

Montana State Legislature

Addition Documents For House Bill 2 Free Conference Committee

Additional Documents in this committee exceed the maximum amount that can be scanned. Therefore only a small amount will be scanned to aid in your research. An Index will follow with the additional documents that were handed in for this committee. The additional documents are on file at the Montana Historical Society and can be viewed there.

SCANNED ITEMS INCLUDE THE FOLLOWING:

Conference Committee Request
Roll Call vote

Free Conference Committee on HB 2
[Report No. 1, April 8th 2005] {16pages}

CONFERENCE COMMITTEE REPORT REQUEST

Conference Committee Free Conference Committee Date: 4-16-05

Bill Considered:

Reference (salmon)
 Reference (ivory)

Amendments Considered:

Committee amendments (other House)
 Floor amendments (other House)
 Governor's amendments
 In its entirety

The following committee action occurred on the above date:

Bill/Resolution Number: HB 2

Amendment File Name: 299.agd

Senate: Accept Tie Reject Amend Further
 House: Accept Tie Reject Amend Further

ROLL CALL VOTE

Senate Members	(Y/N)	House Members	(Y/N)
<u>Vicki Pomeroy</u> Chair	(Y)	<u>John M. Bell</u> Vice Chair	(N)
<u>John Cobb</u>	(Y)	<u>Pauline "Patsy" Buzza</u>	(Y)
_____	()	<u>Loe Frankle</u>	(Y)
Number of Senators voting for	<u>3</u>	Number of Representatives voting for	<u>2</u>

Committee Secretary Pauline Milling Phone 7855 Room # 331

Legislative Staff Researcher Caryn Purdy Phone 5383

Amendment Coordinator _____ Date _____ Time _____



FREE CONFERENCE COMMITTEE

on House Bill 2

Report No. 1, April 18, 2005

Page 1 of 16

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 2** (reference copy -- salmon) and recommend this Free Conference Committee report as follows:

WITH NO RECOMMENDATION
For the House:

BE ADOPTED
For the Senate

Rosalie Buzzas
Rep. Rosalie (Rosie) Buzzas

Mike Cooney
Sen. Mike Cooney Chair

Eve Franklin
Rep. Eve Franklin

Jon Tester
Sen. Jon Tester

Jack Wells
Rep. Jack Wells

John Cobb
Sen. John Cobb

John Sinrud
Rep. John Sinrud

Karl J. Thel
Amendment Coordinator

Chief Clerk of the House

And, **House Bill 2** (reference copy -- salmon) amendments as follows:

1. Page A-1, line 6.
Following: "BIENNIAL"
Insert: "/OTO"

2. Page A-1, line 16.

ADOPT

Amendment # HB 2-1

REJECT

KA

Strike: "1,866,563" [general fund FY06]

Insert: "1,778,408" [general fund FY06]

3. Page A-1.

Following: line 16

Insert: "a. Legislative Audit of Public Defender Services -- SB
146 (OTO) 88,155" [general fund FY06]

4. Page A-1, line 22.

Following: "IS"

Strike: "CONTINGENT UPON PASSAGE AND APPROVAL OF A BILL
DIRECTING"

Insert: "for"

5. Page A-8, line 16.

Strike: "2,520,000 6,894,496" [state special fund FY06 and
FY07]

Insert: "1,671,375 5,899,001" [state special fund FY06 and
FY07]

6. Page A-8, line 18.

Strike: "1,680,000 4,596,330" [state special fund FY06 and
FY07]

Insert: "1,200,000 3,976,330" [state special fund FY06 and
FY07]

7. Page A-9, line 5.

Following: "667."

Insert: "If the department of public health and human services is
successful in obtaining a medicaid 1115 waiver for a premium
incentive or premium assistance program, the state auditor's
office shall transfer \$994,000 in state special revenue in
fiscal year 2007 to the department of public health and
human services to be used to match federal medicaid funds.
Funding for Premium Assistance for Small Employers and
Provide Tax Relief in the Form of Tax Credits includes the
support of 3 new FTE."

8. Page A-13, line 12.

Strike: "15,225,114 15,333,786" [general fund FY06 and FY07]

Insert: "15,243,834 15,352,506" [general fund FY06 and FY07]

9. Page A-14.

Following: line 8

Insert: "If Senate Bill No. 48 is not passed and approved,

Property Assessment Division is reduced by \$18,720 in general fund money in fiscal year 2006 and by \$18,720 in general fund money in fiscal year 2007."

