

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
53rd LEGISLATURE - REGULAR SESSION**

JOINT SUBCOMMITTEE ON GENERAL GOVERNMENT & TRANSPORTATION

Call to Order: By REP. MARY LOU PETERSON, CHAIRMAN, on January 11, 1993, at 8:00 AM.

ROLL CALL

Members Present:

Rep. Mary Lou Peterson, Chair (R)
Sen. Harry Fritz, Vice Chair (D)
Rep. Marjorie Fisher (R)
Sen. Gary Forrester (D)
Rep. Joe Quilici (D)
Sen. Larry Tveit (R)

Members Excused: None

Members Absent: None

Staff Present: Jon Moe, Legislative Fiscal Analyst
Terri Perrigo, Legislative Fiscal Analyst
Clayton Schenck, Legislative Fiscal Analyst
Dan Gengler, Office of Budget & Program Planning
John Patrick, Office of Budget & Program Planning
Elaine Benedict, Committee Secretary

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

Committee Business Summary:

Hearing: ENVIRONMENTAL QUALITY COUNCIL;
LEGISLATIVE AUDITOR; LEGISLATIVE FISCAL
ANALYST; CONSUMER COUNSEL; AND
LEGISLATIVE COUNCIL
Executive Action: LEGISLATIVE AUDITOR; CONSUMER COUNSEL;
AND LEGISLATIVE FISCAL ANALYST

HEARING ON ENVIRONMENTAL QUALITY COUNCIL

Tape No. 1:A:000

Informational Testimony:

Ms. Deborah Schmidt, Director of the Environmental Quality Council, gave a presentation on the agency. There are six people in the office, with a .5 FTE vacancy. This position is a resource specialist. The council staff also provides staff to the Water Policy Committee. The last legislative session approved a .5 FTE for conducting training sessions and helping

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other state agencies conduct better environmental reviews, environmental impact statements (EIS), and environmental assessments (EA). This was the first increase in employee funding since 1983. This position enabled the agency to provide training programs and a training manual, which have trained 179 people to help implement legal procedure for EIS and EA. Results have been very positive. The Interim Study performed by the agency has also produced positive results. The study was funded by a \$26,000 grant.

Ms. Terri Perrigo, Legislative Fiscal Analyst, gave an overview of the budget for this agency. **EXHIBIT 1**. The Environmental Quality Council showed no differences requiring a vote. The Water Quality Committee budget presented voting issues.

REP. HAL HARPER, DISTRICT 44, Chairman of the Water Policy Committee, expressed concern that the Water Policy Initiative would downgrade the importance of the water policy issue. **EXHIBIT 2**

Ms. Schmidt explained that the Water Policy Committee is not statutorily created, rather, it is executively appointed and statutory changes would need to be made if the committee's duties were transferred to State Water Plan Advisory Council.

Questions, Responses and Discussion:

REP. MARJORIE FISHER asked if allowing legislative leadership to appoint four SWPAC would mean that four new members or four additional members would be appointed. **Ms. Schmidt** replied that the answer was not yet known.

HEARING ON LEGISLATIVE AUDITOR

Tape No. 1:A

Informational Testimony:

Ms. Perrigo gave an overview of the budget for this agency. **EXHIBIT 3**

Mr. Scott Seacat, Legislative Auditor, pointed out that this agency was one of few which accepted an FTE reduction, in accordance with the 5% amendment, and did not request its restoration as a modification.

Questions, Responses and Discussion:

CHAIRMAN MARY LOU PETERSON asked if the reduction caused the remaining staff to be overworked and if some members left their positions due to the excess work. **Mr. Seacat** answered that, despite the tremendous work load, his staff has remained. He said that three vacant positions fall within the 5% and, if no other vacancy occurs, he may have to lay someone off or promote additional voluntary leave-without-pay.

HEARING ON LEGISLATIVE FISCAL ANALYST

Tape No. 1:B

Informational Testimony:

Ms. Perrigo gave an overview of the budget for the agency.
EXHIBIT 4

Ms. Terry Cohea, Legislative Fiscal Analyst, presented a comparison of the 1993 and 1995 biennia budgets. EXHIBIT 5. She explained that the agency prepares the analyses of the complete state budget, staffs the appropriations committees, prepares bills on which the Legislature votes, and provides historical record for legislative action in these areas. The agency recently helped perform interim studies on computer usage, education and Human Services. Due to automation of the office, the agency has a .5 FTE that it requested be eliminated from the budget. The agency gave a lower percentage pay raise than any other agency and Ms. Cohea herself requested a pay freeze. The agency allowed a six-month vacancy in order to generate vacancy savings but must fill the position for the current session. The budget for travel includes only \$4,000 for staff travel and no money has been budgeted for out-of-state staff travel. The agency wishes to replace calculators, computer monitors and other minor office equipment. The budget for computer file servers comes through the Legislative Council budget. The agency requested \$18,700 be maintained to hire expert consultants should the need for them arise. The money is line-itemed so that the unspent portion is reverted and the money generally is not spent. The agency requested that the \$20,000 for data processing be left in the budget and explained that the agency has placed a cap on the amount of computer runs on income tax and plan systems that each caucus can request. She commended her staff for their exemplary work and the amount of hours they have spent preparing for and during the session. The staff works more hours than any other agency and accrue one hour compensation for each hour worked above 40 hours per week.

