

MINUTES OF THE APPROPRIATIONS COMMITTEE  
HOUSE OF REPRESENTATIVES  
State Capitol, Room 225

April 1, 1977

The meeting was called to order by Chairman Bardanouve at 10:00 a.m. Roll call was taken and all members present except Rep. Gerke. Also present were Curt Nichols, Legislative Fiscal Analyst, and Dave Lewis, Deputy Director of the Office of Budget and Program Planning.

The Chairman stated there had been some confusion on House Bill 445; it was referred to Long Range Building and no hearing was held on the bill before executive action was taken on March 29, 1977. Chairman Bardanouve apologized to the sponsor of the bill, Representative Fabrega, and offered the committee's further apology for the short notice of the hearing on H.B. 445 this morning and for any inconvenience this had caused in assembling witnesses.

House Bill 445: To appropriate funds for the libraries of the Montana University System from the education trust fund account. Representative Jay Fabrega explained that the bill was introduced because the university libraries are below national standards. We are paying freight costs, staff salaries and for buildings, but we have a deficiency in reference materials. Rep. Fabrega stated that the general fund does not have the money for this kind of outlay; but from his experience in serving on the coal tax committee, he is aware of the trust fund for the benefit of education and feels that the money to fund this bill can come from that source. Books are increasing in cost at the rate of 15% to 30% per year; their present budgeting can't keep up with this increase. He feels a better use of the trust fund money would be to bring the libraries up to date, rather than accumulate money in the trust. This in the long run would be of more benefit to the people of the state.

Mr. Irving Dayton, Deputy Commissioner of Academic Affairs, spoke next. He stated that it had been arranged for librarians from each of the campuses to meet with the committee; but due to the timing, they are on hold, but are available to answer questions. Mr. Dalton further stated that Rep. Fabrega made the case; the library materials' costs are escalating faster than the cost of living. Capital budgets of libraries are increasing but costs are going up faster than the budgets, so the number of volumes they are able to purchase goes down. Journal collections, which Dr. Dayton explained to the committee are valuable only because they are continuous. Because of the high cost of journal collections, they use a large portion of the budget and other areas suffer.

Librarians cooperate on the matter of journal collections, eliminating an expensive journal on one campus and maintaining it on another to avoid duplication of expense. Journals are used by other than university students for research.

Criteria for distribution of the funds are accreditation standards of American Library Association, and it is a uniform standard. An evaluation by the ALA of Montana University System libraries was passed out and explained to the committee (attached). The last line on the attached shows the percentage each institution would get if this bill passes to correct library deficiencies.

Rep. South stated that there were only two units requesting additional books in this budget, why is that if the libraries are deficient? Dr. Dayton explained that those are the only requests that reached the state level, that none of the librarians would say they have everything they need. There was also competition at the campus level for add-on programs.

Rep. Moore mentioned that we appropriated money for the WAMI library last session and after adjournment it was discovered that the money appropriated for that purpose was being used for administrative costs and to pay for space. He would ask that the Commissioner's Office stay on top of this.

Rep. Wood asked if the university libraries are open to the public, and Dr. Dayton said all but a few rare books are.

Rep. Marks asked whose expense this would be taken from. Rep. Fabrega explained that the money to fund this bill is available because a statutory trust fund was created for the benefit of education in 1975. It is not an inviolate trust as he understands it, and could be done away with by the next legislature.

Chairman Bardanoue stated that if the money is not used for this purpose it would remain in the investment fund. This funding would spend the principal.

Rep. Fabrega stated that the money is invested now and 90% can be appropriated for education. The rest accumulates in trust. If we use it, we won't have income but will have books. The question is, does bringing up the libraries' standards pay a better dividend than accumulating money?

Rep. South asked if the trust is revoked in this biennium, how will you accumulate funds for the rest of your projects? John LaFaver stated he had not studied this but this bill would spend the corpus to June 30, 1977, so it would revoke the trust for that amount of money. The June 30, 1977 to June 30, 1979 bill would spend the remainder.

