

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
52nd LEGISLATURE - REGULAR SESSION**

SUBCOMMITTEE ON GENERAL GOVERNMENT & HIGHWAYS

Call to Order: By Chairman Quilici, on February 7, 1991, at 8:00 a.m.

ROLL CALL

Members Present:

Rep. Joe Quilici, Chairman (D)
Sen. Larry Stimatz, Vice Chairman (D)
Sen. Harry Fritz (D)
Rep. Mary Lou Peterson (R)
Sen. Larry Tveit (R)
Rep. Tom Zook (R)

Staff Present: Clayton Schenck, Senior Fiscal Analyst (LFA)
Lois Steinbeck, Associate Fiscal Analyst (LFA)
Bill Mandeville, Budget Analyst (OBPP)
Arlene Carlson, Secretary

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

EXECUTIVE SESSION -- DEPARTMENT OF HIGHWAYS

Tape No. 1 (tape missing)

Mr. Schenck reviewed the current level issues. See Exhibits 2, 3 and 4 (2-4-91) and Exhibit 13 (2-6-91)

Motion/Vote: REP. PETERSON moved to adopt the following language: "The department is directed to submit to the 1992 legislature a construction work plan for the 1995 biennium that is detailed by year and project. This work plan must specify, by road system or project area, proposed projects on which \$1 million or more would be spent during the 1995 biennium and an aggregate cost for projects with anticipated expenditures of less than \$1 million. Costs must be detailed by year and project." Motion CARRIED unanimously.

Motion/Vote: REP. ZOOK moved to accept the change of \$500,000 from the 1992 biennium to the 1991 biennium budget. Motion CARRIED unanimously.

Maintenance Division

Motion/Vote: REP. ZOOK moved to accept the LFA's current level budget for Maintenance. Motion CARRIED unanimously.

Motion/Vote: SEN. TVEIT moved to accept Issue No. 2 for reduced FTE funding. Motion CARRIED unanimously.

Motion/Vote: REP. PETERSON moved to accept Issue No. 3, weed control. Motion CARRIED with Sen. Fritz voting no.

Motion/Vote: SEN. FRITZ moved to adopt the capital outlay for Maintenance, Issue No. 4. Motion CARRIED unanimously.

Motor Pool

Motion/Vote: REP. ZOOK moved to adopt the LFA's current level budget for Motor Pool. Motion CARRIED unanimously.

Motion/Vote: SEN. STIMATZ moved to adopt Issue No. 1, blue collar pay adjustments. Motion CARRIED with Rep. Quilici voting no.

Motion/Vote: REP. ZOOK moved to adopt Issue 1 for overtime. Motion CARRIED with Rep. Peterson voting no.

Interfund Transfers

Motion/Vote: SEN. TVEIT moved to adopt the LFA's current level budget for Interfund Transfers. Motion CARRIED unanimously.

Stores Inventory

Motion/Vote: SEN. TVEIT moved to adopt the LFA's current level budget for Stores Inventory. Motion CARRIED unanimously.

Motion/Vote: REP. ZOOK moved to adopt Issue No. 1 for sand procurement. Motion CARRIED unanimously.

Gross Vehicle Weights

Tape starts recording here

Motion/Vote: REP. ZOOK moved to adopt the LFA's current level budget for GVW. Motion CARRIED unanimously.

Motion/Vote: REP. PETERSON moved to adopt LFA's FTE reduction for GVW. Motion CARRIED unanimously.

Motion/Vote: REP. ZOOK moved to adopt the \$98,500 for FY93 for GVW Station retrofit. Motion CARRIED unanimously.

Motion/Vote: SEN. TVEIT moved to adopt Issues No. 1 and 2 for automated weigh stations and GVW Officer Training program. Motion CARRIED unanimously.

Motion/Vote: SEN. TVEIT moved to adopt Issues No. 1, for the increase of \$120,000 in FY92 and \$21,500 in FY93. Motion CARRIED unanimously.

CHAIRMAN QUILICI asked Clayton to work on the language in the

narrative. It will be discussed the first of the week.

**HEARING AND EXECUTIVE ACTION ON THE
LEGISLATIVE FISCAL ANALYST OFFICE**

EXHIBITS 1 and 2

Terry Cohea, Legislative Fiscal Analyst, said she is presenting a budget that would cost less than what was appropriated in the current biennium. The request is for \$69,500 less than what they are appropriated for in this biennium. The LFA has three tasks. The first is budget analysis and support during the session which is done with 14 analysts and 3 clerical staff. The second major area is with legislative requests. In an off-session year they do about 90 legislative requests for information. During session, on day 27, there have been 107 legislative requests. The third area is reports and interim work. The Finance Committee adopts a work-plan prioritizing issues they want studied and reports are written. The LFA also reviews all budget amendments proposed by the Executive Branch and report to the Finance Committee regarding compliance with the law.

She explained that they actually expended almost \$150,000 less than appropriated. That was the year there was no director for over three months and 1990 was the lowest spending year since 1985. It was not a representative year. There is \$50,000 more in FY93 than FY92 because of additional staff for session.

She referred to line-item appropriations that the Finance Committee is requesting. Legislative Contingency is an historical amount the Legislature has appropriated for the last three sessions. If there is an emergency, an issue that arises during the interim that needs specialized research or legal counsel, this would cover that. Line-items not being requested again are interim analyst, committee meeting days, post-secondary education, etc. They are requesting \$20,000 biennial appropriation showing under data-processing. Several years ago the Revenue Oversight Committee and the Finance Committee asked the LFA staff to develop a capability to do computer simulation of a corporation and income tax returns. They have an agreement with DOR which allows for a more accurate revenue estimating. The system was completed late in the 1989 session and it has been refined during the interim. The interest has been very high in using this system. A simple request costs about \$75; more complicated cost up to \$500. The LFA budget cannot handle many of those requests. A policy has been developed to ration the funds.