10. Page A-14, line 11.

Strike: "1,215,810 1,216,591" [general fund FY06 and FY07]
Insert: "1,216,870 1,217,039" [general fund FY06 and FY07]
Strike: "498,492 498,832" [state special fund FY06 and FY07]
Insert: "2,883 3,498" [state special fund FY06 and FY07]
Strike: "64,104 64,154" [federal special fund FY06 and FY07]
Insert: "64,156 64,206" [federal special fund FY06 and FY07]

11. Page A-15, line 13.

Strike: "7,199,544 7,201,322" [proprietary FY06 and FY07]
Insert: "7,199,873 7,201,651" [proprietary FY06 and FY07]

12. Page A-16.

Following: line 9

Insert: "If House Bill No. 425 is not passed and approved, then Administrative Financial Services Division is increased by \$785 in general fund money and \$496,118 in state special revenue in fiscal year 2006 and by \$1,400 in general fund money and \$495,843 in state special revenue in fiscal year 2007, which reflects the current appropriations for administration and enforcement functions relating to unfair trade practices and consumer protection and telemarketing laws in the consumer protection office in the department. The legislative fiscal division and the office of budget and program planning are authorized to transfer all fiscal year 2004 expenditures and fiscal year 2005 appropriations from the department of administration to the department of justice for the purpose of display in the legislative fiscal division 2007 biennium fiscal report."

13. Page A-16, line 25.

Strike: "0" [general fund FY06]
Insert: "208,849" [general fund FY06]

14. Page A-17, line 9.

Strike: "\$205,030 IN GENERAL FUND MONEY IN FISCAL YEAR 2006 AND BY"

15. Page A-17, line 11.

Strike: line 11 in its entirety

16. Page A-18, line 1.

Strike: "208,849" [general fund FY06]

Insert: "0" [general fund FY06]

17. Page A-18, line 2 through line 3.

Strike: line 2 through line 3 in their entirety

18. Page B-1, line 6.

Strike: "187,809,559 202,223,153" [federal special fund
FY06 and FY07]

Insert: "188,962,709 203,376,303" [federal special fund
FY06 and FY07]

19. Page B-1.

Following: line 25

Insert: "i. HCSD -- Implement Provisions of HB 667

14,795 18,750 [state special fund FY06 and FY07]

14,795 18,750 [federal funds FY06 and FY07]

j. HCSD -- Implement Change in Medicaid Asset Test for Children

19,814 [general fund FY06]

19,814 [federal funds FY06]

51,399 [state special fund FY07]

51,399" [federal funds FY07]

20. Page B-3, line 14.

Strike: "10,371,118 11,007,750" [state special fund FY06 and
FY07]

Insert: "10,388,493 11,025,125" [state special fund FY06 and
FY07]

21. Page B-4.

Following: line 6

Insert: "a. OTD -- Implement Provisions of HB 667

101,000 25,000 [state special fund FY06 and FY07]

149,000 25,000 [federal funds FY06 and FY07]

b. OTD -- Implement Change in Medicaid Asset Test for Children

13,821 13,821" [general fund and federal funds FY06]

22. Page B-4, line 8.

Strike: "79,598,043 79,479,691" [federal special fund FY06 and
FY07]

Insert: "79,615,081 79,496,134" [federal special fund FY06 and
FY07]

32. Page B-6.

Following: line 21

Insert: "n. HRD -- Implement Provisions of HB 667
12,830 21,744 [state special fund FY06 and FY07]
12,830 2,349,937" [federal fund FY06 and FY07]

33. Page B-6, line 23.

Strike: "130,892,544 130,056,166" [federal special fund FY06 and FY07]

Insert: "130,912,385 130,089,876" [federal special fund FY06 and FY07]

34. Page B-6, line 24.

Strike: "13,329,328 14,024,887" [state special fund FY06 and FY07]

Insert: "13,370,487 14,095,748" [state special fund FY06 and FY07]

35. Page B-8.

Strike: lines 18 through 21 in their entirety

36. Page B-9.

Following: line 14

Insert: "Human and Community Services Division includes \$749,002 in federal funds in fiscal year 2006 and \$749,002 in federal funds in fiscal year 2007 that are contingent upon passage and approval of House Bill No. 529. If House Bill No. 529 is not passed and approved, funding for Human and Community Services Division is reduced by \$749,002 in federal funds in fiscal year 2006 and \$749,002 in federal funds in fiscal year 2007.

