

MINUTES

MONTANA SENATE
51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: By CHAIRMAN PETE STORY, on WEDNESDAY,
FEBRUARY 1, 1989, at 5:00 P.M.

ROLL CALL

Members Present:

SENATOR GARY AKLESTAD	SENATOR LOREN JENKINS
SENATOR ESTHER BENGTON	SENATOR MATT HIMSL
SENATOR PAUL BOYLAN	SENATOR TOM KEATING
SENATOR JUDY JACOBSON	SENATOR H.W. "SWEDE" HAMMOND
SENATOR PAT REGAN	SENATOR FRED VAN VALKENBURG
SENATOR DENNIS NATHE	SENATOR GREG JERGESON
SENATOR GERRY DEVLIN	SENATOR RICHARD MANNING
SENATOR SAM HOFMAN	SENATOR LAWRENCE STIMATZ
SENATOR ETHEL HARDING	SENATOR PETE STORY
SENATOR TVEIT	

Members Excused: NONE

Members Absent: NONE

Staff Present: CURT NICHOLS, LFA; JAELENE JOHNSON,
SECRETARY

Announcements/Discussion: Executive Action on SB 80 and SB
78.

DISPOSITION OF SB 80

Matt Himsl moved to do pass SB 80. The question was called.
The motion passed unanimously.

DISPOSITION OF SB 78

Senator Van Valkenburg asked about the trust accounts. He
said the State Auditor's Office was concerned if they loose
their trust account there would be no reason for collecting
regulatory fees for the securities and the insurance
industry.

Senator Regan replied that by passing this bill the funds
will still revert to the general fund. She pointed out that
there was no sense in earmarking the funds. She said the

agency may collect more than they spend in regulation. In comparing other agencies there are many fees collected and deposited in an account that have no relation to the program.

Senator Regan moved that SB 78 be amended to exclude the Firemans Account (See Exhibit).

The question was called. The motion passed.

Senator Van Valkenburg voiced concerns regarding the two units- the securities and the insurance division. He said the federal government gave the regulation of the insurance industry to the states many years ago and he noted that the feds wanted to take it out of the hands of the states. He pointed out that neglecting to have regulated the securities and the insurance industry would make the state liable.

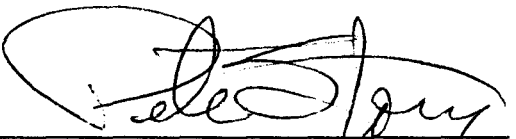
Senator Devlin asked if the funds would revert before any monies were spent out of them by the Auditors Office. Senator Regan said that the agency collect the fees and they go into the general fund where they are easily tracked by SBAS. The Auditor will know exactly how much they have collected and they will not let you forget that and they then have to justify their budget like anyone else.

Senator Keating asked about the list with the firemans fund did the LFC recommend that all of them be de-earmarked. Senator Regan said that only the ones that had asterisks by them were statutorily marked that way, the rest of them would revert anyhow and this was an agreement with the Department of Administration.

The Question was called on the motion. The motion passed on a roll call vote with 10 yes, and 9 no.

ADJOURNMENT

Adjournment At: 5:30 P.M.



PETE STORY, Chairman

PS/DT

FCS012

DAILY ROLL CALL

FINANCE AND CLAIMS

COMMITTEE - 1989

DATE 2-1-89

NAME	PRESENT	ABSENT	EXCUSED
Senator Gary Aklestad			
Senator Loren Jenkins			
Senator Esther Bengtson			
Senator Matt Himsl			
Senator Paul Boylan			
Senator Tom Keating			
Senator Judy Jacobson			
Senator H.W. "Swede" Hammond			
Senator Pat Regan			
Senator Larry Tveit			
Senator Fred Van Valkenburg			
Senator Dennis Nathe			
Senator Greg Jergeson			
Senator Gerry Devlin			
Senator Richard Manning			
Senator Sam Hofman			
Senator Lawrence Stimatz			
Senator Ethel Harding			
Senator Pete Story			

NO. 1DATE 2-1-89 *Ex 1*BILL NO. SB 78

Amendments to Senate Bill No. 78
First Reading Copy

Requested by Senator Pat Regan
For the House Committee on Appropriations

January 19, 1989

1. Title, line 5.

Following: "ELIMINATING"

Insert: "CERTAIN"

2. Title, line 9.

Strike: "19-11-513, 19-11-514,"

3. Title, line 12.

Strike: "19-12-302,"

4. Page 3, line 11 through page 4, line 4.

Strike: sections 3 and 4 in their entirety

Renumber: subsequent sections

5. Page 19, line 13.

Strike: "19-12-302,"

Finance & Claims
AGRICULTURE
COMMITTEE

BILL #: SB 78

SPONSOR: Beagan

DATE: 2/1

HEARING #: 2

AMENDMENTS VOTE

DATE HEARD	DO PASS	DO NOT PASS	DO PASS AS AMENDED	DO NOT PASS AMENDED	ASSIGN TO
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_____ Beagan Take firemans fund _____
 MOVED _____

SECONDED _____

MOVED _____

SECONDED _____

MOVED _____

SECONDED _____

VOTING ON THE BILL

DATE HEARD	DO PASS	DO NOT PASS	DO PASS AS AMENDED	DO NOT PASS AMENDED	ASSIGN TO
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_____ Beagan _____
 MOVED _____

SECONDED _____

10 yes 9 no

LEGISLATIVE FINANCE COMMITTEE

The following is a list of accounting entities whose fund balances will be transferred to the general fund on June 30, 1989 in accordance with Section 17-2-111, MCA. The committee recommends that these accounting entities be de-earmarked and reclassified as general fund.

