

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 53rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: By REP. TOM ZOOK, on February 18, 1993, at 3:30 P.M.

ROLL CALL

Members Present:

Rep. Tom Zook, Chair (R)
Rep. Ed Grady, Vice Chair (R)
Rep. Francis Bardanouve (D)
Rep. Ernest Bergsagel (R)
Rep. Roger DeBruycker (R)
Rep. Marj Fisher (R)
Rep. John Johnson (D)
Rep. Royal Johnson (R)
Rep. Mike Kadas (D)
Rep. Betty Lou Kasten (R)
Rep. Red Menahan (D)
Rep. Linda Nelson (D)
Rep. Mary Lou Peterson (R)
Rep. Joe Quilici (D)
Rep. Dave Wanzenried (D)
Rep. Bill Wiseman (R)

Members Excused: Rep. John Cobb, Rep. Ray Peck

Members Absent: None

Staff Present: Terry Cohea, Legislative Fiscal Analyst
Mary Lou Schmitz, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: None
Executive Action: HB 129, HB 309, HB 401, HB 425, HB 484

EXECUTIVE ACTION ON HB 129

Motion: REP. WANZENRIED MOVED HB 129 DO PASS.

Sponsor: REP. WANZENRIED said this Bill is for apprenticeship funding. The money involved in this is from penalty and interest from the unemployment insurance program, not to be confused with the administrative tax fund which is another issue altogether. The program is designed and has been in place for a long time.

Last session, HB 704 was passed which for the first time provided state funding for the program because of the change in eligibility and the use of Carl Perkins' moneys. They budgeted \$110,000 for each of the two fiscal years of this biennium. The proposal is to increase that funding to \$140,000 for each of the two years next biennium. The predominant part of this money goes for instructors' salaries and the cost of the correspondence courses. The consumers and employers benefit because these are finishable trades where people actually go out and perform highly skilled jobs.

Discussion: REP. QUILICI said these people are better craftsmen and people deserve the best they can get for their dollar when they hire someone to do a job.

REP. ROYAL JOHNSON said his subcommittee just cut \$1.6 million out of the Vo-Ed program in OPI and he has a problem with adding \$280,000 back here and asked how those two programs could dovetail?

Jeff Wulf, OPI said there are two different programs and two different funding sources. As far as dovetailing, there are a number of schools who participate in the secondary-vocational education funding who have some cooperative arrangements with apprenticeship programs so that as students graduate from high school they would be able to get some credit toward their apprenticeship. As far as the relationship of how they are funded or administered they are two separate things. REP. ROYAL JOHNSON said the OPI sat in on his subcommittee to look at five or six programs and tried to get their input as to where they thought programs could be eliminated or reduced. Their suggestion was not to reduce them but go ahead and eliminate them because there was no use redoing them until they were ineffective. He was wondering how that would affect this kind of program. Mr. Wulf said one is an in-school type of program. The other is an out of school program. The apprenticeship this Bill supports is for individuals who are now in the work force. There must be a job in order for them to be an apprenticeship slot. They apply for registration with the state apprenticeship bureau and then they enter into an agreement that there is a certain amount of classroom instruction that goes along with the on-the-job training. The major difference between that and the type of vocational education they have in the high schools is that the high school provides a simulated atmosphere in the school. Most of the funding for apprenticeship programs comes from trust funds, usually based on a few cents an hour for every hour worked under the contract.

REP. WANZENRIED said the OPI is not necessarily here testifying on behalf of this Bill. Mr. Wulf administers the money that is contracted from the Department of Labor and Industry.

REP. KASTEN asked how much is in this fund, why the approximate 25% increase and what do you intend for the future? REP.

WANZENRIED said the amount of money in that fund will depend upon when it is transferred. It has to be transferred quarterly from this account into the unemployment insurance trust fund. The balance in the unemployment insurance trust fund is about \$93 million. **Mr. Wulf** said he has a four-year summary of the participation in the apprenticeship and they have increased from FY 90 in twelve projects, 203 apprentices served to the present FY 93 projection of 282 apprentices served. The \$110,000 is used for four purposes: 1) apprenticeship training, 2) upgrading, which means taking journeymen or laborers and giving them additional course work in hazardous materials, 3) to help the instructors do a better job 4) to provide correspondence course work to apprentices who are registered with the Montana apprenticeship bureau but are not in an area served by the joint apprenticeship training committees (JATC) or they're in occupations for which the JATC program does not exist. The correspondence course work has increased considerably and the joint planning council for HB 704 has requested that money be increased from FY 90, about \$7,000 to \$16,000 this year. They have almost doubled the number of participants in that area. They have gone from FY 90 3554 apprenticeship training hours to 8299 apprenticeship training hours in FY 92. Some of that is due to the 282 participants' increase. Also they have some of the JATCs that have come in with applications.