Questions, Responses and Discussion:

SEN. GARY FORRESTER asked how the agency legally compensates for the extra hours worked. Ms. Cohea answered that State and Federal law allows for compensation.

HEARING ON CONSUMER COUNSEL

Tape No. 2:A

Informational Testimony:

Ms. Perrigo gave an overview of the budget for this agency.
EXHIBIT 6

Mr. Bob Nelson, Consumer Counsel, gave a presentation about the

Consumer Counsel Committee. The committee has recently entered into an agreement with U.S. West to reduce revenue. This resulted in a refund and a bill reduction for customers. The committee has also entered into agreements with PTE and FEU that have either reduced fees or decreased raises of customer fees. He said the budget for consultants is largely out of the agency's control due to filings by the utility regulating agencies. The agency received the least amount of requests in fiscal year 1992 than in the previous ten years, therefore, this base is not an accurate reflection of budget needs. The agency estimates increased activity due to a new set of filing requirements adopted by the Public Service Commission. Also, the agreement with U.S. West involves the company filing more rate cases with the agency. The requested budget does not allow for the expected inflation in consulting fees. The net effect of the agency's budget increase is 1/10 of 1% in 1994 and 1/10 of 1% in 1995. This does not include the budget modification which is the result of a request for an additional FTE. The request was approved by the oversight committee due to the agency's increased workload and need for an economist. The need is due to new Public Service Commission and Federal Regulatory Commission integrated resource planning rules which require ongoing committee review and great time and effort for participation. The agency is funded by a tax on regulated utilities and the tax rate is based on the agency's appropriation and any reversions it has. If money is reverted it is carried into the next year and netted against the next year's appropriation. Since the agency's budget is growing more slowly than the regulated revenues of the utilities, there should be no impact on the tax rate.

REP. JOE QUILICI, Chairman of Consumer Counsel Committee, stated that the committee has existed since 1973 with four FTEs. The decision to hire the economist was debated for over a year and was only hired after its true need was determined. The least cost planning bill, if passed, would create a solution among the groups which have opposing views about coal stripping, seeking out the most cost effective solution. The staff does much traveling in its involvement in various issues. No committee or staff decision has ever been overturned by a court due to the agency's hiring of the best expert witnesses. Excess money in the agency's budget is carried over to the next biennium.

Questions, Responses and Discussion:

SEN. LARRY TVEIT asked if the subcommittee decision would simply be a step to legalize the additional FTE, since the addition was already approved by the Consumer Counsel. **REP. QUILICI** answered yes.

REP. FISHER asked the specific difference between the Consumer Counsel and the Public Service Commission and how the two work together. **Mr. Nelson** answered that the Consumer Counsel acted as an intermediary in public service issues in order to avoid conflict of interest in representing customers against utilities.

CHAIRMAN PETERSON asked if the agency refers people who come to them with complaints about faulty products. **Mr. Nelson** answered that the committee refers people to the Consumer Affairs Division of the Department of Commerce, since the committee deals with regulatory matters.

The subcommittee agreed that perhaps some steps should be taken to clear the confusion the public seems to have about the role of each entity.

HEARING ON LEGISLATIVE COUNCIL

Tape No. 2:B

Informational Testimony:

Ms. Perrigo stated that there was no difference between the executive and LFA budgets. She pointed out that the agency's expenditures for special session and legislative activity are not included in the current level of the exhibit. She also stated that all of the legislative agencies' computer requests are included in the Legislative Council's budget, totaling \$700,000.

EXHIBIT 7

Mr. Bob Person, Legislative Council, gave a presentation on the programs within the agency. **EXHIBIT 8**. He emphasized the Revenue Oversight Committee and the Coal Tax Oversight Subcommittee, stating that the subcommittee was not funded in the current interim. The committee is traditionally funded by coal tax local impact account funds. The agency has requested a bill that would eliminate the Coal Tax Oversight Subcommittee and transfer functions to the Revenue Oversight Committee, removing the budget from local impact. There would be no added cost to Revenue Oversight because the duties could be incorporated into the normal schedule. He also discussed the National Conference of State Legislators and the Council of State Governments.

Questions, Responses and Discussion:

SEN. TVEIT asked if the Five State Legislative Conference was included in the budget for regional conferences. He also asked if there was still a statute which required reports from those legislators who attended conferences. **Mr. Person** answered that the conference was still allowed for in statute but was no longer budgeted. He said that reports were still required but that few were actually coming in.

REP. QUILICI stated that he paid his own plane fare to attend the last two National Conferences of State Legislators because he felt Montana's participation was so important.

Informational Testimony:

Mr. Person addressed the issue of the requested modification for pay plan funding. The funding is necessary since all allowable

excess has been eliminated in the FTE budget. He also referred to the legislative branch central network budget. **EXHIBIT 9**

Questions, Responses and Discussion:

CHAIRMAN PETERSON asked if computer costs would grow in future biennia. **Mr. Person** answered that costs would stabilize.

