

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT AND TRANSPORTATION

Call to Order: By **CHAIRMAN JOHN SINRUD**, on February 16, 2005 at
11:00 A.M., in Room 317-B Capitol.

ROLL CALL

Members Present:

Rep. John Sinrud, Chairman (R)
Sen. Lane L. Larson, Vice Chairman (D)
Rep. Rosalie (Rosie) Buzzas (D)
Sen. Rick Laible (R)
Rep. Jon C. Sesso (D)
Sen. Corey Stapleton (R)
Rep. Janna Taylor (R)

Members Excused: None.

Members Absent: Sen. Mike Cooney (D)

Staff Present: Marilyn Daumiller, Legislative Branch
Greg DeWitt, Legislative Branch
Jamie Mickelson, Committee Secretary

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

Committee Business Summary:

Hearing & Date Posted:
Executive Action: HB 2

EXECUTIVE ACTION

GOVERNOR'S OFFICE

Marilyn Daumiller, LFD, handed out "General Government and Transportation Governor's Office and Legislative Branch" and "Montana Legislature's Participation in Interstate and International Organizations." She gave a brief explanation of the handouts to the committee.

EXHIBIT(jgh37a01)

EXHIBIT(jgh37a02)

CHAIRMAN SINRUD stated that the committee needs to reopen a portion of the Governor's Office Budget, to pass HB 31 for the Office of Substance Abuse.

Motion/Vote: **REP. BUZZAS** moved to **REOPEN THE GOVERNOR'S OFFICE BUDGET PROPOSAL**. Motion carried unanimously by roll call vote. **SEN. COONEY** voting aye by proxy.

SEN. LAIBLE asked if HB 31 goes through if there will be money in the budget for the Office of Substance Abuse. **CHAIRMAN SINRUD** said, "That is correct."

Motion/Vote: **REP. BUZZAS** moved that **HB 31 OFFICE OF SUBSTANCE ABUSE BE ADOPTED**. Motion carried 7-1 by roll call vote with **REP. SINRUD** voting no. **SEN. COONEY** voting aye by proxy.

Motion/Vote: **SEN. LAIBLE** moved **CLOSE THE GOVERNOR'S OFFICE BUDGET PROPOSAL**. Motion carried 5-3 by roll call vote. **SEN. STAPLETON, SEN. COONEY, AND REP. BUZZAS** voting no. **SEN. COONEY** voting no by proxy.

{Tape: 1; Side: A; Approx. Time Counter: 0 - 8}

EXECUTIVE ACTION

DEPARTMENT OF TRANSPORTATION

New Proposal

DP 212 CONSTRUCTION PROGRAM

Greg DeWitt, LFD, stated that the budget office changed their mind about budgeting the \$74,000,000 for the construction program and preferred it be a non-budgeted item.

CHAIRMAN SINRUD stated that the committee needs to re-open the Department of Transportation, reconsider the action taken on DP 212, and vote to remove DP 212 for \$74,000,000 from the budget.

SEN. COONEY came in at 11:10 A.M.

SEN. COONEY asked if this action will have any impact on State Special revenue. **CHAIRMAN SINRUD** stated that there is no impact on State special revenue, because this action deals with only federal funds.

Motion/Vote: REP. BUZZAS moved to RE-OPEN THE DEPARTMENT OF TRANSPORTATION. Motion carried unanimously by roll call vote.

REP. TAYLOR left the meeting at 11:15 A.M.

Motion/Vote: REP. BUZZAS moved to RECONSIDER the MOTION on DP 212. Motion carried unanimously by roll call vote. REP. TAYLOR voting aye by proxy.

Motion/Vote: SEN. COONEY moved that DP 212 BE ADOPTED. Motion failed unanimously by roll call vote. REP. TAYLOR voting no by proxy.

Motion/Vote: SEN. COONEY moved to CLOSE THE SECTION ON THE DEPARTMENT OF TRANSPORTATION. Motion carried unanimously by voice vote. REP. TAYLOR voting aye by proxy.

{Tape: 1; Side: A; Approx. Time Counter: 8 - 17}

EXECUTIVE ACTION

LEGISLATIVE BRANCH OFFICE

SEN. COONEY stated that SEN. STAPLETON and he worked with the Audit Committee to figure out some way of addressing the Governor's Efficiency Council. He stated that the easiest way of dealing with the Efficiency Council is to put language in HB 2.

SEN. STAPLETON stated that the language put into HB 2 would allow the Governor to create an efficiency program that would allow him to make suggestions to the Audit Division.

CHAIRMAN SINRUD asked if the Governor is requesting money to be put into the audit division. **SEN. COONEY** said, "No, this process makes the efficiency process more official." **CHAIRMAN SINRUD** said, "Can't the Governor already do this?" **SEN. COONEY** said, "He

can already request audits, but it makes the entire process more official."

CHAIRMAN SINRUD stated that he doesn't think the language proposed for HB 2 is anything more than a political statement.

CHAIRMAN SINRUD stated that the committee is putting a lot of language in HB 2 already and that this seems unnecessary.

SEN. STAPLETON stated that the language is not an economic issue, but rather an efficiency issue.

REP. SINRUD said, "I strongly disagree with this motion." He stated that he thinks this is a discussion for the House and Senate floor.

REP. BUZZAS stated that she thinks the committee should re-open the Legislative Branch and hold a discussion.