As he worked the figures, the \$30,000 increase would keep the amount of money at approximately the same level per instructor hour from 1990 to 1993.

REP. WANZENRIED said the main reason this program is developing the way it is because of changes in technology and the need to upgrade the work force.

Vote: HB 129 DO PASS. Motion carried 15 - 1 with Rep. DeBruycker voting no.

EXECUTIVE ACTION ON HB 309

Sponsor: **REP. KASTEN** said before she offers a DO PASS she has an amendment. Right now one of the complaints is that people who have assets, and fairly substantial assets, can still access the program and only because they are pregnant. This amendment will allow the Department, if their funds are running low, or if they find they need another reason to cap the program, to ask these women to participate in paying some of their own way.

Motion: **REP. ROYAL JOHNSON** moved the amendments.

Discussion: **REP. WANZENRIED** said **REP. KASTEN** indicated the Department would be in a position of monitoring the funds. Are they going to draw up the rules at the beginning of the biennium and live within the budget? **REP. KASTEN** said the rules are already in statutes for the medically needy. This is just addressing them. Right now there is no resource applied to the

pregnant woman. **Penny Robbe, Chief of Program and Self-sufficiency Bureau with Family Assistance in SRS** said as she understands, the question is what the Department would do in response to this resource test being available to stay within appropriated funds. The purpose in the Department putting forth, through **REP. KASTEN**, this amendment was to, rather than put a cap on funds, be able to make a decision whether or not it is reasonable to allow pregnant women Medicaid coverage with absolutely no resource eligibility test at all. That is current policy. The federal government gives states the flexibility to implement these resource tests if they so desire. SRS has been tracking the program since July, 1991 to see how many instances have occurred they are fairly sure a pregnant woman would have had excess resources and then found ineligible for Medicaid. Since that time, there have been approximately 20 cases reported.

REP. WANZENRIED said he wondered if they shouldn't require the Department to have these tests in place. **Ms. Robbe** said there are two sides to every issue and from the proponents' side of the issue, to have a resource test isn't fair. From the opponents' side of the issue, the problem of implementing a resource test for pregnant women is it has a "bumping" effect on some of their other programs. The other programs include a continuous Medicaid eligibility for newborns until one year old. If they choose to implement a resource test for pregnant women, that scenario changes and these infants would be subject to that resource test as well.

REP. QUILICI asked to have the child resource test explained a little more fully. **Ms. Robbe** said generally under Medicaid there is a resource test every family must pass before a member of that family can qualify for Medicaid. The resource test depends on whether you are related to the AFDC program, whether you are related to the SSI disabled program or whether you are medically needy. It ranges anywhere from \$1000 per family, which is the AFDC related, to \$2000 for a single person, \$3000 for a couple and \$100 for each additional family member for the medical needy program and for the SSI related category. Right now in order to receive Medicaid coverage for almost all the programs, a resource test is in place. The kinds of resources that are looked at are things like money in the bank, vehicles, (usually one vehicle is exempt) savings, CDs, vacation homes, (not the home in which they reside).

REP. MENAHAN asked if she said up to \$3000? **Ms. Robbe** said for a family situation, either under the medically needy program or SSI related, then the resource test now is \$3000 for two people and \$100 for each additional child in the family. A family of four, under that program would have \$3200 resource test. **REP. MENAHAN** asked if they have that much in total resources they would be ineligible? **Ms. Robbe** said that is correct, under regular Medicaid rules. She also said simply implementing a resource test also gives the department the ability to determine what is a reasonable resource test that is not as restrictive as it is for

the rest of the Medicaid program.

Vote: Motion to accept Amendments to HB 309 passed 15 - 2 with Reps. Menahan and Quillici voting no.

Motion: REP. KASTEN MOVED HB 309 DO PASS AS AMENDED.

Discussion: REP. KADAS said in the assumption on the fiscal note, #4 relates back to the experience in the state of Utah and is concerned about that assumption. He wondered if there were any other states on which to base experience on. Ms. Robbe said Utah is the only state in the nation that has this option in place so is the only state they could draw information from.

REP. KASTEN asked how Ms. Robbe came up with 72% (fiscal note assumption #4) and how that reading relates to the Utah experiences? Ms. Robbe said their contacts with Utah, and SRS rechecked with them approximately three weeks ago, indicate that 90% of the medically needy population in Utah choose the cash option. Utah was out of compliance by doing this option almost two years ago. Utah mandated this be done in order to be a medically needy recipient. Under the federal law, they must give clients the choice. Approximately two years ago Utah came into compliance and now offer medically needy clients the choice of paying cash. When SRS checked with them again three weeks ago, 90% were still choosing cash. She was still concerned because they heard the 90% figure earlier when they were drawing the fiscal information up and wondered if this was a good Bill to ask REP. KASTEN to support and if it is really a money maker for the state. She was concerned about projecting out, that means 90% of Montana's population will also choose. SRS felt the figure that was reasonable, 72.7% is approximately what 80% of the 90% in Utah choose.