They had funds from the 1989 session to upgrade the computer system. No additional computer equipment is being requested. Reduced staff travel and inhouse computer capabilities has allowed the reduced request.

Motion/Vote: REP. ZOOK moved to adopt the LFA's review and budget analysis. Motion CARRIED unanimously.

Motion/Vote: SEN. FRITZ moved to accept the budget modification. Motion CARRIED unanimously.

Motion/Vote: REP. ZOOK moved to accept the biennial appropriation. Motion CARRIED unanimously.

**HEARING AND EXECUTIVE ACTION ON THE
ENVIRONMENTAL QUALITY COUNCIL**

EXHIBITS 3 and 4

REP. BOB GILBERT, Chairman, Environmental Quality Council, gave some background on the last two year's work. There were 19 directives to study solid waste management; twenty-two studies on groundwater quality; a rural development study; a log-scaling study, etc. Appropriate bills have been introduced as a result. The EQC was instrumental in the public meetings held in the Livingston area. They are requesting the current level budget and an additional .5 FTE for Montana Environmental Policy Act (MEPA) work. If the Legislature mandates this work, support staff should be provided. He highlighted the positive work of EQC for the state.

Deborah Schmidt, Executive Director, EQC, distributed the actual and proposed EQC budget which does not include the modified proposal. EXHIBIT 5 There are two programs, the EQC general operations program and the water policy committee program. The EQC is funded by general fund and water policy is from resource indemnity trust interest. Budgets should be reviewed separately. She reviewed the responsibilities of the Council. They often are the mediator between executive agencies, citizens, industry, and conservation groups. During session they draft all of the natural resource legislation. Over 180 bills have been drafted this session in that area which is up from 119 last session. It's an area growing in activity. They also respond to requests for information, there were 284 from the public, legislators, etc.

There is an increase in the current level budget because in FY90 there was significant staff turnover which affected the actuals. Salary levels are low and to help compensate, operation funds were moved to personal services to equalize with other legislative agencies and the industry. Travel and contracted services have been reduced to compensate for personal services. No salary increases have been included in this budget which will be dealt with in the state pay plan.

She reviewed the equipment budget and budget modifications. The modification is for \$31,600 over the biennium for personal services for a .5 FTE to review the documents submitted by law to

EQC that comply with MEPA. They are asked at times to testify in court on an EIS, (CUT recently) which incur costs. Not enough time has been devoted to this because of other work and not enough staff. The Water Policy Committee was added without additional staffing in EQC. She reviewed the Water Policy Committee which is a biennial appropriation of \$26,041 and covers compensation for committee members, contracted services for postage and printing, and travel. Staff costs are absorbed by EQC.

Motion/Vote: REP. PETERSON moved to adopt the LFA current level for EQC. Motion CARRIED unanimously.

Motion/Vote: REP. ZOOK moved to adopt the budget modification for the .5 FTE for EQC. Motion CARRIED unanimously.

Motion/Vote: REP. PETERSON moved to adopt the LFA current level of the Water Policy Committee. Motion CARRIED unanimously.

Motion/Vote: REP. ZOOK moved to adopt the budget as a biennial appropriation. Motion CARRIED unanimously.

SENATOR STIMATZ CHAIRED THE MEETING AT THIS POINT.

HEARING AND EXECUTIVE ACTION ON THE
CONSUMER COUNSEL

EXHIBITS 6 AND 7

REP. QUILICI, Chairman of the Consumer Counsel, gave an overview of the Counsel which is the only one mandated by the State Constitution and represents all consumer interests in hearings before the PSC or any other successor agency. It is funded from State Special Revenue which is an assessment on all regulated companies; there is no general fund. There is a \$100,000 contingency appropriation every biennium and only once has it been needed. Any money not expended in this budget is not reverted but handled by DOR with companies.

Bob Nelson, Consumer Counsel, explained the organization of the office and staffing. They have one full-time attorney and one full-time rate analyst in addition to Ms. Farlan. Their caseload fluctuates based on amount of activity in utilities and transportation companies. So actual expenditures also fluctuate. Two-thirds of their budget is dedicated to consultants for intervention activities. The FY92 request in contracted services is approximately 1/2 of 1% over FY91 spending authority. In FY91, annually, they have experienced an increased caseload. One modification is for travel of \$6,600 which was an actual.

REP. QUILICI said many calls come in that aren't appropriated and are referred to the Consumer Advocate. He referred to the language of the title of the office.

REP. ZOOK questioned the personal services budget. REP. QUILICI explained the calibre of staffing needed for regulatory work which are commensurate with the PSC, etc. Mr. Nelson explained in more detail. Mr. Schenck said the majority is for travel to Washington, DC, etc. and contracted services.

Motion/Vote: REP. PETERSON moved to adopt the LFA current level for the Consumer Counsel. Motion CARRIED unanimously.

Motion/Vote: REP. ZOOK moved to accept Item 1 on the budget modification, travel. Motion CARRIED unanimously.

Motion/Vote: REP. PETERSON moved to accept under Other Issues, Item 1. Motion CARRIED unanimously.

Announcement: Colonel Cottrill spoke to the members about the upcoming trip to Malmstrom on February 8.

