

MINUTES OF THE MEETING  
LEGISLATIVE APPROPRIATIONS COMMITTEE

March 16, 1979  
Room 104  
State Capitol Building

The meeting was called to order at 8:30 A.M. by Chairman Francis-Bardanoue. Roll was taken and all members of the committee were present.

Chairman Bardanoue stated that we would go through House Bill 483 subcommittee report by subcommittee report and if there are any areas of controversy of changes to be suggested to us during the hearings, we will review it in full committee. If there are any significant changes, I will refer that segment back to the subcommittee and they can review it and report back to us with their suggestions. That way the subcommittees can have an input on their part of the bill.

The committee then started through the bill and discussed the Fish and Game Department. Questions were asked and the following motions were made regarding their budget:

Representative Ellis made a motion on paragraph 6 on page 2 of the Agency II portion of the bill.

A substitute motion by Representative Moore was to delete paragraph 6 on page 2 of Agency II's bill. With Representatives Hand, Hurwitz, Marks, Manuel and Wood voting No, the motion carried.

Representative Manning then made a motion that the word "recommended" in paragraph 7 on page 2 be removed. On an oral vote, the motion failed.

At this point lengthy discussion followed on the retention of the attorney for the Fish and Game Department.

The committee then entertained a motion by Representative Marks that boiler plate language be included in the bill that any attorneys approved in this bill will be put under the Attorney General's power. With Representatives Gesek, Hurwitz, Lund, Manning, Manuel, Menahan, Wood, Waldron and Yardley voting No, the motion failed.

Discussion was then held on the airplane owned by the Fish and Game Department.

Under the Department of State Lands, the Committee discussed the clerical position and also the 4 new mine inspectors. Representative Bardanoue stated that he will contact Mr. Berry and inquire about the mine inspectors mentioned in this segment of the bill.

March 15, 1978

Page Two

Discussions were then held on the Department of Livestock and the Department of Natural Resources. More specifically, the committee discussed in detail the agricultural experiment station at Bozeman and the Diagnostic laboratory.

Mr. Ted Doney from the Department of Natural Resources explained in more detail for the committee the Administration of Energy Law. Conservation District Supervision Funds were discussed by the members of the committee. They then discussed the decrease in other funds results from the creation of an agency account for the management of slash and brush disposal boards. The committee also discussed at some length, the Daly Ditch problem.

Under the Public Service Commission, Representative Ellis made a motion that we put the \$300,000 back into the budget for an audit of Montana Power Company. With Representatives Kvaalen, Moore and Wood voting No, the motion carried.

A motion was made by Representative Manuel to take the Board of Abstractors completely out of the bill and that we give the Medical Examiners \$10,000 per year. Therefore the budget would be for this agency \$59,428 for fiscal 1980 and for fiscal 1981 \$62,597. Representative Bengtston moved that the committee accept these figures. On an oral vote, the motion carried.

Discussion was then centered on the budget for the Legislative Council. Representatives Hand, Ellis, South, Kvaalen and Marks made motions on this budget. All these motions carried unanimously on oral votes. At this point Representative Yardley made a motion that the committee include funds in the budget for membership with the NCSL. With Representatives Bengtston, Hurwitz and Kvaalen opposing the Motion, the motion carried.

The committee adjourned at this time to reconvene at 1:00 P.M.

The meeting was called to order at 1:10 by Chairman Bardanouve. The committee resumed action on House Bill 483 again discussing the budget for the Legislative Council. Discussion was held on also putting travel back into the budget for attendance at the NCSL.

Severance pay for employees resigning from the council was also discussed.

On the Environmental Quality Council, a discussion was held on the law library, and a motion by Representative Yardley carried with Representatives Wood and Moore voting No.

March 14, 1979

Page Three

The committee then discussed the Office of Commerce and Representative Moore made a motion that we remove \$39,000 from the office of commerce. After further discussion Representative Manning made a substitute motion to keep the \$39,000 per year in the agency's budget. With Representatives South, Bengston, Manning, Manuel, Menahan, Waldron, Yardley and Bardanouve voting No on Representative Moore's motion, the same failed. Representative Manning's substitute motion carried.

Discussion was had by the committee members on the Economic Development Council and in particular the special olympics portion of that committee.

At this point the committee discussed the removal of a position from the Lieutenant Governors Office. Representative Menahan made a motion that the deleted position be re-established. With Representatives Ellis, Hurwitz, Kvaalen, Marks, Moore and Wood voting No, the motion carried.

On the Commissioner of Campaign Practices, Representative Lund made a motion to change the figures to \$93,386 for the first year of the biennium and \$99,310 for the second year. With Representatives Lund, Manning, Manuel, Menahan, Waldron and Yardley voting in favor of the Motion, the motion failed.

Under the office of the State Auditor, Representative Moore made a motion to delete the Investment Attorney and the travel funds from their budget. With Representatives Manning, Manuel, Menahan, Wood and Yardley voting No, the motion carried.

A motion was then made to insert into the Investment area of the State Auditor's budget, a total of \$33,288 over the biennium designating \$16,390 for the fiscal year 1980 and \$16,898 for the fiscal year 1981. With Representatives Manning, Manuel, Waldron and Wood voting Yes, the motion failed. The motion was made by Representative Manning.

The committee then discussed the Department of Justice and Representative Menahan made a motion to take the Highway Patrol out of this department and fund it under the earmarked revenue fund of the highway account. With Representatives South, Ellis, Manning, Manuel, Wood, Yardley and Bardanouve voting No, the motion carried.