REP. KADAS referred to the fiscal note, assumption #1, "HCFA will approve the change". He asked why wouldn't HCFA approve the change? Ms. Robbe said one of the problems is that the Medicaid federal agency is extremely slow getting programs into regulation. Instead of writing up regulations and getting them issued out to the states, when the law is passed, they concentrate their energies on a Medicaid State Plan which provides some guidance to the state in terms of "we think these are your choices". They don't give specific instructions to the states as to whether they are meeting all the regulations. What HCFA does is tell the state to submit the plan and they will determine if it is reasonable under the law. REP. KADAS asked when will we know that HCFA has approved this? Ms. Robbe said they have not yet submitted the state plan. If you submit a state plan, you tell HCFA you are going to operate the program. They will not give approval until they have a state plan formerly submitted. If action is given on this Bill, SRS will submit a state plan so it is effective July 1.

Vote: HB 309 DO PASS AS AMENDED. Motion carried 15 - 2 with

Reps. Menahan and Quillici voting no.

EXECUTIVE ACTION ON HB 484

Motion/Vote: REP. WISEMAN MOVED HB 484 BE TABLED. Motion carried unanimously.

EXECUTIVE ACTION ON HB 425

Motion: REP. KADAS MOVED THE AMENDMENTS TO HB 425, EXHIBIT 1

Discussion: REP. KADAS said the amendments do a number of things. First of all, they put the Board of Investments back like it is now. The Board can appoint its own executive director and the investment officers. The economic development's revenue bonding, which they had taken out of the Board and put over under the revenue bonding authority, was put back under the Board of Investments because, even though they are doing revenue bonds, they use the funds of the Board of Investments as a backstop so they still have to come back to the old Board. They still have the revenue bond authority which now is made up the functions of the Board of Housing and functions of the Health Finance Authority. The revenue bond authority would get its administrative and accounting services from the Board of Investments. They have also put in some criteria for the members of the finance authority. One member has to come from the financial community, one from health care administration, one from health care provider, one from economic development and one affiliated with a low-income organization.

REP. QUILICI asked how did they determine one should be from a low-income organization? REP. KADAS said some of the low-income groups asked him if they could be assured they would have some representation on the Board.

REP. DeBRUYCKER asked how the amendment would affect the fiscal note. REP. KADAS said it shouldn't. There still should be some savings because the administrative part of the job is the same.

Vote: Motion carried unanimously.

Motion: REP. KADAS MOVED HB 425 DO PASS AS AMENDED.

Discussion: REP. PETERSON said from her notes those who were opposing seemed to be from banks and savings and loans and wondered why. REP. KADAS said his impression the reason they were opposing is because something was being changed. REP. PETERSON asked if this is going to run into the banks' ability to loan money? REP. KADAS said this should have no effect, other than it may make it better the way they provide loans for housing. There should be no derogatory effect at all.

REP. QUILICI said Amendment #7 was one of concern by many contractors to make sure that "the investment officer, assistant

investment officer, and executive director serve at the pleasure of the board" and wanted to know that specifically. That helps alleviate some of the problems.

REP. WISEMAN asked **REP. KADAS** to explain again why they are changing the Board of Housing and what is broken that needs to be fixed. **REP. KADAS** said the only thing that is really entirely broken with the Board of Housing is an attitude problem. Some advantages can be gained in the future by trying to combine our revenue bonding capabilities. **REP. WISEMAN** asked how are we going to change their attitude? **REP. KADAS** said the Board of Housing won't be overseeing the funds anymore. They will be in an advisory capacity only. **REP. WISEMAN** said the Department of Commerce said for every revenue bond they have outstanding, it will cost \$6 for a \$5,000 bond to change up the authority. Is that true or false? **REP. KADAS** said he does not believe that is true. He has asked the Legislative Auditor to look into that and he does not believe its true either. If it is, they will make some changes. **REP. WISEMAN** said he does not feel comfortable about voting on something like this that could have huge financial ramifications. There are hundreds of thousands of bonds out there that if it costs the state \$6 per bond will make the fiscal statement look bad. He feels they should get that question solved.

REP. ROYAL JOHNSON said he would speak in favor of the motion. It is something even more extensive than what **REP. KADAS** has indicated. There is an attitude problem and he also thinks there is a problem in this state financially, to have \$459 million worth of bonds outstanding, have insured funds in the amount of \$65 million and not have any of those dollars in the state of Montana. This is a good Bill and a step in the right direction.