ADJOURNMENT

Adjournment: 11:55 am



JOE QUILICI, Chair

JQ/amc

HOUSE OF REPRESENTATIVES

GENERAL GOVERNMENT AND HIGHWAYS SUBCOMMITTEE

ROLL CALL

DATE Feb. 7, 1991

NAME	PRESENT	ABSENT	EXCUSED
REP. JOE QUILICI, CHAIRMAN	✓		
SEN. LARRY STIMATZ, VICE-CHAIRMAN	✓		
REP. TOM ZOOK	✓		
SEN. LARRY TVEIT	✓		
REP. MARY LOU PETERSON	✓		
SEN. HARRY FRITZ	✓		

EXHIBIT 1DATE 2-7-91Gen. Gov. Bill

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LEGISLATIVE FISCAL ANALYST

Budget Item	Actual Fiscal 1990	Appropriated Fiscal 1991	- - Current Fiscal 1992	Level - - Fiscal 1993	Change 1991-93 Biennium
FTE	17.50	18.00	17.50	18.00	.00
Personal Services	583,463	686,041	688,679	696,998	9.15%
Operating Expenses	96,822	163,199	112,903	152,337	2.01%
Equipment	17,818	20,297	2,500	2,500	-86.88%
Debt Service	1,407	0	0	0	-100.00%
Total Agency	\$699,510	\$869,537	\$804,082	\$851,835	5.54%
<u>Fund Sources</u>					
General Fund	699,510	869,537	804,082	851,835	5.54%
Total Funds	\$699,510	\$869,537	\$804,082	\$851,835	5.54%

Agency Description

The Office of the Legislative Fiscal Analyst (LFA) was established in 1974 to provide concentrated fiscal analysis of state government and to accumulate, compile, analyze, and furnish information bearing upon the financial matters of the state and policy issues of statewide importance. The duties of the office are provided in the Legislative Finance Act (Title 5, Chapter 12, MCA), which also established the Legislative Finance Committee.

Current Level Budget

The current level budget increases 5.5 percent over the 1991 biennium for two major reasons: 1) fiscal year 1990 operating expenditures were substantially lower than normal due to a change in directors during the year; and 2) substantial vacancy savings occurred in fiscal 1990. The budget request for fiscal 1992 and fiscal 1993 is less than the fiscal 1991 appropriation. Increases in personal services from the fiscal 1990 level are due to continuation of the fiscal 1991 pay plan increase in the 1993 biennium and full funding of authorized staff positions.

Operating expenses are reduced below the fiscal 1991 appropriated level due to reductions in staff travel and need for computer consultants. Computer development and maintenance are

currently provided by staff, eliminating the need for a computer consultant contract funded for the past several years. Inflationary adjustments in postage and small increases in fixed costs such as rent are included. Also included in operating expenses is \$10,000 per year for contingencies that may arise during the 1993 biennium. Historically, the legislature has approved a \$20,000 biennial line-item appropriation to allow the agency to address unforeseen problems or issues that may confront the legislature during an interim by contracting for legal assistance or specialized research. In fiscal 1990, \$1,230 of this biennial appropriation was spent.

The current level budget does not include \$10,080 per year for network fees paid to the Department of Administration. If the legislature approves the inclusion of the statewide network in computer charges for the 1993 biennium, this amount will need to be added to the budget.

Since the 1989 legislature appropriated funds to upgrade existing computer and printing equipment during the 1991 biennium, current level equipment includes only \$2,500 per year for the 1993 biennium to replace minor office equipment. Debt service payments for a copier ended in fiscal 1990.

The agency is funded entirely from the general fund.

AGENCY: LEGISLATIVE FISCAL ANALYST LEGISLATIVE ACTION PROGRAM: ANALYSIS AND REVIEW

DGET ITEM	FY 1990 Actual	Fiscal 1992		Fiscal 1993	
		Executive	LFA Curr Lvl	Executive	LFA Curr Lvl
FTE	18.00	17.50	17.50	18.00	18.00
Personal Services	\$583,463	\$688,679	\$688,679	\$696,998	\$696,998
Operating Expenses	\$96,822	\$122,983	\$112,903	\$152,337	\$152,337
Equipment	\$17,818	\$2,500	\$2,500	\$2,500	\$2,500
Debt Service	\$1,407	\$0	\$0	\$0	\$0
TOTAL EXPENSES	\$699,510	\$814,162	\$804,082	\$861,915	\$851,835
NDING					
General Fund	\$699,510	\$814,162	\$804,082	\$861,915	\$851,835
TOTAL FUNDING	\$699,510	\$814,162	\$804,082	\$861,915	\$851,835

Note: This budget is presented as submitted by the Office of the Legislative Fiscal Analyst and the Legislative Finance Committee. The Executive is required by statute to include the budget as submitted, without adjustments.

CURRENT LEVEL ISSUES

NETWORK FEES

TOTAL CURRENT LEVEL ISSUES

BUDGET MODIFICATION:

DATA PROCESSING COSTS - To provide a line-item, biennial appropriation for increased data processing costs. Costs have increased due to more computer processing associated with legislative requests and due to the development of a new budget and network computer system. This appropriation would be used only for legislative request computer processing, and any costs not used for that purpose would revert to the general fund.

OTHER ISSUES:

BIENNIAL APPROPRIATION - Included in current level is \$20,000 for the biennium for consultants. The 1991 biennium general appropriations act designated that amount as a line-item, biennial appropriation. The same status is requested for the 1993 biennium.

---	EXEC OVER (UNDER) LFA---	
	FY 92	\$10,080
	FY 93	\$10,080

\$20,000 \$0 G/F

EXHIBIT 2
 DATE 2-7-91
Men. Govt Sub

Ex. 3
2-7-91
Mon. Govt Sec

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ENVIRONMENTAL QUALITY COUNCIL

Budget Item	Actual Fiscal 1990	Appropriated Fiscal 1991	- - Current Fiscal 1992	Level - - Fiscal 1993	Change 1991-93 Biennium
FTE	6.50	6.50	6.50	6.50	.00
Personal Services	178,453	192,073	213,971	213,555	15.38%
Operating Expenses	45,430	57,745	60,424	56,832	13.65%
Equipment	4,933	3,000	5,000	5,000	26.06%
Total Agency	\$228,816	\$252,818	\$279,395	\$275,387	15.19%
<u>Fund Sources</u>					
General Fund	221,781	252,654	266,170	262,161	11.36%
State Revenue Fund	7,035	164	13,225	13,226	267.43%
Total Funds	\$228,816	\$252,818	\$279,395	\$275,387	15.19%

