

MINUTES

MONTANA SENATE 54th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE & CLAIMS

Call to Order: By **SENATOR GARY AKLESTAD, CHAIRMAN**, on Saturday,
February 18, 1995, at 8:00 a.m.

ROLL CALL

Members Present:

Sen. Gary C. Aklestad, Chairman (R)
Sen. Thomas F. Keating, Vice Chairman (R)
Sen. Thomas A. "Tom" Beck (R)
Sen. James H. "Jim" Burnett (R)
Sen. Loren Jenkins (R)
Sen. Ethel M. Harding (R)
Sen. Arnie A. Mohl (R)
Sen. Charles "Chuck" Swysgood (R)
Sen. Daryl Toews (R)
Sen. Larry J. Tveit (R)
Sen. B.F. "Chris" Christiaens (D)
Sen. Greg Jergeson (D)
Sen. John "J.D." Lynch (D)
Sen. Mignon Waterman (D)

Members Excused: Senator Franklin

Members Absent: None

Staff Present: Taryn Purdy, Legislative Fiscal Analyst
Lynn Staley, Committee Secretary

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

Committee Business Summary:

Hearing: None
Executive Action: SB 360 - TABLED
SB 398 - AS AMENDED DO PASS

RECONSIDERATION OF ACTION ON SENATE BILL 360

CHAIRMAN AKLESTAD said the first order of business would be to
reconsider action on **SENATOR KEATING'S** SB 360, which eliminates
the Growth Through Agriculture Program.

Motion/Vote: **SENATOR HARDING** MOVED TO RECONSIDER ACTION ON SB
360. MOTION CARRIED.

EXECUTIVE ACTION ON SENATE BILL 360

Motion/Vote: SENATOR JERGESON MOVED TO TABLE SB 360. Motion CARRIED UNANIMOUSLY.

EXECUTIVE ACTION ON SENATE BILL 398

Discussion: SENATOR JACOBSON presented amendments to SB 398. EXHIBIT 1 She explained the amendments would take the Legislative Fiscal Analyst's office out from under the Legislative Council. The amendments would eliminate the top super committee and put in place a management committee made up of the chairman and vice chairman of the Audit Committee, Finance Committee, Environmental Quality Council (EQC) and the Legislative Council. She said EQC is still under Legislative Council but they have their own staff. Those eight people would be in charge of coordinating efforts and setting salaries.

SENATOR KEATING said the officers of the EQC committee are not necessarily legislators, and he questioned if SENATOR JACOBSON was inviting a non-legislator to be a part of the legislative branch management.

SENATOR JACOBSON said that area was discussed. She explained they don't see a problem having a public member on that committee and that it probably would be beneficial.

SENATOR GAGE said that is a policy decision that will have to be dealt with. Presently EQC has non-legislative members, and he expected the determination has already been made of non-legislators participating on legislative committees, but he would leave that to the judgment of the committee.

SENATOR HARDING asked SENATOR JACOBSON to explain her amendments further.

When asked by SENATOR HARDING to further explain her amendments EXHIBIT 1, SENATOR JACOBSON said the management committee would consist of eight members for the legislative offices, consisting of the chairman and the vice chairman of the Finance Committee, Audit Committee, EQC, and the Legislative Council. She said it was her understanding that EQC has never had a non-legislator as a chairman until this time, and that is former SENATOR NOBLE. All the other boards have public members, and she could not see a problem with the public participating in salary setting and coordination between those offices. She indicated that the amendments also separate the Legislative Finance Committee from the Revenue Oversight Committee and leaves them as they were, but would require them to hold one annual meeting collectively. She maintained that the EQC is still under Legislative Council, but the chairman and vice chairman would have a place in the management.

When questioned by **SENATOR KEATING** if the amendment **EXHIBIT 1** is strictly dealing with the management committee or if other areas are covered, **SENATOR JACOBSON** said the management committee moves the LFA out from under the Legislative Council so they do their own hiring. The amendment also restores the revenue oversight and legislative finance committees to their original membership, but requires them to meet jointly once a year.