REP. WISEMAN said he would like to speak on the Bill. He has a report addressing the reserves on Montana bonds performed in the office of the Legislative Auditor and dated March, 1991 shows the state of Montana right in the middle of the curve as far as the amount of reserves to keep. Those reserves cannot be brought back to be used in the state of Montana. The indenture on the bonds have to be deposited in an institution covered by FDIC. They also have to be invested wholly in obligations of the federal government. So that means even if you brought the funds back to the state of Montana they still have to be invested in government bonds which is where they are now. He doubts if they have the trust capability within the state to handle this whole issue. You cannot separate the reserves from the trust organization that is handling all of that flow of cash. Those things make him believe the Board of Housing is not broken and doesn't need to be fixed.

REP. GRADY referred to **REP. KADAS'** statement that it was an "attitude problem" and why can't they be changed without making major changes in the law? **REP. KADAS** said the Governor and the

Commerce Department head told the Board of Housing to shape up and it didn't work. REP. GRADY asked if that was the past administration. REP. KADAS said yes. REP. GRADY said there is a new administration now. REP. KADAS said the people in the Board of Housing haven't changed.

Motion/Vote: REP. GRADY MOVED HB 425 BE TABLED. Motion failed 7 - 10.

Discussion: REP. WISEMAN said since there is an attitude problem and he doesn't deny that, when are the people with the attitude problem going off the Board. REP. KADAS said he does not believe the problem is solely embodied by one person. REP. WISEMAN asked when Mr. Mather goes off the board. REP. KADAS said he did not know.

CHAIRMAN ZOOK said he wondered if they should look further at this question of what it will cost, the figure on the bonds, if they make this switch and if REP. WISEMAN is correct in the number of bonds out there and this could be a major figure and REP. KADAS has the assurance of the Legislative Auditor that this is not correct information. CHAIRMAN ZOOK said action can be taken and assumes that information will be available.

REP. BARDANOUVE said if there should be adverse impact he would reconsider his position but right now supports the Bill.

Motion/Vote: REP. KADAS MOVED HB 425 DO PASS AS AMENDED. Motion carried 12 - 5 with Reps. Grady, DeBruycker, Fisher, Kasten and Wiseman voting no.

EXECUTIVE ACTION ON HB 401

Sponsor: REP. KADAS said this Bill is the loan for the Clark Fork Resource Damage Claim and he has amendments that will essentially make the loan from the coal tax trust fund which means the Bill will require a 3/4 vote. He is concerned because currently, there isn't enough money flowing into the trust fund. The money is being used for other things. The amendment will require that the loan be paid back at the long term investment rate and will also require for the loan to take place there will have to be a contract between the Department of Health and the Board of Investments. It does free-up about \$7.5 million in the cash balance, reduces the cash deficit by that much.

Motion: REP. KADAS MOVED THE AMENDMENTS.

Discussion: REP. MENAHAN asked why not RIT funds? REP. KADAS said the RIT trust itself is inviolate and the various interest streams that are coming off of it are all spoken for and they would have to take money away from other projects in order to utilize it.

REP. BARDANOUVE said he is going to oppose the motion. This

trust has become a panacea for every problem. If the suit fails there is no way of repaying this.

REP. QUILICI said it will be tough to get a 3/4 vote. Unless we fund this program, there is a chance of losing millions of dollars and we are at the point where we have to use coal tax money.

REP. GRADY said he supports the amendment too and in view of the financial situation, is worried this may not get through unless they use another source such as the coal tax money which is there for the future. If it is not used for things like this, there won't be any future for that area.

REP. COBB referred to the interest on the money already loaned and when it is paid back will it go to the general fund or the coal trust? REP. KADAS said that part will go to the general fund. That amount of interest will be determined at the STIP rate, not the long term rate.

REP. WISEMAN asked where was the source of the \$5.5 million invested. REP. KADAS said that was general fund from the short term investment pool.

REP. ROYAL JOHNSON said he will support this motion because he thinks that is the proper place to borrow the money. They could actually go into the RIT fund as he thinks there is enough money in there to make this loan without selling any assets and all they are doing is putting an interest bearing asset in there if it all pays out.

REP. BARDANOUVE said this will reduce the interest to general fund and that is another reason they should not do this. REP. KADAS said if we borrow the money from the general fund it will reduce the interest earnings to the general fund. It will be at a lesser rate because the money would have been invested at the STIP rate rather than a long term investment rate.

REP. GRADY asked Ms. Cohea what would have the worst impact? Ms. Cohea said on the front side of the status sheet is the cash balance. If this passes, the \$183 million negative will be reduced by \$5 million because you will have a loan that is repaid and the gap between fund and cash will narrow. The other side of the sheet (fund balance) won't reflect any change because all this Bill does is get more cash in. If the Bill had passed as it originally stood, the fund side would not have been affected but you would have had a \$2 million worsening on the cash side. If these amendments pass, the cash side would be roughly \$7.5 million less negative than it would be if it didn't pass.

