

MINUTES

MONTANA SENATE 54th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE & CLAIMS

Call to Order: By SENATOR GARY AKLESTAD, CHAIRMAN, on Monday,
January 30, 1995, at 4:50 P.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. Eve Franklin (D)
Sen. Judy H. Jacobson (D)
Sen. Greg Jergeson (D)
Sen. John "J.D." Lynch (D)
Sen. Mignon Waterman (D)

Members Excused: None

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: HB 20, HB 35
Executive Action: HB 20 BE CONCURRED IN
HB 67 BE CONCURRED IN
HB 76 BE CONCURRED IN

HEARING ON HOUSE BILL 20

Opening Statement by Sponsor:

REPRESENTATIVE BOB PAVLOVICH, House District 37, Butte, sponsor,
said that HB 20, which came out of the joint interim committee on

veterans' needs, would increase the headstone allowance from \$30 to \$70. Presently the county assumes the \$30 for raising the headstone, but because of inflation, it costs more than \$30 to set a headstone and ship it. He explained that they would like the state of Montana to give an additional \$40. He noted that the fiscal note shows \$48,000 a year, but that would depend on how many veterans die in the state. He remarked that some families take care of this expense themselves for the veterans, but there are quite a few homeless veterans where the families do not have adequate resources to pay for the headstone.

Proponents' Testimony:

Jim Jacobson, Administrator, Montana Veterans' Affairs Division, stated his support of HB 20. He said that HB 20 specifies the veterans' burial allowance. Currently the counties provide \$250 which is intended to offset the burial expenses incurred by the family. The typical veteran from the Federal Veterans' Administration gets approximately \$300-\$500 upon death. He contended that the bill would have the \$30 headstone allowance raised to \$70. For every veteran that is buried in Montana, he explained that the local funeral director applies for a headstone. The headstone is provided by the Federal Department of Veterans' Affairs free of charge. When the stone arrives in the state, it must be prepared with concrete around it, taken to the grave site and properly placed on the grave, which is where the \$70 would come into play. That is where the raising and shipping come in. Over the last four years, there have been slightly less than 1,200 stones delivered to Montana. The extra \$40 dollars (which is the difference between the current \$30 and the requested \$70) times the 1,200 stones equals \$48,000 which is shown on the fiscal note. He noted families currently make up the difference between \$30 and \$70. He added that the original \$30 would continue to come out of county revenues. The additional \$40 would come from HB 20. It was suggested that the county treasurer account for every \$40 headstone allowance that they paid, deduct that from the amount they send in on a monthly basis and it would be accounted for on an automated system.

Hal Manson, American Legion of Montana, stated his concern with the current funding and indicated his support for HB 20.

Joe Brand, State legislative chairman of Veterans' of Foreign Wars, declared his support for HB 20. He indicated that the problem with the \$30 figure is that people installing the headstones are charging not less than \$60 to have them put into place. Many veterans are in poverty, and the county then has to pick up the additional charge.

Dick Baumberger, Disabled American Veterans, indicated his organization's support of HB 20.

Dave Brown, Communications Director, United Veterans' Council, indicated his strong support of this legislation.

Opponents' Testimony:

None.

Questions From Committee Members and Responses:

When questioned by SENATOR HARDING regarding any opposition from the county treasurers on HB 20, REPRESENTATIVE PAVLOVICH said he was not aware of any opposition.

In response to SENATOR LYNCH'S question regarding amounts charged, REPRESENTATIVE PAVLOVICH said the county pays up to \$30 and they receive \$40 from the state to reach the \$70. If it was \$60, the county would pay \$30 and the state would pay \$30.

Closing by Sponsor:

REPRESENTATIVE PAVLOVICH closed, stating that the veterans of the state should be taken care of.

HEARING ON HOUSE BILL 35

Opening Statement by Sponsor:

REPRESENTATIVE JOHN COBB, House District 50, Augusta, sponsor, said HB 35 would authorize the approving authority to move money from the first fiscal year of a biennium to the second fiscal year of a biennium. Currently, money can be moved from the second year to the first year, but it cannot be moved from the first to the second year. He expressed concern with the fiscal note from the Office of Budget and Program Planning (OBPP) showing an impact of \$1.2 million. He referred to item 8 of the fiscal note where it states that although the fiscal note is not quantifiable, there is likely to be a general fund cost of less than \$1.25 million in fiscal year 96 due to reduced reversions. He noted that if the impact was \$1.2 million, he would not want the bill to pass out of committee. He directed the committee's attention to his fiscal note showing no cost. He said that currently there has to be authority from the budget office to move funds, and he is proposing that nobody would move money from the first year to the second year until they get their \$2.5 million or until they are sure there is sufficient money coming through the system before any money is moved.

REPRESENTATIVE COBB remarked that he was informed of a management council in the fiscal analyst's office that could review the fiscal note again. He commented that if there was any cost to the general fund that he would not want the bill to pass out of committee as it would affect everyone else's budget.

Proponents' Testimony:

None.

Opponents' Testimony:

None.

Questions From Committee Members and Responses:

SENATOR SWYSGOOD questioned an assumption on the OBPP fiscal note stating that transfers will not reduce the number and amount of the supplemental appropriation required in the second year of the biennium, and he asked why that wouldn't offset a supplemental.

REPRESENTATIVE COBB said he did not know why it would not reduce supplementals and remarked that with a fiscal note of \$1.2 million he would not want the bill passing in this legislative session.

SENATOR KEATING questioned if HB 35 would apply to all departments across the board.