SENATOR KEATING asked who decides the size and operation of the Legislative Fiscal Analyst, the Legislative Auditor, EQC and Legislative Council, and questioned if the management committee would determine the extent of the duties and the number of FTE's.

SENATOR JACOBSON said the legislature, through its budgeting process, would decide the number of FTE. The management committee would be discussing duties and salaries.

SENATOR KEATING said the legislative branch is being cut and duties have to be cut as well, which is the whole purpose of the reorganization.

SENATOR JACOBSON said she would like to amend page 2, section 1, subsection 2 of her amendment, **EXHIBIT 1** to read, "coordinate committee work." and delete the rest of the sentence.

Motion: **SENATOR JACOBSON MOVED HER AMENDMENTS AS AMENDED.**
EXHIBIT 1

Discussion: **SENATOR AKLESTAD** said his understanding of the amendment is that the LFA will not be under the management committee for hiring purposes, and the management committee makeup will be completely different from the original bill which has leadership in the management committee.

SENATOR JACOBSON said instead of leadership, it will be the chairman and vice chairman of the committees.

SENATOR GAGE said one of the purposes of the reorganization is an attempt to consolidate and eliminate legislative costs where possible and still get the job done in the interim. These amendments not only are eliminating most of that, but are in addition adding to it by putting in a management committee which will have to meet and have a budget for additional meetings.

SENATOR JACOBSON said she doesn't feel it creates a new committee; it just changes the makeup of the management committee.

SENATOR GAGE questioned if, under the amendments, **EXHIBIT 1** there would be the Legislative Council plus the management committee.

SENATOR JERGESON said each agency would pay for the trip to Helena that the management committee would make for their chairman and vice chairman, so it wouldn't be a new committee

with a new funding structure. He added it would probably be once a year or once every two years. He does not see it as another committee meeting as frequently as the legislative agencies do.

SENATOR LYNCH said this is not a committee of new people; it is a chairman/vice chairman's committee that will make sure that an employee entering the legislative branch of government will be paid the same no matter which branch they work with. He added that the amendment makes sense.

SENATOR AKLESTAD stated his feeling that we have, at least partially, corrected the pay in past actions. The amendment does set up a new committee; even though it is individuals already on committees, they will still have to meet separately. He questioned if each agency would hire their own people under this amendment if the eight people only have to meet twice a year.

SENATOR JACOBSON said that was correct. She stated that is important because as leadership changes from session to session, there may be all democrats or all republicans in charge and she doesn't want to see the staff becoming political appointees. It is better to have a spread of power, adding that those committees need a buffer between what legislators request of them and what their committees feel they should do and are capable of doing. She noted that is what is happening now and it works very well.

SENATOR GAGE observed that putting a non-legislator on the management committee may be shifting the evenly split interim.

SENATOR JACOBSON stated that she did not see anything political about setting salaries and coordinating activities.

SENATOR AKLESTAD questioned if it was worth it to have two functions who meet twice a year and still keep the Legislative Council.

Vote: **SENATOR JACOBSON'S** amendment motion **CARRIED** on a roll call vote.

Discussion: **SENATOR JACOBSON** presented an amendment by **SENATOR BROOKE. EXHIBIT 2**

Motion/Vote: **SENATOR JACOBSON MOVED THE AMENDMENT BY SENATOR BROOKE. EXHIBIT 2** Motion **FAILED** on a voice vote.

Motion: **SENATOR JERGESON MOVED HIS AMENDMENT TO SB 398. EXHIBIT 3** He said the amendment does not conflict with **SENATOR JACOBSON'S** amendment.

Discussion:

SENATOR LYNCH said it is a reaffirmation of what should be going on.

SENATOR JERGESON said that once the bill passes, the FTE will show up in the budget as FTE for the Legislative Council. There will not be any FTE's specifically assigned to the Environmental and Water Policy Committee. The Council will assign a sufficient number of staff.

SENATOR AKLESTAD spoke against the amendment. He said **SENATOR GAGE'S** bill is not setting any FTE level. He voiced concern that any specific agency within the legislative group should be singled out to give this type of direction.

SENATOR BECK questioned why this committee is being singled out.

SENATOR JERGESON said under the amendments adopted, the LFA committee will be establishing the FTE level approved by the legislature and will have their own staffing level. Legislative Council will not be changing whether or not they have 12 or 15 FTE's. That is established in the appropriation bill. The Legislative Auditor is also established in the appropriation bill. The Legislative Council which now would include the Environmental and Water Policy Committee will be a total number.

Vote: **SENATOR JERGESON'S** amendment motion **EXHIBIT 3 FAILED** on a roll call vote.

Discussion: **SENATOR AKLESTAD** presented an amendment from the Budget Director. **EXHIBIT 4**

Dave Lewis, Budget Director, Office of Budget and Program Planning, stated his feeling that there is a problem with the budget amendment statute and added this is the only vehicle he has to address the problem. Historically, the other funds portion of the budget has received less scrutiny than the general fund side. Requests have been put in for extra spending authority within special revenue, federal revenue, and so forth. Working with all funds budget, and an all funds total, the subcommittees are reducing the request for spending authority and special revenue spending authority and federal funds in that area. The budget amendment laws now written state that if the legislature considers and rejects a particular request, they are precluded from doing a budget amendment during the interim. This language proposes that if the legislature voted on something and it was rejected, they could not do a budget amendment on it; but if they didn't vote on a specific issue and reject it, they are not foreclosed from doing a budget amendment.

SENATOR JENKINS said it was his understanding that the agency could come back in for a budget amendment later as long as the committee didn't vote on it.

Dave Lewis said that was a good example of the issue. He thinks the Fiscal Analyst believes if it was in the legislative budget, even though it wasn't voted on, it was considered and rejected and that is what he is concerned about. There are agencies this

time that are reducing other fund requests at the request of the committee in order to shorten the budget because we don't have a specific grant, and so on. He concluded that is why he wanted to remove that concern during the interim.

Taryn Purdy, LFA, said they have concerns with the language that relates back to the purpose of the budget amendment law. The purpose of that is to recognize that when the legislature is not here, things happen. This allows the budget director or other approving authorities a lot more appropriation authority. Under this right now, if a committee saw something in a budget and refused, with this language the approving authority would be able to come back when the legislature wasn't here and approve those funds. Current budget amendment law precludes state special revenue except under very controlled circumstances. Only the general fund would be outside the limits of the approving authority to be able to add these funds when the legislature isn't here. She concluded that the question is whether the legislature wants to give up that authority over all state special revenue funds under virtually any circumstance.

SENATOR JACOBSON said this is in conflict with what **SENATOR GAGE** has done because subsection 4 states each approved budget amendment must be submitted to the budget director and the legislative fiscal analyst.

SENATOR JENKINS stated that in the Natural Resources Committee different departments were told that if they cut and the legislature doesn't look at it or vote on it, they could come in for a budget amendment later. If the committee votes to cut the contingency fund, the departments can't come in for a budget amendment later. He felt the question is if they can come in for a budget amendment later because they didn't take a positive or negative vote in some areas.

SENATOR AKLESTAD said the Legislative Fiscal Analyst felt they could.

Dave Lewis said he didn't think they could. The position of the LFA is that if it was presented and not approved, it must have been rejected. No matter what the legislature may have intended, the specific statute says if it was considered and rejected, they can't do a budget amendment. He added that the amendment indicates that if it wasn't voted on, they could still do a budget amendment, but currently the law doesn't say that.

Motion/Vote: **SENATOR HARDING** MOVED THE AMENDMENT PRESENTED BY **SENATOR AKLESTAD**. EXHIBIT 4 Motion FAILED on a voice vote.


SENATOR AKLESTAD suggested that **Dave Lewis** refine the language so it doesn't eliminate quite as much existing, adding that if SB 398 reaches the Senate floor, it could be presented then.

Motion/Vote: **SENATOR BECK** MOVED SB 398 AS AMENDED DO PASS.

Motion **CARRIED** on a roll call vote.

ADJOURNMENT

Adjournment: 8:50 a.m.