REP. QUILICI stated that the cost of computer software had gone up and asked how closely the agency works with **ISD**. **Mr. Person** answered that the **ISD** is a non-voting member of the council.

REP. FISHER asked, if the agency was given the implementation for equipment, whether it would reduce FTEs or would take on more work load. **Mr. Person** answered that it would do the latter.

REP. FISHER asked what the dues cover for the National Conference of State Legislators. **Mr. Person** answered that there was a considerable amount covered and that he would provide a detailed list.

REP. QUILICI promoted the value of one of the magazines provided by the dues as well as the importance of Montana's role in the conference. He explained that the **NCSL** will implement projects and aid in research.

EXECUTIVE ACTION ON LEGISLATIVE AUDITOR

Tape No. 3:A:225

Motion/Vote: **REP. QUILICI** moved to accept the LFA budget. **THE MOTION CARRIED** unanimously with four members present.

EXECUTIVE ACTION ON CONSUMER COUNSEL

Tape No. 3:A:227

Motion/Vote: **SEN. FORRESTER** moved to accept the LFA budget. **THE MOTION CARRIED** unanimously with four members present.

BUDGET ITEM FUNDING OF EXPERT WITNESSES:

Questions, Responses and Discussion:

Ms. Perrigo asked if the subcommittee wanted the \$100,000 contingency appropriation for expert witnesses line-itemed, stating that the \$100,000 could only be used for this purpose. This appropriation has been line-itemed in the past.

Motion/Vote: **REP. QUILICI** moved to line-item the contingency. **THE MOTION CARRIED** unanimously with four members present.

Motion: **REP. QUILICI** amended his motion to include language that would be put in the bill that would allow for the contingency, explaining that, in the past, Montana has suffered in court cases

due to lack of expert witnesses. THE MOTION CARRIED.

BUDGET ITEM MODIFICATION REQUEST TO FUND NEW ECONOMIST:

Motion/Vote: SEN. FORRESTER moved to approve the budget modification to approve the hiring of the new economist. THE MOTION CARRIED unanimously with four members present

EXECUTIVE ACTION ON LEGISLATIVE FISCAL ANALYST

Tape No. 3:A:400

Motion/Vote: REP. QUILICI moved to approve the LFA budget. THE MOTION CARRIED unanimously with four members present.

BUDGET ITEM CONSULTANT FEE AND DATA PROCESSING:

Questions, Responses and Discussion:

Ms. Perrigo asked the subcommittee if it wanted to line-item the \$18,700 each for the consultant fee and data processing, respectively.

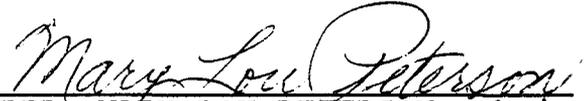
REP. QUILICI asked if this was usually done. Ms. Cohea answered that it was and this assures the excess goes to general fund.

Motion/Vote: REP. QUILICI moved to line-item the \$18,700 for both consultant fee and data processing and to add appropriate language to the bill. THE MOTION CARRIED unanimously with five members present.

Motion/Vote: REP. QUILICI moved to accept the LFA budget as amended. THE MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

Adjournment: 10:55 AM



REP. MARY LOU PETERSON, Chair



ELAINE BENEDICT, Secretary

MLP/EB

HOUSE OF REPRESENTATIVES

Gen. Gov. & Hwys. SUB-COMMITTEE

ROLL CALL

DATE 1/11/92

NAME	PRESENT	ABSENT	EXCUSED
Rep. Mary Lou Peterson Chair	X		
Sen. Harry Fritz Vice Chair	X		
Rep. Marjorie Fisher	X		
Sen. Gary Forrester	X		
Rep. Joe Quilici	X		
Sen. Larry Tveit	X		

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 ENVIRONMENTAL QUALITY COUNCIL ~~IB~~ Environmental Quality Program
 Program Summary

Budget Item	Current Level Fiscal 1992	Current Level Fiscal 1993	Executive Fiscal 1994	LFA Fiscal 1994	Difference Fiscal 1994	Executive Fiscal 1995	LFA Fiscal 1995	Difference Fiscal 1995
FTE	6.75	6.75	6.75	6.75	0.00	6.75	6.75	0
Personal Services	236,912	235,048	249,308	249,308	0	249,581	249,581	
Operating Expenses	37,045	41,472	48,802	48,802	0	49,866	49,866	
Equipment	<u>4,154</u>	<u>2,500</u>	<u>1,054</u>	<u>1,054</u>	<u>0</u>	<u>1,054</u>	<u>1,054</u>	
Total Costs	\$278,111	\$279,020	\$299,164	\$299,164	\$0	\$300,501	\$300,501	
Fund Sources								
General Fund	<u>278,111</u>	<u>279,020</u>	<u>299,164</u>	<u>299,164</u>	<u>0</u>	<u>300,501</u>	<u>300,501</u>	
Total Funds	\$278,111	\$279,020	\$299,164	\$299,164	\$0	\$300,501	\$300,501	

