

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON HOUSE APPROPRIATIONS

Call to Order: By Chairman Bardanouve, on March 16, 1989, at
8:08 a.m.

ROLL CALL

Members Present: 19

Members Excused: Representative Spaeth

Members Absent: None

Staff Present: Pam Joehler and Dr. Peter Blouke, LFA

Announcements/Discussion: Tape 1, Side A, 00

Representative Thoft said yesterday when the committee acted on House Bill 173 which is a very important bill for his area, a Senator had come in and taken him out to discuss another issue and he missed the vote. He said he understood there was a motion to table, and he requested he be recorded as voting no on the motion to table, and yes on the motion for a do pass.

Chairman Bardanouve asked if there was any objection from the committee, since it did not change the outcome of the vote. There was no objection from the committee and Chairman Bardanouve requested Rep. Thoft's votes be recorded.

HEARING ON HOUSE BILL 200

"AN ACT CREATING THE MONTANA CHILD CARE ACT TO PROVIDE FOR A STATE PROGRAM FOR THE IMPROVEMENT OF CHILD CARE; PROVIDING FOR ~~LOW INCOME DAY CARE SUPPORT PROGRAMS AND TRANSITIONAL CHILD-CARE PROGRAMS ASSISTANCE~~; CREATING A CHILD-CARE ADVISORY COUNCIL; PROVIDING AN APPROPRIATION; AMENDING SECTIONS 52-1-103, 53-4-501, 53-4-502, 53-4-507, 53-4-511, AND 53-4-515, MCA; ~~REPEALING SECTIONS 39-7-601 THROUGH 39-7-606, MCA~~; AND PROVIDING EFFECTIVE DATES."

Presentation and Opening Statement by Sponsor:

Representative Vincent, House District 80, Bozeman said this bill has been heard in Human Services Committee and passed, and passed on the House floor, so he did not want to take up too much time. He said this is the extensive work over the past 2 years of grass roots groups concerned about the quality of child care of day care in Montana. He said there is some controversy in regard to the bill, but today all child care in Montana is provided by private providers. He

said the only intent of the bill is to provide quality day care to those children. He said the issue today has to do with the funding, and the bill calls for 2.5 FTE, and you have approved 2.5 FTE in the Family Services; however, the Human Services subcommittee and the Appropriations did strike \$60,000 that was recommended by Governor Stephens for resource and referral grants. He said this was stricken by the subcommittee, but it is still in this bill, and he is asking that it remain there, and reinserted in House Bill 100. He said resource and referral gives working mothers a chance to know where there are good day care centers.

Testifying Proponents and Who They Represent:

Nancy Griffin, Montana Women's Lobbyist Fund
Cathryn Campbell, President of Montana Association for the
Education of Young Children
Christine Deveny, League of Women Voters
Trinka Mickelson, Montana Rainbow Coalition
Paulette Baily, Helena, and a single parent
Scott Anderson, Head Start Director, Missoula
Dan Walker, U. S. Communications
Jim Smith, Human Service Resource Development Council
Gary Walsh, Department of Family Services
Russel Cater, Chief Legal Counsel, SRS
Pam Simmons, Helena

Proponent Testimony:

Ms. Griffin passed out EXHIBIT 1 and 2, said they are very concerned about the availability and the quality of child care in Montana. She said they were particularly interested in the research and referral. She referred to the fact sheet on exhibit 1.

(160) Ms. Campbell said they are part of a national organization committed to the improvement of services of children from birth through the age of 8. She said resource and referral is a community based non-profit program serving parents, and is interested in having it serve all of Montana. She said just as families have changed, so has the work force, and regardless of the salary or type of job responsibility have a common problem, how to care for the children while they go to work. She said they need to know their children are well cared for and getting some training, and businesses that provide or help provide child care prefer a referral system.

Ms. Deveny handed in her testimony, EXHIBIT 3, and said the League had done a child care study completed in 1988 which demonstrated the need for improved, affordable and accessible quality child care.

Ms. Mickelson said she was in support of House Bill 200, but do not support the amendment to take out the transitional

program assistance.

- Ms. Bailey handed in written testimony EXHIBIT 4, and said she works full time and has had many experiences in child care situations. She said the importance of quality child care cannot be over emphasized. She said this is the first structural educational experiences for those children and their first socialization experiences and it is important that these be as positive as possible.
- (320) Mr. Anderson said they provide training services for providers, health services to providers and children enrolled in the day care service, and nutrition services including reimbursement through the child care food program. He said they have had a resource and referral program in Missoula for about 3 years now, and it appears to provide the service needed.
- Mr. Walker said they have been wrestling with the day care issue for several years. He said they recognize the availability of quality day care as the solution to a business and productivity problem. He said they felt the referral could rest within the public sector at a reasonable cost. He said their employees were in a difficult situation, especially at times of transfer to a new area, and they feel this bill should be considered carefully.
- Mr. Smith said (450) the subcommittee members were supportive of day care. He said he has talked to many of the people he represents and the agencies bear out the information that has presented to the committee. He said they did not have the resources to compile and maintain a central registry of licensed day care centers and keep track of the referrals. He said they would urge committee support for the bill.
- Mr. Walsh said they support the bill and the resource and referral program.
- Mr. Cater (500) said he was speaking to an amendment, EXHIBIT 5, he had sent to Representative Vincent, and addresses only the statement of intent. He said when the bill was first introduced it dealt with low income day care on a sliding scale, a transitional child care for families that had just left the welfare assistance roles, and the resource and referral services. The amendments placed on the bill deleted the provisions relating to low income people that were not just getting off the welfare assistance roles, and although it was deleted from the substantive provisions of the bill and from the title, it was not deleted from the statement of intent. He said they became interested because the DFS will be administering the program. He said section 6 refers to the family support act, a new federal welfare law, and refers to a section 301 and 302, of the federal bill discusses the right these people that are currently on the welfare assistance have, and are currently going through

the jobs training program, that they have to be guaranteed day care assistance. He said 302 is a transitional or extended child care provision and gives the right of 12 months of day care assistance on a sliding scale when leaving welfare. He said the amount, etc., will be up to the regulations from the federal government, but they are not out yet. He said he would encourage the adoption of these amendments.

Ms. Simmons said she was a working parent and has used resource and referral twice, and told some of her personal situation. She said her son had contracted a contagious disease at 4 months of age and could not be in a day care center with other children. She received help through the resource and referral and said without it she would probably not have been able to work. She urged support of the bill.

Testifying Opponents and Who They Represent:

Charles Gravely, appearing in behalf of a number of people who contacted him at his attorney's office in Helena

Mona Bracken,

Lola Johnson, single mother and
Jody Frank, Licensed Day Care Provider
Representative Bob Marks
Bobby Ralston, Private Preschool Provider

Opponent Testimony:

Mr. Gravely said the people who contacted him expressed concern that the bill went further than what you are hearing here. He said there are referral services in existence now, and it is questionable whether it is necessary to inject state funds into this to make it work. He said you could not assume that a licensed day care would be inspected properly because there were not enough inspectors, and some of the inspections he had learned of were really not inspections at all, just coming to the door and making checks on a sheet of paper.

Ms. Bracken read a quote from a letter sent out to a prospective day care provider that was mailed out this year. The letter stated it was not necessary to visit a home to license it, and the inspector did visit 15% of the homes annually by random selection. She said she felt a visit was certainly necessary to license a home, but you can make one call over the phone, fill out a questionnaire, and that is it.

Ms. Johnson said she is a single mother, and there is a shortage of good safe child care in Montana. (Tape 1, B, 000). She listed the restrictions on numbers, and if you had children of your own they counted as part of the total number, so you could not make a living at caring for these children. She

said a day care provider was going to be good or not, regardless of rules and regulations and she said the licensing should not be mandatory but left up to the parents and the care givers.

Ms. Frank said she is here as a concerned parent, and is in the process of finding a building to rent so they can provide day care. She said there are a lot of problems within day care and feels H. B. 200 will only add to those problems. She said she wants less government control, and does not feel they need more control with more control. She recounted some instances of actual happenings in licensed day care centers, and said she did not feel these were acceptable.

Representative Marks said there is no fiscal note on the bill and no long term cost to the state has been provided as to what this will cost to implement. He said he felt this was a well meaning piece of legislation, but missed the point. He said he felt testimony today had shown there was no difference on quality of care between the licensed and the non-licensed, and said media sources had shown that nationally there have been some spectacular accounts of abuse in licensed facilities than in those that are not.

Ms. Ralston told of experience with her child in a licensed day care center, told of what she was doing in the preschool day care center she had, and said she was very much opposed to this bill.

Questions From Committee Members: Rep. Cobb asked the department about the conditions of the Welfare Reform Act, and Mr. Walsh said, the state is required to provide child care for the transitional job training program. He said there is federal money for the licensing aspect, but no money for the resource and referral. He said the requirement is that child care be available, but there is no mechanism in terms of providing financial support for finding it.

Representative Grinde asked Rep Vincent about the 2.5 FTE and asked if those were the ones put in House Bill 100. Rep. Vincent answered yes. Rep. Grinde asked if they show up in the fiscal note, and Rep. Grinde said they show up under assumption 1. Rep. Grinde asked if it was all right to take them out of this bill and was told it was probably needed for coordination between the appropriation and the authorization. Rep. Grinde said he thought they had been put in and direct them to do the licensing and registration. Rep. Bradley asked why Rep. Vincent did not sign the fiscal note, and was told because he felt assumption 1 and 2 directly related to this bill, that the remainder of the assumptions did not, and the fiscal note was much more extensive than it needed to be. He said assumptions 3 through 13 refer to other legislation, but he did not have the bill numbers.

Representative Grinde asked Mr. Smith, do HRDC's have R and R right now? Mr. Smith answered they do in Billings and in Lewistown. Rep. Grinde asked if there are private R and R facilities now, Mr. Smith answered yes.

Representative Cody asked Mr. Walsh if House Bill 200 does not pass, what is the impact so far as the relationship between the federal government and the state, and Mr. Walsh said Senate Bill 70 talks about welfare reform and the job program and SRS is responsible as the state agency for welfare reform, including jobs. Welfare reform requires child care be available for child care recipients in the program he assumed there was some sort of protection, but the regulations were not out yet. Mr. Cater said section 6 in House Bill 200 deals with the child care provisions of the federal welfare reform act, and as far as he could see, it is probably not even necessary in the bill because it is in Senate Bill 70. Representative Cody said the simple answer she wanted was, will we or will we not conform to the federal welfare act without House Bill 200. Mr. Cater answered yes, we will conform.

Representative Cody asked, on the Resource and Referral program that has been discussed, what funding are those folks out there getting now? Mr. Smith said in Billings and Lewistown the HRDC is funded through the DFS to do the R and R function. He said he did not know the source of funds at DFS. Mr. Walsh said federal money for the dependent care is \$20,000 state wide to fund 5 programs. Walsh said Welfare Reform expands the number of areas that jobs would be provided in.

Representative Cody said one of the women who testified in opposition to this bill referred to the Department not really doing the inspections you should be, and do not have the resources to do it. Mr. Walsh said the requirement is for family day care and group homes that they be registered and as a day care center, be licensed. If it is a home or a group home, registration involves a self certification process, and is a survey form. The individual attests to meeting the requirements set forth. The Department pulls a random sample of 15% of those registered individuals and does an on site visit. He said he would hope it is more than what was described here. He said there is no on site inspection to the other 85%. Rep. Cody asked how many abuse cases had come out of licensed day care centers in the state versus non licensed. Mr. Walsh said they don't have the authority to intervene in a 3rd party child assault case. He said with laws being currently processed, the definition of day care will be added to the basic definition of child abuse and neglect, and will give them the authority to investigate and act on those cases. He said those referrals now are going to the county attorney. Rep. Cody asked if there had been any prosecution, and Mr. Walsh said there

have been some referrals, but is not aware of specific cases where there has been prosecution.

Representative Grady asked if they would commend on why so many changes within the definitions when they really relate to the purpose of the bill, and Rep. Vincent said he could not answer specifically in regard to the difference between the title and the content of the bill. He said it was felt because currently there are so many different requirements and some loopholes, that by redefining what constitutes certain kind of care, etc. that you would have a better situation.

Representative Grady asked if the Speaker would be amenable to the amendments proposed by Rep. Marks, and Speaker Vincent said he would have to take a closer look at them, because he wanted to be sure that a day care facility is defined as such, and that other types of definitions don't just make loopholes that would allow them to allow them to operate as day care centers but not have to meet the regulations and licensure provisions that day care centers should meet.

Representative Connelly asked Ms. Bracken if she had said she had a day care now. Ms. Bracken answered yes, she is preschool and a learning center, and is not licensed. Rep. Connelly asked why she was not licensed and was told she was licensed for 3 1/2 years by the state. She said she more than conformed to all the personal recommendations, and due to a personal family problem the statement was made that if it takes you 5 years we will close you up. She said she was harassed for 1 1/2 years and then she told them she did not want to be licensed any more. She said she does care for children, has a lot of nice parents, and everyone was concerned at the time. She said she went preschool and learning center and kept the same children.

Representative Marks asked about the item on subsection 7 on page 17 and asked how many facilities they envisioned would either require licensing or registration, and was told currently they have about 1005 facilities to be licensed or registered and with Welfare Reform the intent is there will be an additional number which they are talking about approximately 550 cases and about 750 the second year. He said it looked like the providers for parents in the job program would need either a licensed or registered provider.

Representative Marks asked if they expect to inspect each of them with 2.5 FTE? Mr. Walsh said they believed they could, given the ones they now have. Rep. Marks asked if this would inspect only a percentage, or all of them. Mr. Walsh said they believed they could inspect about 15%.

Closing by Sponsor: Representative Vincent closed by saying there is state regulation of day care in every state in this nation, it just varies in degree. In Montana we have day

care provided by private providers and nothing in this bill is going to change that. He said they are talking about licensing, but there is no preemption of choice here. No person in Montana is going to be told where their children must go.

Chairman Bardanouve closed the hearing on House Bill 200.

HEARING ON SENATE BILL 95

"AN ACT TO INCREASE THE MAXIMUM IN-STATE TRAVEL ALLOWANCE FOR STATE EMPLOYEES; AMENDING SECTION 2-18-501 ,MCA; AND PROVIDING AN EFFECTIVE DATE".

Presentation and Opening Statement by Sponsor: Tape 2, Side A, 026.

Senator Rasmussen, Senate District 22, Helena, Chief Sponsor of Senate Bill 95, said Senate Bill 95 relates to the state rate, the amount paid to state employees for lodging. Presently it is \$24, the original bill had language to raise it to \$35 and the Senate amended it back to \$30. He said the existing rate which is very low is affecting both the private sector and state employees in a negative way.

Testifying Proponents and Who They Represent:

Dixie Lee Elliott, owner of Elliott Inn at Billings
Carol Austin, General Manager, Super 8, Helena
Bonnie Tippy, Montana Innkeepers
Gordon Carlson, Coach House Inn, Helena
Robert Dompier, Heritage Inn, Great Falls
Alan Nixon, Colonial Inn, Helena
Carl Solvie, Grand Tree Inn, Bozeman
Larry McRea, Outlaw Inn, Kalispell
Dotty Dougdale, Town House Inns, Butte, Dillon, and Super 8's in Conrad, Columbus
Ray Brandewie, Montana Innkeepers
Vern Sitter, President, Montana Innkeepers

Proponent Testimony:

Ms. Elliott asked the committee to support Senate Bill 95 at \$30. She said \$24 is lower than their corporate rate or their tour rate, or their rate for the elderly. She said while inflation has been fairly moderate in the past few years, if you take the federal government consumer price index and compound it with that \$24 rate you would have today \$32.30, and by 1991 it would be \$35.30. She said we have been providing paid health insurance for our employees for 10 years, and they are going up 40% per year, and that is just part of the package. She said on the bed tax, out of state visitors brought in \$582 million to this state in 1988, but in Billings we lost our entire fall season because of the

Yellowstone fires.

Ms. Austin said a do pass of this bill requires the continuation of the bill as amended to \$30. She said this bill had passed the Senate and the House, and was now in this committee, and hoped it would get a favorable consideration.

((047) Ms. Tippy discussed the fiscal note and said it was not yet revised to reflect the \$30 figure. She said it would be about 45% of the original. She said, looking at the general fund aspect, and the fact that a lot will come out of the State Special, Federal Government and Proprietary funds, with about 45% general fund you are looking at about \$90,000 out of the general fund. She said House Bill 739 will be heard in your committee tomorrow, and it will require the Department of Commerce to reimburse the general fund the amount of money about \$65,000 to \$70,000 of bed tax money the state has been paying, and maybe that will help reduce the impact of this bill on the general fund. She said this is not an employee benefit bill, it is a cost of doing business. EXHIBIT 2 was handed in as a part of her testimony.

Mr. Carlson said the current rate represents about a 50% discount for lodging in meeting and convention hotels. He said you don't see any media advertising this kind of rate any where else. He said the \$24 rate is lower than most budget hotels charge their customers, and by comparison the federal rate is \$40 per day. Most motels and hotels, he said, determine at their own expense, if they are going to accept a state traveler or a state convention. Many times the hotel or motel in the town is forced to turn down the business, even though they want to do business with the state. He said in the food business, the income is not adequate to offset the \$24 rate.

Mr. Dompier said a little over a year ago they decided the Heritage Inn could no longer afford to offer a \$24 rate. Since then we have offered a \$30 state rate. He said they have lost most of their state business. He said this was not any kind of a protest, it was mere economics. He said there was no magic they could do to the \$24 to cover all of their costs. His testimony is attached as EXHIBIT 1.

Alan Nixon, spoke about pressures applied to the hotels to accept the state rate. He said if you turn the state business down, perhaps you are the only hotel in town that can accommodate a group of 60 to 80 rooms and a meeting capacity room. He said you cannot just decline the business without standing a chance of alienating them or the agency and being denied future business from them. He said we want their business, but the price exceeds their ability to pay so they both lose. He said the Governor's office sends out letters telling out of state speakers etc. to insist on the state rate.

Mr. Solvie talked about the abuse of the state rate. He said it has become such a discounted rate that the abuse had become rampant. He said state employees themselves travel on week end pleasure, especially to Missoula and Bozeman when major sporting events are held, and they have no way of controlling whether the employees are on business or pleasure. He said the rate is so attractive that cities, counties and many associations piggy back the \$24 rate. He listed several associations that have piggy backed the state rate.

(365) Mr. McRae said it costs between \$12 and \$13 just to clean the room and service it. He said this does not include the cost of supervisors, management, replacements and repairs of equipment and supplies, interest payment or taxes. He said his direct costs on convention services his direct costs will exceed the \$24 and when he adds the debt service and taxes and the other expenses he is over \$40. He said a state employee can stay in a less expensive hotel, but a lot of the business on the road today requires convention facilities. He said they cannot continue to sell their product at less than cost.

Ms. Dougdale said in the past 5 years the hotel, motel industry has had financial problems, and several have closed. She mentioned several properties that had been closed or taken over by the insurance companies. She said the state of Montana serves as an economic depressant to the Hotel, Motel industry with it's \$24 state rate. She said with the other agencies and associations that adopt the expense guide line, further the financial woes. She said in addition the federal and state government assessed their industry in the past 2 years with hard hitting taxation. She said the FICA taxes on tips, 2. unemployment compensation on tips, 3. added workman's compensation tax on tips, 4. removal of tip credit to wages, 5. proposed increase in minimum wages. She said with all this, the state of Montana continues to price fix the goods and services of the Hotel and Motel industry, and even the economy budget line motels are feeling a real impact with the \$24 rate.

Mr. Brandewie told about his daughter who is an eligibility technician with SRS, and is required to come down about 3 times a year to Helena for work shops. He said in the winter time she can get the state rate, in the summer she cannot. He said she is a single parent of 2 and gets no support, her day care expenses are \$500 a month and she is working with \$12,000 in wages. He said she would be better off if she was a client of another eligibility technician because she would have medicaid and some adequate resources, but is not taking that route. He said when she is called on to come down here for 3 or 4 days at a time, she has to line up a baby sitter at home then gets paid less than it costs to operate her car for the 187 miles she has to come. She

does not get enough money to pay for her meals and has to take money out of her income to subsidize a state required work shop, and he felt it was wrong. He said there are a lot of employees put in this position, and he felt they should either not have to travel, or be paid for it.

Mr. Sitter said the rising operational costs including the additional government type taxes placed on us as well as employee wage increases and benefits have made the \$24 rate unacceptable.

Testifying Opponents and Who they Represent:

None

Testimony of Opponents:

None

Questions From Committee Members: Representative Cody said on page 2 of the bill, it says the Governor shall authorize the actual cost of lodging in addition to the meal amounts for out of state travel, then it says other elected officials shall be authorized the actual cost of lodging. She asked if we have any constraints on out of state lodging, and was told there was a \$50 limit for all other elected officials except the Governor.

Representative Cody asked Mr. Dompier how much business they had lost after changing their policy of accepting the \$24, and was told he lost all the state business, but said they were better off financially not to service the room at the \$24 rate. He had not done this as a protest against the state, but had decided the service cost exceeded the rate and they could not afford to do it. They did lose a lot of those meetings. Rep. Cody was told the Colonial Inn business has now erased about 85% of the dates, and only have about 15% of their dates available in the course of the year for state business.

Representative Swysgood asked Mr. Solvie what percentage of his total occupancy is state business and was told they have began to limit their state business also, but would say roughly for 1988 about 4 to 5%. Rep. Swysgood asked Ms. Dougdale the same question and was told in Conrad the portion of government business is 25%, in Butte about 17%, Dillon about 18% and Columbus around 15%.

Representative Kimberley asked Mr. Solvie about his testimony indicating there were representatives from the Montana School Board Association, the School Administrator's Association, and the MEA that used the \$24 state fee. He asked if he understood correctly that they are using it in the guise of being a state employee, and was told that they feel they are on state business even though they are not

state employees and that they deserve it. He said they feel they should piggy back the state rate, and if you say no, they black ball you, and you lose all the business, pleasure and business.

Ms. Dougdale said a woman from the Association of Counties was in the hearing in the State Administration committee and said they feel the county government and the League of Cities and Towns that it is all government. MEA feels they work for government, so they sort of take off on the lead the state takes and that is all they reimburse their employees for.

Tape 2, B, 000. Chairman Bardanouve expressed concern over the abuse of other branches of government that are using this. If anyone in the fringe area say they will black ball you, it is one of the most unethical things I have heard of.

Representative Marks asked in the normal course of operation of an inn, you generally reserve a certain percentage of your occupancy at a reduced rate? Ms. Austin said she can speak for the Super 8 in Helena, they do not turn away anything. We do not say we have a big group in today and will fill this place up, so if someone comes from the state, you don't say you can't stay here. We operate on a first come-first served basis.

Representative Bardanouve pointed out to Ms. Tippy that she had said there are more and more government employees, and yet in actuality, we have less employees than we had a few years ago. Ms. Tippy said that may be true at the state level, but perhaps the state employees are traveling more than they have in the past. Rep. Bardanouve said we have also cut the travel budgets the past few years, and something does not add up here. Ms. Tippy said she could not answer it, but it seemed every year there are more and more groups who are really pressuring the hotels and motels in Montana to accept the \$24 rate.

Representative Quilici asked Ms. Tippy if she felt they were seeing more and more groups that are other than state employees using the state regulations? Ms. Tippy said yes, everyone is in agreement on that. In answer to Chairman Bardanouve's question she said that more of the employees traveling are not state employees, but rather city or county employees and people who work for their associations as well.

Closing by Sponsor: (075) Senator Rasmussen closed by saying the federal government pays \$40, North Dakota pays \$35, Idaho reimburses actual lodging, Utah is at \$40, Washington is between \$35 and \$47, so we are way under all these other entities.

Chairman Bardanouve declared the hearing on House Bill 95 closed.

HEARING ON HOUSE BILL 774

"AN ACT APPROPRIATING MONEY TO THE DEPARTMENT OF HIGHWAYS FOR MAINTENANCE OF CERTAIN COUNTY ROADS DESIGNATED BY THE DEPARTMENT FOR MAINTENANCE ASSUMPTION IF THE ROADS MEET OILED STANDARDS."

Presentation and Opening Statement by Sponsor:

Representative DeBruycker, House District 13, Floweree, explained this bill as an honest and fair treatment bill.

Testifying Proponents and Who They Represent:

Ray Standiford, Liberty County Commissioner
John E. Witt, County Commissioner
Gene E. Cowan, Phillips County Commissioner
Senator Jenkins, Choteau County
Gordon Morris, Montana Association of Counties (MACO)
Charles Danreuther, Choteau County Commissioner
Chairman Doucette, Choteau County Commissioner
Representative Iverson, Senate District 12
Representative Duane W. Compton, House District 17
Senator Hammond, Senate District 9

Proponent Testimony:

(165) Mr. Standiford said he would speak in favor of House Bill 774 as it relates to Choteau and Liberty Counties. Maps, EXHIBITS 1 and 2 and a fact sheet EXHIBIT 3 was handed out to the committee. Mr. Standiford said 1961, based on a commitment by the Montana Highway Department, the two counties entered into an aggressive program whereby they finished this route, which was completed in 1974, and as per instructed Liberty County officially requested the state take over the maintenance. He said the situation the two counties are in now is that they have placed so much of their funds into this road that other roads have been neglected, and the situation is serious. He said in Liberty County they are faced with a 32% budget decrease in the last 2 years, and taxpayers are disillusioned that so much money has been put into a main thoroughfare from Canada, the Highline area, from Wyoming, Billings and Great Falls. He said there is a lot of over loaded, over width traffic that goes over this route. He said this is an intra state traffic pattern and they have been turned down in the past on their request for the state highway to take over the route. In 1977 the Legislature enacted a bill that prevented the state from taking over additional routes, and in reading the bill, he felt the intention of the legislative action was to keep the highway from dropping a lot of routes they were maintaining at that time. He said the other reason they give for refusal is money, and this is the primary reason why the county needs to have the state honor it's obligation.

- (223) Mr. Witt referred to the map, and pointed out this road does not just affect Choteau and Liberty Counties. He said all the anhydrous ammonia, fertilizer, gas, oil, drilling rigs etc., for the entire area follow this route.
- (271) Mr. Cowan asked the approval of the committee for House Bill 774. He said in Phillips County they have about 98 miles of secondary road that county taxpayers are paying for. He said they don't mind the upkeep on 42 miles of the road, because they consider that a farm to market road, but the road from Malta north to the Canadian line, # 242 is a continuation of # 4, in Canada and is also used for other traffic between this area and Canada.
- (320) Senator Jenkins said in 1961 the state contacted the counties, and they said they had identified roads that should be paved and the state did not have enough money to pave them. The state told the counties if they would use their federal funding to pave these roads and bring them up to specs, the state would assume the maintenance of these roads as soon as the projects were finished. He said the counties agreed to do this on good faith, and the state honored their obligations on many of these roads, but there are 4 roads that were not honored, and that is why this bill is before your committee.
- (410) Mr. Morris said he would like to go on record in support of House Bill 744, and would ask the favorable consideration of the committee for this bill.
- (416) Mr. Danreuther said he can remember when they said this road was going through, finished and taken over by the state, and agree with the proponents testimony. He pointed out on the map the section of road from Fort Benton to Arrow Creek that goes to Stanford that has already been taken over by the state, the remainder from Ft. Benton to Chester has not.
- Sherman Doucette said he would ask that the state maintain it's honesty in fulfilling the contract or agreement to maintain this road. He said he considers this an international road.
- (444) Representative Iverson said he would like to go on record as a proponent of this bill.
- (447) Representative Compton said he had been a commissioner in Phillips County back in '71 when this started. He told of the efforts to meet their part of the agreement to get the road built, then the state decided they would not maintain it. He said on page 2, lines 16 and 17, those two roads have not been completed yet.
- (488) Senator Hammond said he was in support of House Bill 774. He said he had lived most of his life in that area and was

aware of the history given the committee. He said they had many meetings with the Highway Department reminding them of the agreement made years ago, and it seemed there was a time they said they couldn't find such an agreement because the highway numbers were changed. He said the efforts to make that road Canadian Highway South has been worked on ever since the creation of the Fred Robinson bridge. He said he felt it only right that the State Highway Department live up to the agreements made, and would encourage the committee to give favorable consideration to the bill.

Representative Bardanouve asked about the other two areas, and asked where the witnesses were. Representative Cody said apparently they are not paved and do not need to be in the bill, Rep. Bardanouve said there was a chunk of money in the bill for them. Rep. DeBruycker said they are under this if they complete oiling the road. They still have a lot to complete to comply with this agreement.

Testifying Opponents and Who They Represent:

Jesse Munro, Montana Department of Highways (MDOH)
Bob Champiion, MDOH

Opponent Testimony:

Mr. Munro said he is the acting director for the MDOH, and they are in opposition to this bill. He said they agreed in 1961 that Fred Quinell, state engineer at that time, contacted these counties and offered them the opportunity to finish the roads and then the state would then take them over. He said things have changed over the 1970's, the Department undertook a functional reclassification where we studied the roads for traffic counts and usage. He said on completion, that functional reclassification was adopted and put into statute that those were the roads we would maintain under the 1977 legislation. He said none of these roads at that time qualified for status under their maintenance during that reclassification, and felt that was upheld by the 1977 legislature. He said also during that time executive reorganization changed who had the authority to make such guarantees and changes, and the actual commission's role in running and committing the Department was reduced. He said in regard to routing traffic, their permits are routed in accordance with the operator's request through the weigh stations and the GVW Division within the Department. He said as long as there is federal money involved in maintaining the roads the counties cannot refuse any travel on the roads.

Mr. Champion said there is some federal money involved in maintaining these roads as well as the original building of the roads.

Questions From Committee Members: (720) Representative Swift asked if there had ever been any reimbursement made to the counties that completed the first two sections? Mr. Munro said the improvements that were made to bring them to pave standards were made predominately with state and federal highway funds. He said there is some county funds in both of them, there was no reimbursement of the county expenditure. Rep. Swift asked about the contract, and Mr. Munro said that subject has been before the commission 4 or 5 times, discussed with lawyers, and they don't agree that there is a valid contract. Rep. Swift asked if the Highway Department had not written letters and agreed to that condition? Mr. Munro said, no, Mr. Quinell wrote letters, they are denying that a valid contract exists.

Tape 3, A, 012. Representative Grady asked how many miles of road they have built and then turned back to the counties to maintain? He asked how that falls into this, and Mr. Munro said the road Rep. Grady referred to was the Fletcher Pass road, which goes from Helena to Lincoln and is on the federal aid secondary system. He said during the time the federal aid secondary system has existed they have paved about 2200 miles of the system, and except for about 200 miles, all of that mileage is maintained by the counties. Mr. Munro said this is the basic arrangement of the federal aid secondary system. Rep. Grady asked how much it would cost the Highway Department if they had to take over the maintenance of all those roads, and Mr. Don Gruel, in the maintenance part of the department, said roughly it would be about \$12 million a year which would not include the start up cost, the initial equipment, etc.

- (032) Representative Swysgood asked about the original letter, and asked if there was a time limitation on it for the completion of these roads? Mr. Gruel said there was not.
- (037) Representative Thoft asked if it was a formal contract or just a letter and was told it was a letter that caused the counties to enter into this agreement.
- (050) Chairman Bardanouve asked the Phillips County Commissioner, what the road budget for your county, and was told about \$1.2 million. Rep. Bardanouve asked how much they spend on the Malta North road, and was told they try to spread the \$1.2 million around 1800 miles of county roads in their county and he said he tries to get 3, 4 or 5 miles every year of "cap", since that is all they can afford. He said you pay \$8,000 for a tanker load of oil, which is down to about \$5,000 now, and the road crews, you are looking at \$40,000 to \$50,000. Rep. Bardanouve asked if he spent \$247,000 each year on the Malta North Road and was told no, and the road looks like it, too. Rep. Bardanouve asked about the Choteau & Liberty County road and how much they

spend on it each year. He was told their budget in Liberty County is a little over \$300,000 and in the past 4 years we have averaged about \$100,000 a year on just their portion of that road. In Choteau County they spend from \$50,000 to \$100,000 a year. Mr. Danreuther said in Choteau County they maintain 3,000 miles of gravel road and about 160 of secondary road, and this particular road is in his district which has 900 miles of gravel and 30 miles of paving on \$300,000, and they can't do it.

Representative Swysgood said in looking at this letter it is pretty explicit that if certain conditions were met that the state would enter into an agreement. He asked the Choteau County Commissioners if any of the counties in question here had ever entered into that agreement, and was told Choteau County did. Mr. Danreuther said they finished their road in '66, requested in '66, and in '67 the state came out and inspected it and took over maintenance of the road officially with a written agreement in 1967. They took over the portion from Stanford to Fort Benton, and that is why the other counties worked so hard to get theirs finished.

Representative Swysgood asked, the portions we are talking about in this bill have never been entered into any agreement, and was told no, only the section from Stanford to Ft. Benton.

Representative Peck said it sounded to him as though Choteau County does have a written agreement with the state that was entered into, but Liberty County does not. He asked if that is correct. He was told that is true, and referred to the map on the Ft. Benton Stanford route. EXHIBIT 4 was handed in.

Closing by Sponsor: Representative DeBruycker said there was an agreement that the counties acted on in good faith, the state fulfilled part of the agreement and backed out on the other. He said the Ft. Benton to Chester road met the classifications by 1974 and the Legislature in '77 changed the rules. He said the other roads they are worried about having to take over do not have the history to go with this, so they will not have to be taken over.

Chairman Bardanouve declared the hearing on House Bill 774 closed.

HEARING ON HOUSE BILL 772

"AN ACT AUTHORIZING THE DEPARTMENT DESIGNATED BY THE GOVERNOR TO ADMINISTER THE FEDERAL SURPLUS PROPERTY PROGRAM TO RECEIVE A LOAN FROM THE PROPERTY FUND; PROVIDING FOR REPAYMENT OF THE LOAN; PROVIDING AN APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE."

Presentation and Opening Statement by Sponsor:

Representative Simpkins, House District 39, Great Falls,

said this is the appropriation bill that goes along with 691 which has already passed both Houses and should be on it's way to the Governor's desk. He said this is the federal surplus property program for the state of Montana, and said surplus property is the property that is no longer needed by the federal government. He said this is put up to be used free of charge to states and other organizations so long as they qualify under the existing general service agreements. He said in '87 \$804 million of property was made available to the surplus property program. He ran through some of the history of the other states (202), and talked about the benefits to the state if the program is used. EXHIBIT 1 is attached to the minutes.

Testifying Proponents and Who They Represent:

Lyle Neigel, State Volunteer Fire Fighters Association
Marvin Eickleson, Administrator of Procurement and Printing

Proponent Testimony:

Mr. Neigel said this federal surplus property is a real boon to them. He told of one of their departments picked up a 5 ton truck through DES because they are the bottom of the line when it comes to applying for surplus property. He said the truck was sitting in Great Falls, but it took 3 months to get it since it had to go San Francisco, then had to give all the entities down the line to see that they didn't want it before they gave it to them. He said it had a resale value of \$8,000 and it cost the department in actual money \$150 to pay for the paper work.

(367) Mr. Eickleson said they are neither supporting or opposing the bill.

Testifying Opponents and Who They Represent:

None

Opponent Testimony:

None

Questions From Committee Members: Representative Peterson asked how does a town or county know what is in the warehouse in the state? Representative Simpkins said when they get into the small equipment they anticipate putting out a mimeographed listing of what is available. To start with, they want the counties, the cities and the eligible people help build a list of what they want and then start going out to get that.

Chairman Bardanouve asked, you are borrowing \$150,000 from the general fund and appropriate \$250,000 from the proprietary fund. He asked where the \$250,000 comes from. Rep.

Simpkins said that is the administrative fee. If we use 10% average across the board, that means the \$100,000 we would have to sell \$1 million to the cities and counties, etc., and 10% is our fee, we would then have the \$100,000. The second year we expect to sell about \$2.5 million and that is where the money is coming from. Rep. Bardanouve said, it says each year and Rep. Simpkins said as he understands it that is strictly spending authority, and they put the sales money back in that revolving account.

Representative Swysgood said he didn't know if the language is correct. He wants spending authority and the establishment of a proprietary fund, but this language says there is "appropriated from" the proprietary fund which is non-existent at the present time.

Pam Joehler, LFA, at the request of Chairman Bardanouve, said there would have to be a proprietary account established specifically for this program, and the appropriation would come from that proprietary fund. She said perhaps they should add establishment of a proprietary account and will appropriate from that account.

Representative Marks asked if he had any "druthers" where would he put the facility, and Rep. DeBruycker said at the present time he would go with the Department of Lands. He said the problem with the Department of Administration--the best he can get out of them is "run it just like it is at the present time" which is fatal. He said it could not be run by the state surplus division manager since it is a different program and an entirely different accountability systems, and the best offer he has had is from the Department of Lands.

Representative Marks asked if it would not help to have both programs in the same division since they serve the same entities, assuming the administration is good, and Rep. DeBruycker answered as long as there was a definite division between the departments and not a mix of the property or the accountability, but feels it would make no difference where this program was because it is because everything has to be separate.

Representative Marks asked why he would want to put this in Great Falls, and Rep. DeBruycker said because of the Maelstrom Air Force Base, which is the only surplus federal property and disposal yard in the state of Montana entering the federal system.

Representative Bardanouve said it raises the question as to why should one agency have the surplus property and the other agency have surplus property. Rep. DeBruycker said there are two different fire departments who talked here. The Forestry Service gets into the excess program through an agency of the federal government which is the Dept. of

Forestry in Washington D.C. Mr. Neigle was talking about rural fire departments which would be a sub agency of a local county or local government, which means they have to come through the third level.

Closing by Sponsor: Representative Simpkins said he had a good hearing and he closed. He said he would appreciate any help they could get on this.

HEARING ON HOUSE BILL 716

"AN ACT MAKING RAVALLI COUNTY A SEPARATE JUDICIAL DISTRICT; ALTERING CERTAIN JUDICIAL DISTRICT BOUNDARIES AND CHANGING THE NUMBER OF JUDGES IN THE 4TH JUDICIAL DISTRICT; PROVIDING FOR THE ELECTION OF A JUDGE TO FILL THE JUDGESHIP CREATED BY THIS ACT; AMENDING SECTIONS 3-5-101 AND 3-5-102, MCA; AND PROVIDING DELAYED EFFECTIVE DATES."

Presentation and Opening Statement by Sponsor:

Representative Fred Thomas, House District 62, Stevensville, and Chief Sponsor of House Bill 716, gave a copy of testimony, EXHIBIT 1. He said this would be an act to make the county of Ravalli a separate Judicial District. He said they are currently a part of the 4th Judicial District which covers Missoula County and Mineral County. He said this would move one of the present judges into the new district. He said Ravalli County is about 3% of the state's entire population and it files about 3% of all district court filings in Montana. He said there is some concern on the part of Missoula County that they might not want to lose a judge, and he had an amendment would add another district judge.

Testifying Proponents and Who They Represent:

Representative Thoft
Representative Swift

Proponent Testimony:

Representative Thoft said he would like to go on record as a proponent of this bill.

Representative Swift said he would like to be listed as a proponent of House Bill 716.

Tape 3, Side B, 000.

Testifying Opponents and Who They Represent:

None

Opponent Testimony:

None

Questions From Committee Members: Representative Kimberley said he did not see why all the districts would not be able to state the same case. He said he lives in the 13th Judicial District and they have Big Horn, Yellowstone, Stillwater and Carbon. He said this is 4 pretty well populated counties and they have 5 district judges. Rep. Thomas said just off the surface when you have approximately 25,000 people in Ravalli County, it is 3% of the state's population and with one judge it would be a little less than 3% of the judges.

(037) Representative Bardanouve said he thought it had not been mentioned what the total population of the present district is, and Rep. Thomas said it is in the middle page. Rep. Bardanouve said you have over 1/4 of the population of that district, and it could mean this judge is over worked proportionately. Rep. Bardanouve asked if one of the others was transferred or gone, it would only leave two to handle the whole case load of the other counties. Rep. Thomas said that had not been brought up as a problem, judges often moved around to hear a case, or cases were moved to different districts.

Representative Thoft said he had asked about facilities, and that apparently had been handled. He said he had also asked what if a judge were disqualified, and was told they were also disqualified in other districts, so it balanced out.

Representative Bardanouve asked if he was supporting the amendment for an additional judge in the present district? Rep. Thomas said his preference would be to have just the four current judges and move one of those to Ravalli county.

Representative Bardanouve asked how the judges felt since they might have a home elsewhere, etc. He said this would be started in 1993 and this bill would eliminate the 4th judge in the 4th district and moving that position down to the new district. His term is up in '92 and the election for the new spot would be in '92. He said the judge who is presently in that position used to be Ravalli County Attorney

Representative Cody asked if the amount paid by Ravalli county came out of a mill levy and Rep. Thomas said yes, property taxes, licensing permits and the different fees. He said then there is money coming out of the county's general fund which was \$48,000 last year. Rep. Cody asked if it wouldn't be more expensive to have a single judge for Ravalli County, and Rep. Thomas said they felt they could operate more efficiently and at no more cost.

Representative Bardanouve said they would have to have a court reporter at about \$23,000 and a legal secretary at \$15,000 to \$18,000 which would about equal what is now paid for

court reporters alone. He said he was not quite clear what was meant by this. Rep. Thomas said, what the attorney is saying in that letter is that is what Ravalli county would have to hire directly, where now they are hired in the district in Missoula. He said those people would either move to Ravalli County, drive, or be hired locally to do the job. These are not additional, the jobs would transfer with the judge.

Closing by Sponsor:

Representative Thomas thanked the committee for the hearing, and felt the questions asked had covered any thing he could say in closing.

HEARING ON HOUSE BILL 773

"THE MONTANA INITIATIVE FOR THE ABATEMENT OF MORTALITY IN INFANTS (MIAMI) ACT; ESTABLISHING A MIAMI PROJECT TO ASSURE THAT MOTHERS AND CHILDREN RECEIVE ACCESS TO QUALITY MATERNAL AND CHILD HEALTH SERVICES, TO REDUCE INFANT MORTALITY AND THE NUMBER OF LOW BIRTHWEIGHT BABIES, AND TO PREVENT THE INCIDENCE OF CHILDREN BORN WITH CHRONIC ILLNESSES, BIRTH DEFECTS, OR SEVERE DISABILITIES AS A RESULT OF INADEQUATE PRENATAL CARE; PROVIDING MEDICAID ELIGIBILITY TO PREGNANT WOMEN AND TO INFANTS WHOSE FAMILY INCOME DOES NOT EXCEED THE FEDERAL POVERTY THRESHOLD; ALLOWING AMBULATORY PRENATAL CARE FOR PREGNANT WOMEN DURING A PRESUMPTIVE ELIGIBILITY PERIOD; APPROPRIATING FUNDS; AMENDING SECTIONS 53-6-101 AND 53-6-131, MCA; AND PROVIDING AN EFFECTIVE DATE."

Presentation and Opening Statement by Sponsor: (190)

Representative Wyatt, House District 37, Great Falls, Chief Sponsor of House Bill 773, said this bill would ensure that mothers and children, particularly those with low income or limited availabilities for health services receive access to quality to maternal and child health care services. She said this would reduce the number of low birth rate babies, infant mortality, and would help prevent the incidence of children born with chronic illness, birth defects or severe disabilities as a result of inadequate prenatal care. She explained that babies born with low birth weight babies, babies of 3 to 5 lbs or less, and said from an SRS study high cost infants in Montana were those needing an expenditure of \$10,000 of medicaid treatment during the first year. She said Montana had 83 babies in that category, they needed \$2,697,461. She said that is 50.6 percent of the entire expenditure of medicaid infants in 1986.

Testifying Proponents and Who They Represent:

Representative Marks, Clancy
Dr. Karen Landers, Helena Pediatrician
Representative Swysgood

Representative Cody

Kay Foster, Chairman of a committee appointed by Governor Schwinden to find solutions for this problem

Chuck Ball, March of Dimes Birth Defects Foundation

× Elizabeth Bozedog, Executive Director, Healthy Mothers, Healthy Babies

Roxanne Easterman, Helena

Dr. Espelin, talked on his own

Jim Smith, Human Research Development Council

Patricia Hennessey asked to be listed as a proponent

Proponent Testimony:

Representative Marks said he was happy to speak in favor of this bill, and had considered sponsoring one. He said we sit in this committee and the members in Human Services Committee have been dealing with unfortunate, handicapped, and disadvantaged people, and felt some money spent to try to head that off it would be good. He told of visiting the WAMI program and had visited the neonatal center. He said those tiny babies, some weighing only one pound, would only be about 1/2 that were normal, the others were the children who wind up in the institutions, or special care, and much of this could be prevented with proper prenatal care.

Dr. Landers handed in her testimony, EXHIBIT 1, and referred to the tables on the back of the exhibit showing Montana's ranking in the world, and the U.S. ranking in the world on infant mortality. She said these babies can be very expensive to care for and may go on to have life long disabilities. EXHIBIT 2 is attached to the minutes.

Ms. Foster said the council she had worked on was one that related to the availability of obstetrical care in Montana. She said Rep. Schye and Mercer, Sen. Mazurek and Hammond also served on the committee. She said the recommendations of the committee was that the best short term and long term solution to the problem of availability of obstetrical care in Montana are the same recommendations that are in the MIAMI project.

Mr. Ball (378), said they support an appropriation of state funds to implement the MIAMI project. He said they have worked for 50 years to reduce birth defects, and part of this is to reduce the low birth rate and infant mortality.

Ms. Bozedog said the infant mortality rate in our state is very critical. She said we have 120 infants dying in Montana each year, and we need to end this loss. She said the MIAMI project will save money and more important, it will save the lives and suffering of our children. She read a letter from a mother who was unable to stay for the meeting.

(480) The letter from Ms. Easterman

Dr. Espelin said because of the money involved, the Executive branch and the Department have elected to take a neutral stance on this bill, and so he is speaking for himself. He said one of the keys to this is the advisory committee which would have 6 meetings and would evaluate strategy and projects and formulate a report so we would know where we are going. He said the ability to reduce infant mortality depends on our success in adopting approaches that are appropriate to diverse communities in our state.

Mr. Smith said the Human Research Development Councils he works for have signed onto the Montana Children's agenda, and would like to offer their support to the MIAMI project.

Testifying Opponents and Who They Represent:

None

Opponent Testimony:

None

Questions From Committee Members: Representative Cody asked Dr. Espelin if there is any statistics that show when you have this type of program in place, as to what we might expect in saving some of these babies? Dr. Espelin said the programs they have in place now are successful. He said the best statistics are available from the Access Links Program in Missoula, and this was independently evaluated and the publication was printed after the evaluation by the Montana State University College of Nursing. He said they have shown the marked decrease in the number of days shown spent in the new born ICU, of the cases followed for the 2 year period, there were 10 days in the new born ICU, the first year was 7 and the second was 3. He said the numbers are small, but in looking at the other programs that are in place, you see the same trend.

Representative Thoft said since there are statistics and results will be seen if it works. He asked if anyone would object to a sunset of this bill? Dr. Espelin and 2 or 3 others answered they had no objection.

Representative Grady said the review of infant deaths, the genetics program at Shodair uses to some extent, asked if they would be using any of the genetics programs or any of Shodair facilities? Dr. Espelin said the review work done at Shodair is mostly autopsies on fetal deaths, but also on infant deaths, and from that standpoint, they would use that program.

Representative Bardanouve said this is a Medicaid program, don't you need a Medicaid appropriation also? Penny Robbe answered that there are two provisions in this bill that do affect the Medicaid budget. The first is providing Medicaid

eligibility to pregnant women and infants whose family income does not exceed the federal poverty threshold, and the second is to allow ambulatory prenatal care for pregnant women during the presumptive eligibility period. Rep. Bardanoue asked if they can get medicaid dollars without an appropriation and she said no. She said a fiscal note was requested from their department and has been sent to the governor's office, and she did not believe it has been received yet.

Representative Swift said he noticed they were setting up another advisory council, and with the discussion held, he asked if we didn't already have, in the Department of Health or Family Services a counterpart to this? Dr. Espelin said not to his knowledge.

Representative Quilici said it has an appropriation in the measure of \$107,837 and this is from the general fund (233) for the purpose of administering the program, but you will still need an appropriation to make the program work.

Tape 4, A. 000.

Closing by Sponsor: Representative Wyatt read a letter from Patricia Hennessey and asked that she be listed as a proponent for the bill.

Chairman Bardanoue declared the hearing on House Bill 773 closed, and the committee would take executive action on some bills.

DISPOSITION OF 56

Motion: Motion by Representative Menahan that House Bill 56 do pass.

Discussion: Representative Menahan said it had been amended to \$35,000 before we received the bill.

Amendments, Discussion, and Votes: None

Recommendation and Vote: Voted, passed, Representative Grinde voted no.

DISPOSITION OF HOUSE BILL 233

Motion: Motion by Representative Marks to amend House Bill 233 would be effective at the current level of 50% reimbursement in the first year and go to 100% reimbursement the 2nd year.

Discussion: Rep. Marks said he had talked that over with the individuals and the University people agreed on it, Rep. Brown agreed on it, and everyone on the subcommittee agreed on it. He said he did not have the amendment, but that is

the intent, and the fiscal analyst can work up the amendment.

Amendments, Discussion, and Votes: Voted, passed, unanimous of those present.

Motion: Motion by Representative Marks that House Bill 233, as amended, do pass.

Recommendation and Vote: Voted, passed, unanimous of those present.

DISPOSITION OF HOUSE BILL 774

Motion: Motion by Representative Menahan that House Bill 774 , do not pass.

Discussion: Representative Iverson said he would like to discuss the bill and would like to amend it.

Amendments, Discussion, and Votes: Motion by Representative Iverson to amend House Bill 774 by striking lines 16 and 17 on page 2. He said those roads were not finished anyway.

Recommendation: Voted, passed, unanimous of those present.

Substitute Motion: Substitute Motion by Representative Iverson that House Bill 774 do pass as amended.

Recommendation: Voted, failed.

Discussion: Representative Cody asked how this would affect the contracts and bonding since this is coming out of the Highway fund. Representative Bardanoue said it did not affect those at all, it came out of their operating budget.

Representative Cody asked, this will take \$1 million out of their operating budget for the biennium.

Representative Cody asked Rep. Quilici if they can afford to lose this kind of money out of their operation budget. Rep. Quilici said the Department said not, but if you took this out of the maintenance contract, something else will have to suffer. He said if this passes, we will have to try to give them more money in Finance and Claims when it gets in the Senate.

Representative Iverson said, you heard the commissioners talking this morning and the numbers they are talking about were under half of what this bill estimated. Representative Swysgood asked why it is necessary to appropriate anything for this, why not give them the bill and tell them they have to take care of them and let them figure it out.

Representative Bardanoue said he really believed those counties

should go to court and decide whether or not they have a legal right. Representative Menahan said that is his point, that for us to contribute to this, we are saying yes, there is a contractual agreement, and that is not our job.

Representative Peterson said she is going to vote for the bill because she felt there is a big credibility gap. She said those counties that are saying the state does not uphold their responsibilities, was a comment she heard a lot.

Motion: Motion by Representative Quilici to amend House Bill 774 on lines 14 and 15 and give a biennial appropriation of \$247,590 and \$242,546 rather than an annual appropriation.

Chairman Bardanouve said on line 5 you would strike each year and appropriate it for the biennium. You would strike out "each year of". Representative Quilici agreed this would be the amendment.

Recommendation: Voted, passed, Representatives Cody, Swysgood, Kimberley and Thoft voting no.

Recommendation: Vote on the substitute motion to pass as amended. Voted, roll call vote, failed on a tie vote.

Recommendation and Vote: Vote was taken on the original motion that House Bill 774 do not pass. Voted, passed. 9 members voted yes, 7 members voted no.

DISPOSITION OF HOUSE BILL 193

Motion: Motion by Representative Thoft that House Bill 193 be amended, EXHIBIT 1, to amend the title, line 11.

Discussion: None

Amendments, Discussion, and Votes: Voted, passed.

Motion: Motion by Representative Thoft that House Bill 193 do pass as amended.

Recommendation and Vote: Roll call vote, passed, 10 members voting yes, 6 members voting no.

DISPOSITION OF HOUSE BILL 333

Motion: Motion by Representative Bradley that House Bill 333 do pass.

Discussion: (550) Representative Iverson said if you lived in Cutbank, especially on the Southwest side, you would know why this was needed. There is a tank farm on top of the hill that has been there for 60 or 70 years and they are not sure where the oil is coming from, whether it is from the tank farm or somewhere else, but there is a dozen or more

blocks below that hill that have hydro carbon running in their basement, and they are talking about oil that has a gravity of over 40, which is just like gasoline. The problem is that the oil that has currently been stored in tanks up there for the past few years is all 36 to 38 gravity and does not match. He said this is the kind of problem that needs that type of clean up.

Representative Thoft asked what this does to other expenditures from RIT, and was told it does not affect RIT unless we appropriate money to it. Rep. Grady asked where we are getting this money then and was told the EPA. Representative Bradley said the Environmental Protection fund which has already been set up.

Ms. Ripplingale said the testimony was that they have some RIT as a base, but when they go out and find a problem they will clean it up and then go after the responsible party and try to recover the cost. Some of that money will go into this. She said there is a question if this bill sets up a million dollars in authority, they may not have a million dollars to spend.

Amendments, Discussion, and Votes: None

Recommendation and Vote: The Motion that House Bill 333 do pass was voted, passed, roll call vote, 11 members voting yes, 5 voting no.

DISPOSITION OF HOUSE BILL 400

Motion: Motion By Representative Marks to amend House Bill 400, page 2, lines 4 and 11. EXHIBIT 1.

Discussion: None

Amendments, Discussion, and Votes: Voted, passed.

Motion: Motion by Representative Marks to amend House Bill 400 page 4, line 10.

Discussion: Representation Marks said this would take the money out of the coal tax trust fund. He said he felt this was a good use for the coal tax corpus.

Recommendation: Voted, failed, roll call vote, tie vote.

Tape 4, side B, 000.

Motion: Motion by Representative Connelly that House Bill 400 do pass as amended.

Recommendation: Voted, roll call vote, motion failed, 8 members voting yes, 9 members voting no.

Motion: Motion by Representative Swysgood that House Bill 400 do not pass.

Recommendation and Vote: Former vote was reversed, House Bill 400 was voted do not pass.

DISPOSITION OF HOUSE BILL 772

Motion: Motion by Representative Grady that House Bill 772 do pass.

