

MINUTES

MONTANA SENATE
55th LEGISLATURE - REGULAR SESSION

FREE CONFERENCE COMMITTEE ON HOUSE BILL 2

Call to Order: By CHAIRMAN CHUCK SWYSGOOD, on April 16, 1997, at 8:12 a.m., in Room 312-2.

ROLL CALL

Members Present:

Sen. Charles "Chuck" Swysgood (R)
Sen. Arnie A. Mohl (R)
Sen. Linda J. Nelson (D)
Rep. Tom Zook (R)
Rep. Beverly Barnhart (D)
Rep. Ernest Bergsagel (R)

Members Excused: None

Members Absent: None

Staff Present: Clayton Schenck, Legislative Fiscal Division
Sharon Cummings, Committee Secretary

CHAIRMAN SWYSGOOD We will address amendments for cats and dogs this morning. We will not go into the main part of the bill at this time. Conference committee members introduced.

SECTION A

Motion/Vote: REP. BEVERLY BARNHART MOVES TO AMEND HB 2 WITH AMENDMENT #HB000253.A19. (EXHIBIT #1) THE MOTION FAILED ON ROLL CALL VOTE.

Motion/Vote: SEN. LINDA NELSON MOVES TO AMEND HB 2 WITH AMENDMENT #HB000254.A19. (EXHIBIT #2) THE MOTION CARRIED ON ROLL CALL VOTE.

Motion: SEN. NELSON MOVES TO AMEND HB 2 WITH AMENDMENT #HB000259.A19. (EXHIBIT #3)

Motion/Vote: REP. TOM ZOOK MAKES A SUBSTITUTE MOTION TO STRIKE GENERAL FUND FROM THE AMENDMENT. THE MOTION CARRIED ON ROLL CALL VOTE.

Motion/Vote: REP. BARNHART MOVES TO AMEND HB 2 WITH AMENDMENT #HB000260.A19. (EXHIBIT #4) THE MOTION FAILED ON ROLL CALL VOTE.

Motion/Vote: SEN. NELSON MOVES TO AMEND HB 2 WITH AMENDMENT #HB000265.A19. (EXHIBIT #5) THE MOTION CARRIED ON ROLL CALL VOTE.

Motion/Vote: REP. BARNHART MOVES TO AMEND HB 2 WITH AMENDMENT #HB000267.A19. (EXHIBIT #6) THE MOTION CARRIED ON ROLL CALL VOTE.

Motion/Vote: SEN. NELSON MOVES TO AMEND HB 2 WITH AMENDMENT #HB000295.A19. (EXHIBIT #7) THE MOTION FAILED ON ROLL CALL VOTE.

Motion/Vote: REP. ZOOK MOVES TO AMEND HB 2 WITH AMENDMENT #HB000292.A19. (EXHIBIT #8) THE MOTION CARRIED WITH SEN. NELSON AND REP. BERGSAGEL VOTING NO.

Motion/Vote: REP. BARNHART MOVES TO AMEND HB 2 WITH AMENDMENT #HB000293.A19. (EXHIBIT #9) THE MOTION FAILED.

Motion/Vote: REP. BARNHART MOVES TO AMEND HB 2 WITH AMENDMENT #HB000294.A19. (EXHIBIT #10) THE MOTION CARRIED ON ROLL CALL VOTE.

{Tape: 1; Side: A; Approx. Time Count: 8:33; Comments: None.}

SECTION B

Motion/Vote: SEN. NELSON MOVES TO AMEND HB 2 WITH AMENDMENT #HB000287.A09. (EXHIBIT #11) THE MOTION CARRIED ON ROLL CALL VOTE.

Motion: SEN. NELSON MOVES TO AMEND HB 2 WITH (EXHIBIT #12).

Discussion: Hank Hudson, DPHHS This amendment replaces state special revenue with General Fund. The state special revenue will not be collectable without the statutory authority to expend it.

SEN. NELSON Is this money for foster care? Mr. Hudson Yes, foster care and children in youth corrections in foster care type placements.

SEN. ARNIE MOHL Is this a new program? CHAIRMAN SWYSGOOD No, this is not a new program but it is new money.

REP. ZOOK How much has the foster care budget increased this biennium from last biennium? Mr. Hudson Currently, our appropriation in HB 2 is \$400,000 more than we will spend in FY97.

Vote: THE MOTION TO AMEND HB 2 WITH (EXHIBIT #12) FAILED ON ROLL CALL VOTE.

Motion/Vote: REP. BARNHART MOVES TO AMEND HB 2 WITH AMENDMENT #HB000273.A31. (EXHIBIT #13) THE MOTION FAILED ON ROLL CALL VOTE.