Page References

LFA Budget Analysis (Vol I), A16-19
 Stephen's Executive Budget, A 8-11

Current Level Differences

None

Budget Modifications

None

Language

None

Exec. Over(Under) LFA
 Fiscal 1994 Fiscal 1995

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 ENVIRONMENTAL QUALITY COUNCIL ~~B~~ Water Policy Committee
 Program Summary

Budget Item	Current Level Fiscal 1992	Current Level Fiscal 1993	Executive Fiscal 1994	LFA Fiscal 1994	Difference Fiscal 1994	Executive Fiscal 1995	LFA Fiscal 1995	Difference Fiscal 1995
FTE	0.25	0.25	0.25	0.25	0.00	0.25	0.25	0.00
Personal Services	2,449	0	4,022	8,049	(4,027)	4,027	0	4,027
Operating Expenses	8,471	0	9,530	19,207	(9,677)	9,677	0	9,677
Total Costs	\$10,920	\$0	\$13,552	\$27,256	(\$13,704)	\$13,704	\$0	\$13,704
Fund Sources								
State Revenue Fund	10,920	0	13,552	27,256	(13,704)	13,704	0	13,704
Total Funds	\$10,920	\$0	\$13,552	\$27,256	(\$13,704)	\$13,704	\$0	\$13,704

Page References

LFA Budget Analysis (Vol I), A16-19
 Stephen's Executive Budget, A8-11

Current Level Differences

1. LFA current level continues funding the Water Policy Committee with a biennial appropriation, while the Executive Budget appropriates funds in each year of the biennium. Both fund the program at \$27,256 for the biennium.

(13,704) 13,704

Budget Modifications

1. The Executive Budget includes a budget modification policy initiative to eliminate funding for the Water Policy Committee.

(13,552) (13,704)

Approval of this initiative would lead to legislation to: a) eliminate the Water Policy Committee; b) transfer Water Policy Committee duties to the State Water Plan Advisory Council (SWPAC); and c) allow legislative leadership to appoint four SWPAC members.

Language

Exec. Over(Under) LFA
 Fiscal 1994 Fiscal 1995

ENVIRONMENTAL QUALITY COUNCIL -- ORGANIZATIONAL CHART

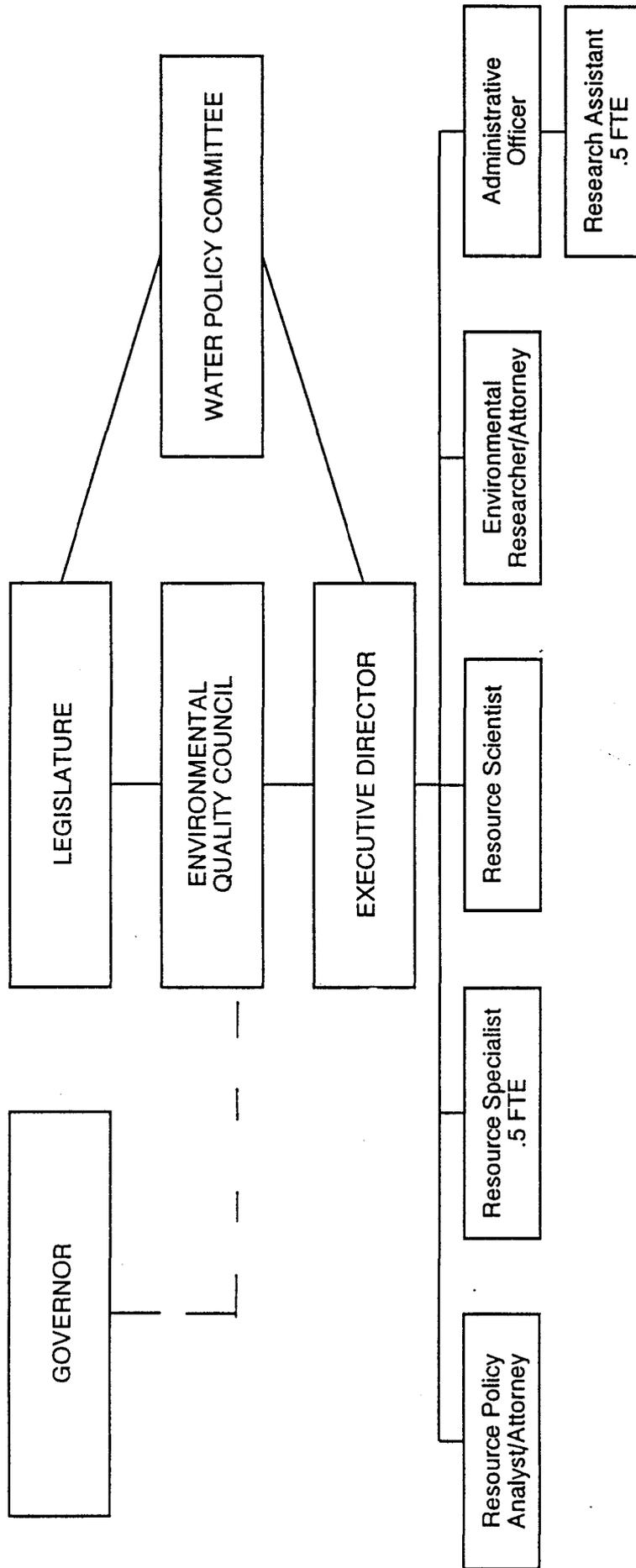


EXHIBIT 1
DATE 1/11/93



WATER POLICY COMMITTEE

Montana State Legislature

EXHIBIT 1
DATE 1/11/93
~~HFB~~

SENATE MEMBERS

Esther G. Bengtson, Vice Chairman
Tom Beck
Lorents Grosfield
Lawrence G. Stimatz

HOUSE MEMBERS

Hal Harper, Chairman
Vivian M. Brooke
Russell Fagg
Thomas N. Lee

COMMITTEE STAFF

Environmental Quality Council
Capitol Station
Helena, Montana 59620
(406) 444-3742

December 23, 1992

TO: Committee Members

FROM: Staff

RE: Executive Budget Policy Initiative Abolishing the Water Policy Committee

We received Governor Stephens' Executive Budget yesterday and noticed that it contains a proposal to abolish the Committee and transfer certain Committee responsibilities to the State Water Plan Advisory Council (SWPAC). We have enclosed a copy of the proposal for your review.

We raised a number of technical issues with the Governor's budget staff and thought we would pass those comments on to you as well. Please remember, these issues do not go to the question of whether this policy initiative is good or bad, that must be decided by the legislature. These comments simply reflect technical issues that must be considered when analyzing the proposed initiative.

A copy of this memo has been forwarded to the Governor's budget office for their information.

*** Paragraph 4. "Currently, the Governor is responsible for appointing the [SWPAC]"**

Issue: Technically this is incorrect. The Governor has appointed the SWPAC for the last three planning cycles but he is not under any obligation to continue this practice. In other words, he is not "responsible" under state law to appoint the SWPAC.

*** Paragraph 5, last sentence. "It is suggested that review and comment "oversight" functions [are a] proper role for legislative staff regarding not just water, but all functions of state government."**

A number of issues arise under this statement.

Issues:

1. If this "proper role for legislative staff" is already an existing responsibility for legislative staff - where is it found? If it does not exist currently, does the Governor recommend creating this responsibility somewhere in state law?
2. Regardless of whether the role exists or is to be created - with whom does it rest? What legislative staff has, or should have, the responsibility for "oversight" over state water policy?
3. How do legislative staff effectively carry out "oversight" responsibilities for state water policy? If an issue arises, how does staff effectuate changes without a legislative body? Currently, Committee staff will respond to Committee requests for research, draft policy options, and carry out the Committee final recommendations on policy issues. Without a Committee, or some other legislative body, does the staff look for a sympathetic legislator to submit a bill draft request, or should the staff go the appropriate agency and attempt to convince it that a change is needed?
4. In either of the two scenarios identified in Issue 3, is this a "proper role" for non-elected legislative staff. Are there accountability or separation of powers issues that arise?

*** Paragraph 6, last sentence. ". . . amending 85-1-203, MCA to include appointment of four legislators to the [SWPAC] and adjust related provisions."**

Issue: Again, the SWPAC does not appear anywhere in state law. Section 85-1-203, MCA simply places the responsibility for developing the state water plan with the DNRC. It does not mention the current planning process of SWPAC and steering committees appointments, scoping meetings etc. Does this initiative envision codifying the current planning process in state law? If so, to what level of detail? For example, will it specify overall SWPAC and or steering committee membership, or simply require that, if created, the SWPAC must include bipartisan representation from the legislature?

Other issues.

A general issue also arises under this initiative regarding the statutory Committee responsibilities under section 85-2-105(3), MCA, which states:

(3) On a regular basis, the committee shall:

...

(b) analyze and comment on the report of the status of the state's water development program required by 85-1-621, when filed by the department;

(c) analyze and comment on water-related research undertaken by any state agency, institution, college, or university;

(d) analyze, verify, and comment on the adequacy of and information contained in the water resources data management system maintained by the department under 85-2-112;

...

These duties are separate from the "oversight" responsibilities found in section 85-2-105(2). It is unclear who, if anyone, would inherit these responsibilities should the Committee be abolished.

DATE 1/11/93

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LEGISLATIVE AUDITOR

Agency Summary

Budget Item	Current	Current	Executive	LFA	Difference	Executive	LFA	Differen
	Fiscal 1992	Fiscal 1993	Fiscal 1994	Fiscal 1994	Fiscal 1994	Fiscal 1995	Fiscal 1995	Fiscal 19
FTE	67.50	67.50	63.50	63.50	0.00	63.50	63.50	0
Personal Services	2,180,182	2,248,012	2,381,210	2,381,210	0	2,386,841	2,386,841	
Operating Expenses	271,523	306,634	329,686	329,686	0	290,614	290,614	
Equipment	<u>33,000</u>	<u>57,629</u>	<u>12,475</u>	<u>12,475</u>	0	<u>12,256</u>	<u>12,256</u>	
Total Costs	\$2,484,706	\$2,612,275	\$2,723,371	\$2,723,371	\$0	\$2,689,711	\$2,689,711	
Fund Sources								
General Fund	1,159,805	1,246,127	1,307,219	1,307,219	0	1,291,061	1,291,061	
State Revenue Fund	<u>1,324,900</u>	<u>1,366,148</u>	<u>1,416,152</u>	<u>1,416,152</u>	0	<u>1,398,650</u>	<u>1,398,650</u>	
Total Funds	\$2,484,706	\$2,612,275	\$2,723,371	\$2,723,371	\$0	\$2,689,711	\$2,689,711	