Discussion: Representative Marks said he did not think there should be any controversy on this bill.

Amendments, Discussion, and Votes: None

Recommendation and Vote: Voted, passed, unanimous of those present.

DISPOSITION OF HOUSE BILL 546

Motion: Motion by Representative Iverson to table House Bill 546.

Discussion: None

Amendments, Discussion, and Votes: None

Recommendation and Vote: Voted, passed, one member voted no.

DISPOSITION OF HOUSE BILL 773

Motion: Motion by Representative Marks that House Bill 773 do pass.

Motion: Motion by Representative Thoft that House Bill 773 be amended to sunset.

Amendments, Discussion, and Votes: Voted, passed, Representative Bradley voting no.

Recommendation and Vote: HOLD for later action. Representatives who made and seconded the motion withdrew the motion and second.

DISPOSITION OF HOUSE BILL 731

Motion: Motion by Representative Marks that House Bill 731 be tabled.

Discussion: There was some discussion on this being classes that would come to areas in different towns for classes. Education Subcommittee recommended 5 - 2 that this bill be tabled.

Amendments, Discussion, and Votes: None

Recommendation and Vote: Voted, passed, Roll call vote, 11 voting yes, 5 members voting no.

DISPOSITION OF HOUSE BILL 398

Mrs. Rippingale said she had the amendments recommended by the Education subcommittee.

Motion: Motion by Representative Marks that House Bill 398 be amended on page 1, line 15 and page 2, line 7, EXHIBIT 1.

Discussion: None

Amendments, Discussion, and Votes: Voted, passed, unanimous of those present.

Motion: Motion by Representative Marks that House Bill 398, as amended, do pass.

Recommendation and Vote: Voted, passed, Representative Cobb voting no.

DISPOSITION OF HOUSE BILL 601

Mrs. Rippingale told the committee the amendments had been prepared at the request of the committee.

Motion: Motion by Representative Thoft to accept the amendments. EXHIBIT 1, attached to minutes.

Discussion: Rep. Marks asked where the money was coming from, and Rep. Bardanoue said this is the revolving fund in the Department of Health. It is the EPA money, and we have to put up 20% to receive the EPA money.

Representative Marks asked about the issue involved, do we allow bonding authority or match? Rep. Swysgood said with the amendment on page 7, lines 14 etc. which gives money for administration, he asked if we have to address that. Mrs. Rippingale said page 7 is the allocation account, it is not an appropriation, it is an allocation. She said on page 17, Pam Joehler has separated out the administrative costs from the pass through money, so the administrative costs is not statutorily appropriated, it falls back under the legislative authority, but the money that goes out is statutorily appropriated. She said you take out from "statutorily" on line 13, and strike lines 13, 14, 15 and 16.

Amendments, Discussion, and Votes: The amendment was voted, passed.

Motion: Motion by Representative Menahan that House Bill 601, as

amended, do pass.

Recommendation and Vote: Voted, passed.

DISPOSITION OF HOUSE BILL 335

Motion: Motion by Representative Grady that House Bill 335 be tabled.

Discussion: Representative Bardanoue said that Senator Regan's bill took care of this.

Amendments, Discussion, and Votes: None

Recommendation and Vote: Voted, passed

DISPOSITION OF HOUSE BILL 583

Motion: Representative Kimberley moved that House Bill 583, do pass.

Discussion: Representative Bardanoue said there was some concern when the witnesses came in that we would take their money away, but it does not do so. Their money is earmarked. Mrs. Rippingale said now they have statutory appropriation so you as a legislature do not get to review their spending. This will move it from statutory over to the normal legislative process so their budget will come before you every session, but the money remains in their account.

Representative Kadas said he had a question on page 13, section 10, the Flathead Basin when they get a gift, are they going to have to come back and get a budget amendment to spend it? Mrs. Rippingale said if they get enough gifts to exceed the appropriation authority they would come to the Governor's office for a budget amendment.

Amendments, Discussion, and Votes: None

Recommendation and Vote: Voted, passed.

DISPOSITION OF HOUSE BILL 653

Motion: Motion by Representative Bradley that House Bill 774 do pass.

Discussion: Voted, failed, roll call vote, 4 members voting yes, 14 voting no.

Motion: Motion by Representative Kadas that House Bill 653 be tabled.

Amendments, Discussion, and Votes: None

Recommendation and Vote: Voted, passed.

DISPOSITION OF HOUSE BILL 774

Motion: Motion by Representative Kadas that House Bill 774 be reconsidered.

Recommendation: Voted, passed.

Motion: Motion by Representative Kadas that House Bill 774 be tabled.

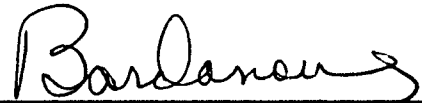
Discussion: None

Amendments, Discussion, and Votes: None

Recommendation and Vote: Voted, passed, one member voted no.

ADJOURNMENT

Adjournment At: 6:45 p.m.



REP. FRANCIS BARDANOUE, Chairman

FB/sk

6102.min

DAILY ROLL CALL

HOUSE APPROPRIATIONS COMMITTEE

51st LEGISLATIVE SESSION -- 1989

Date 3/16/89

NAME	PRESENT	ABSENT	EXCUSED
REPRESENTATIVE BARDANOUE	✓		
REPRESENTATIVE SPAETH			✓
REPRESENTATIVE PECK	✓		
REPRESENTATIVE IVERSON	✓		
REPRESENTATIVE SWIFT	✓		
REPRESENTATIVE QUILICI	✓		
REPRESENTATIVE BRADLEY	✓		<i>come</i> X
REPRESENTATIVE PETERSON	✓		
REPRESENTATIVE MARKS	✓		
REPRESENTATIVE CONNELLY	✓		
REPRESENTATIVE MENAHAN	✓		
REPRESENTATIVE THOFT	✓		
REPRESENTATIVE KADAS	✓		
REPRESENTATIVE SWYSGOOD	✓		
REPRESENTATIVE KIMBERLEY	✓		
REPRESENTATIVE NISBET	✓		
REPRESENTATIVE COBB	✓		
REPRESENTATIVE GRINDE	✓		
REPRESENTATIVE CODY	✓		
REPRESENTATIVE GRADY	✓		

STANDING COMMITTEE REPORT

March 17, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that HOUSE BILL 56 (second reading copy -- yellow) do pass .

Signed: 
Francis Bardanouve, Chairman

STANDING COMMITTEE REPORT

March 17, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that HOUSE BILL 233 (second reading copy -- yellow) do pass as amended .

Signed: Bardanoue
Francis Bardanoue, Chairman

And, that such amendments read:

1. Page 1, line 22.
Strike: "1989"
Insert: "1990"

STANDING COMMITTEE REPORT

March 17, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that HOUSE BILL 193 (first reading copy -- white) do pass as amended .

Signed: 
Francis Bardanouve, Chairman

And, that such amendments read:

1. Title, line 11.

Following: "FEDERATIONS;"


Insert: "PROVIDING FOR A STATE MULTILIBRARY CARD;"

STANDING COMMITTEE REPORT

March 17, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that HOUSE BILL 333 (first reading copy -- white) do pass .

Signed: 
Francis Bardanouve, Chairman

STANDING COMMITTEE REPORT

March 17, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that HOUSE BILL 400 (second reading copy -- yellow) do NOT pass as amended .

Signed: 
Francis Bardanouve, Chairman

And, that such amendments read:

1. Page 2, line 4.
Strike: "two"
2. Page 2, line 11.
Strike: "any equal"
Insert: "the required"

STANDING COMMITTEE REPORT

March 17, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that
HOUSE BILL 772 (first reading copy -- white) do pass .

Signed: 
Francis Bardanouve, Chairman

STANDING COMMITTEE REPORT

March 17, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that HOUSE BILL 398 (second reading copy -- yellow) do pass as amended .

Signed: Francis Bardanouve
Francis Bardanouve, Chairman

And, that such amendments read:

1. Page 1, line 15.

Strike: "designated"

Insert: "current restricted"

2. Page 2, line 7.

Following: "appropriation."

Insert: " The appropriation made by this section is contingent upon funds being available from the renewable resource development bond fund established under 15-35-108 (3) (e) after all other appropriations from this source have been made."

STANDING COMMITTEE REPORT

March 17, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that HOUSE BILL 601 (second reading copy -- yellow), with statement of intent included, do pass as amended.

Signed: 
Francis Bardanouve, Chairman

And, that such amendments read:

1. Page 2, line 3.
Strike: "ALL"

2. Page 17, lines 10 and 11.
Strike: "paying administrative costs of the program,"

3. Page 17, line 13.
Following: "is"
Strike: "statutorily" on line 13 through "program" on line 16
Insert: "subject to legislative appropriation constraints and expenditures from this account must be made from temporary appropriations, as described in 17-7-501 (1) or (2), made for that purpose"

STANDING COMMITTEE REPORT

March 17, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that HOUSE BILL 583 (first reading copy -- white) do pass .

Signed: 
Francis Bardonouve, Chairman

MONTANA WOMEN'S LOBBYIST FUND

P.O. Box 1099

Helena, MT 59624

406/449-7917

H.B. 200 - Support
Nancy Lien Griffin
House Appropriations Committee

EXHIBIT 1
DATE 3/16
HB 200

Chairman Bardanoue and Members of the Committee:

The money attached to H.B. 200 is very small--\$120,000/year, but it's impact will be very great. Welfare reform requires that licensed child care be available for public assistance clients going to work. Already in the state of Montana we have 11,000 registered slots for children and a demand for child care arrangements for nearly 32,000 children.

H.B. 200 contains money for 2.5 FTEs in the Department of Family Services to assist private child care providers with becoming licensed to help meet the demand of welfare reform. It contains \$60,000 a year in a Resource and Referral grants program. This is money directly to Montana communities to assist providers with better programming for the children in their care and to assist parents with locating the kinds of child care arrangements that are appropriate for their children and are quality programs.

I can't emphasize enough the importance of Resource and Referral when a state, such as Montana, is in the beginning stages of meeting child care demand. It is using public dollars to prime the private pump. It is very important! Voters all over America have identified child care as the #1 family need. The cost is very small and the priority for families in Montana is very high.

I have attached a fact sheet on Child Care in Montana for your information.

1985 MONTANA CHILD CARE FACT SHEET

Total Population: 826,000

Total Number of Children 5 and Under: 90,728 (50% of whom live in families where mothers work outside the home)

Total Number of Families: 217,880

Total Number of Female Headed Households: 21,102 (no husband present)

Total Number of Male Headed Households: 6,505 (no wife present)



Median Income

In the Labor Force

All married couples	\$20,516	Female head household employed	4,935
All Families	\$19,315	Married couples with children under 18 with working mother	49,546
Families with Children	\$20,067	Married couples with children under 6 with working mother	21,517
Female headed households with children under 6	\$ 5,173		

Families Below Poverty Level

Determining Poverty Level

Families with children under 18	25,428	Two person family	\$5,000
Female headed household with children under 18	5,752	Three person family	\$5,844
Female headed household with children under 6	3,224		

Implications for Montana:

- Female head of households with children under 6 often live below the poverty level (25% of total).
- Approximately 50% of female head of households have mothers who work outside the home. The wages are often at poverty level.
- Approximately 50% of married couples with children under 6 have mothers who work outside the home.

Estimates indicates as many as 50% of the children under 5 in Montana or 45,364 may be involved in some kind of day care institution. These placements must be supervised and regulated to protect the health, safety and future of Montana's children.

Sources are listed on the back of this page.

This information was prepared by the Early Childhood Project. Since Montana lacks a centralized method of collecting information on children, we hope this collection of information will be helpful to you.

SOURCES OF INFORMATION:

COUNTY POPULATION: Health and environmental sciences, vital records and statistics. Rankings provided by The Center for Data Systems and Analysis, Montana State University, Bozeman, Montana.

UNEMPLOYMENT RATE: Department of labor and industry, Helena, Montana.

NUMBER OF CHILDREN: Populations for the number of children in each county are from the 1980 census of population, projections 1985. Elementary school age children are defined as under 14 years old.

ANNUAL BIRTHS: Department of Health, Statistical Unit, selected county vital statistics for 1985 and state summaries for 1984 and 1985.

SINGLE PARENT FAMILIES: Census of population projections, 1980, 1985.

ECONOMIC OUTLOOK FOR 1985: Department of Labor and Industry

PRENATAL CARE: Montana Department of Health, report of vital statistics, Bureau of Records (month prenatal care began), 1985 residents live births.

INFANT MORTALITY: Montana Department of Health, report of vital statistics, live birth weight group, Montana counties 1985.

LOW BIRTH WEIGHT BABIES: Montana Department of Health, report of vital statistics, live births by birth weight group, Montana counties 1985.

PUBLIC ASSISTANCE: Montana Department of Social and Rehabilitation Services, Community Services Division, for the year of 1985, average monthly counts, elementary school age children are defined as under 14 years old.

DAY CARE NEEDS: Families need affordable child care, child care - whose priority? A state fact book 1985, Children's Defense Fund. U.S. Department of the Census, 1980, calculations by ECP. Montana Department of Social and Rehabilitation Services.

DAY CARE FOR THE POOR: Montana Department of Social and Rehabilitation Services. State and federal child care funds for poor children, Children's Defense Fund.

Early Childhood
Project



Montanans working together for young children.

For more information contact:

Early Childhood Project
Herrick Hall
Montana State University
Bozeman, MT 59717
(406) 994-4746

MONTANA CHILD CARE LAW

REGISTERED . . . LICENSED . . . TOWARD QUALITY CARE

No person, group of persons, or corporation shall establish or maintain a day care center unless licensed to do so by the Department of Family Services, or operate a family day-care home, or a group day-care home without first procuring a registration certificate from the Department of Family Services. . . ANYONE PROVIDING CHILD CARE TO 3 (THREE) OR MORE CHILDREN ON A REGULAR BASIS IS REQUIRED BY MONTANA LAW TO BE LICENSED OR REGISTERED.

This does not include a person who limits care to less than 3 (three) children, or to children related by blood or marriage or under legal guardianship, or any group facility established chiefly for educational purposes.

Regular basis means providing supplemental care (day care) to children of separate families for any daily periods of less than 24 hours within three or more consecutive weeks.

License means a written document issued by the Department of Family Services that the license holder has complied with the law and the applicable standards and rules for day care centers.

Registration means the process whereby the Department of Family Services maintains a record of all family day care homes and group day care homes, and that the operator of the family or group day care home has certified that he/she has complied with the standards and rules for family and or group day care homes.

from Montana Code Annotated, 59.4.501,502

1. CHILD CARE CENTER:

Day Care Center means a place where supplemental parental care is provided to 13 or more children on a regular basis. Centers have professionally trained/educated staff, hours that coincide with normal working hours, they may have a variety of age appropriate activities and programs. Day Care Centers are required to be licensed by the Montana Department of Family Services, annually.

2. FAMILY DAY CARE HOME:

Family Day Care Home means a private residence in which supplemental parental care is provided to three (3) to six (6) children on a regular basis. There may never be more than 3 children under 24 months of age in the home at any given time and the maximum of 6 includes the providers own children under six years of age. This type of care offers a home-like environment and is especially appropriate for infants. Family Day Care Homes are required by law to be registered.

3. GROUP DAY CARE HOME:

Group Day Care Home means a private residence (or with permission from the Department of Family Services a building which is not a private residence) in which supplemental care is provided to seven (7) to twelve (12) children by two adults. The maximum of twelve children includes the children of the two adults under six years of age and there may never be more than 6 children under 24 months at any given time in the home. Group day care homes share many of the qualities of the family day care home. Group Day Care homes are required by law to be registered.

4. PRESCHOOLS

Programs established chiefly for educational purposes are not required to be licensed or registered in Montana; there is no regulation of preschools in Montana.

If you have questions about LICENSING or REGISTRATION please contact the Department of Family Services, Box 8005, Helena, MT 59601 at 444-5800 or contact your local District office.



EXHIBIT 3
DATE 3/16/89
HB 200

House Bill 200
House Appropriations Committee
March 16, 1989
LWVM Contact: Chris Deveny
442-2617

Mr. Chairman, members of the committee, my name is Christine Deveny, representing the League of Women Voters of Montana.

In 1988, the League completed a two-year study of child care in Montana. The results of our study demonstrated the need for improved, affordable and accessible quality child care. Our study conclusions prompted the League to join with the broad coalition of Montana child care advocates working for quality child care through the enactment of HB 200.

If funded, HB 200 will do several things that will greatly improve child care in Montana. One of the most important, is the funding of grants to provide child care resource and referral services for parents, child care providers and communities. When one considers the significant improvements that can be made to child care through resource and referral services, it is evident that the \$60,000 per year appropriation needed for these grants is an economical investment of state dollars.

Resource and referral services are needed to provide the foundation for quality affordable child care in Montana. These services assist parents and communities in finding care for their children. They help locate and develop facilities when there is a shortage, or when special child care needs must be met. Resource and referral services also assist child care providers in improving the quality of their care. They provide training and consultation to providers, help with recruitment and program development, and match providers to the needs of the community.

The need for quality affordable child care in Montana and in the U.S. continues to grow as our work force changes to meet the demands of economic necessity and the challenges of careers. As well, new Federal welfare legislation will also increase the demand for child care, as welfare recipients participate in mandatory job training and education programs, and make the transition from welfare to work. The League of Women Voters supports an active partnership among parents, child care providers, private employers and government to meet this need. We feel that HB 200 is a positive step in that direction, and we urge your support of the reasonable funding request in this bill.

Thank you.

EXHIBIT 4
DATE 3/16/89
HB 200

To: House Appropriations Committee
Re: HB200 Child Care Act
Resource and Referral Grants Program

Mr. Chairman, Members of the Committee:

My name is Paulette Bailey; I am a resident of Helena. As a single parent, I have had innumerable experiences with child care situations, of all levels of quality. The importance of high-quality child care cannot be over-emphasized. Day care experiences are the very beginning of structured education and socialization for many children. It is critical that these experiences be as positive as possible.

Of the dozens of child care situations I personally experienced during my daughter's preschool and early school years, the best by far was one I chose based on information given to me about local child care providers from a resource and referral service.

I would like to address specifically the importance of the Resource and Referral Grants program, which aids parents in finding appropriate child care.

Availability of child care IS a problem. It can literally dictate the lifestyle of a single parent. Sometimes a parent cannot find quality child care, or even ANY child care.

One of my friends once kept her child, for a time, with a child care provider who routinely gave the children aspirins after their lunch so they would sleep all afternoon. The mother, knowing of no other child care providers in the area, felt she had no option but to keep her child there if she wanted to keep her job.

Resource and referral services, which this bill should provide, would have given her better options so that she could have removed her child from that unacceptable situation immediately, without terminating her employment. Resource and referral services would have given her names of child care providers in her area, information about those providers' facilities, personnel and programs to help her match a provider to her and her child's needs, price information so she could compare costs, and information regarding the number of children served by each day care and whether there were any vacancies.

Because of resource and referral services, choosing child care becomes a selection process based on the merits of each day care, rather than a desperate decision based on the need to accept "just about anyone" in order to be able to work.

I urge this committee to include the resource and referral grant monies in this bill.

Thank you.

Paulette Bailey

EXHIBIT 5

DATE 3/16/89

200

PROPOSED AMENDMENT TO HOUSE BILL 200
(Second Reading)

1. Statement of Intent, page 1, lines 24 and 25
Strike: lines 24 and 25 in their entirety
Insert: "program of child care to serve the children of persons who are either participating in the job search, education, training and work program mandated at section 301 of the federal Family Support Act of 1988 or receiving extended benefits under the aid to families with dependent children program as mandated at section 302 of the federal Family Support Act of 1988."

2. Statement of Intent, page 2, lines 2 through 7
Following: "provide" on line 2
Strike: remainder of line 2 through line 7
Insert: "for a program of child care in a manner which fosters the appropriate and healthy development of the children, the growth of family economic independence, and the stability of family relationships. The delivery of child care services under this program may be contracted for with any private or non profit entities that meet applicable standards for licensing and program purposes. The department may allow for the supervision of this child care program through agreement with any state or local agencies that the department determines have the appropriate resources and experience."

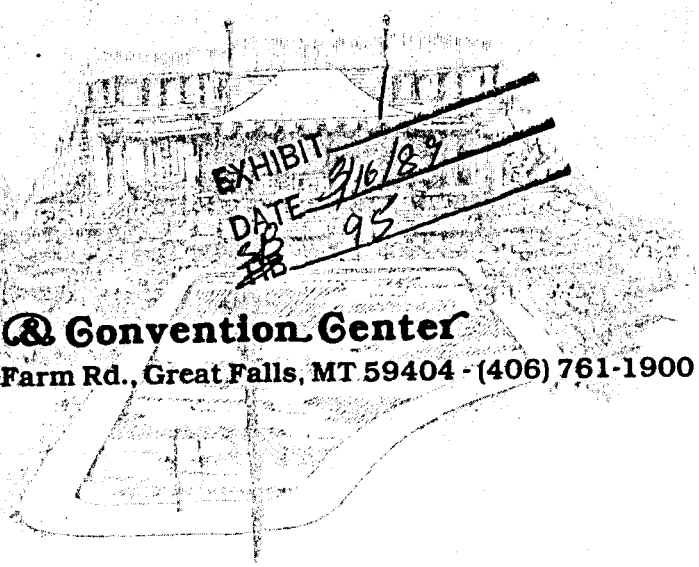
Submitted by: *Russell E. Carter*
Department of Social &
Rehabilitation Services

W1
SB 95



Resort & Convention Center

1700 Fox Farm Rd., Great Falls, MT 59404 - (406) 761-1900



EXHIBIT

DATE

3/16/89

SB
#8

95

March 16, 1989

Good Morning (Mr. Madam) Chairman and committee members. I am here as a proponent for senate bill #95. My name is Robert Dompier and I am the General Manager for the Best Western Heritage Inn in Great Falls.

As a matter of general information, we established our own state rate of \$30.00 just over a year ago. It simply became impossible to honor a \$24.00 rate. Please don't take me wrong, for it was not that we were taking stand against the \$24.00 rate, it was mere economics, That rate could not cover expenses. There was no magic we could perform to make that rate cover our cost.

As you know, the last time the state rate was changed was in 1981. The following represents some of the differences in our operating cost of 1981 as compared to 1988:

	1981	1988
Property Insurance	41,387	98,136
Workman Comp. Insurance	34,672	77,629
(Property) Personal & Real Estate Taxes	70,947	127,616
Heat, Light & Power	115,859	242,230

and we are staring down the throat at a major increase in minimum wage which has an adverse effect on other expenses such as employers payroll taxes and workmans comp insurance just to name two.

Since raising our state rate to \$30.00 we lost most of the state business we had. My standard rate is \$52.00, so as you can see, even at \$30.00, that represents a 43% discount. One can agree that the average state employee need not stay at larger properties that have convention & meeting facilities. But there are numerous state associations and groups that do need our facilities to hold their conventions, seminars, and meetings. They not only can't afford

Page 2
Heritage Inn

to stay at our property, but they also do not have the funding to pay meeting room rentals or to order quality food for their meal functions so more often than not we must make up special budget meals.

I know there are some large properties that offer very low rates from time to time. I would like to point out that there are some properties that have been in severe financial condition and have not been paying mortgage payments or even in some cases, property taxes. I think there should be some future legislation prohibiting the state from dumping money into such properties.

Again, I ask that you please pass senate bill #95.
(by DOING BUSINESS WITH)

Robert Dompier
General Manager
Heritage Inn
Great Falls, MT.

EXHIBIT 2
DATE 3/16/89
SB 95

TESTIMONY OF THE MONTANA INNKEEPERS ASSOCIATION

Submitted by: Bonnie Tippy
350 North Last Chance Gluch
Helena, Montana 59601

SB 95

HISTORY AND AGE OF STATE RATE

The State Rate was initially enacted by the Legislature to control costs of lodging of state payrolled employees by establishing a set amount for hotel/motel rooms. This was the method that allowed for the control of the budget for travel expense.

The last time this rate was fixed was in the 1981 Legislative session. Prior to that, it was \$21.00 and was adjusted to the rate of \$24.00. This \$24.00 rate has been in effect for the last 8 years.

In 1981, the \$24.00 rate was a respectable rate considering the average cost of lodging at that time in the State of Montana.

Although inflation has been relatively moderate, if you compound the Consumer Price Index that has been published by the Federal Government, the \$24.00 rate would be equivalent to \$32.30 in 1989 dollars and by the time you meet again in 1991, it would equal \$35.27.

Keep in mind that compounding the \$24.00 rate from 1981 still does not mean that a \$30.00 rate is a fair rate because the \$24.00 rate in 1981 was still a discounted rate.

Now, with that in mind, what happens when a Montana State employee is required to travel out of state? The lodging cost for a Montana State employee traveling out of state is established at \$50.00 per night and as high as \$75.00 per night in designated cities even though some neighboring states (eg. Idaho) don't even have many hotels that charge that much.

This is the heart of the issue, and the following Innkeepers will present further information for your consideration as to why you should support Senate Bill #95.

FEDERAL RATE AND DISCOUNTS

The current rate represents a whopping 50% discount for lodging at meeting and convention hotels. No where in media advertising do you encounter incentives of this magnitude targeted for travellers in the public sector. Further, the \$24.00 rate is lower than budget motels charge their regular corporate travellers. By comparison, the federal rate is set at \$40.00, and has risen steadily in the past few years.

Most hotels will selectively determine when they will or will not accept a state traveller or more importantly, a group or convention requesting the state rate. What often occurs is that the hotel and the town is forced to turn down the business even though they certainly want to do business with the state. By the way, the profit margin in the food business is so low that banquets and resulting restaurant trade cannot make up for the low room rate. Therefore, the hotel elects to refuse the state business in hopes that a more acceptable booking will follow.

HERITAGE INN

As a matter of general information, we, at the Heritage Inn, Great Falls, established a state rate of \$30.00 early last year. We simply discovered that the \$24.00 rate was not meeting our expenses and was simply not controllable.

PRESSURE

Some of you may be thinking that if we cannot live with the state rate, we should turn the business down. Suppose you are the only property in town that can accommodate a room block for SRS or the Department of Labor needing 60-80 rooms at state rate and a meeting capacity of 100-150 people? Do you really believe that a hotel could say no without repercussions?

Or what about the many times the Governor's office (it has happened with the Schwinden and the Stephens administrations) contacts a property and pressures us to honor the state rate for someone who is coming from out of state to speak or consult with their office. The Governor's office as well as various departmental offices actually tout the \$24.00 to out of state businesses.

Even when the million dollars was allotted by the last legislature for promoting the Super Collider Program to come to Montana, the Governor's office pressured the Colonial Inn to honor the \$24.00 state rate to a large consulting firm from Denver when they came to the capitol. This, I might point out, occurred during the height of the summer tourist season in 1987. The consulting firm could have afforded to pay the going Corporate rate, and still feels it received a good bargain compared to rates in other areas that they traveled.

ABUSE

Because of inflation, the state rate of \$24.00 has become such a discounted rate that abuse of the intended program has been rampant.

First, the state employees, themselves travel on weekend pleasure, especially to Bozeman and Missoula, when major sporting events are held. We have no way of controlling whether a state employee is on business or pleasure.

Second, the rate is so attractive that cities, counties and many associations have piggy backed on the \$24.00 rate. An example of many associations who reimburse their personnel the state rate follows:

Centennial Commission
Montana Education Association

Montana Association of Counties
City Officials - Montana League of Cities and Towns
School Board Association
Montana Fire District Association
Montana Association of Elementary School Principals
Montana Association of Conservation Districts
Montana Association of Supervision and Curriculum Development
Montana Coroners Association
Montana Sheriffs and Peace Officers
Montana Judges Association
Justice of Peace
Courts of Limited Jurisdiction

They have in essence, price fixed against our industry. The pressure on the hotels by the state as well as many associations, city and county government is immense. If a hotel turns them down, that property often is threatened of being blackballed.

If a small bureaucracy sees a large bureaucracy, like the State of Montana take advantage of an industry, being the Hospitality Industry, by establishing an unreasonable price on its goods and services, the small bureaucracies assume it is all right (whether legal or moral) to do the same thing.

Increasing the state rate may not cure the abuse and end the piggy back effect, but it will be more liveable economically and fairer.

COST TO SERVICE A ROOM

If a room is occupied versus unoccupied, there are direct costs that occur for the property. Those costs vary slightly among the various hotels, however; average cost is \$12.30 for cleaning of the room, providing soap, cleaning chemicals, paper supplies, laundering of linen, the water used by guests and usage of power for lights and climate control. This does not include the cost of supervisors, management, replacement and repair costs of materials, mortgage payment, or real estate taxes.

For many hotels, especially the larger convention hotels, those costs exceed \$24.00 per occupied room. Some convention hotels have costs of \$40.00 plus, per occupied room.

You are correct if you are thinking, "....but the state employee can stay at a less expensive place." However, don't forget that a lot of the state business is group meetings and require large blocks of rooms and meeting room space.

Why is it that if the State of Montana wants to buy computers or automobiles, they are willing to pay a bid that is above the costs of the manufacturer and distributor allowing for some kind of profit, but when it comes to hotel accommodations, they expect it to be below cost?

If the cost of computers or automobiles increase in cost by 50%, the state would simply buy less or increase revenues to pay for it.

We would not mind if the state travelled less, if they were fairer with the rate they paid us.

We want to do business with you, we want to help the State of Montana. Of course the state would not want to get into the business of lodging their employees. Everyone would agree, that is a need best fulfilled by private businesses. To illustrate, if the state did operate a hotel, it would probably approximate the relationship recently publicized about the state janitorial services costing almost twice as much as the privatized ones. Therefore, the lodging rates that the state would charge would be at least \$50.00 per night and probably in excess of that.

Please, understand that we agree with you, janitorial service paid at minimum or near minimum wage is terrible. A janitor working for the state should be paid a wage that is at least liveable. So should a janitor, maid, maintenance employee, or desk clerk at a hotel. Just because they work for a free enterprise system business, does not mean they should be financially penalized. Our point again, being, if the state pays only \$24.00 for a room, the hotel maids, janitors, desk clerks, etc are the ones who will suffer with the near minimum wage as well as the unprofitable hotel.

In essence, the conflict that occurs is that conventional wisdom is not applied equally to both the bureaucratic case and the private sector.

"STATE -OF-MONTANA-HOSPITALITY INDUSTRY"

In the past five years, the hotel/motel industry has had difficult financial problems. Several motels and hotels have closed.

FSLIC has inherited the problems of two major properties in recent months. A short time ago, another major property was taken over by an insurance company lender. In February a major property (120) rooms in the Kalispell area closed.

You should be aware that there is not a single leveraged hotel/motel/convention property in the State of Montana that has not been subject to some sort of financial restructuring or workout in the past four years.

The State of Montana further serves as an economic depressant to the hotel/motel industry with its \$24.00 state rate. With the other agencies and associations that adopt the expense guideline furthers the financial woes of the hotel/motel industry.

In addition to those problems, the Federal and State Governments assessed our industry in the past two years with hard hitting taxation.

1. FICA tax on tips.
2. Unemployment compensation tax on tips
3. Added Workmans Compensation tax on tips
4. Removal of tip credit to wages
5. Proposed increase in minumum wages

With all of this, the State of Montana continues to price fix the goods and services of the hotel/motel industry.

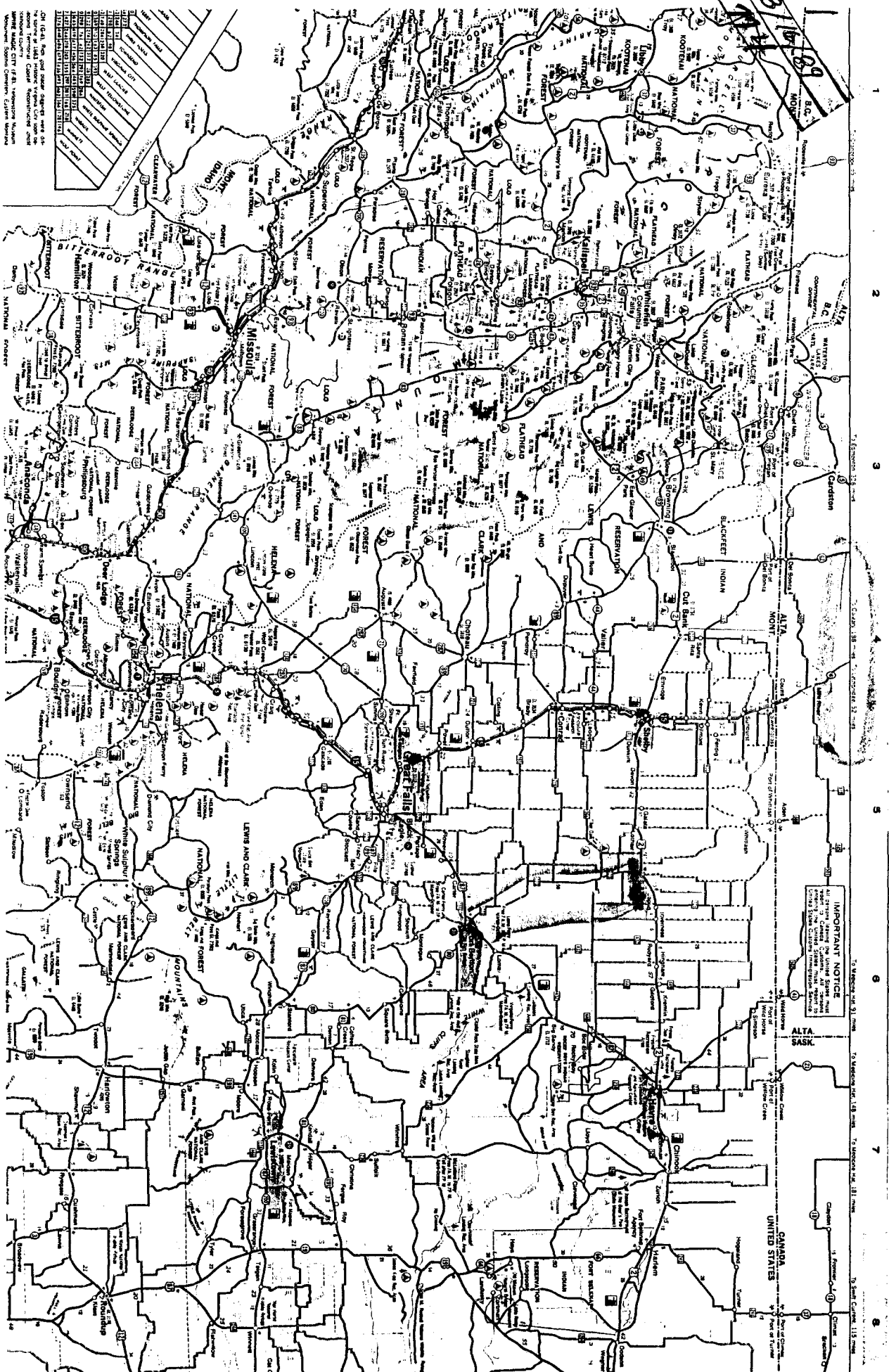
CLOSING

What we are desiring to do is to have you consider a change in this antiquated accommodations rate. There has been a lot of water under the bridge, so to speak, in the last eight years. The hospitality industry has fared no better than the other phases of the Montana economy.

The hotel industry is a vital part of the State Commerce and the tourist industry in Montana. It is one of Montana's largest employers and shares in Montana's second largest industry.

We have the same interest and share the same problems as the Legislative Body. We both benefit from the same successes. We want to be helpful to the State by working in concert with them to meet their lodging needs.

This bill is in response to a free market system of fairness in pricing. It is our hope that the Legislature wil move to resolve this state rate inequity. We urge your adoption of Senate Bill 95.



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On this map, the shaded areas are the
 1. National Forest System
 2. National Monument
 3. National Preserve
 4. National Recreation Area
 5. National Wildlife Refuge
 6. National Antiquities Act
 7. National Historic Landmark
 8. National Historic Site
 9. National Historic Trail
 10. National Historic Shrine
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 100. National Historic Park

IMPORTANT NOTICE
 All areas shown on this map are under the jurisdiction of the United States Forest Service. The United States Forest Service is not responsible for any damage to property or persons resulting from the use of this map.