Human and Community Services Division includes \$404,148 in federal funds in fiscal year 2006 and \$404,148 in federal funds in fiscal year 2007 that are contingent upon passage and approval of Senate Bill No. 29. If Senate Bill No. 29 is not passed and approved, funding for Human and Community Services Division is reduced by \$404,148 in federal funds in fiscal year 2006 and \$404,148 in federal funds in fiscal year 2007."

37. Page B-9, line 15 through 17.

Following: "expended for"

Strike: "the following purposes: (1) abstinence education;"

Insert: "abstinence education."

Renumber: subsequent subsections

38. Page B-9.

Following: line 18

Insert: "TANF funds and general fund money supporting TANF maintenance of effort may be expended for the following purposes only if beginning on October 1, 2005, the cash assistance benefit level is at or above 33% of the 2005 federal poverty level index and funding for the work readiness component (WoRC) program is maintained at or above fiscal year 2005 levels:"

39. Page B-10.

Following: line 19

Insert: "Funding in HCSD -- Implement Provisions of HB 667, OTD -
- Implement Provisions of HB 667, and HRD -- Implement Provisions of HB 667 is contingent upon passage and approval of House Bill No. 667. Funding in HCSD -- Implement Provisions of HB 667 includes funding for 1 FTE for eligibility determination. Funding in HRD -- Implement Provisions of HB 667 includes funding for 1 FTE to administer the medicaid 1115 waiver for a premium incentive or premium assistance program associated with House Bill No. 667."

Funding in HCSD -- Implement Change in Medicaid Asset Test for Children, OTD -- Implement Change in Medicaid Asset Test for Children, and Raise Asset Limit for Medicaid Eligibility for Children is contingent upon passage and approval of House Bill No. 552. Funding in HCSD -- Implement Change in Medicaid Asset Test for Children includes funding for 3 FTE."

40. Page B-11.

Following: line 20

Insert: "If Senate Bill No. 137 is not passed and approved, funding in the Public Health and Safety Division is decreased by \$17,375 in state special revenue in each year of the biennium."

41. Page B-13, line 23.

Following: "includes"

Strike: "\$30,936"

Insert: "\$15,468"

42. Page B-14.

Following: line 16

Insert: "Disability Services Division includes \$10,000 in state special revenue and \$17,038 in federal funds in fiscal year

2006 and \$10,000 in state special revenue and \$16,443 in federal funds in fiscal year 2007 that are contingent upon passage and approval of House Bill No. 513. If House Bill No. 513 is not passed and approved, funding in Disability Services Division is reduced by \$10,000 in state special revenue and \$17,038 in federal funds in fiscal year 2006 and by \$10,000 in state special revenue and \$16,443 in federal funds in fiscal year 2007.

Disability Services Division includes \$16,000 in state special revenue in fiscal year 2006 and \$16,000 in state special revenue in fiscal year 2007 that are contingent upon passage and approval of Senate Bill No. 433. If Senate Bill No. 433 is not passed and approved, funding in Disability Services Division is reduced by \$16,000 in state special revenue in fiscal year 2006 and \$16,000 in state special revenue in fiscal year 2007."

43. Page B-14, line 17.

Strike: "APPROPRIATION FOR DISABILITY SERVICES DIVISION, HEALTH RESOURCES DIVISION, AND SENIOR AND LONG-TERM CARE DIVISION MAY NOT BE EXPENDED UNTIL RATE"

Insert: "Rate"

44. Page B-14, line 19.

Following: "SERVICES"

Strike: "HAVE BEEN"

Insert: "should be"

45. Page B-14, line 20.

Following: "INCREASES"

Strike: "MUST BE"

Insert: "should be"

46. Page B-15.

Following: line 7

Insert: "Funding in Montana Developmental Center Bed Tax includes \$60,168 in general fund money in fiscal year 2006 and \$58,263 in general fund money in fiscal year 2007 that is contingent upon passage and approval of Senate Bill No. 82. If Senate Bill No. 82 is not passed and approved, general fund money in Montana Developmental Center Bed Tax is reduced by \$60,168 in fiscal year 2006 and \$58,263 in fiscal year 2007."