Page References

LFA Budget Analysis (Vol I), A1-4
 Stephen's Executive Budget, A1

Current Level Differences

None

Budget Modifications

None

Language and Other Issues

The Legislative Auditor eliminated 4.0 FTE to comply with Section 13 of House Bill 2. This reduction is reflected in the the 1995 biennium budget proposal shown above. .

Exec. Over(Under) LFA
 Fiscal 1994 Fiscal 1995

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LEGISLATIVE FISCAL ANALYST

Agency Summary

Budget Item	Current Level Fiscal 1992	Current Level Fiscal 1993	Executive Fiscal 1994	LFA Fiscal 1994	Difference Fiscal 1994	Executive Fiscal 1995	LFA Fiscal 1995	Difference Fiscal 1995
FTE	17.50	18.00	17.00	17.00	0.00	17.00	17.00	0.00
Personal Services	673,800	742,566	724,263	724,263	0	729,609	729,609	0
Operating Expenses	89,394	132,823	138,640	138,640	0	130,651	130,651	0
Equipment	576	1,000	3,500	3,500	0	3,500	3,500	0
Total Costs	\$763,771	\$876,389	\$866,403	\$866,403	\$0	\$863,760	\$863,760	\$0
Fund Sources								
General Fund	763,771	876,389	866,403	866,403	0	863,760	863,760	0
Total Funds	\$763,771	\$876,389	\$866,403	\$866,403	\$0	\$863,760	\$863,760	\$0

Page References

LFA Budget Analysis (Vol I), A 5-7
 Stephen's Executive Budget, A 2

Current Level Differences

None

Budget Modifications

None

Language

Exec. Over(Under) LFA
 Fiscal 1994 Fiscal 1995

OFFICE OF THE LEGISLATIVE FISCAL ANALYST

COMPARISON OF 1993 AND 1995 BIENNIA BUDGETS

Appropriation	1993 Biennium	1995 Biennium	Increase
Operations			
First Year	\$807,239	\$829,003	\$21,764
Second Year	\$876,389	\$863,760	(\$12,629)
Total	\$1,683,628	\$1,692,763	\$9,135
Contingency appropriations	\$99,110	\$37,400	(\$61,710)
Grand Total	\$1,782,738	\$1,730,163	(\$52,575)

BUDGET 1995 BIENNIUM						
	SPEC. SESS. APPROP FY92	REQUESTED FY94	PERCENT DIFF.	SPEC. SESS. APPROPRIATED FY93	REQUESTED FY95	PERCENT DIFF.
CURRENT LEVEL:						
F.T.E.	17.50	17.00	(0.50)	18.00	17.00	(1.00)
PERSONAL SERVICES	\$702,134	\$724,263	3.2%	\$742,566	\$729,609	-1.7%
CONTRACT SERVICES	\$46,905	\$43,131	-8.0%	\$82,060	\$73,165	-10.8%
SUPPLIES	\$9,400	\$9,898	5.3%	\$12,000	\$12,718	6.0%
COMMUNICATIONS	\$10,341	\$8,609	-16.7%	\$9,000	\$8,308	-7.7%
TRAVEL	\$13,000	\$13,429	3.3%	\$7,000	\$9,053	29.3%
RENT	\$10,571	\$11,201	6.0%	\$10,763	\$11,520	7.0%
REPAIRS	\$10,315	\$10,904	5.7%	\$9,000	\$11,757	30.6%
OTHER	<u>\$3,412</u>	<u>\$4,068</u>	<u>19.2%</u>	<u>\$3,000</u>	<u>\$4,130</u>	<u>37.7%</u>
TOTAL OP EXPENSE	\$103,944	\$101,240	-2.7%	\$132,823	\$130,651	-1.6%
EQUIPMENT	<u>\$1,161</u>	<u>\$3,500</u>	<u>201.5%</u>	<u>\$1,000</u>	<u>\$3,500</u>	<u>250.0%</u>
TOTAL CURRENT LEVEL REQUEST	\$807,239	\$829,003	2.7%	\$876,389	\$863,760	-1.4%
Biennial Appropriations						
	FY 92 Approp.	FY 94 Requested				
Consultant	\$18,700	\$18,700				
Post Secondary Ed. (HB 142)	\$61,710	\$0				
Data Processing - Leg. Requests	<u>\$18,700</u>	<u>\$18,700</u>				
Totals	\$99,110	\$37,400				