REPRESENTATIVE COBB said that was right, the only place that the OBPP would not control would be the universities that don't revert any money and the judiciary and legislature which do not revert much money. They would control the Office of Public Instruction, Department of Justice, State Auditor's Office. They could not transfer any money without approving authority of OBPP.

SENATOR KEATING noted that some departments do revert at the end of the first year, and he questioned if there could be a biennial appropriation to accomplish this.

REPRESENTATIVE COBB said with a biennial appropriation, it would have to be put in everybody's budget. He wanted to make sure that someone was in control so the budget office would still control some agencies so that money was not randomly moved.

When questioned by **SENATOR JENKINS** if it was possible that the OBPP did not want the authority, **REPRESENTATIVE COBB** said OBPP was standing by their fiscal note. He again explained that if there cannot be agreement on the fiscal notes, the bill should not pass. He did not think somebody's budget should be cut to fund something that management can take care of themselves.

When questioned by **SENATOR SWYSGOOD** regarding dumping the money, **REPRESENTATIVE COBB** said universities instead of dumping money right away and buying something small will purchase something which costs more, and in that way they save their money.

In questioning from **SENATOR SWYSGOOD** if the base year which is the first year of the biennium could possibly be lower if they dumped money, **REPRESENTATIVE COBB** said it was noted if the money was moved from the first year to the second year, it would reduce the base meaning they would have to come back and justify why

they wanted their money back the first year.

Taryn Purdy, Legislative Fiscal Analyst's office, asked REPRESENTATIVE COBB if he wanted the management advisory committee to decide whether or not the fiscal note is included in the status sheet or if he wanted to have the management advisory committee to ask the fiscal analyst's office to review the bill.

REPRESENTATIVE COBB said he was informed by REPRESENTATIVE KADAS and Terry Johnson, Legislative Fiscal Analyst's Office, that there was some type of management team to look at this.

Taryn Purdy commented that if the fiscal note says a certain amount, it will appear on the status sheet in that way. It will become a gray area where the sponsor has not signed the fiscal note.

Closing by Sponsor:

REPRESENTATIVE COBB, in closing, reiterated that he would not want HB 35 to pass if it would cost money.

EXECUTIVE ACTION ON HB 67

Motion/Vote: SENATOR KEATING MOVED THAT HB 67 BE CONCURRED IN.

Motion CARRIED UNANIMOUSLY. SENATOR KEATING will carry HB 67 on the Senate floor.

EXECUTIVE ACTION ON HB 76

Motion: SENATOR KEATING MOVED THAT HB 76 BE CONCURRED IN.

Discussion: SENATOR SWYSGOOD said it was his understanding that HB 76 allows borrowing from other agency funds.

CHAIRMAN AKLESTAD said that is correct.

SENATOR SWYSGOOD questioned if HB 76 provides that interest will be paid to those agencies currently collecting interest.

Connie Griffith, Department of Administration, said that was correct.

Vote: SENATOR KEATING'S motion CARRIED with SENATOR JENKINS opposed. SENATOR AKLESTAD will carry HB 76 on the Senate floor.

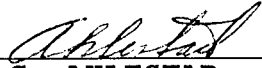
EXECUTIVE ACTION ON HB 20

Motion/Vote: SENATOR JENKINS MOVED THAT HB 20 BE CONCURRED IN.

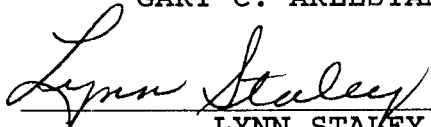
Motion CARRIED with SENATOR AKLESTAD opposed.

ADJOURNMENT

Adjournment: 5:30 p.m.



GARY C. AKLESTAD, Chairman



LYNN STALEY, Secretary

GCA/LS

MONTANA SENATE
1995 LEGISLATURE
FINANCE AND CLAIMS COMMITTEE

ROLL CALL

DATE

1/30/95

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	✓		

SEN:1995

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SENATE STANDING COMMITTEE REPORT

Page 1 of 1
January 31, 1995

MR. PRESIDENT:

We, your committee on Finance and Claims having had under consideration HB 67 (third reading copy -- blue), respectfully report that HB 67 be concurred in.

Signed: 
Senator Gary Aklestad, Chair

 Amd. Coord.
SA Sec. of Senate


Senator Carrying Bill

261222SC.SRF


SENATE STANDING COMMITTEE REPORT


Page 1 of 1
January 31, 1995

MR. PRESIDENT:

We, your committee on Finance and Claims having had under consideration HB 76 (third reading copy -- blue), respectfully report that HB 76 be concurred in.

Signed: 
Senator Gary Aklestad, Chair

 Amd. Coord.

 Sec. of Senate


Senator Carrying Bill

261224SC.SRF


SENATE STANDING COMMITTEE REPORT


Page 1 of 1
January 31, 1995

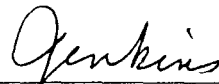
MR. PRESIDENT:

We, your committee on Finance and Claims having had under consideration HB 20 (third reading copy -- blue), respectfully report that HB 20 be concurred in.

Signed: 
Senator Gary Aklestad, Chair

 Amd. Coord.

 Sec. of Senate


Senator Carrying Bill

261253SC.SRF

DATE

January 30, 1995

SENATE COMMITTEE ON

Finance and Claims

BILLS BEING HEARD TODAY:

H.R. 20 Rep. Bob Paulovich
H.B. 35 Rep. John Cobb

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PLEASE PRINT

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Check One

Name	Representing	Bill No.	Support	Oppose
Dick Baumberger	DAV	20	✓	
Dave Brown	United Veterans Council	20	✓	
de Brand	VFW	20	X	
Jim Paulin	MT Vet Affair Div	20	X	
Hel Manser	American Legion	20	X	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY