

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES

Call to Order: By **CHAIRMAN ARLENE BECKER**, on March 24, 2005 at 7:30 A.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Arlene Becker, Chairman (D)
Rep. Tom Facey, Vice Chairman (D)
Rep. Don Roberts, Vice Chairman (R)
Rep. Gordon R. Hendrick (R)
Rep. Teresa K. Henry (D)
Rep. William J. Jones (R)
Rep. Dave McAlpin (D)
Rep. Tom McGillvray (R)
Rep. Mike Milburn (R)
Rep. Art Noonan (D)
Rep. Ron Stoker (R)
Rep. Pat Wagman (R)
Rep. Bill Warden (R)
Rep. Jonathan Windy Boy (D)

Members Excused: Rep. Mary Caferro (D)
Rep. Emelie Eaton (D)

Members Absent: None.

Staff Present: Mary Gay Wells, Committee Secretary
Susan Fox, Legislative Branch

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

Committee Business Summary:

Hearing & Date Posted:

Executive Action: HB 723, Tabled
HB 449, Tie Vote

EXECUTIVE ACTION ON HB 723

Motion: REP. FACEY moved that HB 723 DO PASS.

{Tape: 1; Side: A; Approx. Time Counter: 0 - 2.7; Comments: Tape was not recording till 2.7. REP. FACEY made the motion for a Do Pass on HB 723. He then started to speak on a possible amendment.}

Discussion:

REP. TOM FACEY thought that by amending the appropriation out of the bill, it could stand on its own in the process of interim studies. He explained how studies were done at the end of a legislative session. The Legislative Council sends a list of all the studies that have been proposed and accepted. They are ranked by the Legislature and sent back to Legislative Council. The ones that can be funded are chosen. He explained both parts of the amendment.

EXHIBIT(huh65a01)

Ms. Fox explained that if the appropriation were to be taken out, it would no longer be an appropriation bill and would be dead.

CHAIRMAN BECKER commented on the amount of the appropriation and felt it probably had been found for this specific bill.

REP. TERESA HENRY believed that it was the remainder of I-146.

{Tape: 1; Side: A; Approx. Time Counter: 2.7 - 5}

REP. GORDON HENDRICK inquired as to the cost of an interim committee. REP. FACEY guessed that it would cost \$1500 for one meeting. Most interim committees meet six or seven times.

REP. HENDRICK stated that \$41,859 was more than was needed.

REP. RON STOKER gave figures for the interim committee that he had been on. There were four members and had \$10,000. They had two meetings and the \$10,000 didn't quite meet total expenses.

REP. PAT WAGMAN spoke about an interim committee he had been on. They met twice and the cost was \$12,000 to \$15,000. About \$60,000 to \$80,000 was spent on 12 to 15 meetings for another interim committee. He didn't think \$41,000 would get much done.

{Tape: 1; Side: A; Approx. Time Counter: 5 - 7.8}

Substitute Motion/Vote: REP. ROBERTS moved that 723 BE TABLED. Motion carried 9-7 by roll call vote with REP. BECKER, REP. CAFERRO, REP. EATON, REP. HENRY, REP. MCALPIN, REP. NOONAN, and REP. WINDY BOY voting no. REP. CAFERRO and REP. EATON voted by proxy.

REP. NOONAN voted to table HB 723. Moments later he amended his vote. He did not want to table HB 723.

{Tape: 1; Side: A; Approx. Time Counter: 7.8 - 11.2}

EXECUTIVE ACTION ON HB 449

Motion: REP. WINDY BOY moved that 449 DO PASS.

Motion: REP. HENDRICK moved that HB 449 BE AMENDED.
[EXHIBIT](#)(huh65a02)

Discussion:

Ms. Fox explained the amendments. The first part of the amendment would say, "...if state funds become available...." The second part added adoptive parents.

CHAIRMAN BECKER said that the intent of REP. CAFERRO was to take the total appropriation out of the bill, but that would have killed the bill.

Ms. Fox explained that as the bill stands at this time, it needs the appropriation in the bill or it dies. REP. CAFERRO thought that if the appropriation could be pulled out in the Senate, the bill would stay alive and go into statute with the amendment stating, "...if state funds...."

Vote: Motion carried 11-5 by roll call vote with REP. JONES, REP. MCGILLVRAY, REP. STOKER, REP. WAGMAN, and REP. WARDEN voting no. REP. CAFERRO and REP. EATON voted by proxy.

Motion/Vote: REP. HENDRICK moved that HB 449 DO PASS AS AMENDED. Motion failed 8-8 by roll call vote with REP. BECKER, REP. CAFERRO, REP. EATON, REP. FACEY, REP. HENRY, REP. MCALPIN, REP. NOONAN, and REP. WINDY BOY voting aye. REP. CAFERRO and REP. EATON voted by proxy.

EXECUTIVE ACTION ON HB 723

Motion: REP. MCALPIN moved to RECONSIDER THE TABLED MOTION ON HB 723.

Discussion:

REP. MCALPIN wanted to conceptually amend the bill to say, "... if state funds become available...."

REP. FACEY said that the Committee should reconsider and approve a conceptual amendment. The Department would have the option to do this study.

REP. STOKER asked if TANF funds can be used for something outside of TANF rules.

Ms. Fox started to explain when REP. FACEY realized that he was thinking of another bill. Ms. Fox continued by saying that if a bill requires a legislative study, it has to have an appropriation in it. Otherwise the study could be requested through a House Joint resolution.

Substitute Motion/Vote: REP. MCGILLVRAY moved that HB 723 BE TABLED. Motion failed 8-8 by roll call vote with REP. HENDRICK, REP. JONES, REP. MCGILLVRAY, REP. MILBURN, REP. ROBERTS, REP. STOKER, REP. WAGMAN, and REP. WARDEN voting aye. REP. CAFERRO and REP. EATON voted by proxy.

CHAIRMAN BECKER informed the Committee that they would go back to REP. MCALPIN'S motion to reconsider.

Without objection REP. MCALPIN withdrew his motion.

{Tape: 1; Side: A; Approx. Time Counter: 11.2 - 23.6}

ADJOURNMENT

Adjournment: 8:00 A.M.

REP. ARLENE BECKER, Chairman

MARY GAY WELLS, Secretary

AB/mw

Additional Exhibits:

EXHIBIT ([huh65aad0.PDF](#))