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CONSUMER COUNSEL

~~HB~~

Agency Summary

Budget Item	Current Level Fiscal 1992	Current Level Fiscal 1993	Executive Fiscal 1994	LFA Fiscal 1994	Difference Fiscal 1994	Executive Fiscal 1995	LFA Fiscal 1995	Differen Fiscal 19
FTE	4.25	4.25	4.25	4.25	0.00	4.25	4.25	0
Personal Services	216,007	225,540	226,925	226,925	0	227,162	227,162	
Operating Expenses	400,176	719,592	718,045	718,045	0	719,594	719,594	
Equipment	<u>5,665</u>	<u>1,710</u>	<u>2,927</u>	<u>2,927</u>	0	<u>2,085</u>	<u>2,085</u>	
Total Costs	\$621,849	\$946,842	\$947,897	\$947,897	\$0	\$948,841	\$948,841	
<u>Fund Sources</u>								
State Revenue Fund	<u>621,849</u>	<u>946,842</u>	<u>947,897</u>	<u>947,897</u>	0	<u>948,841</u>	<u>948,841</u>	
Total Funds	\$621,849	\$946,842	\$947,897	\$947,897	\$0	\$948,841	\$948,841	

Page References

LFA Budget Analysis (Vol I), A20-21
 Stephen's Executive Budget, A12

Current Level Differences

None

Budget Modifications

1. The Executive Budget contains a budget modification to add 1.0 FTE and \$108,383 for the biennium to continue a utility economist position (authorized and filled in fiscal 1993) and associated operating expenses.

Language

None

Exec. Over(Under) LFA	
Fiscal 1994	Fiscal 199
54,270	54,11

54,270 54,11

1104 00 00000		LEGISLATIVE COUNCIL							<u>HB</u>
Agency Summary									
Budget Item	Current Level Fiscal 1992	Current Level Fiscal 1993	Executive Fiscal 1994	LFA Fiscal 1994	Difference Fiscal 1994	Executive Fiscal 1995	LFA Fiscal 1995	Difference Fiscal 1995	
FTE	45.70	55.70	42.97	42.97	0.00	48.14	48.14	0.00	
Personal Services	1,494,879	1,661,482	1,653,511	1,653,511	0	1,706,364	1,706,364	0	
Operating Expenses	979,154	716,502	1,568,204	1,568,204	0	643,241	643,241	0	
Equipment	<u>140,610</u>	<u>108,502</u>	<u>329,031</u>	<u>329,031</u>	<u>0</u>	<u>362,231</u>	<u>362,231</u>	<u>0</u>	
Total Costs	\$2,614,645	\$2,486,486	\$3,550,746	\$3,550,746	\$0	\$2,711,836	\$2,711,836	\$0	
<u>Fund Sources</u>									
General Fund	1,550,449	1,981,003	2,654,033	2,654,033	0	2,294,085	2,294,085	0	
State Revenue Fund	<u>1,064,196</u>	<u>505,483</u>	<u>896,713</u>	<u>896,713</u>	<u>0</u>	<u>417,751</u>	<u>417,751</u>	<u>0</u>	
Total Funds	\$2,614,645	\$2,486,486	\$3,550,746	\$3,550,746	\$0	\$2,711,836	\$2,711,836	\$0	

Page References

LFA Budget Analysis (Vol I), A 8-15
 Stephen's Executive Budget, A 3-6

Current Level Differences

None

Budget Modifications

The Legislative Council requests general fund of \$54,668 in fiscal 1994 and \$78,808 in fiscal 1995 to fund pay increases in the 1995 biennium.

Language and Other Issues

The Legislative Council's budget has been reduced by 3.2 FTE in fiscal 1994 and an additional 1.0 FTE in fiscal 1995 to comply with Section 13 of House Bill 2.

The Legislative Council's budget contains \$698,081 for the biennium to continue implementation of the Legislative Branch Automation Plan. These funds provide equipment and operating expenses to legislative agencies. See page A14 in LFA Budget Analysis for more information.

Exec. Over(Under) LFA
 Fiscal 1994 Fiscal 1995

DATE 1/1/93

Table 1 provides a 1993 biennium appropriation to 1995 biennium budget comparison for the Interim Studies and Conferences program.

Funding

All interim studies and conference activities are funded by general fund with the exception of the Coal Tax Oversight Subcommittee, which is funded by coal tax state special revenue funds.

In the 1993 biennium, the legislature used \$12,000 of coal tax funds for the Regional Conferences budget and used general fund to support the Coal Tax Oversight Subcommittee. State special revenue decreases in the 1995 biennium due to elimination of the Regional Conferences budget and reinstatement of coal tax support of the Coal Tax Oversight Subcommittee at a lower level than appropriated in past biennia.