REP. KADAS said you can't equate interest losses with cash balance. They don't fit into the same equation. It's a value judgement they have to make. There are two things that can happen. Their interest losses will be higher, their cash deficit

will be less.

CHAIRMAN ZOOK asked REP. KADAS if he would be surprised if the people involved in this suit that represent the state of Montana, wouldn't be calculating what the cost of borrowing these funds is amounting to and wouldn't they add that to their settlement figure? REP. KADAS said absolutely, we'll get the money back eventually but what they are talking about is loss of interest in the next biennium. They are going to impact their revenue to some degree, probably the difference between STIP and long term of 3% or 4% on \$7 million for two years.

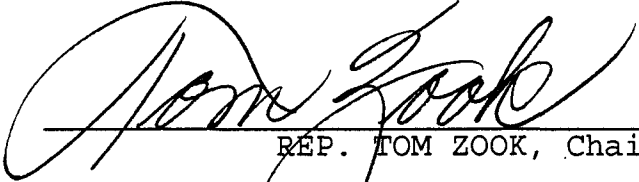
REP. BARDANOUE said it is far too early to know what their cash flow will be. They have no way of knowing what kind of budget they will have.

REP. GRADY said this is a big issue and needs some study.


Motion/Vote: REP. GRADY MOVED TO DELAY ACTION ON HB 401. Motion passed on a voice vote.

ADJOURNMENT

Adjournment: 4:50 P.M.



REP. TOM ZOOK, Chair



MARY LOU SCHMITZ, Secretary

TZ/mls

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL

DATE

2/18/93

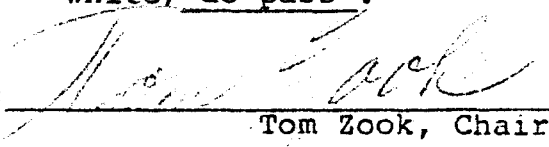
NAME	PRESENT	ABSENT	EXCUSED
REP. ED GRADY, V. CHAIR	✓		
REP. FRANCIS BARDANOUVE	✓		
REP. ERNEST BERGSAGEL	✓		
REP. JOHN COBB			
REP. ROGER DEBRUYKER	✓		
REP. MARJ. FISHER	✓		
REP. JOHN JOHNSON	✓		
REP. ROYAL JOHNSON	✓		
REP. MIKE KADAS	✓		
REP. BETTY LOU KASTEN	✓		
REP. WM. "RED" MENEHAN	✓		
REP. LINDA NELSON	✓		
REP. RAY PECK			
REP. MARY LOU PETERSON	✓		
REP. JOE QUILICI	✓		
REP. DAVE WANZENREID	✓		
REP. BILL WISEMAN	✓		
REP. TOM ZOOK, CHAIR	✓		

HOUSE STANDING COMMITTEE REPORT

February 19, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that
House Bill 129 (first reading copy -- white) do pass.

Signed: 

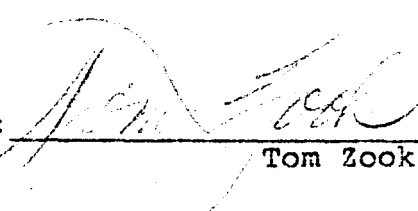
Tom Zook, Chair

HOUSE STANDING COMMITTEE REPORT

February 19, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 309 (third reading copy -- blue) do pass as amended

Signed: 

Tom Zook, Chair

And, that such amendments read:

1. Title, lines 6 and 7.

Following: "ACT" on line 6

Strike: remainder of line 6 through "ALLOW" on line 7

Insert: "ALLOWING"

2. Title, line 9.

Following: "STATE"

Insert: "; PROVIDING A RESOURCE TEST FOR PREGNANT WOMEN AND
INFANTS; AMENDING SECTION 53-6-131, MCA; AND PROVIDING AN
EFFECTIVE DATE"

3. Page 4, line 13.

Following: "(i)"

Insert: ", and whose family resources do not exceed standards
that the department determines reasonable for purposes of
the program"

4. Page 4, line 17.

Following: line 16

Insert: "NEW SECTION. Section 2. Effective date. This act is
effective July 1, 1993."

-END-

Committee Vote:

HOUSE STANDING COMMITTEE REPORT

February 19, 1993

Page 1 of 3

Mr. Speaker: We, the committee on Appropriations report that House Bill 425 (first reading copy -- white) do pass as amended

Signed: 

Tom Zook, Chair

And, that such amendments read:

1. Title, lines 8 through 11.

Following: ";" on line 8

Strike: remainder of line 8 through ";" on line 11

2. Title, line 12.

Strike: "2-15-1814,"

3. Title, lines 13 through 24.

Following: "17-5-1312," on line 13

Strike: remainder of line 13 through "17-5-1651," on line 24

4. Title, page 2, line 4.

Following: "SECTIONS"

Insert: "2-15-1814,"

Following: "2-15-1815"

Insert: ", "

5. Page 2, line 16.

Strike: "department shall hire"

Insert: "board may employ an investment officer, an assistant investment officer, and"

Strike: "has"

Insert: "have"

6. Page 2, line 18.

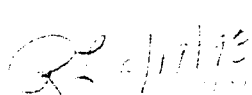
Strike: "state revenue bond,"

7. Page 2, line 24.

Following: "-"

Insert: "The investment officer, assistant investment officer, and executive director serve at the pleasure of the board."

Committee Vote:



The board shall prescribe the duties and annual salaries of the investment officer, assistant investment officer, executive director, and three professional staff positions."

8. Page 3, lines 19 through 25.

Following: "(5)" on line 19

Strike: remainder of line 19 through line 25 in its entirety

9. Page 4, line 3 through page 5, line 11.

Strike: section 2 in its entirety

Renumber: subsequent sections

10. Page 5, line 15.

Strike: "nine"

Insert: "seven"

11. Page 5, line 16.

Strike: "The"

Insert: "Five of the"

12. Page 5, lines 17 and 18.

Strike: "and experienced in" on line 17

Insert: "on the subject of bond issuance and must represent the financial community, health care administration, health care providers, economic development, and "

Following: "housing" on line 17

Strike: remainder of line 17 through "finance" on line 18

Following: "." on line 18

Insert: "One member must be affiliated with a low-income organization. The members must provide a balance of professional expertise, public interest, and accountability."

13. Page 5, line 25.

Following: "."

Insert: "The department shall consult with the authority in the selection of revenue bond officers for the health facility and housing programs of the authority. The bond officers shall administer separate bond programs for the authority."

14. Page 6, line 13.

Following: line 12

Insert: "(9) The authority shall assess housing availability and needs in the state, counties, cities, and towns. The authority shall identify and review all federal housing programs and make recommendations to the department of commerce, the board of investments, and the governor concerning housing program coordination, planning, and operations."

15. Page 9, line 24 through page 10, line 10.
Strike: section 6 in its entirety
Renumber: subsequent sections

16. Page 10, line 13.
Strike: "board of housing"
Insert: "state revenue bond authority"

17. Page 11, line 9 through page 65, line 13.
Strike: sections 8 through 61 in their entirety
Renumber: subsequent sections

18. Page 67, line 16.
Strike: "3"
Insert: "2"

19. Page 99, line 23.
Strike: "3"
Insert: "2"

20. Page 108, line 7.
Following: "Sections"
Insert: "2-15-1814,"
Following: "2-15-1815"
Insert: ", "

21. Page 108, lines 10.
Strike: "3"
Insert: "2"

22. Page 108, line 12.
Following: "section"
Strike: "3"
Insert: "2"

-END-

RL 1/11/93

HOUSE OF REPRESENTATIVES

ADDOPDIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 2/18/93 BILL NO. HB 129 NUMBER MOTION: Rep. Wanzenried moved HB 129 DO PASS.

Motion carried 15 - 1

NAME	AYE	NO
REP. ED GRADY, V. CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB		
REP. ROGER DEBRUYKER		X
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK		
REP. MARY LOU PETERSON	X	
REP. JOE QUILLICI	X	
REP. DAVE WANZENRIED	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	15	1

Amendments to House Bill No. 309
Third Reading Copy

Requested by Representative Kasten
For the Committee on Finance and Claims

Prepared by Greg Petesch
February 18, 1993

EXHIBIT
DATE 2/18/93
HB 148309

1. Title, lines 6 and 7.

Following: "ACT" on line 6

Strike: remainder of line 6 through "ALLOW" on line 7

Insert: "ALLOWING"

2. Title, line 9.

Following: "STATE"

Insert: "; PROVIDING A RESOURCE TEST FOR PREGNANT WOMEN AND
INFANTS; AMENDING SECTION 53-6-131, MCA; AND PROVIDING AN
EFFECTIVE DATE"

3. Page 4, line 13.

Following: "(i)"

Insert: ", and whose family resources do not exceed standards
that the department determines reasonable for purposes of
the program"

4. Page 4, line 17.

Following: line 16

Insert: "NEW SECTION. Section 2. Effective date. This act is
effective July 1, 1993."

