

MINUTES

MONTANA SENATE 51st LEGISLATURE - SPECIAL SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: By Vice-Chairman Gary C. Aklestad, on July 13, 1989, at 5:00 p.m., Room 108, Capitol

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 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

Members Excused: Senator Pete Story

Members Absent: None

Staff Present: Keith Wolcott

HEARING ON HB 64

Presentation and Opening Statement by Sponsor:

Representative Francis Bardanoue indicated that the committee members have the amended version of the bill from the House which reallocates some of the money from the first feed bill, not from the regular session, but from the first feed bill passed last January, and brings in a reallocation of surplus money in that bill. He explained that this bill, supposedly, was to finance the session up to last night, that there was an assumption that they would be done here last night, but it seems like they are not quite done, so the Legislative Council told him this morning that they may have to add a few more dollars to this, assuming they finish their business today.

Representative Bardanoue indicated that the first bill they passed, earlier in the special session, provided for one round trip, and this bill will authorize another round trip because of the 4th of July break. He added that, however, they will have to make application for that trip, that they will not automatically receive it because a few people did not go home.

SENATE COMMITTEE ON FINANCE AND CLAIMS

July 13, 1989

Page 2 of 8

He indicated that, if they went home and can verify that, they will be reimbursed for one more round trip.

Representative Bardanouve stated that is about all he can say about this bill, that it provides money for the Legislative Council, and the House and Senate, and another round trip is authorized. He added that, as it was presented to him when they introduced the original bill, it will take them up until last night but, as the committee members know, they are still here, so this bill, now, is a little bit obsolete.

List of Testifying Proponents and What Group They Represent:

Bob Person, Legislative Council

Testimony:

Mr. Person reported that he calculated some amounts, noting that he thinks the House sent this over with the idea that, if somehow the planning horizon extended out toward infinity, they would have to make some changes. He indicated that he figured a regular week day is \$8,850 for the Senate and \$14,345 for the House so, for each day they want to extend it, each regular week day, they can add that in. He added that, as long as they do not go crazy and have a 12-hour Saturday, he thinks they probably could figure that average in there, too, although he did not figure staff overtime into this, that most of the staff is regular time. He noted that the amount they have reallocated for the Legislative Council will cover them for any amount of time that they expect anybody hopes they will be here.

Questions From the Committee Members:

- Q. Senator Himsl indicated that he is not sure he understood, exactly, and asked if there is sufficient money in this bill, as it is printed, to do the job until Saturday.
- A. Representative Bardanouve responded no, only up to last night.
- Q. Senator Himsl indicated that Mr. Person said something about Saturday.
- A. Mr. Person responded that, if they are going to finish today, they should add \$8,580 for the Senate, and \$14,345 for the House, and, if they are going to go through tomorrow, add that again. He indicated that he said,

SENATE COMMITTEE ON FINANCE AND CLAIMS

July 13, 1989

Page 3 of 8

probably, for Saturday, they could add the same amount, although, if he were going to go and sit down on it, he would figure overtime for staff and put that in. He added that he thinks it will average out if they have that same amount again for Saturday.

- Q. Senator Manning asked Representative Bardanoue, in the event they were to appropriate for a couple of additional days, whether they need it or not, will it revert automatically.
- A. Representative Bardanoue responded that the money will revert. He added that, if they do not finish today, he would sincerely advise that they put in a couple of days, which is why Mr. Person mentioned Saturday, whatever they figure that is per day and, if they somehow finish either today or tomorrow, and they do not use quite all the money, it will revert to the general fund. He added that it would be embarrassing if they pass this bill and somehow remain another day, that, the last day, they would work for free.
- Q. Senator Van Valkenburg pointed out that, apparently, when the bill was first introduced, there was \$9,000 for the House and \$52,000 for the Senate, which was subsequently amended to provide \$72,000 for the House and \$25,000 for the Senate. He indicated that the original amount was for a ratio of approximately two to one between the House and the Senate, and the subsequent ratio is approximately three to one for the House to the Senate, and asked Representative Bardanoue to explain that.
- A. Representative Bardanoue responded that the ratio did not hold up, and the money did not exactly come out, that the ratio fell apart because there was a little different use of the money, and that was just a projected ratio, but they do not exactly use the same amount.
- Q. Senator Manning asked Representative Bardanoue if the reason for the difference in the money is, by any chance, because maybe the House is working some longer hours and their staff people are drawing a little more money.
- A. Representative Bardanoue responded that he does not have the rationale for the difference in money.
- Q. Chairman Aklestad indicated he does not think they have really gotten an answer to the question which is satisfactory, and asked Mr. Person to respond to that.

SENATE COMMITTEE ON FINANCE AND CLAIMS

July 13, 1989

Page 4 of 8

- A. Mr. Person responded that, if they sat down and went through it step by step, he would imagine he could answer it.

Senator Van Valkenburg indicated that the answer is, essentially, "trust us".

Mr. Person indicated that he has some spread sheets they can audit, if they do not trust them. He added that the first bill, obviously, included some things in it which these additions do not include, such as the round trip and so forth. He further indicated that they have an hourly rate for Senate and House staff, which is slightly different, and they calculate that by actually calculating the number of hours they work in overtime, the same for both House and Senate, so the difference for staff is hourly rate and it comes out a little bit differently.

Representative Bardanouve added that there are quite a few variables which will occur.

- Q. Senator Jenkins asked Mr. Person why, in the original, the Legislative Council had \$16,000, and then it jumps to \$60,000, and what is the differential.
- A. Mr. Person responded that they looked at the House, the Senate and the Council, and figured out a reasonable amount of money which could be safely transferred, and it says transfer not to exceed that. He indicated that the \$16,000 is what he actually budgeted, which he thought would be the additional amount it would cost, taking into account some money which was let over. He added that they are not going to use anywhere near the \$60,000, but that creates an authorization for printing, and so forth, if they needed to, and that just became a limit on the amount which could be used out of that already appropriated money.
- Q. Senator Jenkins asked if he thinks there is enough money left out of that \$60,000 to pay for a day or two.
- A. Mr. Person responded that it is in a different agency, so they would have to reappropriate it, and it amounts to the same thing. He then stated yes, the answer is yes.
- Q. Chairman Aklestad asked Representative Bardanouve if this is a reallocation of money of the first figures.

SENATE COMMITTEE ON FINANCE AND CLAIMS

July 13, 1989

Page 5 of 8

- A. Representative Bardanouve responded from the regular session.
- Q. Chairman Aklestad asked, if they do not have this bill, will that money revert back to the general fund.
- A. Representative Bardanouve responded that the money will revert back, but they will have to take new money to finance this bill. He explained that it is really the same money, except that they are using money which they already have appropriated, that it will amount to the same dollars, except they are using a different source for the money.
- Q. Chairman Aklestad asked if, then, it has to be reallocated, otherwise it would revert back to the general fund, but is money originally from the regular session.
- A. Representative Bardanouve responded yes.
- Q. Chairman Aklestad further asked if some of those monies which they are reallocating, the difference that Senator Van Valkenburg is questioning, is above and beyond salaries and those types of activities which would be monies the House of Representatives had appropriated in other areas, such as for machines or computers.
- A. Representative Bardanouve responded that some might claim two round trips, maybe more, that House members might claim two round trips, or maybe less round trips in proportion to the numbers, that some did not claim a trip, noting that he did not claim a second trip, and he wishes he could have.
- Q. Chairman Aklestad indicated that he would like to pin it down.
- A. Representative Bardanouve responded that they did not provide him with the ending fund balances of all the original proposed allocations.
- Q. Chairman Aklestad asked if they provided Representative Bardanouve with an itemized list of what the allocation was going for and, within that list, were there any monies of the original \$90,000, which was scaled to \$72,000, for things other than salaries, transportation, and things like that.

SENATE COMMITTEE ON FINANCE AND CLAIMS

July 13, 1989

Page 6 of 8

- A. Representative Bardanouve responded that Mr. Person put the budget together for them, and the House side did not ask as many tough questions as this committee has.

Mr. Person indicated that, in the original allocation, yes, there are some other expenses in there, that there are expenses budgeted for a daily amount for mail, and there is a little bit in there for additional office supplies, and operating costs of that nature, based on the same daily rate they had originally calculated and budgeted for the first eleven days. He added that there are some additional rental costs for equipment because, had they finished at the end of June as originally planned, there were a few machines and so forth which were rented from the Department of Administration, and which would have gone back, so they found out which ones needed to be extended for a month, and put in rent for one more month for some of those. Mr Person pointed out that, obviously, this additional day thing they are talking about does not need that because it has already been rented for the whole month, and it does not have the same kind of calculation in it for those rentals. He then stated that, yes, it does include some of those, adding that there are no capital expenses, however, in it at all.