Agency Description

The Environmental Quality Council (EQC) was created in 1971 to implement provisions of the Montana Environmental Policy Act (MEPA - Title 75, Chapter 1, MCA). Two programs exist within the agency. The Environmental Quality Council Program is responsible for the general EQC program and for the environmental quality goals established in MEPA. The Water Policy Committee Program is responsible for advising the legislature on state water policy and utilizes the staff of the EQC for support.

mental Quality Council and the Water Policy Committee. The EQC program is supported entirely by general fund and the Water Policy Program is supported through resource indemnity trust state special revenue funds. The Water Policy Committee funding was a biennial appropriation for the 1991 biennium that is misleading on the above table because nearly all the appropriation is shown in the fiscal 1990 column but was not spent until 1991. For the 1993 biennium, the Water Policy Committee funding is again proposed as a biennial appropriation at the same level as in the 1991 biennium. However, funds are evenly divided between the two fiscal years.

Current Level Budget

The 1993 biennium budget for the EQC is presented as approved by the Environ-

LEGISLATIVE COUNCIL OPERATIONS PROGRAM

Budget Modifications

1991 Base Pay Adjustment

In a major initiative, the Legislative Council adopted a pay plan in fiscal 1991 and adjusted salaries as provided in the plan. The adjustments were made after the personal services base used in preparing budgets for the 1993 biennium had been developed. This budget modification adjusts the base by adding \$34,161 in fiscal 1992 and \$30,349 in fiscal 1993 from the general fund to maintain funding for these authorized salary increases.

Council Pay Plan

The pay plan includes scheduled increases for career progression at a general fund cost of \$32,821 in fiscal 1992 and \$84,916 in fiscal 1993.

Two Additional FTE's

This modification would fund a director for the Management Division and a programmer/analyst. The Management Division director position is proposed

as a grade 15, which is equivalent to centralized services administrators in the executive branch. The programmer/analyst is budgeted at a training level of grade 11, step 5 in fiscal 1992 and at a grade 13, step 5 in fiscal 1993. The request is for general fund of \$53,859 in fiscal 1992 and \$57,695 in fiscal 1993.

Reapportionment Technical Support

This modification includes general fund of \$138,486 in fiscal 1992 and \$11,213 in fiscal 1993 for the acquisition of equipment, software, and data preparation and for training to enable staff of the Montana Districting and Apportionment Commission to use available census data to assist in reapportionment. Data preparation involves loading, converting, and verifying electronic files provided by the Bureau of the Census. The resulting system would support the full range of reapportionment activities, from consideration of legislative district options to publication of final maps. In subsequent years, the system would be available for legislative use in other geographical analyses.

Ex. 3
2-7-91
Hon. Govt Sec

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ENVIRONMENTAL QUALITY PROGRAM

Budget Item	Actual Fiscal 1990	Appropriated Fiscal 1991	-- Current Fiscal 1992	Level -- Fiscal 1993	Change 1991-93 Biennium
FTE	6.25	6.25	6.25	6.25	.00
Personal Services	176,535	191,909	211,206	210,789	14.53%
Operating Expenses	40,313	57,745	49,964	46,372	-1.76%
Equipment	<u>4,933</u>	<u>3,000</u>	<u>5,000</u>	<u>5,000</u>	<u>26.06%</u>
Total Program	\$221,781	\$252,654	\$266,170	\$262,161	11.36%
Fund Sources					
General Fund	<u>221,781</u>	<u>252,654</u>	<u>266,170</u>	<u>262,161</u>	<u>11.36%</u>
Total Funds	\$221,781	\$252,654	\$266,170	\$262,161	11.36%

Program Description

The Environmental Quality Council (EQC) Program is charged with implementing the provisions of the Montana Environmental Policy Act (MEPA), performing numerous other statutory duties, and completing projects that are assigned to it by the legislature. The EQC reviews the policies and programs of state agencies that concern environmental matters and natural resource development and conservation. The council researches and analyzes environmental trends and problems and recommends ways to improve the state's natural, social, and economic environments. It assists the legislature with natural resource legislation and staffs the natural resources standing committees and the Water Policy Committee.

Current Level Budget

The current level budget increases 11.4 percent over the 1991 biennium for the following reasons: 1) substantial vacancy savings occurred in fiscal 1990; 2) operating expenses were lower in fiscal 1990 than anticipated; and 3) the EQC modified its budget through operating plan amendments that moved funds from operating expenses into personal services to provide salaries at levels comparable to other legislative agencies. Increases in personal services costs are due to these operating plan amendments, full funding of authorized staff positions, and

continuation of the fiscal 1991 pay plan increase in the 1993 biennium.

Operating expenses are reduced below the fiscal 1991 appropriated level because the EQC reduced travel, contracted services, and rent to economize in these areas and to more adequately fund personal services and equipment. The current level budget includes \$2,040 each year for network fees paid to the Department of Administration. If the legislature decides not to approve the statewide network budget modification, this amount can be subtracted from the budget.

Equipment expenditures increase from \$3,000 to \$5,000 per year in accordance with the Legislative Agency Network standards and plans. This level is the same as the equipment budget established in the EQC's operating plan amendments for both fiscal 1990 and 1991. The EQC program is funded entirely from the general fund.

Budget Modification

The EQC has requested \$31,600 general fund for the biennium for an additional 0.5 FTE for coordination, oversight, and liaison to executive agencies for compliance with MEPA. Over the past several years, EQC staff has been called upon to staff new legislative committees and conduct interim studies to the detriment of its MEPA responsibilities. No additional staff has previously been added to accomplish these assignments.

WATER POLICY COMMITTEE

<u>Budget Item</u>	Actual Fiscal 1990	Appropriated Fiscal 1991	- - Current Fiscal 1992	Level - - Fiscal 1993	Change 1991-93 Biennium
FTE	.25	.25	.25	.25	.00
Personal Services	1,918	164	2,765	2,766	165.66%
Operating Expenses	<u>5,117</u>	<u>0</u>	<u>10,460</u>	<u>10,460</u>	<u>308.83%</u>
Total Program	\$7,035	\$164	\$13,225	\$13,226	267.43%
<u>Fund Sources</u>					
State Revenue Fund	<u>7,035</u>	<u>164</u>	<u>13,225</u>	<u>13,226</u>	<u>267.43%</u>
Total Funds	\$7,035	\$164	\$13,225	\$13,226	267.43%

Program Description

The Water Policy program was established to operate the Water Policy Committee, statutorily created by the Forty-ninth Legislature. The Water Policy Committee's duties include advising the legislature on the adequacy of the state's water policy and on important state, regional, national, and international developments relating to Montana's water resources; overseeing the policies and activities of the Department of Natural Resources and Conservation and other entities as they relate to water management; analyzing and commenting on the state water plan, the water development program, water research, the water leasing pilot pro-

gram, and water data management system; and reporting to the legislature each biennium.

Current Level Budget

The Water Policy Committee operations budget is essentially the same as in previous years. The program received a biennial appropriation of \$26,281 in fiscal year 1990. Because the committee receives a biennial appropriation, comparison of actual expenses in fiscal year 1990 to the proposed budget is misleading. The only change in the budget over the last biennium is the continuation of the fiscal 1991 pay plan increase for salaries for committee members in the 1993 biennium.

AGENCY: ENVIRONMENTAL QUALITY COUNCIL

LEGISLATIVE ACTION

PROGRAM: ENVIRONMENTAL QUALITY

BUDGET ITEM	FY 1990 Actual	LEGISLATIVE ACTION		PROGRAM: ENVIRONMENTAL QUALITY	
		Executive	Fiscal 1992 LFA Curr Lvl Difference	Executive	Fiscal 1993 LFA Curr Lvl Difference
FTE	6.25	6.25	0.00	6.25	0.00
Personal Services	\$176,535	\$211,206	\$0	\$210,789	\$0
Operating Expenses	\$40,313	\$49,964	\$0	\$46,372	\$0
Equipment	\$4,933	\$5,000	\$0	\$5,000	\$0
TOTAL EXPENSES	\$221,781	\$266,170	\$0	\$262,161	\$0
FUNDING					
General Fund	\$221,781	\$266,170	\$0	\$262,161	\$0
TOTAL FUNDING	\$221,781	\$266,170	\$0	\$262,161	\$0

CURRENT LEVEL ISSUES: NONE

Note: This budget is presented as submitted by the Environmental Quality Council. The Executive is required by statute to include the budget as submitted, without adjustments.

BUDGET MODIFICATION:

1. ADDITIONAL 0.5 FTE - To fund additional staff for coordination, oversight, and liaison to executive agencies for compliance with the Montana Environmental Policy Act (MEPA) (LFA Vol. 1, A-13).

--EXEC OVER (UNDER) LFA--
 FY 92 \$15,800
 FY 93 \$15,800 G/F

EXHIBIT 4

DATE 2-7-91

Gen. Exec. Sec.

AGENCY: ENVIRONMENTAL QUALITY COUNCIL

LEGISLATIVE ACTION

PROGRAM: WATER POLICY COMMITTEE

UDGET ITEM	FY 1990 Actual	Fiscal 1992		Fiscal 1993	
		Executive	LFA Curr Lvl	Executive	LFA Curr Lvl
FTE	0.25	0.25	0.00	0.25	0.00
Personal Services	\$1,918	\$2,765	\$0	\$2,766	\$0
Operating Expenses	\$5,117	\$10,460	\$0	\$10,460	\$0
TOTAL EXPENSES	\$7,035	\$13,225	\$0	\$13,226	\$0
===== UNDDING					
State Special Revenue	\$7,035	\$13,225	\$0	\$13,226	\$0
TOTAL FUNDING	\$7,035	\$13,225	\$0	\$13,226	\$0
=====					

CURRENT LEVEL ISSUES: NONE

Note: This budget is presented as submitted by the Environmental Quality Council and the Water Policy Committee. The Executive is required by statute to include the budget as submitted, without adjustments.

BUDGET MODIFICATIONS: NONE

OTHER ISSUES:

... BIENNIAL APPROPRIATION - This budget is requested as a biennial appropriation, and is evenly divided between fiscal years in the table above for comparison purposes only. If approved as a biennial appropriation, the entire appropriation will appear in House Bill 2 as a fiscal 1992 appropriation.

EXHIBIT 5
 DATE 2-7-91
Gen. Gov't Sub

ACTUAL AND PROPOSED EQC BUDGET

	Actual FY 90	Budgeted FY 90	Budgeted FY 91	Proposed FY 92	Proposed FY 93
Salaries	145,425	163,450	167,393	172,643	172,048
Other Comp	1,095	2,660	2,660	2,660	2,660
Employee Benefits	30,015	31,721	33,856	35,903	36,081
TOTAL PERSONAL SERVICES	176,535	197,831	203,909	211,206	210,789
Contracted Ser	11,458	12,856	14,355	14,896	16,395
Supplies	1,043	2,396	2,396	2,396	2,396
Communications	7,978	7,959	7,960	8,547	8,547
Travel	16,670	18,625	13,534	18,625	13,534
Rent	0	2,500	2,500	2,500	2,500
Repair/Maint	566	500	500	500	500
Other Expenses	2,597	2,500	2,500	2,500	2,500
TOTAL OPERATING	40,312	47,336	43,745	49,964	46,372
Equipment	4,933	5,000	5,000	5,000	5,000
TOTAL PROGRAM COSTS	221,780	250,167	252,654	266,170	262,161