<u>A/E</u>	<u>Account Title</u>	<u>Agency Number</u>	<u>Agency</u>	<u>FY88 Fund Balance</u>
02093	Westlaw	2110	Judiciary	\$ 5,667
02464*	Ag Lien Filing Fees	3201	Secretary of State	162,893
02047	Copying Fees	3202	Comm. of Political Pract.	519
02044*	Securities Regulatory Acct.	3401	State Auditor's Office	244,836
02060*	Insurance Regulatory Acct.	3401	State Auditor's Office	240,108
02401*	Police/Fire Retirement Fund	3401	State Auditor's Office	103,790
02119	Crime Control Fees	4107	Board of Crime Control	37
02013	Law Enforcement Academy	4110	Department of Justice	16,719
02014	Justice Insurance Clearing Acct.	4110	Department of Justice	-0-
02804	Escheated Estates	4110	Department of Justice	-0-
03141	I.D. Special Services	4110	Department of Justice	7,324
03944	Motor Veh. Prop. Tax Conversion	4110	Department of Justice	14,420
03014	Athletic Program	5113	School for Deaf & Blind	-0-
02059	EMT Certification	5301	Department of Health	(711)
02418*	Subdivision Plat Review	5301	Department of Health	51,289
02847	Insurance Proceeds	5301	Department of Health	56,941
03028	Legal Services	5301	Department of Health	3,361
03817	Rabies Vaccine	5301	Department of Health	6,162
02031	Foresters Nursery	5501	Dept. of State Lands	88,043
02438	Floodway Obstruction Removal	5706	Dept. of Natural Resources	400
03036	Centralized Services	5706	Dept. of Natural Resources	5,344
02441*	Cigarette Enforcement	5801	Department of Revenue	6,277
03902	Vehicle Assessment	5801	Department of Revenue	4,059
02035	MDC Donated Fnds-Prevoc. Ctr.	6402	MT Developmental Center	-0-
02846	MDC Canteen	6402	MT Developmental Center	-0-
02914	OFA-Canteen	6404	Center for the Aged	11,844
02917	MSP Canteen	6409	Montana State Prison	51,655
02918	SRYFC-Canteen	6410	Swan River Youth For. Camp	4,471
02919	SRYFC-Clothing Account	6410	Swan River Youth For. Camp	37,168
02920	Veteran's Home-Canteen	6411	Montana Veterans' Home	326
03113	Third Party Reimb-MVH	6411	Montana Veterans' Home	109,573
03932	Vet's Home Interest & Income	6411	Montana Veterans' Home	218
02921	MHS-Canteen	6412	Montana State Hospital	59,247
03933	MSH-Interest & Income	6412	Montana State Hospital	-0-
02028	Prop Occup Admin Services	6501	Department of Commerce	-0-
02079	Fireworks Wholesalers	6501	Department of Commerce	520
02101	GA Training	6602	Dept. of Labor & Industry	-0-
02915	MUS-Canteen	6911	Dept. of Family Services	737
02916	PHS-Canteen	6911	Dept. of Family Services	3,336
03931	PHS-Interest & Income	6911	Dept. of Family Services	63,967
	Total			\$1,360,540

*6 A/E's are statutorily established, although fund balances are unrestricted. Legislation has been introduced to remove earmarking requirements.

F. NAME - Ch. ms

~~AGRICULTURE~~
COMMITTEE

BILL #: SB 80

SPONSOR: Hinsel

DATE: 2/1

HEARING #: _____

AMENDMENTS VOTE

DATE HEARD	DO PASS	DO NOT PASS	DO PASS AS AMENDED	DO NOT PASS AMENDED	ASSIGN TO
_____	<u>No Amendments</u>				_____

MOVED _____

SECONDED _____

MOVED _____

SECONDED _____

MOVED _____

SECONDED _____

VOTING ON THE BILL

DATE HEARD	DO PASS	DO NOT PASS	DO PASS AS AMENDED	DO NOT PASS AMENDED	ASSIGN TO
<u>2/1</u>	<u>(C)</u>				_____

MOVED Hinsel

SECONDED _____

ROLL CALL VOTE

FINANCE AND CLAIMS

COMMITTEE

DATE 2-1-89

BILL NO. 78

NUMBER 1

NAME	AYE	NAY
Senator Gary Aklestad		✓
Senator Loren Jenkins	✓	
Senator Esther Bengtson		✓
Senator Matt Hims1	✓	
Senator Paul Boylan		✓
Senator Tom Keating		✓
Senator Judy Jacobson	✓	
Senator H.W. "Swede" Hammond	✓	
Senator Pat Regan	✓	
Senator Larry Tveit		✓
Senator Fred Van Valkenburg	✓	
Senator Dennis Nathe	✓	
Senator Greg Jergeson	✓	
Senator Gerry Devlin		✓
Senator Richard Manning	✓	
Senator Sam Hofman		✓
Senator Lawrence Stimatz		✓
Senator Ethel Harding		✓
Senator Pete Story	✓	

TALLY

Debbie Thompson - 319
Secretary

Pete Story
Chairman

Motion: Do Pass AS Amended