that H.B. 828 as amended be concurred in. Voted and passed.

HOUSE BILL 140, Representative Lynch's bill for silicotics was discussed. The way it was amended it would limit the income and has a sunset clause on it. When we handled Senator Healy's bill, we may be able to do the same thing with it. What we do here is to make the surviving spouse eligible for the full benefits. When we go into conference committee with this bill we can see how the \$300 per month will go. It may have to be adjusted. There was a motion on this bill. All motions by Senator Regan.

Motion to reconsider our actions on House bill 140. Voted and passed, unanimous 9:52 A.M.

Motion to strip 140 of the amendments passed on it. Voted and passed.

Motion to amend H. B. 140 as she had related, putting a limit on, sunsetting, etc, and to include the spouses.

Judy Rippingale, Fiscal Analyst, had been asked to find the fiscal impact and she gave the figures for the income limitations, amount of pensions, etc, and how it would affect the fiscal budget.

Senator Regan said the language in the bill should be changed so that there cannot be any double payments.

It was decided that Senator Regan, Senator Roberts and Judy Rippingale should go to work on this and come up with the proper amendment.

HOUSE BILL 282, Representative Manuel's bill for the experiment station in the triangle area was discussed.

A motion was made to reconsider the action on House Bill 282 by Senator Kolstad. Voted and passed.

Motion that HB 282 be concurred in by Senator Kolstad, voted and passed, 10:09 A.M.

HOUSE BILL 242 on Day Care extended care. Senator Thiessen said this was the bill given to Senator Regan asking that there be a set figure in the bill and a time frame and also that the money be unincumbered on a biennium basis so that when the money is expended the program ends, and the suggestion of region 5 will wait until she returns.

HOUSE BILL 554, the appropriations committee bill giving money to the state examiners to satisfy some judgements against the state.

Motion was duly made to concur in this bill. Discussion followed. Senator Stephens said they are looking at the Sour Dough issue. They are working with the attorney general to see if something can be done on this. It looks as though the Zook one we are stuck with.

Senator Thomas said in addition to selling the land and cattle company at a big profit, they have also sold the building, and there is a furniture store in it now. This, however, was a firm lease, and I don't know what they can do about it.

It was decided to pass action on this bill for today.

HOUSE BILL 242, Representative Palmer's expanded day care bill was discussed. Senator Regan said she had gone down to see what the real fiscal impacts were and Mr. Wise looked up some figures that are quite interesting. I would urge the committee to go ahead and pass this bill in a very limited form, that it only address region 5 and that the cost would be about 1/4 of the appropriation.

Motion by Senator Regan to amend section 3 to insert the figure which will fund region 5.

Further amend the bill that indicates that this appropriation shall be used as a biennium program in region 5. It is to

to terminate on July 30, 1979 or whenever the appropriation is expended.

Motion on the amendments was voted, passed.

Motion by Senator Regan that this bill as amended do pass. Voted and passed.

HOUSE BILL 797, on effective utilization of state lands by Mular, was discussed.

Motion by Senator Etchart that HB 797 do not pass.

Discussion followed on the amount of water this provided on the state lands, and some felt this was enough to make it a marsh. Consideration of whether the state rights on land above would take away the rights of an individual down stream was another issue discussed.

Motion was voted, passed.

HOUSE BILL 140, the silicotic bill. Senator Regan made the motion that we would amend in --in essence--Senator Healy's bill raising the surviving spouses from \$87.50 to \$200 per month and still maintaining the provision and the date.

Voted and defeated on the amendments.

Senator Regan said she thought this was an error if the purpose was to address those people who really needed help. In turning this down you have killed both bills. This is a trade off and you are saving the state money.

Senator Himsel said House Bill 140 has now the original amendments with the limitation of \$300 to qualify. It has the restrictions needed to keep it from expanding, and to let the people who really need it get it.

Senator Stephens said in putting the widows into this one you are raising the widows. Healy's bill would have raised it to \$100. You are raising it to \$200.

Senator Regan said in order to make this fair and to give help where it is needed, yes. You are sunsetting it and putting a restricting ceiling on it.

The committee wondered if they could reconsider this bill. Senator Etchart said he did not like to add the amendments but wanted to leave it at the smaller figure with no raise past \$100.

Substitute Motion to bring the spouses down, and have separate amendments. Motion by Senator Etchart.

Judy Rippingale said as we based the increases, this will automatically raise the spouses up. The spouses will automatically go to \$100 per month.

She said under the Healy bill they could make a lot of money and still be eligible. Under these amendments they limit the amount of money and save about \$167,000 a year and eventually terminate the entire program.


Voted, Amendments defeated.

Motion and voted, to reconsider, Regan. Voted and passed the amendments.

Motion by Senator Regan that House Bill 140 as amended be concurred in. Voted and passed.

Senate Bill 217 was released by the committee to go to the floor.

The meeting adjourned.