CONSUMER COUNSEL

Budget Item	Actual Fiscal 1990	Appropriated Fiscal 1991	-- Current Fiscal 1992	Level -- Fiscal 1993	Change 1991-93 Biennium
FTE	4.25	4.25	4.25	4.25	.00
Personal Services	190,030	195,868	202,796	202,072	4.92%
Operating Expenses	424,395	691,194	694,093	713,001	26.13%
Equipment	<u>5,606</u>	<u>1,260</u>	<u>1,710</u>	<u>1,710</u>	<u>-50.19%</u>
Total Agency	\$620,031	\$888,322	\$898,599	\$916,783	20.36%
Fund Sources					
State Revenue Fund	<u>620,031</u>	<u>888,322</u>	<u>898,599</u>	<u>916,783</u>	<u>20.36%</u>
Total Funds	\$620,031	\$888,322	\$898,599	\$916,783	20.36%

Agency Description

The Office of the Consumer Counsel was created by Article XIII, Section 2 of the 1972 Montana Constitution. The office is governed by Title 5, Chapter 15, MCA, and by Title 69, Chapters 1 and 2, MCA. The Consumer Counsel is charged with the duty of "representing consumer interests in hearings before the Public Service Commission or any other successor agency." The Consumer Counsel also may initiate, intervene in, or otherwise participate in appropriate proceedings in the state and federal courts and in proceedings before federal administrative agencies on behalf of the public of Montana. The office is funded through a constitutionally earmarked tax on all regulated entities under the Public Service Commission's jurisdiction.

1991 biennium, due to a lower caseload than anticipated in fiscal 1990. As in previous years, the 1993 biennium current level budget consists of a base appropriation for normal operating costs and a \$100,000 contingency appropriation for costs associated with unanticipated increased caseload.

Personal services increase due to the fiscal 1991 pay plan increase. Operating costs increase primarily due to an anticipated increased caseload over fiscal 1990, when the agency expended only 59 percent of the amount appropriated for consultants. Equipment requested in the 1993 biennium is for office equipment.

Budget Modification

Additional Travel Costs

The agency has requested \$13,198 in state special revenue funds in the 1993 biennium for increased travel costs due to changed air fare rate structures and increased federal regulatory activity.

Current Level Budget

The agency's 1993 biennium current level increases 20.4 percent compared to the

COMPARISON OF EXECUTIVE AND LFA CURRENT LEVELS

JUDICIARY

Budget Item	Executive Current Level		LFA Current Level		Executive Over (Under) LFA
	Fiscal 1992	Fiscal 1993	Fiscal 1992	Fiscal 1993	
FTE	89.50	89.50	88.50	88.50	1.00
Personal Services	4,170,427	4,158,888	4,151,723	4,140,298	37,294
Operating Expenses	1,085,209	1,083,342	973,447	977,671	217,433
Equipment	302,264	298,425	261,614	252,526	86,549
Total Agency	\$5,557,900	\$5,540,655	\$5,386,784	\$5,370,495	\$341,276
<u>Fund Sources</u>					
General Fund	5,082,807	5,067,623	4,925,259	4,915,056	310,115
State Revenue Fund	475,093	473,032	461,525	455,439	31,161
Total Funds	\$5,557,900	\$5,540,655	\$5,386,784	\$5,370,495	\$341,276

Executive Budget Comparison

The current level Executive Budget is \$341,276 higher than the LFA current level over the biennium. The largest difference is in contracted services, where the Executive Budget exceeds the LFA current level by \$156,525 over the biennium. Two of the significant increases in contracted services in the Executive Budget are \$70,000 for legal data bases and \$31,000 for network fees proposed by the Department of Administration. The Executive Budget is also higher than the LFA current level budget in travel (\$57,000) and training (\$28,000). Some of these increases are discussed in the following issues.

The LFA current level includes \$2,606 more in inflationary adjustments than the Executive Budget. Other cost differences between the two budgets are related to the Executive Budget's use of the fiscal 1991 appropriation as the base compared to the LFA's use of fiscal 1990 actual costs.

The Executive Budget equipment is \$86,549 higher than the LFA current level. The following items comprise the major differences: \$40,000 in computer equipment and software for district courts; \$20,000 in law library books; \$12,000 in computer equipment in other department programs; and \$8,400 in other office equipment.

New Current Level FTE

The Executive Budget contains 1.0 FTE not authorized by the last legislative session, accounting for the differences in personal services costs. The FTE is added to the Water Courts Supervision program and overtime expenditures and contracted legal services are reduced to fund the FTE. This additional FTE increases personal services costs in the Executive Budget by approximately \$30,000 over the biennium. The increase in personal services is funded from state special revenue funds, accounting for the differences between the Executive Budget and LFA current level state revenue funding.

Legal Data Bases

The Executive Budget includes about \$70,000 more in general fund for computer processing time for legal data bases. The Law Library charges for use of the data bases and deposits revenues to the general fund. The LFA current level budget for this item is based on the projected annual rate of growth between fiscal 1990 and 1991, while the Executive Budget allows for substantially higher growth. A more detailed discussion of this issue, including historic expenditures for legal data bases, is presented in the Law Library program narrative.

AGENCY: CONSUMER COUNSEL

LEGISLATIVE ACTION

PROGRAM: ADMINISTRATION

BUDGET ITEM	FY 1990 Actual	FTE	Executive LFA Curr Lvl	Fiscal 1992 Lvl Difference	Executive LFA Curr Lvl	Fiscal 1993 Lvl Difference
Personal Services	\$190,030	4.25	\$202,796	\$0	\$202,072	\$0
Operating Expenses	\$424,395		\$694,092	(\$1)	\$713,001	\$0
Equipment	\$5,606		\$1,710	\$0	\$1,710	\$0
TOTAL EXPENSES	\$620,031		\$898,598	(\$1)	\$916,783	\$0
FUNDING						
State Special Rev	\$620,031		\$898,598	(\$1)	\$916,783	\$0
TOTAL FUNDING	\$620,031		\$898,598	(\$1)	\$916,783	\$0

CURRENT LEVEL ISSUES: NONE

Note: This budget is presented as submitted by the Consumer Counsel. The Executive is required by statute to include the budget as submitted, without adjustments.

BUDGET MODIFICATIONS:

1. ADDITIONAL TRAVEL COSTS - To fund travel cost increases due to changed air fare structures and increased federal regulatory activity (LFA Vol. 1, A-15).

OTHER ISSUES:

1. CASE-RELATED COSTS - The 1991 biennium general appropriations act line-itemed \$100,000 per year for case-related costs and included the following language:

"Item ___ is for expert witness fees for unanticipated cases."

The same line-item and language is requested by the Consumer Counsel for the 1993 biennium.

--EXEC OVER (UNDER) LFA--
FY 92 \$6,607
FY 93 \$6,591 SSR

EXHIBIT 7
DATE 2-2-91
Gen. Govt Sec

VISITORS' REGISTER

Gen. Gov't & Highway COMMITTEE

BILL NO. _____

DATE February 7, 1991

SPONSOR _____

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
<u>Tom Roderick</u>	<u>DOH</u>		
<u>Bill Salesbury</u>	<u>DOH</u>		
<u>Monte Brown</u>	<u>DOH</u>		
<u>Legislative Agencies</u>			
<u>Debra B. Holt</u>	<u>EQC</u>		
<u>St. Michaels</u>	<u>MCC</u>		

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.
PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

FIELD TRIP

On February 8, 1991, members of the House General Government and Highways Subcommittee travelled to Great Falls to tour the following facilities: Montana Air National Guard, Malmstrom Air Force Base, and the Army National Guard Armory.

No minutes were recorded; however, the following exhibits are available for public inspection:

- (1) Schedule - Exhibit 1.
- (2) 1990 Economic Resource Impact Statement - 120th Fighter Interceptor Group, Great Falls, Montana - Exhibit 2.
- (3) 1990 Economic Resource Impact Statement - Malmstrom Air Force Base, Montana - Exhibit 3.



JOE QUILICI, CHAIR

44-6935 EXHIBIT 1 2/08/91

GENERAL GOVERNMENT APPROPRIATIONS SUBCOMMITTEE
MONTANA MILITARY TOUR
8 February 1991

TENTATIVE SCHEDULE:

- 0715 - Participants should be at the Montana Army National Guard Aviation Support Facility (Large red brick building on South East side of Helena Airport)
- 0745 - Helicopters depart Helena
- 0825 - Arrive Montana Air National Guard, Great Falls International Airport
- 0830 - Montana Air Guard Mission Briefing
- 0900 - F-16 "Fighting Falcon" orientation - tour group split
- 0900 - F-16 Flight Simulator orientation
- 0945 - Board bus for 10 minute Air Guard facility windshield tour
- 1000 - Depart Montana Air Guard facility
- 1025 - Arrive Malmstrom AFB
- 1030 - Malmstrom AFB Mission Briefing
- 1130 - Great Falls Military Affairs Committee Luncheon, Officers Club
- 1315 - Board bus - Malmstrom AFB windshield tour
- 1345 - Depart Malmstrom AFB
- 1355 - Arrive Great Falls Army National Guard Armory
- 1400 - Armory briefing/tour
- 1445 - Board bus
- 1500 - Arrive Great Falls International Airport
- 1510 - Board helicopters
- 1600 - Arrive Helena Airport

Exhibit 2 consists of a 23-page booklet. The original is available at the Montana historical Society, 225 No. Roberts, Helena, MT. 59601. (Phone 406-444-4775)

