

MINUTES

MONTANA SENATE 51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: By CHAIRMAN PETE STORY, on APRIL 13, 1989,
at 5:00 P.M.

ROLL CALL

Members Present: 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

Members Excused:

Members Absent: None

Staff Present: Clayton Schenck, LFA

Announcements/Discussion: None

EXECUTIVE ACTION

HB 329

Senator Jenkins moved do pass on HB 329.

Senator Hofman made a substitute motion to do not pass HB 329.

Senator Jergeson said he thought an amendment should be offered because the attention of the administration should be concentrated on the serious problem that does exist in Butte-Silver Bow.

Senator Stimatz said he was opposed to the motion. He pointed out that the time for action was long past due. The EPA declared Butte a superfund site about 1982 and they spend ten million dollars over there. EPA has been dragging their feet. The coordinator would keep them moving. He pointed out the differences between the Governors coordinator and the Butte coordinator. The Clark Fork is 150 miles long and it just starts at

Butte. There is 18 inches of contaminated soil at Ramsey and the ground is loaded with heavy metals. This needs to be cleaned up at the headwaters. The EPA has designated potentially responsible parties but they can go on talking and studying forever. They let some of the people ask for delays and they are granted. The coordinator can object to delays and try to keep them on schedule. The coordinator in Butte is necessary because the water has risen so fast. When the alluvium is contaminated it will damage ground water. The coordinator in Butte is essential to the health of the whole Clark Fork project, he said. It will take the Governors coordinator longer to get up to speed but a coordinator is definitely needed in Butte. He pointed out that the EPA can out paper anybody.

The question was called. The motion failed on the substitute motion 5-13 on a roll call vote.

The question called on the original motion. The motion passed 13-5.

HB 773

Senator Jenkins moved do not pass.

Senator Van Valkenburg pointed out that the MIAMI had tremendous potential to reduce the cost of care in the medicaid program. He discussed some of the high cost babies. He said it was clear through statistics that low birth weight can be prevented. He said there were tremendous savings associated with this.

Senator Jacobson pointed out that part of this program is education. The intensive care units in big city hospitals where Montana sends its low birth weight babies, most of those moms are teenagers. They are poorly equipped to take care of these infants that require a lot of intensive care. She said it costs \$2,000 a day to keep one of these babies in an intensive care unit. If one low birth weight baby could be avoided the project would be paid for.

Senator Devlin said that he had asked for specific information to bring back to the committee and no one brought it to him.

Senator Jacobson replied that other states had similar programs that were paying off.

Senator Nathe asked if the statistics of low birth weight babies included the seven reservations.

Senator Regan stressed that this was a priority for people. She pointed out that lifetime health problems could be avoided.

The question was called. The motion failed 9-9 on a roll call vote. Chairman Story said the bill would stay in committee.

HB 717

Senator Devlin moved do pass HB 717. He pointed out that this was adequately protected if a loan is made. Loans would not be made if all the paper work is not done.

Senator Story said there was an amendment from the fiscal analyst to take this out of statutory appropriation.

Senator Aklestad moved the amendment (Exhibit #1).

Senator Story said that even with this out of statutory appropriation, they still have appropriation to bond.

Clayton Schenck replied that this amendment is in compliance with HB 583 which takes out administrative discretionary type costs. He said there was a blanket statute for bonding or bond debt service. It refers to a statute that is the entire operating cost of the Board of Investments and it would give them statutory appropriation for their entire operating budget within HB 100. This takes that back out. He noted that they would have administrative costs and if they would be significant they would have to amend HB 100.

Senator Keating pointed out that they said no FTE's that they could absorb this in their current level budget.

The question was called on the amendment. The motion passed unanimously.

Senator Devlin moved the bill as amended. The question was called. The motion passed with 6 no votes.

HB 510

Senator Bengtson moved the amendment that took the general fund out (#12 of Exhibit #2). She said this was funded by fund raising and private sources.

Senator Van Valkenburg made a substitute motion to adopt the first sentence of #12 and not adopt the second sentence. He pointed out that the Governor should be able to suspend the

program by his sole discretion.

Senator Aklestad pointed out that it was brought up in testimony if there were not adequate funds that they might have to call it off for that year and then implement it the next year.

Senator Himsl asked what if a student that had already started the freshman year and had four years to go. If the money wasn't raised the second year what would he do.

Senator Jergeson brought up the fact that the Governor had said he was closing his Washington D.C. office. Extra money could be found from this source.

The question was called on the substitute motion. The motion failed 6-12 on a roll call vote.

The question was called on the Bengtson motion that accepts all of #12.

The motion passed 11-7 on a roll call vote.

Senator Devlin moved the rest of the amendment (#1-#11).

Senator Regan pointed out that the intent of this to keep the very brightest within the state under the Governors scholarship. She said there were lots of national merit scholars that get a free ride to the university system. This scholarship is everything. Some of these kids get offers outside of the state because they are offered everything. She pointed out that in order to keep a top notch kid in the state then this scholarship should be for an outstanding student.

Senator Keating said that testimony indicated that this was not just for valedictorian or salutatorian. He said that quality would give leeway.

Senator Story commented that the kid may have been a disciplinarian problem but invented the warp drive. He pointed out that universities do have scholarships for high achievers.

Senator Devlin asked about non-traditional students.

Senator Bengtson said that this is a very special kind of a scholarship. She pointed out that there were very few full ride scholarships available. She did not think it should be watered down and that extraordinary should be

in there rather than quality.

The question was called on the amendment (#1-#11). The motion failed 6-12 on a roll call vote.