SENATOR GARY AKLESTAD, Chairman



LYNN STALEY, Secretary

GA/LS

MONTANA SENATE
1995 LEGISLATURE
FINANCE AND CLAIMS COMMITTEE

ROLL CALL

DATE

2/18/95

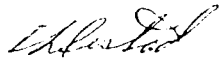
NAME	PRESENT	ABSENT	EXCUSED
SWYSGOOD, CHUCK	✓		
BURNETT, JIM	✓		
MOHL, ARNIE	✓		
JERGESON, GREG	✓		
FRANKLIN, EVE			✓
TVEIT, LARRY	✓		
JENKINS, LOREN	✓		
JACOBSON, JUDY	✓		
LYNCH, J.D.	✓		
HARDING, ETHEL	✓		
TOEWS, DARYL	✓		
CHRISTIAENS, B.F. "CHRIS"	✓		
WATERMAN, MIGNON	✓		
KEATING, TOM - VICE CHAIRMAN	✓		
BECK, TOM	✓		
AKLESTAD, GARY - CHAIRMAN	✓		

SENATE STANDING COMMITTEE REPORT

Page 1 of 5
February 18, 1995


MR. PRESIDENT:

We, your committee on Finance and Claims having had under consideration SB 398 (first reading copy -- white), respectfully report that SB 398 be amended as follows and as so amended do pass.

Signed: 
Senator Gary Aklestad, Chair

That such amendments read:

1. Title, line 6.
Strike: "1-11-201, 1-11-303,"
2. Title, lines 7 and 8.
Strike: "2-15-401," on line 7
Following: "2-15-2021," on line 7
Strike: remainder of line 7 through "5-11-112," on line 8
3. Title, line 9.
Strike: "5-11-201," through "5-11-209,"
4. Title, line 10.
Strike: "5-11-404," through "5-12-202,"
Strike: "5-12-301, 5-12-302,"
5. Title, line 11.
Strike: "5-12-401,"
Strike: "5-13-304, 5-13-305,"
Strike: "5-18-108, 5-18-109,"
6. Title, lines 12 through 14.
Strike: line 12 through "17-5-1650," on line 13
Insert: "5-18-106,"
Following: "17-6-411," on line 13
Strike: remainder of line 13 through "22-1-218," on line 14
Strike: "44-12-206, 44-13-103,"
7. Title, line 15.
Strike: "53-6-110," through "72-16-450,"
8. Title, line 17.
Strike: "85-1-605,"
9. Title, line 18.
Following: "90-4-1002,"
Insert: "AND"

 Amd. Coord.
in Sec. of Senate

421019SC.SRF

Strike: "AND 90-8-311,"

10. Title, line 19.

Strike: "5-12-402,"

11. Title, line 20.

Strike: "5-13-306,"

Strike: "5-18-101," through "5-18-105,"

12. Title, line 21.

Strike: "5-18-106" through "17-7-114,"

13. Page 1, line 26 through page 3, line 18.

Strike: sections 1 through 4 in their entirety

Insert: "

NEW SECTION. **Section 1. Legislative pay and committee coordination.** The presiding officer and vice presiding officer of the legislative council, legislative finance committee, legislative audit committee, and environmental and water policy committee shall:

(1) establish a classification and pay plan for legislative staff serving their committees;

(2) coordinate committee work."

Renumber: subsequent sections

14. Page 3, line 20 through page 4, line 1.

Strike: sections 5 and 6 in their entirety

Renumber: subsequent sections

15. Page 4, line 14.

Strike: "legislative budget"

Insert: "revenue oversight"

16. Page 4, line 30.

Strike: "and legislative budget committee"

17. Page 5, line 5.

Strike: "legislative budget"

Insert: "revenue oversight"

18. Page 9, line 17 through page 10, line 16.

Strike: section 16 in its entirety

Renumber: subsequent sections

19. Page 10, line 24.

Strike: "services office"

Insert: "council"

20. Page 13, line 7 through page 19, line 8.
Strike: sections 20 through 32 in their entirety
Renumber: subsequent sections

21. Page 20, line 5 through page 23, line 2.
Strike: sections 34 through 41 in their entirety
Renumber: subsequent sections