SENATOR THIESSEN, Chairman

ROLL CALL

FINANCE AND CLAIMS COMMITTEE

45th LEGISLATIVE SESSION 1977

Date 4-16-77

9:30 AM

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

Regan

Amendment to H.B. 828, Third Reading, By Senator Regan

§2

1. Page 1, line 25

Following: line 24

Insert: New Section: "Section 3. Administrative Costs. Included within the appropriation in Section 1 are funds to administer the Homestead Tax Relief Act, not to exceed a total of \$700,000."

STANDING COMMITTEE REPORT

April 28 1977

MR. PRESIDENT

We, your committee on FINANCE AND CLAIMS

having had under consideration HOUSE Bill No. 357

Respectfully report as follows: That HOUSE Bill No. 357

BE CONCURRED IN
DO PASS

Maney

STANDING COMMITTEE REPORT

April 16

19 77

MR. President

We, your committee on FINANCE AND CLAIMS

having had under consideration House Bill No. 140

Respectfully report as follows: That House Bill No. 140

third reading bill, be amended as follows:

1. Amend Title, line 6.

Following: "71-1004,"

Strike: "AND"

Following: "71-1003"

Insert: "and 71-1010.1"

2. Amend Title, line 3.

Following: "MONTH"

Insert: "and raising surviving spouses silicosis benefits from \$87.50 to \$200 a month"

3. Amend page 2, section 3, line 4.

Following: line 4.

Insert: "Section 4. Section 71-1010.1, R.C.M. 1947, is amended to read as follows:

"71-1010.1. Prior surviving spouses eligible for silicosis payments. A person who otherwise is qualified to receive payments

DO PASS

CONTINUED

STANDING COMMITTEE REPORT

April 13

19 77

MR. President

We, your committee on FINANCE AND CLAIMS

having had under consideration HOUSE

Bill No. 140

Respectfully report as follows: That HOUSE

Bill No. 140

third reading, be amended as follows:

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

Following: "essential"

Strike: "but means a person having an income from any other source exceeding \$150 a month"

2. Page 2, section 1, following line 20.

Insert: "(d) has an income from any source of \$300 a month or less.

A person, including the surviving spouse of a person receiving silicosis payments, with income from any source, including but not limited to wages, fees, interest, dividends, social security, pension or retirement programs, in excess of \$300 a month shall not be eligible for the silicosis payments provided in this chapter.

(e) makes application for silicosis payments by July 1, 1977. No applications for the silicosis payments provided in this chapter shall be accepted after July 1, 1977; however, persons making application for or receiving silicosis payments by July 1, 1977, shall be eligible to receive payments after July 1, 1977, providing they meet the other requirements in this chapter.

AND AS SO AMENDED, BE CONCURRED IN

April 16, 1977
Page 2

Committee on Finance & Claim
House Bill 140

under section 71-1010, but whose spouse died prior to March 14, 1974, is hereby made eligible to ~~begin-receiving-one-half-(1/2)-of~~ receive those payments; ~~provided-however,-a-person-is-not-eligible~~ ~~for-these-payments-if-her-taxable-income-is-sixty-eight-hundred~~ ~~dollars-(\$6,800)-or-more-per-year;~~ however, the surviving spouse is not eligible for these payments if their marriage took place after the date the deceased spouse was determined eligible to receive silicosis payments."

AND AS SO AMENDED, BE CONCURRED IN

CORNIE THIESSEN

SENATE COMMITTEE

FINANCE AND CLAIMS

Date _____

Bill No. *Poll*Time *9:26*

NAME	YES	NO
Himsl, V.C.	✓	
Story	✓	
Etchart	✓	
Kolstad	✓	
Lockrem	✓	
Nelson	✓	
Smith	✓	
Stephens		✓
Fasbender		✓
Boylan		✓
Flynn	✓	
Mehrens	✓	
Regan	✓	
Roberts		✓
Thomas		✓
Thiessen, Chairman	✓	
	<i>11</i>	<i>5</i>

Secretary _____

Chairman _____

Motion: _____

a poll 16 92
or 145

Revision Suggested

House Bill 250, lines 1 and 2, page 2 are amended to read as follows:

From the General Fund-and-other appropriated funds Resource Indemnity Trust Interest
Account: FY78 FY79

1. Amend page 2, section 1, line 5.

Following: "means"

Strike: "bond proceeds and insurance clearance account"

Insert: "account number 06142 in the bond proceeds and insurance clearance fund"

2. Amend page 3, line 12.

Following: line 11

Insert: "Section 7. General fund appropriation. There is appropriated from the general fund to account number 06142 in the bond proceeds and insurance clearance fund \$6,140,000 to be used with other available funds to support the projects provided below."

Renumber: subsequent sections.

3. Amend page 3, section 7, line 15.

Following: line 14

Strike: The remainder of the bill

Insert:

	<u>BPICA</u>	<u>Other</u> <u>Appropriated</u> <u>Funds</u>
<u>DEPARTMENT OF INSTITUTIONS</u>		
Reroof Administration Building --		
Pine Hills	\$ 42,000	
New Boys Lodge --		
Pine Hills	775,000	
Two New Housing Units --		
Prison	3,800,000	
Visual Fire Protection	4,800	
Elevate Sewer Pumps --		