EXHIBIT 2
2/08/91
Gen. Gary Lee

**ECONOMIC
RESOURCE
IMPACT
STATEMENT**



120th FIGHTER INTERCEPTOR GROUP
GREAT FALLS, MONTANA

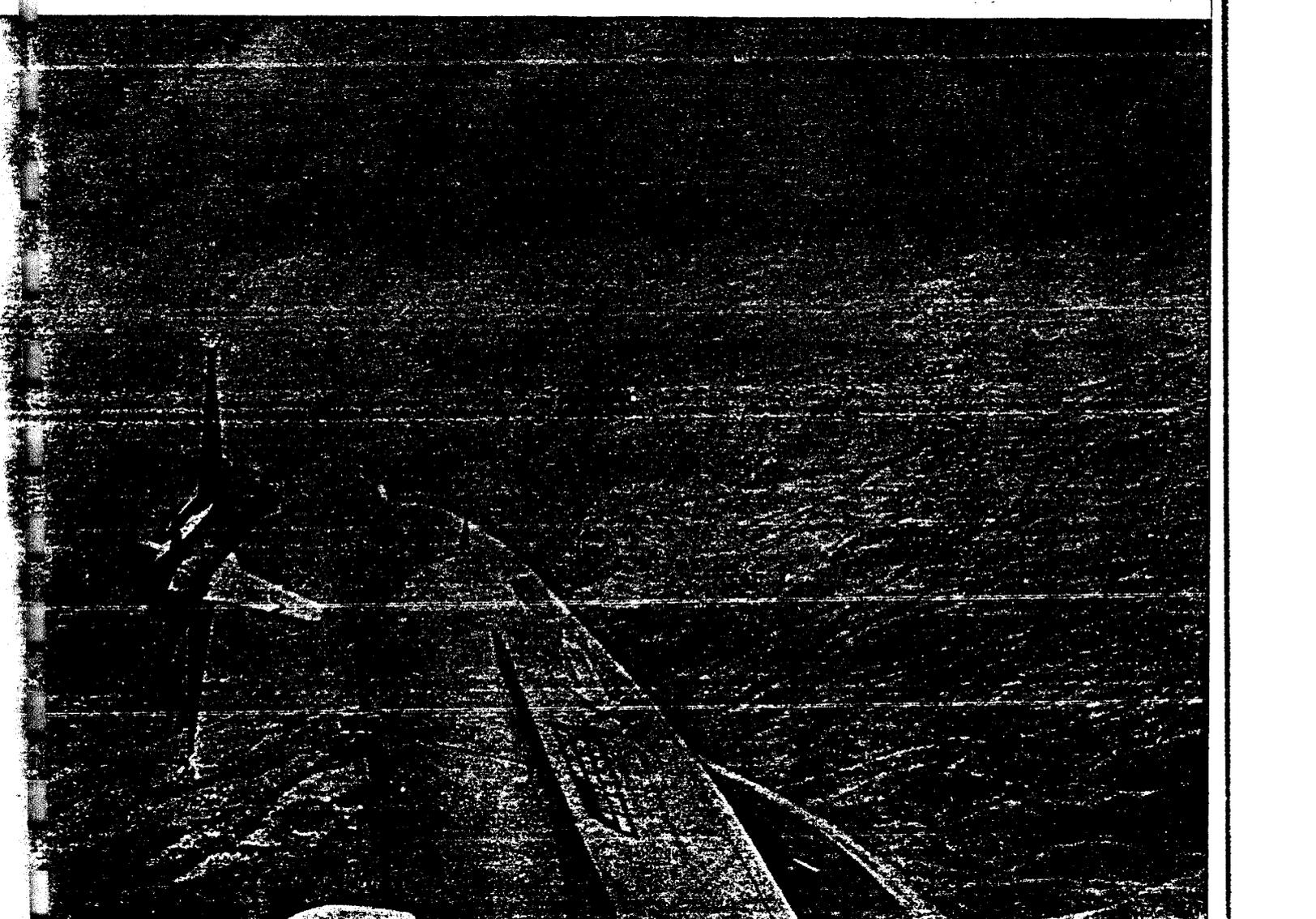
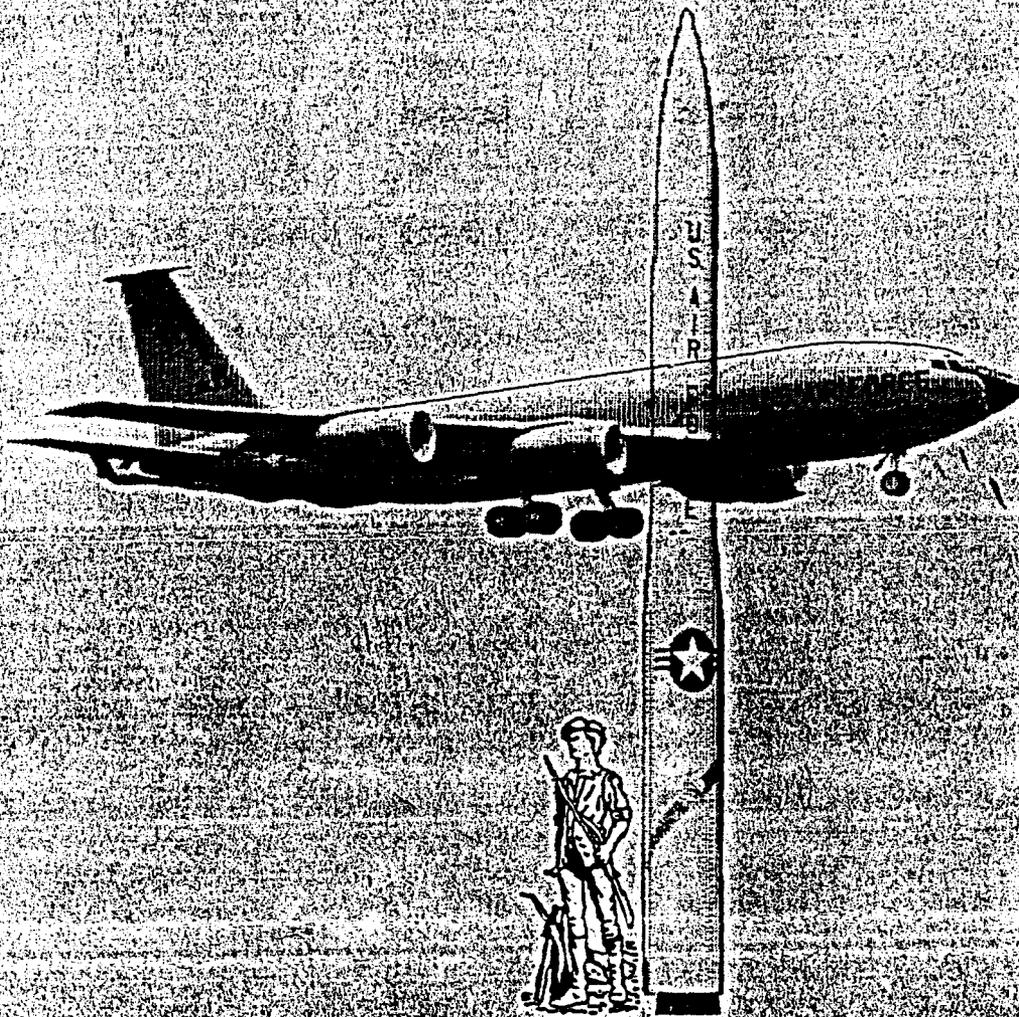


Exhibit 3 consists of a 23-page booklet. The original is available at the Montana Historical Society, 225 N. Roberts, Helena, MT. 59601. (Phone 406-444-4775)

EXHIBIT 3

2/08/91
Gen. Govt. Sub

Malmstrom Air Force Base Montana



**ECONOMIC RESOURCE
IMPACT STATEMENT
30 SEP 1990**