22. Page 24, line 5.
Strike: "services office"
Insert: "council"

23. Page 24, line 9.
Following: line 8
Insert: "(7) the executive director of the environmental and
water policy committee;
(8) the consumer counsel;"

24. Page 24, line 11.
Strike: "(7)"
Insert: "(9)"

25. Page 24, line 15 through page 26, line 7.
Strike: sections 44 through 49 in its entirety

26. Page 26, line 10.
Following: "committee."
Insert: "(1)"

27. Page 26, line 11.
Strike: "(1)"
Insert: "(a)"

28. Page 26, line 13.
Strike: "(2)"
Insert: "(b)"
Strike: "consent to the employment"
Insert: "employ and set the salary"
Following: "analyst"
Insert: "in accordance with the classification and pay plan
established pursuant to [section 1]"

29. Page 26, line 14.
Strike: "the legislative council"

30. Page 26, line 16 through page 28, line 16.
Strike: "(3)" on line 16
Insert: "(c)"

Following: "title-" on line 16

Strike: remainder of line 16 through "constitution" on page 28,
line 16

Insert: ". (2) The committee shall meet annually with the
revenue oversight committee."

31. Page 28, line 18 through page 29, line 6.

Strike: sections 51 and 52 in their entirety

Renumber: subsequent sections

32. Page 29, line 10.

Strike: "services office shall provide"

Insert: "fiscal analyst may employ, fix the salaries in
accordance with [section 1], and define the duties of "

33. Page 29, line 11.

Strike: "for the functions of the legislative fiscal analyst"

Insert: "within the limits of the appropriation for the office"

34. Page 29, lines 13 through 17.

Strike: section 54 in its entirety

Renumber: subsequent sections

35. Page 29, line 22.

Strike: "by the legislative council"

Insert: "pursuant to [section 1]"

36. Page 29, line 27 through page 30, line 25.

Strike: sections 56 and 57 in their entirety

Renumber: subsequent sections

37. Page 32, line 1 through page 43, line 16.

Strike: sections 62 through 74 in their entirety

Insert: "**Section 24.** Section 5-18-106, MCA, is amended to read:
"**5-18-106. Meetings and compensation.** (1) The committee
shall meet as often as may be necessary during and between
legislative sessions.

(2) Committee members are entitled to receive compensation
and expenses as provided in 5-2-302.

(3) The committee shall meet annually with the legislative
finance committee."

Renumber: subsequent sections

38. Page 44, line 28 through page 54, line 8.

Strike: sections 76 through 86 in their entirety

Renumber: subsequent sections

39. Page 56, line 27 through page 63, line 12.
Strike: sections 89 through 96 in their entirety
Renumber: subsequent sections

40. Page 67, line 24.
Strike: "legislative services office, under the general direction
of the"

41. Page 75, line 15 through page 76, line 14.
Strike: Section 112 in its entirety
Renumber: subsequent sections

42. Page 77, lines 19 through 21.
Strike: subsection (4) in its entirety

43. Page 87, lines 14 through 17.
Strike: section 126 in its entirety
Renumber: subsequent sections

44. Page 87, line 19.
Strike: "Sections"
Insert: "Section"
Strike: "through 4"
Strike: "are"
Insert: "is"

45. Page 87, lines 20 and 21.
Strike: "sections" on line 20
Insert: "section"
Following: "1" on line 20
Strike: remainder of line 20 through "4" on line 21

46. Page 87, line 23 through page 88, line 5.
Strike: section 128 in its entirety
Renumber: subsequent sections

47. Page 88, line 8.
Strike: "5-12-402, 5-13-306,"
Strike: "5-18-101, 5-18-102,"

48. Page 88, line 9.
Strike: "5-18-103" through "17-7-114,"

-END-

MONTANA SENATE
1995 LEGISLATURE
FINANCE AND CLAIMS COMMITTEE
ROLL CALL VOTE

DATE 2/18/95 BILL NO. SB 398 ^{Amendment to} NUMBER _____

MOTION: Senator Jacobson motion to
amend SB 398 (Exhibit 1)