Motion: SEN. NELSON MOVES TO AMEND HB 2 WITH AMENDMENT #HB000270.A31. (EXHIBIT #14)

Discussion: Jack Lowney, DPHHS The \$44,000 General Fund is a portion of the start up costs for pieces of the Welfare Reform Act. We are a little short of state special revenue for this.

CHAIRMAN SWYSGOOD SB 374 is the bill that implements federal welfare reform.

Motion/Vote: REP. ZOOK MAKES A SUBSTITUTE MOTION TO STRIKE THE GENERAL FUND OF \$44,150. THE MOTION CARRIED ON ROLL CALL VOTE.

Motion/Vote: REP BARNHART MOVES TO AMEND HB 2 WITH AMENDMENT #HB000288.A09. (EXHIBIT #15) THE MOTION FAILED ON ROLL CALL VOTE.

{Tape: 1; Side: B; Approx. Time Count: 8:55; Comments: None.}

Motion/Vote: REP. BARNHART MOVES TO AMEND HB 2 WITH AMENDMENT #HB000271.A31. (EXHIBIT #16) THE MOTION FAILED ON ROLL CALL VOTE.

Motion/Vote: REP. ZOOK MOVES TO AMEND HB 2 WITH AMENDMENT #HB000242.A15. (EXHIBIT #17) THE MOTION FAILED WITH REP. BARNHART AND BERGSAGEL VOTING NO.

Motion/Vote: REP. BARNHART MOVES TO AMEND HB 2 WITH AMENDMENT #HB000261.A09. (EXHIBIT #18) THE MOTION FAILED ON ROLL CALL VOTE.

{Tape: 1; Side: B; Approx. Time Count: 9:04; Comments: None.}

SECTION C

Motion/Vote: REP. ZOOK MOVES TO AMEND HB 2 WITH AMENDMENT #HB000241.A15. (EXHIBIT #19) THE MOTION CARRIED UNANIMOUSLY.

Motion/Vote: REP. BARNHART MOVES TO AMEND HB 2 WITH AMENDMENT #HB000250.A15. (EXHIBIT #20) THE MOTION FAILED ON ROLL CALL VOTE.

Motion/Vote: REP. BARNHART MOVES TO AMEND HB 2 WITH AMENDMENT #HB000231.A15. (EXHIBIT #21) THE MOTION FAILED ON ROLL CALL VOTE.

Motion/Vote: REP. BARNHART MOVES TO AMEND HB 2 WITH AMENDMENT #HB000230.A15. (EXHIBIT #22) THE MOTION CARRIED ON ROLL CALL VOTE.

Motion/Vote: SEN. NELSON MOVES TO AMEND HB 2 WITH AMENDMENT #HB000247.A15. (EXHIBIT #23) THE MOTION FAILED ON ROLL CALL VOTE.

Motion/Vote: REP. ZOOK MOVES TO AMEND HB 2 WITH AMENDMENT #HB000281.A19. (EXHIBIT #24) THE MOTION CARRIED ON ROLL CALL VOTE.

Motion/Vote: REP. BARNHART MOVES TO AMEND HB 2 WITH AMENDMENT #HB000278.A19. (EXHIBIT #25) THE MOTION FAILED ON ROLL CALL VOTE.

Motion/Vote: REP. BARNHART MOVES TO AMEND HB 2 WITH AMENDMENT #HB000279.A19. (EXHIBIT #26) THE MOTION FAILED ON ROLL CALL VOTE.

Motion/Vote: REP. BARNHART MOVES TO AMEND HB 2 WITH AMENDMENT #HB000277.A19. (EXHIBIT #27) THE MOTION CARRIED ON ROLL CALL VOTE.

{Tape: 1; Side: B; Approx. Time Count: 9:24; Comments: None.}

SECTION D

Motion: REP. ZOOK MOVES TO AMEND HB 2 WITH AMENDMENT #HB000236.A94 (EXHIBIT #28) AND REDUCE THE FIGURES OF \$116,986 TO \$80,000 AND \$65,624 TO \$30,000.

Discussion: SEN. MIGNON WATERMAN, SD 26, HELENA I carried SB 57 and it was substantially limited in the House. I don't think it can move forward in its present form and will have to go to a Conference Committee.

REP. BARNHART What do you mean by "in its present form" and what might this amendment do to the bill? SEN. WATERMAN Essentially, it revises the taxation on cars and trucks. Cars were taken out in the House with a study recommended for the next 2 years. Because there is no funding for the study, the bill cannot go forward.