Rep. Ellis questioned how the journals were acquired; and Dr. Dayton responded they are acquired through subscription and ordered by purchase orders. They must be in sequence and because of escalation in price of most journals, it is increasingly hard to stay current in other book collections. To be effective, a library must stay current as much as it can in book acquisitions because of uncertain future availability of books.

Journal needs of each unit were discussed. Rep. Wood asked if figures are available on what percentage of libraries meet the ALA standards, and was told no, Dr. Dayton did not have that information. The Chairman asked how the formula is arrived at that determines how deficient the libraries are? Dr. Dayton responded this comes from the ALA and represents an average. The aim is to move each unit up proportionately, as shown on the handout. This bill would bring the libraries up to about 75% compliance.

Rep. Marks asked if this is intended to be ongoing and was told no, it is a one-time thing.

There being no further discussion or questions from the committee, the hearing was closed on H.B. 445.

EXECUTIVE SESSION

House Joint Resolution 88: Rep. Moore MOVED that HJR DO PASS. Seconded by Rep. Marks and the question was called.

ROLL CALL VOTE: The motion carried 16-0, Rep. Halvorson absent.

House Bill 826: Rep. Lund MOVED to amend the sum from \$320,000 to \$295,000.

Rep. Mike Meloy stated that the appropriation is conditioned on the Historical Society coming up with \$150,000. They have only \$125,000 and will have to raise the rest. The Historical Society does not anticipate difficulty raising the amount but with the amendment they will need to raise \$50,000 and there might be competition.

Rep. Lynch asked about private money contributed to the purchase; will the same amount be reduced from the general fund moneys? Rep. Meloy stated that this is earmarked money but it has been spent twice, so it is not a simple matter. Rep. Lynch stated private money that comes in should be used for the Russell painting and asked if this would be offset. Chairman Bardanoue answered that it would not at this time or it might reduce the interest people would have in contributing.

Rep. Meloy stated it might be better to reduce the appropriation and have a target amount to collect, rather than reduce the general fund amount by what is collected privately.

VOICE VOTE: The motion to amend to \$295,000 carried unanimously.

Rep. Lund MOVED that H.B. 826 AS AMENDED DO PASS. Seconded and question called.

VOICE VOTE: The motion carried unanimously.

House Bill 823: Referred to Long Range Building Subcommittee.

House Bill 708: Rep. Marks MOVED that H.B. 708 be amended on page 1, line 21, striking "fish and game" and inserting "natural resources"; and amend page 1, line 23, striking "Castle Creek Dam," and inserting "Big Springs Creek Watershed."

VOTE: The motion carried unanimously by voice vote.

House Bill 708 as amended is referred to the Long Range Building Subcommittee.

House Bill 701: The attached amendments were presented by Rep. Frates and were discussed previously by the committee on March 31. Rep. Moore MOVED that the amendments be adopted. Seconded and question called.

VOTE: The motion carried unanimously by voice vote.

Rep. Moore stated there are many homes that have had winterization by use of federal funds or local volunteers, and his reluctance is to involve state general fund money. He stated he wished we had more money to put into it. Rep. Manuel stated there is quite a budget in SRS for winterization. Rep. Bradley stated that housing for the elderly is important and this bill will help those on low incomes stay in their homes by helping with their fuel bills. This is an important bill, she said. Rep. Marks stated he had had some figures looked up on this and there is quite a little money available to do winterization other than general fund money. There are funds available through DCA. Eligibility requirements were also discussed. Aging Council has a budget for this also at \$700 per home. They have done 774 homes so far. Eligibility requires you be over 60 with an income limit of \$11,000 for the family. He stated some people we are talking about might be eligible under this plan. Almost 1100 homes in the state have been winterized under this plan.