47. Page B-15, lines 8 and 9.

Following: "INCREASE." on line 8

Strike: the remainder of line 8 through "INCREASE" on line 9

48. Page B-15.

Following: line 11

Insert: "If Senate Bill No. 324 is not passed and approved, funding in the Health Resources Division is decreased by \$1,728,000 in state special revenue in fiscal year 2006 and by \$2,442,240 in state special revenue in fiscal year 2007, which includes funding for 9 FTE and associated operating costs in each year of the biennium."

49. Page B-16.

Strike: lines 15 through 17 in their entirety

Insert: "If House Bill No. 552 is passed and approved in a form that does not include an appropriation of general fund money or state special revenue for \$1,876,318, then state special revenue in Raise Asset Limit for Medicaid Eligibility for Children is increased by \$1,876,318 in fiscal year 2007 from the health and medicaid initiatives state special revenue fund."

50. Page B-16, line 18.

Following: "Health"

Strike: "Rate"

Insert: "Direct-Care Worker Wage"

51. Page B-16, line 23.

Following: "Health"

Strike: "Rate"

Insert: "Direct-Care Worker Wage"

52. Page B-17, line 1.

Following: "HEALTH"

Strike: "RATE"

Insert: "Direct-Care Worker Wage"

53. Page B-17.

Following: line 13

Insert: "If House Bill No. 749 is not passed and approved, funding in the Senior and Long-Term Care Division is decreased by \$41,159 in state special revenue in fiscal year 2006 and by \$70,861 in state special revenue in fiscal year 2007 and by \$19,841 in federal special revenue in fiscal year 2006 and by \$33,710 in federal special revenue in fiscal year 2007."

54. Page C-3, line 25.

Strike: "3,037,170 3,045,437" [state special fund FY06 and FY07]
 Insert: "3,052,681 3,060,902" [state special fund FY06 and FY07]

55. Page C-4.

Following: line 16

Insert: "At the beginning of fiscal year 2006, \$177,700 from the general license account is transferred to the water adjudication fund as payment of water adjudication fees related to water rights held by the department."

56. Page C-6.

Following: "foundation." on line 3

Insert: "The department may provide the use of office space and office equipment for the fish, wildlife, and parks foundation staff. The department may fund operations and personal services of its own employees to act as liaisons with the fish, wildlife, and parks foundation for the sole purpose of representing the interest of the department."

57. Page C-7.

Following: line 4

Insert: d. "Water Adjudication Fees -- HB 22 (Restricted) 16,620"
 [federal special revenue FY06]

58. Page C-8, line 2.

Strike: "10,868,600 10,956,843" [state special fund FY06 and FY07]

Insert: "10,824,800 10,898,943" [state special fund FY06 and FY07]

59. Page C-8.

Following: line 15

Insert: "g. CAFO Inventory (Restricted/Biennial/OTO) 25,000
 25,000" [state special fund FY06 and FY07]

60. Page C-9, line 1.

Following: "APPROVED"

Insert: "in a form that does not require a programmatic EIS to be completed"

61. Page C-11, line 16.

Strike: "2,593,128 2,594,133" [state special fund FY06 and FY07]

Insert: "2,663,603 2,664,515" [state special fund FY06 and FY07]

FY07]

62. Page C-11.

Strike: line 22 through line 23 in their entirety**Renumber:** subsequent subsections

63. Page C-12.

Following: line 24**Insert:** "j. Clark Fork River Task Force (Biennial) 12,500
12,500" [state special fund FY06 and FY07]

64. Page C-16, line 17.

Following: Program**Insert:** "f. Main Street Program (OTO) "

65. Page D-1.

Following: line 23**Insert:** "2. Office of Consumer Protection (02)
785 496,118 1,400 495,843" [general fund/state
special FY06 and general
fund/state special FY07]**Renumber:** subsequent subsections

66. Page D-4, line 7.

Strike: "2,937,349 2,934,449" [general fund FY06 and FY07]
Insert: "2,916,655 2,916,731" [general fund FY06 and FY07]