Motion carried

NAME	AYE	NO
SWYSGOOD, CHUCK	✓	
BURNETT, JIM	<i>excused</i>	
MOHL, ARNIE	<i>excused</i>	
JERGESON, GREG	✓	
FRANKLIN, EVE	<i>excused</i>	
TVEIT, LARRY		✓
JENKINS, LOREN		✓
JACOBSON, JUDY	✓	
LYNCH, J.D.	✓	
HARDING, ETHEL		✓
TOEWS, DARYL		✓
CHRISTIAENS, B.F. "CHRIS"	✓	
WATERMAN, MIGNON	✓	
KEATING, TOM - VICE CHAIRMAN		✓
BECK, TOM	✓	
AKLESTAD, GARY - CHAIRMAN		✓

MONTANA SENATE
1995 LEGISLATURE
FINANCE AND CLAIMS COMMITTEE
ROLL CALL VOTE

DATE 2/18/95 BILL NO. amendment SB 398 NUMBER _____

MOTION: Senator Jergeson amendment
(Exhibit 3 attached) to SB 398
Failed

NAME	AYE	NO
SWYSGOOD, CHUCK		✓
BURNETT, JIM		
MOHL, ARNIE		
JERGESON, GREG	✓	
FRANKLIN, EVE	✓	
TVEIT, LARRY		✓
JENKINS, LOREN		✓
JACOBSON, JUDY	✓	
LYNCH, J.D.	✓	
HARDING, ETHEL		✓
TOEWS, DARYL		✓
CHRISTIAENS, B.F. "CHRIS"	✓	
WATERMAN, MIGNON	✓	
KEATING, TOM - VICE CHAIRMAN		✓
BECK, TOM		✓
AKLESTAD, GARY - CHAIRMAN		✓

MONTANA SENATE
1995 LEGISLATURE
FINANCE AND CLAIMS COMMITTEE
ROLL CALL VOTE

DATE 2/18/95 BILL NO. SB 398 NUMBER _____

MOTION: Senator Beck motion — SB 398

As Amended Do Pass

Motion Carried

NAME	AYE	NO
SWYSGOOD, CHUCK		✓
BURNETT, JIM		
MOHL, ARNIE	✓	
JERGESON, GREG		✓
FRANKLIN, EVE		✓
TVEIT, LARRY	✓	
JENKINS, LOREN	✓	
JACOBSON, JUDY		✓
LYNCH, J.D.		✓
HARDING, ETHEL	✓	
TOEWS, DARYL	✓	
CHRISTIAENS, B.F. "CHRIS"		✓
WATERMAN, MIGNON		✓
KEATING, TOM - VICE CHAIRMAN	✓	
BECK, TOM	✓	
AKLESTAD, GARY - CHAIRMAN	✓	

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 1

DATE 2/18/95

BILL NO. SB 398

Amendments to Senate Bill No. 398
First Reading Copy

Requested by Senator Jacobson
For the Committee on Finance and Claims

Prepared by Greg Petesch
February 17, 1995

1. Title, line 6.
Strike: "1-11-201, 1-11-303,"
2. Title, lines 7 and 8.
Strike: "2-15-401," on line 7
Following: "2-15-2021," on line 7
Strike: remainder of line 7 through "5-11-112," on line 8
3. Title, line 9.
Strike: "5-11-201," through "5-11-209,"
4. Title, line 10.
Strike: "5-11-404," through "5-12-202,"
Strike: "5-12-301, 5-12-302,"
5. Title, line 11.
Strike: "5-12-401,"
Strike: "5-13-304, 5-13-305,"
Strike: "5-18-108, 5-18-109,"
6. Title, lines 12 through 14.
Strike: line 12 through "17-5-1650," on line 13
Insert: "5-18-106,"
Following: "17-6-411," on line 13
Strike: remainder of line 13 through "22-1-218," on line 14
Strike: "44-12-206, 44-13-103,"
7. Title, line 15.
Strike: "53-6-110," through "72-16-450,"
8. Title, line 17.
Strike: "85-1-605,"
9. Title, line 18.
Following: "90-4-1002,"
Insert: "AND"
Strike: "AND 90-8-311,"
10. Title, line 19.
Strike: "5-12-402,"
11. Title, line 20.
Strike: "5-13-306,"
Strike: "5-18-101," through "5-18-105,"
12. Title, line 21.