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 2/18/93 BILL NO. HB 309 NUMBER

MOTION: Rep. Royal Johnson moved the amendments EXHIBIT 1

Motion carried 15 - 2

NAME	AYE	NO
REP. ED GRADY, V. CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN		X
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARV LOU PETERSON	X	
REP. JOE QUILICI		X
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	15	2

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 2/18/93 BILL NO. HB 309 NUMBER

MOTION: Rep. Kasten moved HB 309 DO PASS AS AMENDED

Motion carried 15 2

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN		X
REP. LINDA NELSON	X	
REP. RAY PECK		
REP. MARY LOU PETERSON	X	
REP. JOE QUILLICI		X
REP. DAVE WENZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	15	2

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 2/18/93 BILL NO. HB 484 NUMBER MOTION: Rep. Wiseman moved HB 484 TABLEDMotion carried unanimously.

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK		
REP. MARY LOU PETERSON	X	
REP. JOE QUILLICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	17	0

Amendments to House Bill No. 425
First Reading Copy

Requested by Representative Kadas
For the Committee on Appropriations

Prepared by Greg Petesch
February 17, 1993

EXHIBIT 1
DATE 2/18/93
HB HB 425

1. Title, lines 8 through 11.
Following: ";" on line 8
Strike: remainder of line 8 through ";" on line 11
2. Title, line 12.
Strike: "2-15-1814,"
3. Title, lines 13 through 24.
Following: "17-5-1312," on line 13
Strike: remainder of line 13 through "17-5-1651," on line 24
4. Title, page 2, line 4.
Following: "SECTIONS"
Insert: "2-15-1814,"
Following: "2-15-1815"
Insert: ", "
5. Page 2, line 16.
Strike: "department shall hire"
Insert: "board may employ an investment officer, an assistant
investment officer, and"
Strike: "has"
Insert: "have"
6. Page 2, line 18.
Strike: ", state revenue bond,"
7. Page 2, line 24.
Following: "-"
Insert: "The investment officer, assistant investment officer,
and executive director serve at the pleasure of the board.
The board shall prescribe the duties and annual salaries of
the investment officer, assistant investment officer,
executive director, and three professional staff positions."
8. Page 3, lines 19 through 25.
Following: "(5)" on line 19
Strike: remainder of line 19 through line 25 in its entirety
9. Page 4, line 3 through page 5, line 11.
Strike: section 2 in its entirety
Renumber: subsequent sections
10. Page 5, line 15.
Strike: "nine"

Insert: "seven"

11. Page 5, line 16.

Strike: "The"

Insert: "Five of the"

EXHIBIT 1
DATE 2/18/93
HB 148 425

12. Page 5, lines 17 and 18.

Strike: "and experienced in" on line 17

Insert: "on the subject of bond issuance and must represent the financial community, health care administration, health care providers, economic development, and "

Following: "housing" on line 17

Strike: remainder of line 17 through "finance" on line 18

Following: "." on line 18

Insert: "One member must be affiliated with a low-income organization. The members must provide a balance of professional expertise, public interest, and accountability."

13. Page 5, line 25.

Following: "."

Insert: "The department shall consult with the authority in the selection of revenue bond officers for the health facility and housing programs of the authority. The bond officers shall administer separate bond programs for the authority."

14. Page 6, line 13.

Following: line 12

Insert: "(8) The authority shall assess housing availability and needs in the state, counties, cities, and towns. The authority shall identify and review all federal housing programs and make recommendations to the department of commerce, the board of investments, and the governor concerning housing program coordination, planning, and operations."

15. Page 9, line 24 through page 10, line 10.

Strike: section 6 in its entirety

Renumber: subsequent sections

16. Page 10, line 13.

Strike: "board of housing"

Insert: "state revenue bond authority"

17. Page 11, line 9 through page 65, line 13.

Strike: sections 8 through 61 in their entirety

Renumber: subsequent sections

18. Page 67, line 16.

Strike: "3"

Insert: "2"

19. Page 99, line 23.

Strike: "3"

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 2/18/93 BILL NO. HB 425 NUMBER

MOTION: Rep. Kadas moved the amendments, EXHIBIT 1

Motion carried unanimously.

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK		
REP. MARV LOU PETERSON	X	
REP. JOE QUILICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	17	0

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 2/18/93 BILL NO. HB 425 NUMBER

MOTION: Rep. Grady moved to Table HB 425 as Amended

Motion failed 7 - 10

NAME	AYE	NO
REP. ED GRADY, V. CHAIR	X	
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGE	X	
REP. JOHN COBB		X
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON		X
REP. ROYAL JOHNSON		X
REP. MIKE KADAS		X
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN		X
REP. LINDA NELSON		X
REP. RAY PECK		
REP. MARY LOU PETERSON	X	
REP. JOE QUILLICI		X
REP. DAVE WANZENREID		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR		X
	7	10

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 2/18/93 BILL NO. HB 425 NUMBER MOTION: Rep. Kadas moved HB 425 DO PASS AS AMENDED

Motion carried 12 - 5

NAME	AYE	NO
REP. ED GRADY, V. CHAIR		X
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER		X
REP. MARJ. FISHER		X
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN		X
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK		
REP. MARY LOU PETERSON	X	
REP. JOE QUILLICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN		X
REP. TOM ZOOK, CHAIR	X	
	12	5

Amendments to House Bill No. 401
First Reading Copy

Requested by Representative Kadas
For the Committee on Appropriations

Prepared by Greg Petesch
February 18, 1993

EXHIBIT 1
DATE 2/18/93
HB HB 401

1. Title, line 5.

Strike: "AN INTERENTITY"

Insert: "A"

2. Title, line 6.

Strike: "GENERAL"

Insert: "COAL SEVERANCE TAX PERMANENT".