CHAIRMAN SWYSGOOD This bill had commercial vehicles, light trucks and cars in it. The House amendments removed cars and light trucks from the bill. How much of this money pertains to commercial vehicles? REP. ERNEST BERGSAGEL There were 2 amendments offered, one to study anything under 1 ton costs would be absorbed by the Legislative Audit Committee. I have no knowledge of the other amendment that was passed.

Dean Roberts, DOJ Light vehicles were taken out in the House and given back to the Department of Revenue. The \$80,000 would be in the ballpark for the truck part of this bill.

REP. ZOOK WITHDRAWS HIS MOTION TO AMEND HB 2

Motion/Vote: REP. BARNHART MOVES TO AMEND HB 2 WITH AMENDMENT #HB000241.A94. (EXHIBIT #29) THE MOTION FAILED ON ROLL CALL VOTE.

Motion: SEN. NELSON MOVES TO AMEND HB 2 WITH AMENDMENT #HB000239.A94. (EXHIBIT #30)

Discussion: SEN. NELSON This generates \$250,000 in federal money.

REP. ZOOK How many of these people are in the state? **Dennis Taylor, DOJ** This involves in excess of 2,000 individuals that are already in the registry. There is also a new violent offender classification. It has registration requirements retroactive to 1989. It is an important bill allowing us to efficiently notify law enforcement officials when these individuals move to their communities.

REP. ZOOK Do you use the money generated in federal funds for this program? **Mr. Taylor** If these standards are not implemented the state would be subject to a 10% loss, approximately \$260,000, in grant funds administered by the Board of Crime Control to local communities and used in drug enforcement efforts.

REP. ZOOK Do you have other programs in which General Fund generates federal dollars? **Mr. Taylor** No.

Vote: THE MOTION TO AMEND HB 2 WITH AMENDMENT #HB000239.A94 FAILED ON ROLL CALL VOTE.

Motion/Vote: SEN. NELSON MOVES TO AMEND HB 2 WITH AMENDMENT #HB000242.A94. (EXHIBIT #31) THE MOTION CARRIED ON ROLL CALL VOTE.

Motion/Vote: REP. BARNHART MOVES TO AMEND HB 2 WITH AMENDMENT #HB000277.A31. (EXHIBIT #32) THE MOTION CARRIED ON ROLL CALL VOTE.

Motion/Vote: REP. ZOOK MOVES TO AMEND HB 2 WITH AMENDMENT #HB000279.A31. (EXHIBIT #33) THE MOTION CARRIED ON ROLL CALL VOTE.

Motion/Vote: REP. ZOOK MOVES TO AMEND HB 2 WITH AMENDMENT #HB000276.A31. (EXHIBIT #34) THE MOTION CARRIED UNANIMOUSLY.

Motion/Vote: SEN. MOHL MOVES TO AMEND HB 2 WITH AMENDMENT #HB000283.A31. (EXHIBIT #35) THE MOTION CARRIED ON ROLL CALL VOTE.

{Tape: 2; Side: A; Approx. Time Count: 9:54; Comments: None.}

SECTION E

Motion: SEN. NELSON MOVES TO AMEND HB 2 WITH AMENDMENT
#HB000211.A08. (EXHIBIT #36)

Discussion: SEN. GREG JERGESON, SD 46, CHINOOK Does HB 104 require this reduction in OPI? You are holding action on HB 104 as it relates to the Department of Corrections budget, would it not be wise to deal with amendments relating to HB 104 all at the same time? CHAIRMAN SWYSGOOD This amendment deals with all facets of the budget.

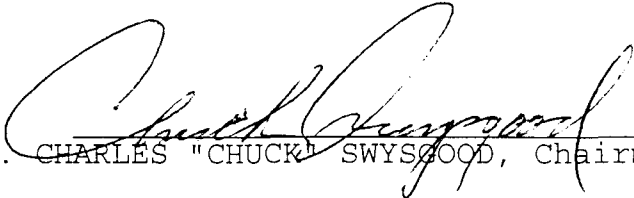
SEN. JERGESON I object to an amendment that takes money from OPI. CHAIRMAN SWYSGOOD This amendment transfers responsibility from OPI to DPHHS and DOC.

Cathy Fabiano, OPI This amendment is at the request of OPI. HB 104 transfers responsibility to the other 2 agencies and this amendment transfers the money with that responsibility.

Vote: THE MOTION TO AMEND HB 2 WITH AMENDMENT #HB000211.A08
CARRIED UNANIMOUSLY.

ADJOURNMENT

Adjournment: 10:00 a.m.


SEN. CHARLES "CHUCK" SWYSGOOD, Chairman


SHARON CUMMINGS, Secretary

CS/SC