SEN. COONEY wanted to re-open the Legislative Branch to remove the \$145,261 from Council of State Governments(CSG) membership. He stated that he wanted to reduce the budget for CSG travel, or leave it in the budget, but not restrict it for travel to CSG. He commented that the reason he made this motion is because he found it terribly difficult to justify spending over \$500,000 on memberships to CSG. He stated that the legislature can justify belonging to National Conference of State Legislatures (NCSL), but not NCSL and CSG. He commented that there are more ways to utilize the \$500,000.

Motion/Vote: **SEN. COONEY** moved to RE-OPEN THE SECTION ON THE LEGISLATIVE BRANCH BUDGET. Motion carried 6-2 by roll call vote with **SEN. LAIBLE** and **REP. SINRUD** voting no. **REP. TAYLOR** voting aye by proxy.

{Tape: 1; Side: A; Approx. Time Counter: 17 - 30}

Discussion:

REP. BUZZAS asked **SEN. COONEY** if cutting the budget for CSG would affect the funding for membership on the Council on River Governance. **SEN COONEY** informed her that it would.

REP. BUZZAS asked if the motion is to eliminate the dues for CSG. **SEN. COONEY** said, "Yes."

REP. BUZZAS made the statement that there have been some years in the past where the legislature has not paid the dues to an

organization and the legislators were still invited to attend the conferences.

SEN. COONEY commented that there have been times in the past when there has been little money and the dues for legislators have been cut from an organization.

SEN. LAIBLE stated that he is a big supporter of CSG. He commented that he thinks legislators benefit from using their services and attending their conferences. He stated that he would hate to see the legislature stop CSG participation.

REP. SINRUD stated that if we cut the CSG funding is cut, these funds should be put into the unfunded liability for \$1.5 million.

SEN. COONEY stated that he made this motion to cut CSG, because the staff and legislators get more use out of NCSL.

Motion/Vote: **SEN. COONEY** moved to **REMOVE \$145,261 FOR CSG DUES.**
Motion carried 5-3 with SEN. LAIBLE, REP. SINRUD, and REP. TAYLOR
voting no. REP. TAYLOR voting no by proxy.
{Tape: 1; Side: B; Approx. Time Counter: 0 - 11}

SEN. COONEY said, "I think that we should put the funds from CSG travel into general travel."

REP. BUZZAS stated that she thinks this fund may be misused for a representative or senator to travel to Japan or China. She stated that she thinks that professional development in any field is very important, but that there needs to be some restriction on the money.

CHAIRMAN SINRUD stated that the committee should define the language for appropriate travel funds.

REP. SESSO suggested that the committee put the \$39,346 in as a NCSL line item, and slightly amend the note to include 16 members to attend three meetings, instead of eight members.

Motion/Vote: **SEN. COONEY** moved **PUT \$39,346 INTO NCSL TRAVEL FOR A TOTAL TRAVEL BUDGET OF \$79,646.** **Motion failed 4-4 by roll call vote. REP. BUZZAS, SEN. COONEY, SEN. LARSON, AND REP. SESSO all voting aye. REP. TAYLOR voting no by proxy.**
{Tape: 1; Side: B; Approx. Time Counter: 11 - 20}

SEN. COONEY moved to close the Legislative Branch Budget.

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CHAIRMAN SINRUD opposed this motion and stated that the committee needs to finish their executive action with CSG funding.

REP. BUZZAS stated that legislators can still attend CSG without paying the dues, so it isn't paramount that the committee finish executive action on CSG.

SEN. STAPLETON asked **CHAIRMAN SINRUD** why the committee needs to make a motion to spend the money that was taken out of CSG.

CHAIRMAN SINRUD stated that if the committee doesn't spend the money, it will get spent somewhere else.

Substitute Motion/Vote: **REP. SINRUD** moved **TO TAKE \$71,298 OUT OF THE FIRST YEAR OF CSG DUES AND MOVE IT INTO TRAVEL FOR LEGISLATOR DEVELOPMENT**. Motion failed 2-6 by roll call vote with **REP. SESSO** and **REP. SINRUD** voting aye. **REP. TAYLOR** voting no by proxy.

CHAIRMAN SINRUD stated that there hasn't been a discussion on closing the section. **REP. BUZZAS** stated that closing the section is a non-debatable issue.

SEN. COONEY stated that closing the Legislative Branch is not a paramount issue. He stated that he will write an amendment for the CSG money when it when it hits the Senate floor.

SEN. LAIBLE stated that he wanted to make a substitute motion to put the \$145,261 from CSG travel to pay for the unfunded liability.

REP. BUZZAS stated that she thinks this is a hasty and irrational motion. She commented that she doesn't have enough information to vote on this motion at this time.

Substitute Motion/Vote: **SEN. LAIBLE** moved to **PUT THE \$145,261 FROM CSG TRAVEL AND USE THE MONEY TO PAY FOR THE UNFUNDED LIABILITY**. Motion failed 3-5 by roll call vote. **REP. SINRUD**, **SEN. LAIBLE**, AND **REP. TAYLOR** all voting aye. **REP. TAYLOR** voting aye by proxy.

{Tape: 1; Side: B; Approx. Time Counter: 20 - 28.5}

Motion/Vote: **SEN. COONEY** moved to **CLOSE THE SECTION ON THE LEGISLATIVE BRANCH**. Motion passed 5-3 by roll call vote. **SEN. LAIBLE**, **REP. SINRUD**, and **REP. TAYLOR** all voting no. **REP. TAYLOR** voting no by proxy.

CHAIRMAN SINRUD stated that the committee is no longer meeting.

ADJOURNMENT

Adjournment: 12:00 A.M.

REP. JOHN SINRUD, Chairman

JAMIE MICKELSON, Secretary

JS/jm

Additional Exhibits:

EXHIBIT ([jgh37aad0.PDF](#))