67. Page D-5.

Following: line 7**Insert:** "If House Bill No. 425 is not passed and approved, then Office of Consumer Protection is decreased by \$785 in general fund money and \$496,118 in state special revenue in fiscal year 2006 and by \$1,400 in general fund money and \$495,843 in state special revenue in fiscal year 2007, which reflects the current appropriations for administration and enforcement functions relating to unfair trade practices and consumer protection and telemarketing laws in the consumer protection office in the department of administration. The legislative fiscal division and the office of budget and program planning are authorized to transfer all fiscal year 2004 expenditures and fiscal year 2005 appropriations from the department of administration to the department of justice for the purpose of display in the legislative fiscal division 2007 biennium fiscal report."

68. Page D-6, line 19 through line 20.
Strike: line 19 through line 20 in their entirety

69. Page D-7, line 7.
Strike: line 7 in its entirety

70. Page D-7, line 17.
Strike: "Restricted/"

71. Page D-7, line 19.
Strike: "15,500 15,500" [state special fund FY06 and FY07]
Insert: "50,000 50,000" [state special fund FY06 and FY07]

72. Page D-8.
Following: "Secure Facilities (03)" on line 7
Insert: "(Biennial)"

73. Page D-8, line 9.
Strike: "57,177,904 60,326,441" [general fund FY06 and FY07]
Insert: "55,677,904 58,473,128" [general fund FY06 and FY07]

74. Page D-8, line 23.
Strike: "6,042,344 6,042,344" [general fund FY06 and FY07]
Insert: "7,542,344 7,542,344" [general fund FY06 and FY07]

75. Page D-9.
Following: line 15
Insert: "If the department determines through forecasts that it will experience a shortfall in the general fund appropriation in either fiscal year of the 2007 biennium for secure facilities, the department may transfer up to \$1,500,000 in general fund money that is available and unencumbered in that fiscal year from Juvenile Placement Funds (Restricted) to Secure Facilities (03)."

76. Page D-10, line 11.

Strike: "11,908,459 11,914,737" [state special fund FY06 and FY07]
 Insert: "11,930,204 11,935,642" [state special fund FY06 and FY07]

77. Page D-11, line 24.

Strike: "14,437 14,437" [state special fund FY06 and FY07]
 Insert: "114,437 114,437" [state special fund FY06 and FY07]

78. Page E-1, line 6.

Strike: "1,000,000 1,000,000" [general fund FY06 and FY07]
 Insert: "1,155,423 1,155,423" [general fund FY06 and FY07]

79. Page E-1, line 7 through line 8.

Strike: lines 7 and 8 in their entirety
 Renumber: subsequent subsections

80. Page E-1, line 20.

Strike: "424,522,296 428,480,986" [general fund FY06 and FY07]
 Insert: "432,454,324 436,372,548" [general fund FY06 and FY07]

81. Page E-2, line 19 through line 20.

Strike: lines 19 and 20 in their entirety
 Renumber: subsequent subsections

82. Page E-2, line 25.

Strike: line 25 in its entirety

83. Page E-3.

Strike: line 1 in its entirety
 Strike: line 15 in its entirety

84. Page E-3, following line 15.

Insert: "Base Aid will be decreased by \$183,000 in fiscal year 2007 if Senate Bill No. 48 is not passed and approved. Base Aid will be decreased in fiscal year 2006 by \$5,008 if House Bill No. 22 is not passed and approved. Base Aid will be decreased by \$21,200 in fiscal year 2007 if Senate Bill No. 296 is not passed and approved. Base Aid will be increased by \$700 in fiscal year 2006 and by \$263,400 in fiscal year 2007 if Senate Bill No. 276 is not passed and approved."