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STATE HIGHWAY COMMISSION

STATE HIGHWAY DEPARTMENT

HELENA, MONTANA

September 28, 1961

IN REPLY R
PS-HTF

EXHIBIT 3
DATE 3/16/68
HB 774
FRED QUINN
STATE HIGHWAY 1

COMMISSIONERS

ROY L. SOHRELLS, CHAIRMAN
BILLINGS
S. N. HALVORSON, VICE-CHAIRMAN
KALISPELL
OTIS S. WATERS, MEMBER
RICHEY
GEORGE M. GOSMAN, MEMBER
DILLON
TED JAMES, MEMBER
GREAT FALLS
JOHN D. WHEELER, SECRETARY
HELENA

Board of County Commissioners
Liberty County
Chester, Montana

Gentlemen:

After considerable deliberation and investigation, the State Highway Commission has decided to establish a State Secondary System. This system will consist of a number of important routes now on the present Secondary System which are considered to be of statewide interest and usage.

For your information, we are enclosing a copy of a statement explaining the criteria which were considered and evaluated in the selection of eligible routes for inclusion in the State Secondary System.

In addition to these criteria which were used in evaluating the relative merits of the various routes, there are other basic conditions which must be complied with if a State Secondary System is to meet the objectives of statewide interest and usage. These conditions are described briefly in the following:

1. To achieve statewide importance, an otherwise eligible route must be paved throughout its length in order to provide unrestricted traffic service to the motorist.
2. The only difference between a route on the State Secondary System and a route on the regular Secondary System is that the State Highway Commission agrees to assume the burden and cost of maintaining routes on the State Secondary System because of their statewide importance. Also, prior to the assumption of the maintenance responsibility by the State Highway Commission, it must be determined that the highway in question has been properly maintained by the county involved. In the event that any maintenance deficiency exists, the county must agree that the deficiency will be corrected by county forces or by paying the State Highway Commission for the cost of bringing the highway up to normal maintenance standards.
3. Since all State funds for construction on the Secondary

System are allocated under State law to the various counties, there are no special funds available to the State Highway Commission for any necessary construction on the State Secondary System. Under these conditions, it is necessary for the individual counties involved to assign first priority to essential construction or reconstruction of sections of those routes which are considered eligible for inclusion in the State Secondary System. This provision is based on the assumption that if a route is of sufficient importance to be placed on the State Secondary System, it automatically becomes of sufficient importance to be assigned first priority for construction or reconstruction purposes.

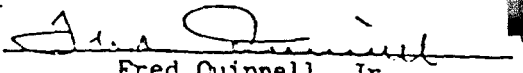
You will be pleased to learn that the following route, or routes, are considered to qualify for inclusion in the State Secondary System, subject to the conditions described in the foregoing.

FAS Route 223 - From a point on U.S. #87 at Fort Benton northerly to a point on U.S. #2 at Chester (Fort Benton-Chester Road)

At such time as these highways are completed throughout with a paved surface and it is evident that the highways have been maintained by the county to normal maintenance standards, the State Highway Commission will enter into an agreement with the county whereby the State will assume the maintenance responsibility for the highway and the county will be relieved of such responsibility.

We hope that you will be pleased to learn that the State Highway Commission will assume the responsibility for maintaining the routes described above at such time as the stipulated conditions have been complied with.

Very truly yours,


Fred Quinnell, Jr.
State Highway Engineer

ALIX BLEVETT, CHAIRMAN
GREAT FALLS

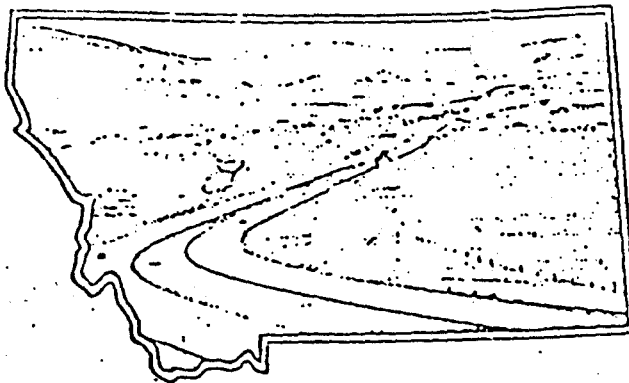
B. N. HALVORSON, VICE CHAIRMAN
KALISPELL

JOSEPH M. NASS, MEMBER
POPLAR

ALD M. SWANSON, MEMBER
BOZEMAN

DALLAS W. VAN DELINDER, MEMBER
BILLINGS

JOHN D. WHEELER, SECRETARY
HELENA



HELENA, MONTANA

September 12, 1966

EXHIBIT 6
DATE _____
HB _____
TIM BABCOCK
GOVERNOR

PAUL M. JOHNSON
STATE HIGHWAY ENGINEER

IN REPLY REFER TO:

20-HTB

TO : PAUL M. JOHNSON, STATE HIGHWAY ENGINEER
FROM : H. T. BUSWELL, ADMINISTRATIVE COORDINATOR
SUBJECT: PRESENT STATUS OF STATE-MAINTAINED SECONDARY SYSTEM

As instructed during the August Commission meeting, I have prepared the following report concerning the present status of the State-Maintained Secondary System which was approved by the State Highway Commission to become effective on November 1, 1961.

This system was established for the reason that a number of counties were reporting that they did not have the money or the equipment to maintain several Secondary System routes which had been completed to oiled standards or were substantially completed to such standards. Many of these routes were of significant statewide interest and usage and would normally be included in the Primary System except for the fact that there was no mileage available to permit their inclusion in the 7% System.

In the preliminary analysis, routes were selected for consideration which qualified under the following criteria:

1. System integration with connections at both ends to existing highways of importance.
2. Trunkline service for through traffic.
3. A substantial measure of statewide interest.
4. Service to a substantial volume of traffic which would be predominantly of statewide origin.
5. The cost of maintaining the highway placed an unreasonable burden on the county road funds.

In order to establish a priority rating system, a formula was devised assigning points to the following factors:

1. Present traffic volumes.
2. Potential traffic volumes of the route upon completion to oiled standards.

3. The amount of the potential traffic that would be of state-wide origin.
4. The proportion of the potential traffic that would be of statewide origin.
5. The distance savings to traffic through use of the Secondary System highway as compared with alternate routings via existing paved highways.
6. The extent to which the cost of maintaining the Secondary System highway placed a burden on the county finances. This was measured by comparing the annual maintenance cost with the total money available in the county road fund if the full ten-mill levy were to be applied by the county involved.

A total of 34 Secondary System routes, amounting to 1,178 miles, were analyzed under this procedure. Under the point system, priority ratings were assigned to each route for comparison purposes.

It was the opinion of the Commission members that an 8% System might eventually be approved for Montana and that the mileage to be approved for state maintenance as an initial increment should be limited to the additional mileage that could be included in the Primary System if an 8% System were to be approved. This was done with the thought that the same routes, which were included in the initial increment of the State-Maintained Secondary System, would be transferred to the Primary System if an 8% System were to be approved at some future date.

The routes which were investigated have been classified into the following categories:

CATEGORY 1
ROUTES IN THE INITIAL SYSTEM HAVING A PAVED SURFACE
THROUGHOUT AND BEING ELIGIBLE FOR IMMEDIATE MAINTENANCE

<u>Rank</u>	<u>FAS No.</u>	<u>Location</u>	<u>Miles</u>	<u>Annual Mtce. Cos</u>
✓2	208	Somers - Big Fork	6.9	\$ 9,315
✓4	249	Nashua - Fort Peck	10.6	14,310
✓5	401	Whitchall - Southwest	12.1	16,335
✓7	244	Winnett Cutoff	24.7	33,345
✓8	209-326	Clearwater - Echo Lake	92.8	125,280
✓18	376	Harlem - Hayes	50.0	67,500
✓21	256	Plentywood - Raymond	15.6	21,060
✓22	291	Belgrade Cutoff	7.5	10,125
✓23	289	Norris - Bozeman	29.1	39,285
✓24	302-397	Bridger - Balfry - Chance	21.4	28,890
		TOTAL.....	270.7	\$365,445

Mr. Johnson
 September 12, 1966
 Page Three

EXHIBIT _____
 DATE _____
 HB _____

CATEGORY 2
ROUTES IN THE INITIAL SYSTEM WHICH HAVE SINCE BEEN COMPLETED
TO OILED SURFACE AND ARE NOW BEING MAINTAINED BY THE STATE

Rank	FAS No.	Location	Miles	Annual Mtce. Co
✓1	247	Glasgow - Opheim - Canada	61.0	\$ 82,350
✓3	499	Madison Canyon - Quake Lake	23.1	31,185
✓6	412	Lolo Pass	32.6	44,010
✓9	319	Broadus - Biddle - Wyoming Line	29.4	39,690
TOTAL.....			146.1	\$197,235

CATEGORY 3
ROUTES IN THE INITIAL SYSTEM FOR WHICH THE STATE HAS AGREED
TO ASSUME MAINTENANCE UPON COMPLETION TO OILED STANDARDS

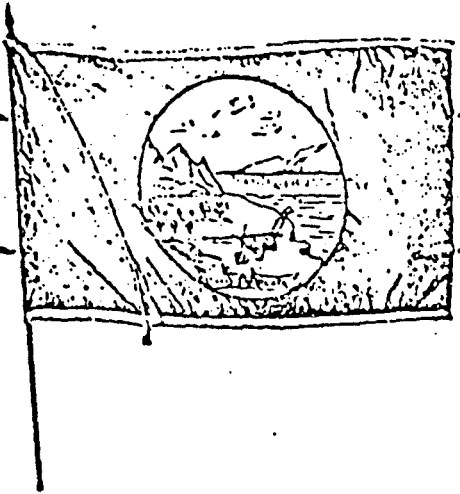
Rank	FAS No.	Location	Miles	Annual Mtce. Co
10	242	Malta - Loring - Canada	54.4	\$ 73,440
11	223	Fort Benton - Chester	56.3	76,005
✓12	230	Fort Benton - Stanford	67.3	90,855
13	271-272	Avon - Helmville - Montana 20	32.9	44,415
14	281	Boulder - Cardwell	31.1	41,985
✓15	232	Havre - Wild Horse - Canada	43.7	58,995
16	323	Ekalaka - Alzada	71.7	96,795
17	461	St. Regis - Paradise	22.5	30,375
20	253	Terry - Brockway	46.7	63,045
✓?	518	East Helena - Montana City	5.0	
TOTAL.....			426.6	\$575,910

Routes maintained by State.

CATEGORY 4
ROUTES OUTSIDE THE INITIAL SYSTEM WHICH THE STATE SHOULD CONSIDER FOR
MAINTENANCE IF THE SYSTEM IS ENLARGED AND THE HIGHWAY IS COMPLETED TO OILED STANDARD

Rank	FAS No.	Location	Miles	Annual Mtce. Co
19	462	Rock Springs - Van Norman	41.5	\$ 56,205
25	252	Circle - Weldon - Montana 24	37.9	51,165
26	294	Ringling - Martinsdale	29.2	39,420
27	293	Bozeman - Wilsall	38.4	51,840
28	274	Anaconda - Ralston	22.0	29,700
29	279	Helena - Lincoln (Fletcher Pass)	40.6	54,810
30	219-378	Chouteau - Conrad	31.9	43,065
31	201	Fairview - Montana 16	11.8	15,930
32	471	Thompson Falls - Idaho	15.4	20,790
33	261	Wibaux - Sidney	49.5	66,825
34	382	Perma - Hot Springs	16.0	21,600
TOTAL.....			334.2	\$451,170

EXHIBIT
DATE
HB



MONTANA HIGHWAY COMMISSION

Great Falls, Montana
March 23, 1970

LEWIS & CLARK
MOUNTAIN STATE
INDEPENDENT

Secondary Road Construction
Chouteau County

Mr. Tom Scherrard, Chairman
Triangle Highway Assoc. for Toole Co.
Ledger, Montana

Dear Sir:

As a result of the recent meeting in Great Falls with the Chamber of Commerce Highway Committee, Chouteau and Pondera County Commissioners and landowners from the "Bootlegger Trail" farm area, I have compiled a resume of the Secondary road construction program in Chouteau County from the records of the Highway Department in Great Falls. All of the work undertaken has been financed by State and Federal funds except for the new Missouri River Bridge at Fort Benton, which included special County funds raised thru a special bond issue. I have gone back to 1952 as this was the first year that County roads in Chouteau County were constructed to an asphalt-paved roadway finish. In the following list, the year indicates the calendar year in which construction was completed:

- 1952 6.5 miles of Big Sandy - South Road.
- 1953 5.2 miles of Fort Benton - Chester Road, including a Great Northern R.R. Overpass & Teton River Bridge.
- 1956 10.7 miles of Fort Benton - Stanford Road.
- 1958 9.1 miles of Fort Benton - Chester Road.
9.2 miles of Big Sandy - South Road.
18.3 miles Total
- 1961 8.0 miles of Big Sandy - West Road.
- 1962 11.7 miles of Fort Benton - Stanford Road, including the Missouri River Bridge at Fort Benton financed in part by County wide bond issue.
- 1964 16.3 miles of Fort Benton - Stanford Road.
- 1965 5.1 miles of Fort Benton - Stanford Road completing route.
New bridge over Teton River on Bootlegger Trail financed with State Flood Repair Funds.

Mr. Tom Scherrard
March 23, 1970
Page Two

1969 12.9 miles of Fort Benton - Chester Road completing route in Chouteau Co.

1971 5.9 miles of Belt - Highwood Road, completing route. This work scheduled for March, 1970 contract letting with completion in 1971

9.0 miles of Big Sandy - West Road. This work scheduled for contract letting in August, 1970 with completion in 1971.

used
Bx. Due
C. Miller

Total mileage improved since 1952, including that scheduled for this year will be about 110 miles in Chouteau County alone, or an average of about 5.5 miles per year. This extremely slow rate of improvement is further evidence of the inadequacies of present methods of road financing now in use in our State.

Under present regulations the State will assume maintenance of completed sections of Secondary roads if those sections meet established criteria. The Fort Benton - Stanford road was taken over for maintenance by the State upon its completion in 1966. The Fort Benton - Chester road is in the same category and will become State maintained when the remainder of that route is completed in Liberty County. Under present schedules this should occur in about 1973.


The "Bootlegger Trail" route as now approved for inclusion in the Federal-Aid Secondary system may be broken down into County mileage as follows - Cascade County, 12 miles, all asphalt paved - Chouteau County, 33 miles unimproved - Liberty County, 7 miles unimproved and Toole County, 4 miles unimproved. The northern terminus of this route connects with the Ledger - East Secondary route in Toole County. The Ledger - East road in Pondera and Toole Counties is being improved under the current ABM system but information as to exact mileage to be improved is not yet known.

As all Secondary system fund allocations are on a County basis, the improvement of the "Bootlegger Trail" in all three counties must fall on County Commissioner priorities.

There are several other county roads in Chouteau County that may be considered high traffic roads and are therefore eligible for improvement to oiled standards under our present specifications. Also a badly needed improvement is a new bridge over the Teton River north of Carter. Therefore, before Federal-Aid Secondary funds may be programmed for additional work on the "Bootlegger Trail" in Chouteau County, it will be necessary for the Commissioners to establish additional priorities.

It is hoped that the above report will give you an idea of the amount of work accomplished under the Secondary Road Program in Chouteau County in recent years and will afford you information of what might be anticipated in further road improvement in the next few years.

Sincerely,


B.B. Briscoe - P.E.
District Engineer

BBB/r
cc: Chouteau Co. Comm. - Ft. Benton

BROWNING, KALECZYC, BERRY & HOVEN, P.C.

ATTORNEYS AT LAW

28 NORTH LAST CHANCE GULCH

POST OFFICE BOX 1697

HELENA, MONTANA 59624

R. STEPHEN BROWNING*
STANLEY T. KALECZYC*
LEO BERRY
J. DANIEL HOVEN
OLIVER H. GOE
KATHARINE S. DONNELLEY
JON METROPOULOS

*MEMBER OF MONTANA AND THE
DISTRICT OF COLUMBIA BARS

TELEPHONE
(406) 449-6220

TELECOPIER
(406) 443-0700

EXHIBIT: 4
DATE 3/16/89
HB 774 March 16, 1989

House Appropriations Committee
House of Representatives
Capitol Station
Helena, MT 59620

Re: House Bill 774

Dear Committee Members:

Questions were raised at the hearing on this bill concerning the extent of the State's commitment to assume maintenance of FAS 223 - Fort Benton - Chester. Attached are copies of letters and memorandum which make express commitments and/or recognize the State's obligation to assume maintenance of FAS 223 when it was paved by the respective counties. The attachments are as follows:

1. Quinnell letter of 1961;
2. Buswell Memorandum, 1966; see page 3; and
3. B. B. Briscoe letter of 1970.

Very truly yours,

BROWNING, KALECZYC, BERRY & HOVEN, P.C.

By 
J. Daniel Hoven

/arh
Enclosures

Ints
EXHIBIT

DATE

3/16/89

HOUSE BILL 774

HB

774

FACT SHEET - FAS 223

BACKGROUND

FAS 223 begins at a junction with U.S. 87 opposite Fort Benton and extends northerly 53 miles to a junction with U.S. 2 in Chester. Approximately 26 miles of the route is in Chouteau County and 27 miles is in Liberty County. The route has been improved over the years with funds from the secondary road accounts of Chouteau and Liberty County and is asphalt paved. The improvements were made on the strength of representations by the Montana Department of Highways that it would assume maintenance responsibilities once the improvements were completed. (See below.)

HISTORY OF STATE REPRESENTATIONS
TO ASSUME MAINTENANCE OF FAS ROUTE 223

1. 1961: State of Montana agrees to assume maintenance of FAS 223 if paved by responsible counties.
2. 1966: State acknowledges agreement to assume maintenance of FAS 223 when paving completed.
3. 1970: State again reaffirms agreement to assume maintenance of FAS 223 when paving completed.
4. June 12, 1974: Liberty County formally informs State that paving of FAS 223 is complete.
5. June 21, 1974: State tells Liberty County it cannot commit to assuming maintenance.
6. June 1979: State tells Liberty County that FAS 223 is eligible for primary system and to make request of Highway Commission.
7. 1981, 1984 and 1986: Chouteau and Liberty Counties request that FAS 223 be placed on primary system or that State otherwise assume maintenance responsibility. Highway Commission denied each request.