Rep. Lynch asked if there is enough money to do winterization for all people who are qualified? The savings on the fuel bills is up to 50%; it is really impressive and money well spent. Representative Bradley asked that we pass on this bill for a short period to give her time to get some additional information.

LATER: Rep. Bradley told the committee that this bill is restricted to the elderly with their own homes. In DCA we give spending authority for federal money we think might be available. H.B. 701 is seed money for a match at the rate of 9-1. It is different from the other programs in that it is certain to go for winterization for low income people. Any fuel conservation benefits all, not just those who pay a bill.

Rep. Bradley MOVED that H.B. 701 AS AMENDED DO PASS.

ROLL CALL VOTE: The motion carried with 12 ayes, 2 nos, 2 absent and 1 abstaining.

LATER: It was reported that the amendments attached were adopted by the Committee on Natural Resources; the recommendation of the committee was changed to DO PASS.

House Bill 663: Representative Marks asked Curt Nichols, Fiscal Analyst, to relate some information. Mr. Nichols stated that the bill requires three things: 1) direct council, 2) technical assistance, and 3) start-up funds. HSA has the capability at this time to handle 1) and 2). They feel in two years they would have start-up funds. There is some disagreement whether HSA has the capability to start the agency. The nursing bureau of the Dept. of Health feels HSA does not have the staff with the technical knowledge to start a home health agency. Rep. Marks stated that HSA has a lot of money for contracting services and could contract for this; they have \$401,000 available.

Rep. Marks MOVED that H.B. 663 DO NOT PASS.

ROLL CALL VOTE: The motion failed with 5 voting aye, 9 voting no, 3 absent.

Rep. Marks then MOVED that H.B. 663 DO PASS. The vote on the previous motion was reversed. VOTE: The motion carried with Rep. Marks voting aye, and 10 voted aye, 4 voted no, and 3 were absent.

House Bill 661: Ted Doney, Counsel for the Dept. of Natural Resources explained the attached amendments, stating pipelines and refineries are not covered now with this amendment. The amendments put back their exception. The second paragraph of the amendment clarifies Rep. Huennekens' desire to cover industrial facilities that refine ore. He stated that this is not the Department's amendment, but Rep. Huennekens'. "Utility" is redefined. Mr. Doney discussed the word "need". The concern is that need would be a determination of the Board of Natural Resources. These amendments state that need is not their determination. There was further discussion by the committee concerning what is covered by the act. Rep. Bardanouve stated he is trying to improve the bill without giving away the desire to establish a need for utilities; utilities have a more severe review under the bill.

Rep. Moore MOVED that the amendment to amend page 41, section 16, line 17, following "THE", strike "GENERAL FUND" and insert: "resource indemnity trust interest account" be adopted.

VOICE VOTE: The motion carried unanimously.

Rep. South stated that he is concerned about the amendments; he would rather they were voted on on the floor. Representatives Marks and Moore stated they felt the same way. They are uncertain what the amendments do.

Rep. Moore MOVED that H.B. 661 AS AMENDED, PASS WITH NO RECOMMENDATION.

SUBSTITUTE MOTION made by Rep. Bradley that the additional amendments attached be adopted. VOICE VOTE: The motion carried with 15-1 (Kvaalen, voting no) and Gerke absent.

Rep. Moore MOVED that H.B. 661 AS AMENDED DO PASS. Seconded and question called. ROLL CALL VOTE: The motion carried with 10-2, 2 absent and 3 abstaining.

House Bill 428: Discussion by the committee as to who is covered by this act was held. Rep. Bardanouve presented the attached amendment which after discussion was withdrawn.

Rep. Moore MOVED that H.B. 428 DO PASS. Seconded and question called. ROLL CALL VOTE: The motion carried with 11 aye to 3 no; 2 absent and 1 abstaining.

The meeting was adjourned at 11:55 a.m. The committee will meet at 8:00 a.m. on Monday, April 4, 1977 in room 225.

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Francis Bardanouve, Chairman