Strike: "5-18-106" through "17-7-114,"

13. Page 1, line 26 through page 3, line 18.
Strike: sections 1 through 4 in their entirety
Insert: "

NEW SECTION. **Section 1. Legislative pay and committee coordination.** The presiding officer and vice presiding officer of the legislative council, legislative finance committee, legislative audit committee, and environmental and water policy committee shall:

(1) establish a classification and pay plan for legislative staff serving their committees;

(2) coordinate committee work in order to avoid duplication of effort."

Renumber: subsequent sections

14. Page 3, line 20 through page 4, line 1.
Strike: sections 5 and 6 in their entirety
Renumber: subsequent sections

15. Page 4, line 14.
Strike: "legislative budget"
Insert: "revenue oversight"

16. Page 4, line 30.
Strike: "and legislative budget committee"

17. Page 5, line 5.
Strike: "legislative budget"
Insert: "revenue oversight"

18. Page 9, line 17 through page 10, line 16.
Strike: section 16 in its entirety
Renumber: subsequent sections

19. Page 10, line 24.
Strike: "services office"
Insert: "council"

20. Page 13, line 7 through page 19, line 8.
Strike: sections 20 through 32 in their entirety
Renumber: subsequent sections

21. Page 20, line 5 through page 23, line 2.
Strike: sections 34 through 41 in their entirety
Renumber: subsequent sections

22. Page 24, line 5.
Strike: "services office"
Insert: "council"

23. Page 24, line 9.
Following: line 8
Insert: "(7) the executive director of the environmental and water policy committee;

EXHIBIT 1
DATE 2-18-95
1 SB 398

- (8) the consumer counsel;"
24. Page 24, line 11.
Strike: "(7)"
Insert: "(9)"
25. Page 24, line 15 through page 26, line 7.
Strike: sections 44 through 49 in its entirety
26. Page 26, line 10.
Following: "committee."
Insert: "(1)"
27. Page 26, line 11.
Strike: "(1)"
Insert: "(a)"
28. Page 26, line 13.
Strike: "(2)"
Insert: "(b)"
Strike: "consent to the employment"
Insert: "employ and set the salary"
Following: "analyst"
Insert: "in accordance with the classification and pay plan
established pursuant to [section 1]"
29. Page 26, line 14.
Strike: "the legislative council"
30. Page 26, line 16 through page 28, line 16.
Strike: "(3)" on line 16
Insert: "(c)"
Following: "title-" on line 16
Strike: remainder of line 16 through "constitution" on page 28,
line 16
Insert: ". (2) The committee shall meet annually with the
revenue oversight committee."
31. Page 28, line 18 through page 29, line 6.
Strike: sections 51 and 52 in their entirety
Renumber: subsequent sections
32. Page 29, line 10.
Strike: "services office shall provide"
Insert: "fiscal analyst may employ, fix the salaries in
accordance with [section 1], and define the duties of "
33. Page 29, line 11.
Strike: "for the functions of the legislative fiscal analyst"
Insert: "within the limits of the appropriation for the office"
34. Page 29, lines 13 through 17.
Strike: section 54 in its entirety
Renumber: subsequent sections

35. Page 29, line 22.

Strike: "by the legislative council"

Insert: "pursuant to [section 1]"

36. Page 29, line 27 through page 30, line 25.

Strike: sections 56 and 57 in their entirety

Renumber: subsequent sections

37. Page 32, line 1 through page 43, line 16.

Strike: sections 62 through 74 in their entirety

Insert: "**Section 24.** Section 5-18-106, MCA, is amended to read:

"**5-18-106. Meetings and compensation.** (1) The committee shall meet as often as may be necessary during and between legislative sessions.

(2) Committee members are entitled to receive compensation and expenses as provided in 5-2-302.

(3) The committee shall meet annually with the legislative finance committee."