FAS 223 is a transportation corridor providing a route for (1) movement of goods from Canada, (2) transportation of agricultural products, and (3) normal highway traffic. Its importance to Montana requires that the prior commitments of the State now be honored.

ESTIMATED FIVE YEAR OPERATING BUDGET FY 90-94
 FEDERAL SURPLUS PROPERTY PROGRAM
 REP. SIMKINS

EXHIBIT 1
 DATE 3/16/89
 HB 772

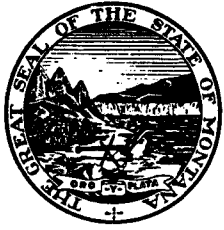
	FY 90	FY 91	FY 92	FY 93	FY 94
REVENUE					
Start Up Loan	\$150,000	\$0	\$0	\$0	\$0
Administrative Fee	\$100,000	\$250,000	\$300,000	\$300,000	\$300,000
TOTAL REVENUE	\$250,000	\$250,000	\$300,000	\$300,000	\$300,000
EXPENDITURES					
FTE	4.00	4.00	4.00	4.00	4.00
Personal Services	\$93,765	\$93,765	\$93,765	\$93,765	\$93,765
Operating Expenses					
Travel and Freight	\$30,000	\$60,000	\$85,000	\$85,000	\$85,000
Rent	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Refurbishing	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Miscellaneous	\$25,000	\$20,000	\$25,000	\$25,000	\$25,000
Subtotal Operations	\$115,000	\$140,000	\$170,000	\$170,000	\$170,000
Loan Repayment	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000
TOTAL EXPENDITURES	\$238,765	\$263,765	\$293,765	\$293,765	\$293,765
REVENUE OVER (UNDER) EXPENDITURES	\$11,235	(\$13,765)	\$6,235	\$6,235	\$6,235

ESTIMATED FIVE YEAR CASH FLOW FY 90-94
 FEDERAL SURPLUS PROPERTY PROGRAM

	FY 90	FY 91	FY 92	FY 93	FY 94
BEGINNING FUND BALANCE	\$0	\$11,235	(\$2,531)	\$3,704	\$9,939
PROFIT (LOSS)	\$11,235	(\$13,765)	\$6,235	\$6,235	\$6,235
ENDING FUND BALANCE	\$11,235	(\$2,531)	\$3,704	\$9,939	\$16,173

CALCULATION OF PERSONAL SERVICES COST:

POSITION	GR/ST	EST. ANNUAL COST
PROGRAM MANAGER	16/2	\$25,336
SEC/BOOKKEEPER	11/2	\$16,805
WAREHOUSE WORKER/ASST SCREENER	9/2	\$14,542
WAREHOUSE MGR/SCREENER	13/2	\$19,549
TOTAL SALARIES		\$76,232
EST. BENEFITS @ 23%		\$17,533
TOTAL PERSONAL SERVICES		\$93,765



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

REPRESENTATIVE FRED THOMAS

HOME ADDRESS:
144 BROOK LANE
STEVENSVILLE, MONTANA 59870
PHONE: (406) 777-5000

EXHIBIT 1
DATE 3/16/89
HB 716

COMMITTEES:
BUSINESS & LABOR,
VICE CHAIRMAN
EDUCATION
HIGHWAYS

HB 716

An Act Making Ravalli County a Separate Judicial District

Bill Would:

- 1) Create Separate District in 1993
- 2) Moves 1 of 4 judges (presently 4 in district) to new district

Data:

Ravalli County has 3% of State of Montana's population

Ravalli County has 3% of district court filings in Montana

Ravalli County is one of the states highest growth rates
(population)

Ravalli County is 24% of current districts population

Ravalli County's future district court judge would be 1 of
36 which represents 2.78% of the district judges in
Montana

Thus by population, court filings, court activity and
geographical local, Ravalli County should be a separate judicial
district.

JEFFREY H. LANGTON

ATTORNEY AT LAW

217 NORTH THIRD STREET, P.O. BOX 1497, HAMILTON, MONTANA 59840
406-363-6700

February 6, 1989

Representative Fred Thomas
c/o State Capitol
Helena, Montana 59604

Dear Fred:

Reba Falker at the Commissioners' Office has informed me that Ravalli County judicial services reimbursements paid to Missoula County for recent years have been as follows:

<u>% of District Case Filings</u>	<u>Fiscal Year</u>	<u>Amount Paid by Ravalli Co.</u>
?	1985-86	\$21,908
?	1986-87	\$26,717
15.92%	1987-88	\$48,176
16.47%	1988-89	\$10,953 [1st Qtr. On]

Apparently the earlier percentages were similar to the last two years. Reba said she recalls the payments being in the neighborhood of \$15,000.00 per year prior to 1985 but does not have the exact figures available.

The allocation is primarily for court reporter salaries on the basis of §3-5-602, M.C.A.

I would note that if Ravalli County had a permanent judge and court reporter the judge could employ a fulltime court reporter at a salary of \$23,000.00 (maximum) under §3-5-602, M.C.A. Of course a judge would also need a legal secretary at around \$15,000.00-18,000.00 per year, which would about equal what is now paid for court reporters alone.

Yours very truly,



Jeffrey H. Langton

JHL/sb

M E M O R A N D U M

TO: Scott A. Seacat, Legislative Auditor
 FROM: Julie Barr, Audit Manager
 DATE: February 14, 1989

Per your request, we obtained revenues used to fund district court operations for fiscal year 1987 and fiscal year 1988 in Ravalli, Lincoln, and Lake Counties. Revenues by source reported by the counties are shown below:

<u>REVENUES FOR DISTRICT COURT FUNDING</u>		
Fiscal Year 1987 and Fiscal Year 1988		
	<u>Fiscal Year 1987</u>	<u>Fiscal Year 1988</u>
<u>RAVALLI</u>		
Property Taxes	\$256,215	\$188,090
Licenses & Permits (Light vehicle, RV, and motorcycle fees)	23,278	1,855
Intergovernmental (district court reimbursement, corporation license tax, etc.)	101,745	99,966
Charges for Services (clerk of court fees)		12,473
Miscellaneous	<u>8,320</u>	<u>4,325</u>
Total Revenues	<u>\$389,558</u>	<u>\$306,709</u>
 <u>LINCOLN</u>		
Property Taxes	\$210,789	\$215,995
Licenses & Permits (Light vehicle, RV, and motorcycle fees)	-0-	-0-
Intergovernmental (district court reimbursement, corporation license tax, etc.)	68,637	103,026
Charges for Services	1,540	9,803
Miscellaneous	<u>-0-</u>	<u>341</u>
Total Revenues	<u>\$280,966</u>	<u>\$329,165</u>
 <u>LAKE</u>		
Property Taxes	\$143,614	\$157,381
Licenses & Permits (Light vehicle, RV, and motorcycle fees)	12,152	2,365
Intergovernmental (district court reimbursement, corporation license tax, etc.)	103,224	109,028
Charges for Services (clerk of court fees)	-0-	9,761
Miscellaneous	<u>81</u>	<u>1,129</u>
Total Revenues	<u>\$259,071</u>	<u>\$279,664</u>

TABLE 2
 FY88 JUDICIAL DISTRICT COURT COSTS

4 MINERAL	3500	37	\$55,333.19	37	98	270
RAVALLI	25200	27	239,218.00	19	763	1590
MISSOULA	79400	15	397,582.95	11	3480	807
	*****		*****		*****	
Total	107100		\$1,791,734.04		4341	
		4	\$412.75			\$447,933.51
19 LINCOLN	19000		\$313,031.00		624	
	*****		*****		*****	
Total	19000		\$313,031.00		624	
		1	\$501.55			\$313,031.00
20 SANDERS LAKE	3070	8800	\$83,514.43	24	274	2670
	7072000		\$286,006.81	70	760	7470
	*****		*****		*****	
Total	29800		\$375,521.24		1034	
		1	\$363.17			\$375,521.24
STATE TOTAL	309500		\$11,681,590.55		29425	
		36	\$397.00			\$324,491.40

*Total FY88 District Court expenditures from all county funds as reported by County Clerk & Records

**Total cases filed according to Caseload Statistics Report: FY88 (Judicial Branch)

Population according to 1984 Census.

MEMORANDUM

To: Representative Fred Thomas
From: Valencia Lane, Staff Attorney
Legislative Council
Date: February 16, 1989
Re: HB 716

It has come to my attention that your bill to make Ravalli County a separate judicial district, HB 716, needs an amendment due to an oversight in drafting. The amendment is as follows:

1. Page 1, line 15.
Following: "are"
Strike: "20"
Insert: "21"

I am sorry for any inconvenience this may have caused you. If you have any questions, please feel free to call.

cc: John MacMaster

Amendments to House Bill No. 716
First Reading Copy (WHITE)

Requested by Representative Thomas
For the Committee on Judiciary

Prepared by Valencia Lane
March 9, 1989

1. Title, lines 6 and 7.
Following: "BOUNDARIES" on line 6
Strike: remainder of line 6 through "DISTRICT" on line 7

2. Page 1, line 15.
Strike: "20"
Insert: "21"

3. Page 3, line 6.
Following: "1st"
Strike: "4th,"

4. Page 3.
Following: line 8
Insert: "(3) in the 4th district, four judges;"
Renumber: subsequent subsections

1

EXHIBIT _____
DATE 3/16/89
HB 773

TESTIMONY FOR THE HOUSE APPROPRIATIONS COMMITTEE

Support for the "MIAMI" Project

Name: Karen Landers, MD, Pediatrician from Helena

Representing: Montana Council for Maternal and Child Health
Montana Children's Alliance

We live in a nation that ranks 19th amongst industrialized countries in infant mortality. We have dropped four positions from our ranking of 15th in 1968.¹ In Montana, each year, an average of 120 infants die before one year of age. Low birthweight (less than 5.5 lbs at birth) is present in approximately one-half of the infants who die before their first birthday. These babies can be very expensive to care for at birth and may go on to have lifelong disabilities. In 1986, there were 3031 Medicaid babies born in Montana. Their total medical costs for the first year of life was approximately \$5.4 million. Eighty-three of those 3031 babies cost \$2.7 million or one-half of the total expenditure. Over half of the infants (55.4%) were low birthweight.² Early, quality prenatal care has been identified as the most effective way to prevent infant deaths and low birthweight.³

The "MIAMI" Project is proposed as Montana's statewide effort to reduce infant mortality. It is based on the already successful low birthweight projects that have been running for two years. The Miami Project has four components. These will include low birthweight prevention, review of infant deaths, changes in Medicaid to allow low income pregnant women to access early prenatal care such as presumptive eligibility, shortened application forms, and elimination of the resource test, and a

public education-outreach program called Baby Your Baby based on a Utah program to increase public awareness on the need for prenatal care. The low birthweight projects will provide a case management approach to help low income, high risk women access prenatal care to help promote a healthy outcome to their pregnancy. Case management includes assisting Medicaid eligible women to enter the system, arranging for prenatal care from a rotating base of providers who share the responsibility of caring for this at-risk population, interfacing with WIC and health departments to provide nutrition and health education, and the provision of general support in encouraging those behaviors which promote a healthy baby. The project will also review infant deaths to examine causes and how best to impact them. The report of the National Commission to Prevent Infant Mortality outlines a plan of action to reduce the number of infant deaths which basically describes the "MIAMI" Project.⁴

Does this work? The Access/Links low birthweight project in Missoula has successfully reduced its low birthweight rate in half during its two years of operation. There have been other successes. In 1986, shortly after the Beaverhead County low birthweight project was initiated, a 28 year old woman with a heart condition in her fourth pregnancy was admitted for early labor. She was carrying twins. She had premature labor with her first pregnancy, and premature delivery with her second which required a one month stay in the newborn intensive care unit. With intensive case management, she delivered healthy twin babies at term which required no extra care. The cost savings of this

one case were probably of a magnitude to support several other low birthweight programs. There is currently a low birthweight baby in the hospital in Missoula, born to a 14 year old who received no prenatal care whose medical costs have reached approximately \$200,000. Preventing one infant like this will pay for the funds requested at this time for the MIAMI Project.

Priorities for People included this project in its top eleven priorities for the Governor's consideration. It is also included in the 1989 Montana Children's Agenda. We urge this Committee to give its support to the "MIAMI" Project.

References

- ¹ The National Commission to Prevent Infant Mortality, August, 1988.
- ² Study on High Cost Medicaid Infants, Dept. of SRS, January, 1989.
- ³ The National Commission to Prevent Infant Mortality, August, 1988.
- ⁴ The National Commission to Prevent Infant Mortality, August, 1988.

USA vs. rest of world

Here are some infant mortality rates around the world:

Sweden	3.3
Japan	6.0
Liechtenstein	6.3
Finland	6.0
Iceland	6.2
Denmark	7.8
Canada	8.0
Netherlands	8.0
France	8.2
Singapore	8.9
Spain	9.0
Switzerland	9.0
West Germany	9.0
Monaco	9.3
Australia	9.6
San Marino	9.6
Belgium	10
United Kingdom	10
USA	10.4

TABLE

State	Low Birthweight ^a				Infant Mortality ^c				Medicaid			
	White	Rank ^b	Black	Rank ^b	White	Rank ^b	Black	Rank ^b	Percent Poverty ^d	Federal Share ^e	Presumptive Eligibility ^f	OB Reimbursements ^g
Alabama	6.0%	41	12.0%	19	10.4	42	17.0	12	100%	73.29%	y	\$ 450.00
Alaska	4.5	1	10.6	8	9.6	35	n/a	n/a	100	50.00		n/a
Arizona	5.9	38	12.4	28	9.4	32	12.4	1	100	62.12		n/a
Arkansas	6.6	47	12.5	29	10.9	48	14.2	3	100	74.21	y	500.00
California	5.3	14	11.9	15	9.2	20	16.3	9	185(4-90)	50.00		657.28
Colorado	7.4	51	13.1	37	9.1	18	15.9	7	60	50.00		392.00
Connecticut	5.7	28	13.5	40	8.5	6	20.9	28	185(1-89)	50.00		n/a
Delaware	5.7	29	12.9	33	11.6	49	25.8	33	100	51.90		321.78
Dist. of Col.	5.2	12	15.3	43	n/a	n/a	23.7	32	100	50.00		600.00
Florida	6.0	42	12.4	27	9.2	23	17.8	16	100	55.39	y	800.00/1,200.00
Georgia	6.1	44	11.7	14	9.5	33	19.0	21	100	63.84		606.38
Hawaii	5.2	13	9.5	1	7.5	1	n/a	n/a	100	53.71	y(1-89)	416.54
Idaho	5.5	19	n/a	n/a	10.5	44	n/a	n/a	67	70.47	y	5450.00
Illinois	5.4	15	13.5	41	9.3	24	21.4	29	100	50.00		405.00
Indiana	5.8	31	11.7	13	10.0	40	19.5	23	50	63.71	y	533.00
Iowa	5.0	9	10.2	3	9.4	30	n/a	n/a	150(1-89)	62.75		n/a
Kansas	5.5	21	12.1	21	9.0	15	14.4	4	100	55.20		459.40
Kentucky	6.5	46	12.2	24	10.3	41	20.5	26	125	72.27		n/a
Louisiana	5.9	32	13.1	38	8.6	8	17.2	13	100(1-89)	68.26	y(1-89)	516.30
Maine	5.1	10	n/a	n/a	9.2	21	n/a	n/a	185	67.08	y	500.00
Maryland	5.4	18	12.5	30	9.1	19	18.9	19	100	50.00	y	525.00
Massachusetts	5.4	17	10.3	4	8.2	3	20.8	27	185	50.00	y	1,185.00/1,608.00
Michigan	5.4	16	13.6	42	9.3	28	22.4	31	185	56.48		1,024.37*
Minnesota	4.6	2	9.8	2	8.8	10	15.5	5	185	53.98		455.00
Mississippi	5.9	37	12.2	25	9.3	26	18.9	20	185	79.65		531.00/637.57
Missouri	5.6	24	12.9	34	9.0	17	17.0	11	100	59.27		50%**
Montana	5.6	26	n/a	n/a	9.8	39	n/a	n/a	53.7	69.40		577.49
Nebraska	4.9	5	12.0	18	9.0	16	n/a	n/a	100	59.73	y	597.70
Nevada	6.1	43	12.3	26	8.7	9	n/a	n/a	36.8	50.25		708.57
New Hampshire	5.0	8	n/a	n/a	9.2	22	n/a	n/a	52	50.00		214.00
New Jersey	5.5	22	12.2	23	8.8	11	18.8	18	100	50.00	y	236.00
New Mexico	7.3	50	10.5	7	10.6	45	n/a	n/a	100	71.52	y	354.78
New York	5.6	25	11.9	16	9.4	29	16.1	8	100(1-89)	50.00		1,037.00
North Carolina	6.0	39	12.7	32	9.4	31	17.8	15	100	68.68	y	454.75
North Dakota	4.8	4	n/a	n/a	8.4	4	n/a	n/a	57.2	64.87		n/a
Ohio	5.7	30	11.9	17	9.3	27	16.9	10	100	59.10		n/a
Oklahoma	5.9	33	12.0	20	10.8	46	18.5	17	100	63.33		725.00
Oregon	4.9	6	11.6	11	9.7	38	n/a	n/a	100	62.11		853.24/1,146.78
Pennsylvania	5.5	20	13.4	39	9.5	34	20.4	25	100	57.35	y	312.50
Puerto Rico	9.0 ^h	n/a	n/a	n/a	14.9 ^h	n/a	n/a	n/a	n/a	50.00	y	n/a
Rhode Island	5.9	35	10.7	9	8.1	2	n/a	n/a	100	54.85		350.00
South Carolina	5.9	34	13.0	36	9.6	36	21.8	30	100	73.49		485.00
South Dakota	5.2	11	n/a	n/a	8.9	13	n/a	n/a	100	70.43		325.00
Tennessee	6.4	45	12.9	35	8.9	12	20.2	24	100	70.64		650.00
Texas	5.9	36	12.2	22	9.0	14	15.5	6	100	56.91		528.10
Utah	5.6	27	10.4	5	9.7	37	n/a	n/a	100	73.73	y	576.35
Vermont	6.0	40	n/a	n/a	8.5	7	n/a	n/a	185	66.23		350.00
Virginia	5.5	23	11.5	10	9.3	25	19.2	22	100	51.34		262.50
Washington	5.0	7	10.5	6	10.9	47	12.6	2	90	53.21		535.43
West Virginia	6.7	48	11.7	12	10.4	43	n/a	n/a	150	74.84		600.00
Wisconsin	4.6	3	12.6	31	8.5	5	17.4	14	120	58.98	y	590.22
Wyoming	7.1	49	n/a	n/a	12.2	50	n/a	n/a	100	57.96		553.50
United States	5.6		12.4		9.3		18.2				average:	473.11

Notes:

n/a Information not available.