Discussion was then held on the deletions of positions in the Department of Justice. Questions were raised on the coal tax defense.

April 18, 1979  
Page Four

Concern was shown on the request for 3 new highway patrol.

At this point the committee took executive action on House Bill 116. On oral vote, House Bill 116 received a Do Pass recommendation from the committee, with Representative Menahan voting No.

Motions by Representatives Moore and Kvaalen amending Senate Bill 2 (Amendments attached hereto as Exhibit 1) carried on oral votes by the committee. Representative Moore made a motion that Senate Bill 2, as amended, be concurred in. Motion carried.

At this time Representative Moore made a motion that the committee reconsider their action on the vote taken on the Public Service Commission.

At this time the committee recess to reconvene at 7:30 this evening.

The meeting was called to order at 7:45 P.M. by Chairman Bardanouve. The committee continued their discussion of House Bill 483 and the amendments thereto.

Representative Kvaalen made a motion that the Travel Promotion Bureau be removed from the budget. With Representatives South, Ellis, Manning, Manuel, Wood, Yardley and Bardanouve voting No, the motion carried.

Representative Ellis expressed concern over the program for the Railroad Planning Division under the Department of Highways. Further explanation of this program was given to the committee.

A lengthy discussion followed on the budget for the Department of Revenue with Bill Gross from that department answering questions from the committee. Concluding the discussion, Representative South made a motion to strike the last sentence from paragraph 1 of the bill. On an oral vote, the motion carried.

Under the Department of Administration, Representative Waldron made a motion to be sure that the \$30,000 is used for whoever is elected governor during the next election. No action was taken on this motion after discussion of the same.

After an explanation by Pat Melby on the Tramway Safety Program, Representative Manuel made a motion that we put \$5,715 into the budget for the biennium for the tramway safety program. Again on an oral vote, the motion carried.

Discussion was then held on the Department of Community Affairs. Representative Kvaalen made a motion that we completely eliminate the Department of Community Affairs from the bill. In addition an additional appropriation would take care of the functions performed by this Department. Representative Menahan spoke to this motion.

March 11, 1979

Page Five

With Representatives Hurwitz, Kvaalen, Marks and Wood voting Yes, the motion failed.

Further discussion was held on the 3 FTES in this portion of the budget. Representative Waldron made a motion to retain the 3 FTES. Again after discussion, the motion by Representative Waldron was withdrawn.

On the Department of Health, discussion and explanation was made of the Non-Source Polluting funding and Representative Marks made a motion to include the funding of the \$300,000 per year. With Representative Kvaalen voting No, the motion carried on an oral vote.

Under the budget for the Nursing Bureau, Representative Waldron made a motion that it would be the intend of the committee to re-allocate time needed for this project. Again on an oral vote, the motion carried unanimously.

Representative Waldron then made a motion to bring the Family Planning program up to current level to include \$22,950 per year additional. Motion carried unanimously on a voice call.

Representative Waldron made a motion that \$21,500 per year be included in the budget for medicaid facility certification. Motion carried unanimously.

Representative Manning made a motion that money be included in the budget for a Grade 11 position. This would amount to \$15,000. Motion carried.

Representative Waldron explained the Nuclear licensing program.

The committee then discussed the budget for the Department of Labor and Representative Waldron made a motion to authorize \$41,336 per year spending authority. Motion carried on a voice call.

Representative Waldron then made a motion that the committee authorize \$30,500 for fiscal year 1981 for an audit of the Workmen's Compensation Commission. Motion carried.

Representative Waldron made a motion that we delete \$10,000 in the second year of the biennium under the Workmen's Compensation Division. Again on a voice call, motion carried.

The committee then discussed the budget for the Department of Social and Rehabilitation Services. Representative Waldron made a motion that we authorize \$90,000 a year additional spending authority. Motion carried.

Representative Waldron explained the Medicaid funds for the Department of Institutions. He stated that this is a pass through program for the transfer of persons to Eastmont.

After further discussion of this program, Representative Waldron made a motion that we appropriate \$534,000 per year for the Medicaid funds for the transfer of persons to Eastmont which will include \$195,000 the first year and \$190,750 for fiscal year 1981. Motion carried.

At this point Representative Marks went on record as saying that we are setting up a new institution at Eastmont.

Explanation and discussion was then had on the Medicaid funds for the Yellowstone Boys Ranch. Representative Waldron made a motion to authorize the expenditure of Medicaid funds for the Yellowstone Boy's Ranch to transfer 8 boys from Warm Springs to Eastmont. This would include \$48,095 for fiscal 1980 and \$68,582 for fiscal 1981. After further discussion, this motion was withdrawn.

Representative Yardley stated at this point that the Legal Services portion of the budget was eliminated. After discussion of this, Representative Yardley made a motion to put the \$200,000 for each year of the biennium into the budget. With Representatives South, Ellis, Hurwitz, Kvaalen, Lund, Marks and Wood voting No, the motion carried.

At this point Representative Marks made a motion to put \$9,000 each year of general fund money (totaling \$36,000) into the Helena Achievement Home. Representatives Gesek and Waldron spoke in favor of the motion and Representative Ellis stated that these are viable programs. With Representatives South, Ellis, Hand, Hurwitz, Kvaalen, Lund and Yardley voting No, the motion carried.

The Chairman entertained a motion that the meeting be adjourned and the committee voted that we adjourn at 10:45 P.M.

---

Chairman

---

Secretary