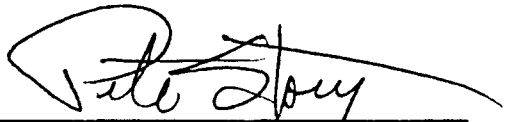
Senator Jergeson offered an amendment regarding the non-traditional student. On page 3, line 15, following "During" strike "the" insert "any"; Line 16 following "year" strike "immediately" following "following" strike "his"; line 14, strike "his" insert "and". He said that others should have the opportunity to apply for this program.

The question was called. The motion passed with 3 no votes.

Senator Bengtson moved the bill as amended. The motion passed with 3 no votes.

ADJOURNMENT

Adjournment At: 6:20 p.m.



PETE STORY, Chairman

PS/dt

FCS413PM

DAILY ROLL CALL

FINANCE AND CLAIMS

COMMITTEE - 1989

DATE 4-13-89 p.m.

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	✓		

Amendments to House Bill No.717
House Third Reading Copy

1
SENATE FINANCE AND CLAIMS

EXHIBIT NO. 1

For the Committee on Senate Finance and Claims

DATE 4-13 pm

BILL NO. 717

Prepared by LFA
April 8, 1989

1. Title, line 6.
Following: "Projects;"
Strike: remainder of line 6 through "investments" on line 8
2. Title, line 8.
Strike: "sections 17-5-1503 and 17-7-402"
Insert: "section 17-5-1503"
3. Page 1, lines 12 through 17.
Strike: section 1 in its entirety
Renumber: subsequent subsections
4. Page 3, line 13 through Page 5, line 6.
Strike: section 3 in its entirety
Renumber: subsequent subsections

This eliminates the statutory appropriation.

#2

CLAIR

2

DATE 4-13 pm

BILL NO. HB 510

GOVERNOR'S PROPOSED AMENDMENTS TO
GOVERNOR'S SCHOLARSHIP PROGRAM - HB 510

1. Page 1, line 5.
Strike: "most"
2. Page 1, line 15.
Strike: "most"
3. Page 3, line 20.
Strike: "and"
4. Page 3, line 21.
Strike: "department"
Insert: "contribution"
5. Page 3, line 22.
Following: "school"
Insert: "and contribution to the individual's community"
6. Page 5, line 8.
Strike: "an extraordinary"
Insert: "a quality"
7. Page 5, line 10.
Strike: "extraordinarily"
8. Page 5, line 20.
Strike: "an extraordinary"
Insert: "a quality"
9. Page 5, line 22
Strike: "extraordinarily"
10. Page 6, line 7.
Strike: "an extraordinary"
Insert: "a quality"
11. Page 6, line 8.
Strike: "extraordinarily"
12. Page 8, line 19.
Strike: following "There" strike through line 24
Insert: "All costs for establishing and carrying out the governor's scholarship program will be paid from sources in Section 8(1)(b) through (4). In the event there is insufficient revenue generated as a result of actions taken under Section 8, the Governor, in his sole discretion, may suspend the scholarship program."

ROLL CALL VOTE

FINANCE AND CLAIMS

COMMITTEE

DATE 4-13-89 *p.m.* BILL NO. HB 329 NUMBER #1

Substitute

NAME	AYE	NAY
Senator Gary Aklestad	✓	
Senator Loren Jenkins		✓
Senator Esther Bengtson		✓
Senator Matt Himsel	✓	
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		✓

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Debbie Thompson - 319
Secretary

Pete Story
Chairman

Motion: Hoffman - substitute motion

HB 329 Do NOT Concur - Failed

ROLL CALL VOTE

FINANCE AND CLAIMS

COMMITTEE

DATE 4-13-89
p.m.

BILL NO. HB 773

NUMBER #2

NAME	AYE	NAY
Senator Gary Aklestad	✓	
Senator Loren Jenkins	✓	
Senator Esther Bengtson	✓	
Senator Matt Himsel		✓
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	✓	

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Debbie Thompson - 319
Secretary

Pete Story
Chairman

Motion: To HB 773 Do not Pass - Jenkins
(Hold in Committee) failed

ROLL CALL VOTE

FINANCE AND CLAIMS

COMMITTEE

DATE 4-13-89 p.m. BILL NO. HB 510 NUMBER #3

VV

Fail

NAME	AYE	NAY
Senator Gary Aklestad		✓
Senator Loren Jenkins		✓
Senator Esther Bengtson		✓
Senator Matt Himsel		✓
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		✓

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Debbie Thompson - 319
Secretary

Pete Story
Chairman

Motion: #12 1st sentence
Van Valkenberg - substitute
motion



ROLL CALL VOTE

FINANCE AND CLAIMS

COMMITTEE

DATE 4-13-

BILL NO. HB 510

NUMBER #4

Devlin Am

Fail

NAME	AYE	NAY
Senator Gary Aklestad	✓	
Senator Loren Jenkins	✓	
Senator Esther Bengtson		✓
Senator Matt Himsel		✓
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	✓	

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Debbie Thompson - 319
Secretary

Pete Story
Chairman

Motion: Devlin amendments #1-11

failed

ROLL CALL VOTE

Pass

FINANCE AND CLAIMS

COMMITTEE

DATE 4-13 BILL NO. HB510 NUMBER 5

Beng all of #12

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

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Debbie Thompson - 319
Secretary

Pete Story
Chairman

Motion: Pass
Senator Bengtson # 12 only of Governor's Proposed
Amendment

Voice - 3 No
Vote

ROLL CALL VOTE

FINANCE AND CLAIMS COMMITTEE

DATE 4-13-89 p.m. BILL NO. HB 510 NUMBER #6

Jergeson Amendment

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: Senator Jergeson

- p. 3 Line 15 following 'During' strike "the" insert "any"
- Line 16 following 'year' strike "immediately" following
- 'following' strike "his"
- Line 14, strike "his" insert "and"