- Q. Chairman Aklestad indicated that he is not following this bill, completely. He then referred to page 1, and pointed out that the allocation which has been amended out is for \$72,000, \$25,000 and \$16,000, that they have been stricken completely, but they still have the \$72,000 and \$25,000 and then, on page 2, where reallocation may not exceed the following, \$60,000, \$50,000, which does not coincide with the \$72,000 and the \$25,000, at all, and the \$60,000 for the Legislative Council has already been questioned. He asked if they add that.
- A. Representative Bardanouve responded (referring to the bill) that this is new money, and this is the reallocation. He pointed out that, on page 2, line 1, this is the left-over money, and this is the additional money to make the costs, it is new money, that the reallocation does not cover the full cost of the special session, so this is new money, over and above the surplus.

Chairman Aklestad indicated that the House of Representatives, then, will have a figure of \$72,000 plus \$60,000, and the Senate will have \$25,000 plus \$50,000, which will be the total appropriation, and the Council will have a flat \$60,000.

SENATE COMMITTEE ON FINANCE AND CLAIMS

July 13, 1989

Page 7 of 8

Closing by Sponsor:

Representative Bardanouve thanked the committee, after being on the floor as long as the Senate has today, for being so courteous, noting that he thought they might be like a bunch of mean tigers when he came down here, and would chew his head off. He added that he appreciates their kindness.

Senator Hammond indicated that he does not understand, yet, whether they have to add something to this. Senator Tveit responded that it has to be amended. Representative Bardanouve explained that they need to add the figure which Mr. Person gave them, per day, for the House and Senate, for whatever the committee projects beyond last night. Senator Hammond indicated that two days would be about \$30,450. Representative Bardanouve indicated they have to add that for however many days they figure they will go beyond last night.

Chairman Aklestad reported that it was suggested by the leadership of the Senate, at least a portion of the leadership, that they not add additional days on until they actually know how many days they have, that they get the hearing out of the road and, when they come down for executive action, which should not take very long, they will know exactly what they are dealing with.

Senator Keating asked if those numbers are affected at all by the transition from one biennium to the other biennium. Mr. Person responded that they were a little bit because Senate staff and House staff did get a change in rate, so the new rate starts being paid, which is very small.

Senator Jergeson indicated that state employee salaries went up 2.5% July 1st, and asked if the 2.5% increase is included in their \$52.31. Mr. Person responded that, a couple of years ago, when they were in special session to cut budgets, the state legislator rate was at Grade 10, Step 2, and was reduced to Grade 8, Step 2. He added that a change was also inserted by Representative Donaldson, because of a long-standing concern about the constitutionality of the Legislature setting its own compensation, so the law now says that a legislator is paid at the rate of a Grade 8, Step 2 employee in effect when the Legislature convenes, the regular session of the Legislature. He pointed out that the legislator rate is \$52.13 until the next Legislature is sworn in, at which point it will be 5% more than that.

SENATE COMMITTEE ON FINANCE AND CLAIMS

July 13, 1989

Page 8 of 8

Senator Stimatz reported that, by accident, he found out that John Larson has their eleven days of per diem checks at the rostrum so, if they are interested in picking their's up, they should see him.

Senator Nathe indicated that the press always uses the figure of \$41,000 per day for them to meet, which is \$22,900 and some, for them and their staff, and asked what the other just about \$20,000 per day is for. Representative Bardanouve responded that it is not fair what they do to them, really, because they divide the total cost, their time, the printing time and everything, that, the longer they are here, the less cost per day and, really, they are not costing near that much, but the press likes to begin every story, in the first paragraph, that here they are at \$41,000 a day.

ADJOURNMENT

Adjournment At: 5:20 p.m.



GARY C. AKLESTAD, Vice-Chairman

GCA/mhu
HB64.713

DAILY ROLL CALL

FINANCE AND CLAIMS

COMMITTEE - 1989

DATE

July 13, 1989

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			✓