85. Page E-4, line 19.
 Strike: "165,978 167,702" [state special fund FY06 and FY07]
 Insert: "180,978 182,702" [state special fund FY06 and FY07]

Strike: "602,734 602,734" [federal special fund FY06 and FY07]
 Insert: "617,734 617,734" [federal special fund FY06 and FY07]

86. Page E-4, line 20.
 Strike: "367,125 360,905" [general fund FY06 and FY07]
 Insert: "382,125 375,905" [general fund FY06 and FY07]

87. Page E-4, line 24.
 Strike: "40,000" [general fund FY06]
 Insert: "100,275" [general fund FY06]

88. Page E-9, line 13.
 Strike: "4,717,503 4,740,648" [general fund FY06 and FY07]
 Insert: "4,783,103 4,871,848" [general fund FY06 and FY07]

89. Page E-9 line 19.
 Strike: "1,621,291 1,617,378" [general fund FY06 and FY07]
 Insert: "1,693,291 1,692,258" [general fund FY06 and FY07]

90. Page E-10.
 Following: line 12
 Insert: "'o. New Extension Agent for Meagher County (Restricted)
 35,103 35,103" [general fund FY06 and FY07]
 Renumber: subsequent subsection

91. Page E-15.
 Following: line 12
 Insert: "Extension Service includes \$196,800 in general fund money for an extension cropping specialist and livestock specialist (2 FTE), which must be matched with \$49,200 in nonstate funds identified by the board of regents. Matched funds for these items may include federal funding revenue, private funding revenue, and other nonstate university funds. The funding match may include in-kind revenue only if that revenue is equipment, cost reductions offered for purchased equipment, or space to house equipment. The office of the commissioner of higher education shall certify to the office of budget and program planning that an allowable funding match has been committed from an eligible revenue source, as evidenced by a commitment letter from that funding source.

Bureau of Mines and Geology includes \$146,880 in general

fund money for a coal/coalbed methane geologist (1 FTE), which must be matched with \$36,720 in nonstate funds identified by the board of regents. Matched funds for these items may include federal funding revenue, private funding revenue, and other nonstate university funds. The funding match may include in-kind revenue only if that revenue is equipment, cost reductions offered for purchased equipment, or space to house equipment. The office of the commissioner of higher education shall certify to the office of budget and program planning that an allowable funding match has been committed from an eligible revenue source, as evidenced by a commitment letter from that funding source."

92. Page E-15.

Following: line 16

Insert: "New Extension Agent for Meagher County funding is contingent upon approval of a mill levy vote in Meagher County to approve the county matching funds for the new extension agent."

93. Page R-2, line 9 through line 18.

Strike: line 9 through line 18 in their entirety

94. Page R-2.

Following: line 18

Insert: "Total Allocation of Costs \$182,525 \$182,525" [FY06 and FY07]

95. Page R-2, line 20 through page 3, line 6.

Strike: Page R-2, line 20 through page R-3, line 6 in their entirety

96. Page R-3.

Following: line 6

Insert: "Total Allocation of Costs \$537,492 \$537,492" [FY06 and FY07]

97. Page R-3.

Following: line 17

Insert: "If House Bill No. 425 is passed and approved, Legal Services Unit Total Allocation of Costs is reduced by \$49,631 in fiscal year 2006 and by \$49,631 in fiscal year 2007. The department may reallocate the costs of the Legal Services Unit to programs served by the unit as necessary to address impacts because of House Bill No. 425."

98. Page R-3.

Following: line 21

Insert: "Capitol Grounds Maintenance \$0.3896/sq.ft.
\$0.3896/sq.ft." [FY06 and FY07]

99. Page R-4.

Following: line 15

Insert: "Capitol Grounds Maintenance is contingent upon passage
and approval of House Bill No. 109."

100. Page R-6, line 15

Following: "Parks"

Strike: remainder of line 15

101. Page R-6, line 16.

Strike: line 16 in its entirety

Renumber: subsequent subsection

102. Page R-6, line 17.

Strike: "%"

Insert: "percent"

103. Page R-6.

Following: line 17

Insert: "If House Bill No. 109 is not passed and approved, the
following is added to the department of fish, wildlife, and
parks rates in this section:

Capitol Grounds Maintenance \$0.3896/sq.ft. \$0.3896/sq.ft."
[FY06 and FY07]

- END -

Montana State Legislature

Additional Documents Index

1. Memo to Senator Cooney
2. Bills to the Senate Report
3. Bills to the House Report
4. Unofficial vote tally as initially recorded.
5. Letter to Senator Story from MLSD Legal Services.
6. Colored Copy of HB 2 Summary for the Free Conference Committee (16 pages)
7. Colored Copy of Senate Committee of the Whole Amendment (27 pages)
8. Colored copy HB 2 Introduced by J. Witt (96 pages)
9. Section A, B, C, D, E, & R Amendments