	1993 Biennium	1995 Biennium	Increase/ (Decrease)
FTE	2.00	2.47	0.47
<u>Interim Standing or Temporary Committees</u>			
Joint Interim Committees	\$82,470	\$89,762	\$7,292
Statewide Issues	25,000	25,000	0
Districting and Apportionment Commission	43,000	0	(43,000)
State-Owned Aircraft Study	12,000	0	(12,000)
<u>Permanent Statutory Committees</u>			
Revenue Oversight Committee	37,983	42,958	4,975
Coal Tax Oversight Subcommittee	0	4,609	4,609
Select Committee on Indian Affairs	14,048	14,464	416
JTPA Review Committee	7,200	7,193	(7)
	0	6,582	6,582
<u>Interstate Cooperation</u>			
National Conference of State Legislators			0
Salary	14,458	14,880	422
Dues	118,608	128,188	9,580
Travel & Training	56,640	64,320	7,680
Council of State Governments			0
Salary	0	14,880	14,880
Dues	0	96,400	96,400
Travel & Training	0	65,640	65,640
Commission on Uniform State Laws	30,000	35,000	5,000
Northwest Economic Region Conference	20,000	51,324	31,324
Regional Conferences	<u>32,000</u>	0	(32,000)
Subtotal	\$493,407	\$661,200	\$167,793
Plus Inflation		\$8,416	\$8,416
Less January 1992 Special Session Reduction	(\$37,361)		37,361
Less July 1992 Special Session Reduction	(100,000)		100,000
Total Expenses	<u>\$356,046</u>	<u>\$669,616</u>	<u>\$313,570</u>
<u>Funding</u>			
General Fund	\$344,046	\$665,007	\$320,961
State Special Revenue	<u>12,000</u>	<u>4,609</u>	(7,391)
Total Funding	<u>\$356,046</u>	<u>\$669,616</u>	<u>\$313,570</u>

Operating expenses increase by \$149,394 due to: 1) a \$105,986 increase in contracted services including a \$40,000 increase in computer costs and a \$55,000 increase in publishing costs; 2) a \$30,000 increase in repair and maintenance; and 3) a \$10,000 increase in travel. Some of the computer cost increase and most of the repair and maintenance increase is due to the Legislative Branch Central Network budget.

Operating expenses decrease in fiscal 1995 because approximately \$335,000 budgeted in fiscal 1994 for publication of the Montana Code Annotated does not continue.

Equipment increases due to the Legislative Branch Central Network budget, which adds \$302,681 in fiscal 1994 and \$338,880 in fiscal 1995. The Legislative Council has included approximately \$50,000 over the biennium for code production equipment, miscellaneous office equipment, and computer equipment not contained in the Legislative Branch Central Network budget.

Fiscal 1992 transfers consist of the administrative appropriation to the State Library for reapportionment support services, which is not continued in the 1995 biennium.

Table 2 provides a breakdown of the total Legislative Branch Central Network budget.

In the Legislative Branch Central Network budget: 1) contracted services consists of network service and tape storage charges; 2) supplies represents backup tapes, tape drive cleaners, and other supplies necessary to maintain branch file servers; 3) repair and maintenance includes funds for the network file server, network administrator workstation, and portable computer maintenance costs (hardware repair and maintenance for existing equipment is contained in individual agency budgets); 4) training consists of file server hardware and software training for network administrators; and 5) software and equipment is the level required to implement and maintain the branch-wide network.

Object of Expenditure	FY 1994 Budget	FY 1995 Budget	1995 Biennium Total
Contracted Svcs	\$6,878	\$6,878	\$13,756
Supplies	2,852	2,852	5,704
Repair/Maintenance	13,530	13,530	27,060
Training	5,000	5,000	10,000
Software	56,091	61,090	117,181
Equipment	<u>246,590</u>	<u>277,790</u>	<u>524,380</u>
TOTAL	\$330,941	\$367,140	\$698,081

Object of Expenditure	Operating Expenses	Equipment	1995 Biennium Total
Legislative Auditor	\$19,404	\$152,595	\$171,999
Legislative Fiscal Analyst	10,414	122,256	132,670
Legislative Council	25,127	200,507	225,634
Environmental Quality Council	75	21,025	21,100
Senate	750	74,394	75,144
House	<u>750</u>	<u>70,784</u>	<u>71,534</u>
TOTAL	\$56,520	\$641,561	\$698,081

Table 3 shows the allocation of these costs among the legislative agencies.

In fiscal 1992, the Legislative Council spent \$38,915 of a \$69,530 general fund appropriation for the Legislative Branch Computer Network budget modification. These expenditures are included in the fiscal 1992 columns on the agency and program tables above. The fiscal 1993 general fund appropriation for the Legislative Branch Computer Network modification is \$70,166.

HOUSE OF REPRESENTATIVES
VISITOR REGISTER

GEN. GOV. & HWYS. SUBCOMMITTEE DATE 1/11/92

DEPARTMENT(S) E.Q.C., L.F.A., LEGIS. COUNSEL, DIVISION
LEGIS. AUDITOR

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NAME	REPRESENTING	
CELIA FARLAN	CONSUMER COUNSEL	
MAREN BERGER	legis Auditor	
SCOTT Spacet	legis Auditor	
Bob Nelson	Consumer Counsel	
Sen. Lorents Grosfeld	Water Policy Committee	
Terry Cohen	LFA	
EMEREN EUGSTENT	EQC	
Michael S. KAKUK	EQC	
Hal Harper	WD 44	
Bob Person	Legislative Council	

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