Renumber: subsequent sections

38. Page 44, line 28 through page 54, line 8.

Strike: sections 76 through 86 in their entirety

Renumber: subsequent sections

39. Page 56, line 27 through page 63, line 12.

Strike: sections 89 through 96 in their entirety

Renumber: subsequent sections

40. Page 67, line 24.

Strike: "legislative services office, under the general direction of the"

41. Page 75, line 15 through page 76, line 14.

Strike: Section 112 in its entirety

Renumber: subsequent sections

42. Page 77, lines 19 through 21.

Strike: subsection (4) in its entirety

43. Page 87, lines 14 through 17.

Strike: section 126 in its entirety

Renumber: subsequent sections

44. Page 87, line 19.

Strike: "Sections"

Insert: "Section"

Strike: "through 4"

Strike: "are"

Insert: "is"

45. Page 87, lines 20 and 21.

Strike: "sections" on line 20

Insert: "section"

EXHIBIT 1
DATE 2-18-95
SB 398

Following: "1" on line 20
Strike: remainder of line 20 through "4" on line 21

46. Page 87, line 23 through page 88, line 5.
Strike: section 128 in its entirety
Renumber: subsequent sections

47. Page 88, line 8.
Strike: "5-12-402, 5-13-306,"
Strike: "5-18-101, 5-18-102,"

48. Page 88, line 9.
Strike: "5-18-103" through "17-7-114,"

SENATE FINANCE AND CLAIMS
EXHIBIT NO. 2
DATE 2/18/95
BILL NO. SB 398

Amendments to Senate Bill No. 398
First Reading Copy

For the Committee on Finance and Claims

Prepared by Greg Petesch
February 15, 1995

Motion Failed

1. Page 87, line 18.

Insert: "NEW SECTION. Section 127. Review of legislation. (1)

The legislative council shall review and evaluate all proposed legislation concerning legislative personnel prior to introduction. The council shall establish principles of sound fiscal and public policy as guidelines in reviewing the proposed legislation. The council shall determine the impacts of the proposed legislation on legislative operations. The council shall report its determination to the committee hearing the proposal.

(2) A proposal subject to review under subsection (1) must be submitted to the legislative council at least 45 days before the first day of the next regular legislative session unless the time limitation is waived by a majority vote of the council."

Renumber: subsequent sections

2. Page 87, line 19.

Strike: "instruction"

Insert: "instructions"

Following: "."

Insert: "(1)"

3. Page 87, line 22.

Insert: "(2) [Section 127] is intended to be codified as an integral part of Title 5, chapter 11, part 1, and the provisions of Title 5, chapter 11, part 1, apply to [section 127]."

Amendments to Senate Bill No. 398
First Reading Copy

For the Committee on Finance and Claims

Prepared by Greg Petesch
February 17, 1995

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 3

DATE 2/18/95

BILL NO. SB 398

1. Page 31, line 27.
Following: "Officers"
Insert: "-- staff"
Following: "."
Insert: "(1)"

Motion Failed

2. Page 31, line 30.
Insert: "(2) A sufficient and appropriate staff must be assigned to the committee within the budget established by the legislature. The committee staff is a principal unit within the legislative agency assigned to staff the committee, and the committee shall direct and assign the staff."

Amend SB398, as introduced

SENATE FINANCE AND CLAIMS
EXHIBIT NO. 4
DATE 2/18
BILL NO. SB 398

Failed

Section 79. Section 17-7-402, MCA, is amended to read:

1. Page 49, line 15.

Following: "**requirements.**"

Strike: The remainder of section 79 and section 80 in their entirety

Insert: "(1) Budget amendments may be approved by the approving authority to spend additional revenue received in the biennium in any fund other than the state general fund, except that a budget amendment may not be approved:

(a) if the budget amendment contains any significant ascertainable commitment for any present or future increased general fund support; or

(b) if the budget amendment was rejected by a specific, recorded vote by a majority of any house or senate committee responsible for appropriations in a prior session of the Montana legislature.

(2) All budget amendments must itemize planned expenditures by fiscal year.

(3) Any budget amendment so approved may not be included in the base budget for the next biennium.

(4) Each approved budget amendment must be submitted by the approving authority to the budget director and to the legislative fiscal analyst."

Explanation:

This recommended action would revise budget amendment requirements to the points cited above.