^a Percent of all live births, 1985. Source: Children's Defense Fund, based on data from the National Center for Health Statistics.^b State ranked 1 has lowest incidence.^c Deaths per 1,000 live births, 1985. Source: Children's Defense Fund, based on data from the National Center for Health Statistics.^d Eligibility threshold for pregnant women as percentage of the federal poverty level. Source: NCSL, 1988; dates are effective dates.^e 1988 federal medical assistance percentage for each state's Medicaid program. Source: Health Care Financing Administration.^f States marked with y have presumptive eligibility. Source: NCSL, 1988; dates are effective dates.^g Medicaid reimbursement rates for obstetrical care (specialist) including prenatal care, delivery, and postpartum care. Source: General Accounting Office data (1986) updated by the American College of Obstetricians and Gynecologists (1987); lower figures are for normal delivery and higher figures are for Caesarean section, except for Florida, which reflects low-risk and high-risk patients; *Michigan figure calculated by NCSL from existing data; **Missouri is 50% of prevailing charges.^h Source: NCSL; the Puerto Rico data reflect total population figures and not ethnic groups.

NINEPIPE MEDICAL ASSOCIATES

St. Mary's Lake Road
St. Ignatius, Montana 59865
Telephone: (406) 745-4300

PATRICIA HENNESSY, M.D.
J. MICHAEL WISE, M.D.

March 15, 1989

EXHIBIT 2
DATE 3/16/89
HB 773

TO: The Montana House of Representatives Appropriations Committee

RE: HB 773 [The Miami Project]

As a public health physician whose area of special interest is maternal and child health, I heartily endorse the above bill.

In 1986 the Montana Department of Health and Environmental Science funded four prototypes for the Miami Project. For two years I supervised the Missoula project for the Missoula City-County Health Department. It was called ACCESS/LINKS and provided low income women with prenatal care while we helped them find a doctor. We helped the doctors by screening these women early for medical/obstetrical problems, paying for their lab work, and by assisting them in getting on MediCaid. Since the program used existing public health nursing staff and WIC services, our costs were low and our results were amazing. We had fewer low birthweight babies than predicted and helped our women get into prenatal care earlier. Even MD's who were skeptical at first are now ardent supporters of this program.

The Montana OB liability crisis is a tragedy for doctors, expectant families, and all our communities alike. The lack of maternity insurance in the US is incredible in this land of so many resources. These two factors are relentlessly squeezing young Montana families with the most potential and the fewest resources. MIAMI will help them effectively and efficiently.

National studies show early prenatal care prevents low birthweight babies and shows over a \$3 return within three years for every dollar invested. Montana cannot afford to pass up this investment.

Please support and fully fund HB 773.

Cordially,

Patricia Hennessy, MD

Amendments to House Bill No. 773
First Reading Copy

For the Committee on Appropriations

Prepared by Peter Blouke
March 17, 1989

EXHIBIT *late*
DATE 3/16/89
HB 773

1. Title, line 17.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

2. Page 10, line 21.

Following: "date"

Insert: "-- termination"

Following: "."

Insert: "(1)"

3. Page 10.

Following: line 22

Insert: "(2) [This act] terminates June 30, 1991."

EXHIBIT 1

DATE 3/16/89

193

Amendment to Introduced Copy of HB 193

1. Title, line 11.

Following: "FEDERATIONS;"

Insert: "PROVIDING FOR A STATE MULTILIBRARY CARD;"

Passed

Amendments to House Bill No.400
Second Reading Copy

Requested by Rep. Peck
For the Committee on Appropriations

Prepared by LFA
March 16, 1989

1. Page 2, line 4.
Strike: "two"

2. Page 2, line 11.
Strike: "any equal"
Insert: "the required"

1
EXHIBIT _____

DATE 3/16/89

HB 400

*Marks
Amend #2*

*Failed
to Vote*

Amendments to House Bill No.400
Second Reading Copy

Requested by Rep. Marks
For the Committee on Appropriations

Prepared by LFA
March 16, 1989

- 1. Page 4, line 10.
- Strike: "general fund"
- Insert: "coal tax trust fund"

EXHIBIT 2
 DATE 3/16/89
 HB 400

also on line 5 + 7

Passed

Amendments to House Bill No.398
Second Reading Copy

Requested by Rep. Peck
For the Committee on Appropriations

Prepared by LFA
March 16, 1989

1. Page 1, line 15.
Strike: "designated"
Insert: "current restricted"

2. Page 2, line 7.
Following: "appropriation."

Insert: "The appropriation made by this section is contingent upon funds being available from the renewable resource development bond fund established under 15-35-108(3)(e) after all other appropriations from this source have been made."

EXHIBIT 1
DATE 3/16/89
HB 398

Amendments to House Bill No.601
Second Reading Copy

Requested by Rep. Bardanouve
For the Committee on Appropriations

Prepared by LFA
March 15, 1989

EXHIBIT 1
DATE 3/16/89
HB 601

1. Page 2, line 3.
Strike: "All"

2. Page 17, lines 10 and 11.
Strike: "paying administrative costs of the program,"

3. Page 17, line 13.
Following: "is"

Insert: "subject to legislative appropriation constraints and expenditures from this account must be made from temporary appropriations, as described in 17-7-501(1) or (2), made for that purpose." *Strike*

*(page 2 13
14, 15 & 16 not)*

VISITOR'S REGISTER

Appropriations

COMMITTEE

BILL(S) SB 95

DATE March 16

SPONSOR(S) Rasmussen

NAME	REPRESENTING	BILL NO.	SUP-PORT	OP-POSE
Bonnie Tysay	Montana Innkeepers		X	
Vern Sitter	Colonial Inn		X	
Robert Dampur	Heritage Inn	95	X	
Carl Svirid	Bronx Inn	95	X	
Alan Nixon	Colonial Inn	95	X	
S. S. Rao	Outlaw Inn	95	X	
Dotty Jugdale	Protonhouse Inns - Butte		X	
Carl Tucker	Dillon - Conrad - Calumet		X	
Dave Depew	Super Motel Helena		X	
AAUO TAALER	Motel of America			
	MPE A			
Ray Brundage	JORGENSENS		X	
Gordon B. Colvin	Montana Innkeepers		X	
Margaret Richardson	Abraham Wash House		X	
DAVE THORSON	Montana Innkeepers	95	X	
Arund Murray	SRS			
	MA Co.	95	X	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR VISITOR'S STATEMENT
 IF YOU HAVE WRITTEN COMMENTS, PLEASE GIVE A COPY TO THE SECRETARY.

VISITORS' REGISTER

COMMITTEE

BILL NO HB 774 Appropriation

DATE 3/16/89

SPONSOR _____

NAME (please print)	REPRESENTING AND RESIDENCE	SUPPORT	OPPOSE
Jesse Munro	MDOH		X
BOB CAMPION	"		X
DON GRUEL	"		X
Sen. Jenkins	Senators	X	
John E. Witt	County Comm. 5511888	X	
Ray Standiford	Liberty CD Commissioner	X	
Brian Morris	MACO.	X	
Charles D. Annetter	Commissioner FHOOTED	X	
Lucas W. Compton	Representative	X	
Sen Cowan	Phillips Co. Malta	X	
Lee Hammond	Senator Dist 9	X	
Shirley D. Dorette	Phillips Co. Comar	X	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

Appropriations COMMITTEE

BILL NO. HB 773

DATE March 16, 89

SPONSOR Wyatt

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
Robert Johnson	316 2 Park Helena, MT.	✓	
Karen Kanders MD	Montana Council for Maternal and Child Health Montana Children's Alliance	✓	
Chuck Ball	March of Dimes 471 Russell Helena MT.	✓	
D. Elizabeth B. Bagley	Montana Children's Alliance	✓	
Donald E. Ely MD	Helena MT.	✓	
Kay Foster	OB Services Advisory Council Billings MT	✓	

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

ROLL CALL VOTE

HOUSE APPROPRIATIONS

COMMITTEE

DATE 3/16/89 BILL NO. 193 NUMBER _____

NAME	AYE	NAY
REPRESENTATIVE SPAETH		
REPRESENTATIVE PECK		
REPRESENTATIVE IVERSON		✓
REPRESENTATIVE SWIFT		✓
REPRESENTATIVE QUILICI	✓	
REPRESENTATIVE BRADLEY		
REPRESENTATIVE PETERSON		✓
REPRESENTATIVE MARKS		✓
REPRESENTATIVE CONNELLY	✓	
REPRESENTATIVE MENAHAN	✓	
REPRESENTATIVE THOFT	✓	
REPRESENTATIVE KADAS		
REPRESENTATIVE SWYSGOOD		✓
REPRESENTATIVE KIMBERLEY	✓	
REPRESENTATIVE NISBET	✓	
REPRESENTATIVE COBB	✓	
REPRESENTATIVE GRINDE		
REPRESENTATIVE CODY	✓	
REPRESENTATIVE GRADY	✓	
REPRESENTATIVE BARDANOUVE		✓

TALLY

10 6

Sylvia Kinsey
Secretary

Rep Bardanouve
Chairman

MOTION: _____

Do Pass
As Am

ROLL CALL VOTE

HOUSE APPROPRIATIONS

COMMITTEE

DATE 3/16/89 BILL NO. 333 NUMBER _____

NAME	AYE	NAY
REPRESENTATIVE SPAETH		
REPRESENTATIVE PECK		
REPRESENTATIVE IVERSON	✓	
REPRESENTATIVE SWIFT		✓
REPRESENTATIVE QUILICI	✓	
REPRESENTATIVE BRADLEY	✓	
REPRESENTATIVE PETERSON		
REPRESENTATIVE MARKS	✓	
REPRESENTATIVE CONNELLY	✓	
REPRESENTATIVE MENAHAN	✓	
REPRESENTATIVE THOFT		✓
REPRESENTATIVE KADAS		✓
REPRESENTATIVE SWYSGOOD		✓
REPRESENTATIVE KIMBERLEY	✓	
REPRESENTATIVE NISBET	✓	
REPRESENTATIVE COBB		✓
REPRESENTATIVE GRINDE		✓
REPRESENTATIVE CODY	✓	
REPRESENTATIVE GRADY	✓	
REPRESENTATIVE BARDANOUVE	✓	

TALLY

11 5

Sylvia Kinsey
Secretary

Rep Bardanouve
Chairman

MOTION: 16-3

No Pass

ROLL CALL VOTE

HOUSE APPROPRIATIONS

COMMITTEE

DATE 3/16/89 BILL NO. 400 NUMBER 1

NAME	AYE	NAY
REPRESENTATIVE SPAETH		
REPRESENTATIVE PECK		
REPRESENTATIVE IVERSON	✓	
REPRESENTATIVE SWIFT		
REPRESENTATIVE OUILICI		✓
REPRESENTATIVE BRADLEY		
REPRESENTATIVE PETERSON		
REPRESENTATIVE MARKS	✓	
REPRESENTATIVE CONNELLY		✓
REPRESENTATIVE MENAHAN		✓
REPRESENTATIVE THOFT	✓	
REPRESENTATIVE KADAS		
REPRESENTATIVE SWYSGOOD	✓	
REPRESENTATIVE KIMBERLEY		✓
REPRESENTATIVE NISBET	✓	✓
REPRESENTATIVE COBB	✓	
REPRESENTATIVE GRINDE		
REPRESENTATIVE CODY		
REPRESENTATIVE GRADY	✓	
REPRESENTATIVE BARDANOUE		✓

TALLY

6 6

Sylvia Kinsey
Secretary

Representative Bardanouve
Chairman

MOTION: Marks 64 @ 10
take it & read it
& line 547
Also
failed on the vote

ROLL CALL VOTE

HOUSE APPROPRIATIONS COMMITTEE
 DATE _____ BILL NO. 400 NUMBER 2

NAME	AYE	NAY
REPRESENTATIVE SPAETH	✓	
REPRESENTATIVE PECK		
REPRESENTATIVE IVERSON		✓
REPRESENTATIVE SWIFT		✓
REPRESENTATIVE OUILICI	✓	✓
REPRESENTATIVE BRADLEY	✓	
REPRESENTATIVE PETERSON		
REPRESENTATIVE MARKS		✓
REPRESENTATIVE CONNELLY	✓	
REPRESENTATIVE MENAHAN	✓	
REPRESENTATIVE THOFT		✓
REPRESENTATIVE KADAS		
REPRESENTATIVE SWYSGOOD		✓
REPRESENTATIVE KIMBERLEY	✓	
REPRESENTATIVE NISBET	✓	
REPRESENTATIVE COBB		✓
REPRESENTATIVE GRINDE		✓
REPRESENTATIVE CODY		✓
REPRESENTATIVE GRADY		✓
REPRESENTATIVE BARDANOUE	✓	

TALLY

8 9

Sylvia Kinsey
Secretary

Representative Bardanoue
Chairman

MOTION: _____

16

Failed
Rep Connelly #2

Do pass as amended

ROLL CALL VOTE

HOUSE APPROPRIATIONS

COMMITTEE

DATE _____ BILL NO. 731 NUMBER _____

NAME	AYE	NAY
REPRESENTATIVE SPAETH		
REPRESENTATIVE PECK		
REPRESENTATIVE IVERSON	✓	
REPRESENTATIVE SWIFT	✓	
REPRESENTATIVE OUILICI		✓
REPRESENTATIVE BRADLEY		
REPRESENTATIVE PETERSON		
REPRESENTATIVE MARKS	✓	
REPRESENTATIVE CONNELLY	✓	
REPRESENTATIVE MENAHAN		✓
REPRESENTATIVE THOFT	✓	
REPRESENTATIVE KADAS	✓	
REPRESENTATIVE SWYSGOOD	✓	
REPRESENTATIVE KIMBERLEY		✓
REPRESENTATIVE NISBET		✓
REPRESENTATIVE COBB	✓	
REPRESENTATIVE GRINDE	✓	
REPRESENTATIVE CODY	✓	
REPRESENTATIVE GRADY	✓	
REPRESENTATIVE BARDANOUE	✓	

TALLY

11 5

Sylvia Kinsey
Secretary

Representative Bardanoue
Chairman

MOTION: _____

L. Mark

Passed

ROLL CALL VOTE

HOUSE APPROPRIATIONS

COMMITTEE

DATE 3/16/89

BILL NO. 653

NUMBER _____

NAME	AYE	NAY
REPRESENTATIVE SPAETH		
REPRESENTATIVE PECK		✓
REPRESENTATIVE IVERSON		✓
REPRESENTATIVE SWIFT		✓
REPRESENTATIVE OUILICI		✓
REPRESENTATIVE BRADLEY	✓	
REPRESENTATIVE PETERSON		✓
REPRESENTATIVE MARKS		
REPRESENTATIVE CONNELLY	✓	
REPRESENTATIVE MENAHAN		✓
REPRESENTATIVE THOFT		✓
REPRESENTATIVE KADAS		✓
REPRESENTATIVE SWYSGOOD		✓
REPRESENTATIVE KIMBERLEY	✓	
REPRESENTATIVE NISBET		✓
REPRESENTATIVE COBB		✓
REPRESENTATIVE GRINDE		✓
REPRESENTATIVE CODY		✓
REPRESENTATIVE GRADY		✓
REPRESENTATIVE BARDANOUE		✓

TALLY

4 14

Sylvia Kinsey
Secretary

Representative Bardanoue
Chairman

MOTION: _____

26
Bradley Motion Do pass
failed

ROLL CALL VOTE

HOUSE APPROPRIATIONS COMMITTEE
 DATE 3/16/89 BILL NO. 774 NUMBER 12

NAME	AYE	NAY
REPRESENTATIVE SPAETH		
REPRESENTATIVE PECK		
REPRESENTATIVE IVERSON	✓	
REPRESENTATIVE SWIFT	✓	
REPRESENTATIVE QUILLICI	✓	
REPRESENTATIVE BRADLEY	✓	
REPRESENTATIVE PETERSON	✓	
REPRESENTATIVE MARKS	✓	
REPRESENTATIVE CONNELLY	✓	
REPRESENTATIVE MENAHAN		✓
REPRESENTATIVE THOFT		✓
REPRESENTATIVE KADAS		
REPRESENTATIVE SWYSGOOD		✓
REPRESENTATIVE KIMBERLEY		✓
REPRESENTATIVE NISBET		✓
REPRESENTATIVE COBB	✓	
REPRESENTATIVE GRINDE		
REPRESENTATIVE CODY		✓
REPRESENTATIVE GRADY		✓
REPRESENTATIVE BARDANOUE		✓

TALLY 8 8

Sylvia Kinsey
Secretary

Rep. Bardanoue
Chairman

MOTION: _____

*Iverson Sit up
 As Am do pass
 failed*

ROLL CALL VOTE

HOUSE APPROPRIATIONS COMMITTEE
 DATE 3/16/89 BILL NO. 774 NUMBER 2

NAME	AYE	NAY
REPRESENTATIVE SPAETH		
REPRESENTATIVE PECK		
REPRESENTATIVE IVERSON		✓
REPRESENTATIVE SWIFT		✓
REPRESENTATIVE QUILLICI	✓	
REPRESENTATIVE BRADLEY		✓
REPRESENTATIVE PETERSON		✓
REPRESENTATIVE MARKS		✓
REPRESENTATIVE CONNELLY		✓
REPRESENTATIVE MENAHAN	✓	
REPRESENTATIVE THOFT	✓	
REPRESENTATIVE KADAS		
REPRESENTATIVE SWYSGOOD	✓	
REPRESENTATIVE KIMBERLEY	✓	
REPRESENTATIVE NISBET	✓	
REPRESENTATIVE COBB		✓
REPRESENTATIVE GRINDE		
REPRESENTATIVE CODY	✓	
REPRESENTATIVE GRADY	✓	
REPRESENTATIVE BARDANOUE	✓	

TALLY

9 7

Sylvia Kinsey
Secretary

Rep. Bardanoue
Chairman

MOTION:

Do Not Pass