3. Title, line 11.

Following: "FUND"

Insert: "AS A LOAN FROM THE COAL SEVERANCE TAX PERMANENT FUND"

4. Title, line 13.

Following: ";

Insert: "REQUIRING AN IRREVOCABLE AGREEMENT TO REPAY THE COAL
SEVERANCE TAX PERMANENT FUND FROM ANY AMOUNT RECOVERED IN
THE LITIGATION; AMENDING SECTION 17-6-310, MCA;"

5. Page 2, line 16.

Strike: "general"

Insert: "coal severance tax permanent"

6. Page 2, line 17.

Strike: "an interentity"

Insert: "a"

7. Page 2, line 25.

Strike: "short-term"

Insert: "long-term"

8. Page 3, line 2.

Following: "."

Insert: "(1)"

Strike: "reauthorized"

Insert: "authorized"

9. Page 3, line 4.

Strike: "general"

Insert: "coal severance tax permanent"

Strike: "an interentity"

Insert: "a"

10. Page 3, line 5.

Following: "1993"

Insert: "from the general fund"

11. Page 3, line 12.

Strike: "short-term"

Insert: "long-term"

12. Page 3, line 13.

Following: line 12

Insert: "(2) The department of health and environmental sciences shall repay to the general fund the amount of \$4,928,894, plus interest at a rate commensurate with rates earned in the short-term investment pool, from the proceeds of the loan authorized in subsection (1). The repayment to the general fund must be made upon receipt of the loan authorized by subsection (1)."

13. Page 3, line 20.

Following: line 19

Insert: "Section 4. Section 17-6-310, MCA, is amended to read:

"17-6-310. Limits on direct loans. (1) Except as provided in 20-9-466, [section 1], and [section 2], the state may not use the portion of the permanent coal tax trust fund designated for investment in the Montana economy to make direct loans.

(2) Except as provided in 20-9-466, [section 1], and [section 2], the permanent coal tax trust fund may not be used by the board of investments to make direct loans to individual borrowers. The purchase of debentures issued by a capital company and loans or portions of loans originated by a financial institution that are sold to the trust are not direct loans."

NEW SECTION. Section 5. Loan contract. In order to make the loans authorized in [sections 1 and 2], the board of investments shall enter into an irrevocable contract with the department of health and environmental sciences pledging the amount recovered in the litigation to the repayment of the loans. The contract must provide that loan repayments must be deposited in the coal severance tax permanent fund. To the extent possible, the board shall make the loans from the portion of the coal severance tax permanent fund invested in the short-term investment pool. The loans authorized in [sections 1 and 2] may not be made until the contract required by this section has been entered into by the board and the department.

NEW SECTION. Section 6. Three-fourths vote. Because [section 3] appropriates money from the coal severance tax trust fund, Article IX, section 5, of the Montana constitution requires a vote of three-fourths of the members of each house of the legislature for passage."

Renumber: subsequent section

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 2/18/93 BILL NO. HB 401 NUMBER MOTION: Rep. Kadas moved the amendments

NAME	AYE	NO
REP. ED GRADY, V. CHAIR		
REP. FRANCIS BARDANOUVE		
REP. ERNEST BERGSAGEI		
REP. JOHN COBB		
REP. ROGER DEBRUYKER		
REP. MARJ. FISHER		
REP. JOHN JOHNSON		
REP. ROYAL JOHNSON		
REP. MIKE KADAS		
REP. BETTY LOU KASTEN		
REP. WM. RED MENAHAN		
REP. LINDA NELSON		
REP. RAY PECK		
REP. MARY LOU PETERSON		
REP. JOE QUILLICI		
REP. DAVE WENZENREID		
REP. BILL WISEMAN		
REP. TOM ZOOK, CHAIR		

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 2/18/93 BILL NO. HB 401 NUMBER

MOTION: Rep. Grady moved to delay action on HB 401

Motion carried unanimously.

NAME	AYE	NO
REP. ED GRADY, V. CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGE	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK		
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	17	0

**HOUSE OF REPRESENTATIVES
VISITOR REGISTER**

_____ Appropriations COMMITTEE BILL NO. _____
DATE 2/18/93 SPONSOR(S) _____

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