

MINUTES OF THE MEETING
LEGISLATIVE APPROPRIATIONS COMMITTEE

March 20, 1979
Room 104
State Capitol Building

The meeting was called to order at 7:30 P.M. by Chairman Francis Bardanoue. All members of the committee were present with the exception of Representative Lund who was excused.

Chairman Bardanoue presented Representative Azzara, the sponsor of House Bill 273. Azzara opened by saying that members of the Missoula delegation were unable to make it to the meeting because of illness (air disease). He went on to say the purpose of this bill is to complete a study started during the 1977 legislative session. The objective of the study is to study health standards and make comparisons. Basically, there are four categories: Missoula, Great Falls; Butte, Anaconda and Billings. It is the considered opinion of research scientists that without this appropriation, proper conclusions and indepth conclusions will not be able to be reached. He introduced Mike Roach, the Air Quality Bureau Manager of the air pollution project.

Mr. Roach stated that after spending \$1,000,000, why are we back for more? The results have been negative. If air pollution did not create or was not the cause of health problems we would not be here. He said that 200 children in the Butte area were tested for cancer causing agents in their urine. Several were found to have agents in their urine in that area. Children in Great Falls were found to have stronger lungs than those in Missoula. These are just some of the reasons why we need additional data. They feel that air pollution is causing some of these problems. They are not able to pin point the specific problems. That is why it will benefit everybody to extend the study for another two years. He went on to say that 2 years is better than one and 3 years is better than 2. They believe the extra two years of research will bring a great return on investment to the state in terms of total funds that they have invested to date. He went on to explain that the first year (FY 80) the health effects and field monitoring activities will be most extensive to complete a three year data base. During the second year (FY 81), the majority of the effort will be devoted to a thorough analysis of the gathered data, as well as to report writing and publication.

Mr. Roach commented that this study is one of 4 studies that will be used nationally. From that they see a less particulate standard across the nation. The study has a potential to provide an area health center for the community. They are developing one of the best data basis for the State in terms of how the developments will affect Montana.

Dr. Kit Johnson, a pediatrician in Missoula, rose in support of the bill. Dr. Johnson stated that he has been interested in air pollution

March 20, 1979
Page Two, P.M.

during his time in Missoula. He said that there are four major objectives they were originally trying to do by this study. (1) They want to ascertain data for air pollution. (2) get a better handle on the affect air pollution has on health. (3) analyze information and (4) develop a useable choice of knowledge and people who are knowledgeable enough to make intricate decisions. He went on to say that after passage of the bill he was concerned about reaching our objectives. He said that they have looked at the lung function of children in the 5 cities. Their data is still largely not analyzed. They have not achieved objectives 3 and 4. It looks like they have a big problem in Missoula in the lung development of children. Anaconda and Billings look like the same thing. They have to have time to complete the analysis. They have completed a small study of hospitalization. They do not plan to spend any more money in that area. They have seen evidence that air pollution has impacts on childrens lungs. They have not found them in hospital admissions. He concluded by saying that if they stop at this time, their information will be incomplete and the Department of Health will not have to act on incomplete information that might be wrong.

Rita Sheehy, a member of the Board of Health, rose in support of the bill. She stated that she was speaking on behalf of the rest of the Board. She said she was impressed with the way they made the study. They stretched the money as far as it would go. She would recommend granting the supplemental appropriation and the Board agrees with her.

Dr. Arthur C. Knight rose in support of the bill. He stated that he is the Director of the Department of Health. He stated that the study has gained tremendous credibility. They have been trying to put the bundle together for a long time. He said there is a high rate of cancer in children in Butte. They are getting answers that are beginning to add up. Missoula is 20 times higher than Butte in some spots and in some areas it is lower. He said that the air pollution study fits in very well with the radiation study and the mortality study. He cited examples and went on to say that the study should continue to be funded out of the Indemnity revolving fund.

Ron Erickson rose in support of the bill. He stated that he has been active in the air pollution problem for some time. They have had good, expert people work out of the state on this. There have been unpaid, advisory committees at work. There was quite a bit of time involved in setting up the study. The Department was careful to take into consideration all interests of the State in this study. He concluded by saying that the health studies will not be effective if they have to end this study in the next couple of months.

Dave Feffer from the Missoula Health Department, rose in support of the legislation. Mr. Feffer urged the committee to give the MAPS continuation bill a do pass recommendation. He said that the information collected is of great use in recognizing problems. He said that it is important to act upon facts rather than supposition.

March 20, 1979, P.M.

Page Three

Charlotte Easter rose in support of the bill. She said that she represents the Missoula residents who are concerned about air pollution. Ms. Easter commented that air pollution problems are not static but are evolving. Therefore, there must be continuous monitoring of air pollution and its effects on health. The answers that we find today are only partially applicable to the problems that will arise 5 years from now. It is better to maintain and utilize the progress made by this study than to reinitiate a new study every four to six years. She closed by urging continued funding of the Montana Air Pollution Study.

Don Allen rose in support of the legislation. He said that they had a Clean Air Conference in Billings and that many citizens had a misconception of what was causing the problem in that area. It is important before you make decisions that you make the study. It is important that the facts be known. When the decisions are made the cost-benefit ratios need to be taken into account. He urged the committee to go ahead and continue the study.

Ben Myron from Missoula rose and showed the committee examples of air pollution that he had collected.

Walt Koosstra from the Missoula Board of Health rose in support of the bill. He commented that the Montana Air Pollution Study has been excellently designed and carried out. He asked simply to keep the funding for the remaining portion of the study.

The next proponent was Ron Cooper from the Flathead Basin Study in Whitefish. Mr. Cooper stated that they have inversions in their country. They trap the air coming from the west. They are studying the air quality in more detail and they rely on this funding to do this. They are concerned about impacts. His committee recommends passage.

Senator Bob Palmer from Missoula supports the bill. He hoped the committee would fund the \$350,000 to finish the study.

Representative Cooney from Butte rose and said that this bill hits the concerns right on the head. He supports the bill and also stated that Representative McBride also supports the bill.

The League of Women Voters in Missoula was represented by Joy Bruck, who stated that her organization also supports the bill.

QUESTIONS FROM THE COMMITTEE:

At this time Representative Ellis stated that he is in favor of the bill. Representative Waldron strongly supported the finishing up of the study. He said there is no sense in throwing away money by not finishing the job. He recommended giving the bill a Do Pass.

Representative Gesek also spoke in favor of the legislation, as did Representatives Menahan, Marks and Manning.

Representative Marks then asked if this is the last time they are going to be in asking for money and Mr. Roach responded that they believe so.

March 30, 1979, P.M.

Page Four

He went on to explain that the monitoring date has been of great benefit. Missoula was requested to come up with ways to solve the problems and this year they were able to coordinate what they were doing.

Representative Marks then asked if they will be able to use the data and Mr. Roach responded that they are just starting to put this together in any meaningful form. He said that most of it is being put into statistical forms. They propose to put together a series of publications that will be available by July 1 of this year.

Representative Marks asked if they will have a recommendation in it and Mr. Roach stated that part of his testimony indicated they want to focus in areas that will give them the greatest return in the next two years. The recommendations will be in that form.

Representative Marks then asked if part of the money will be to go from that report on.

Mr. Roach responded that they have probably 18 months of study left. If they had another 6 months they will have more than twice the information. If they had a year beyond that they would have 5 times as much information.

Questions and answers followed on the various types of pollution and a lengthy discussion period followed.

Chairman Bardanouye went on record as saying that he has received a large number of letters and phone calls in support of House Bill 273. He said that the legislature last session amended the bill to include areas that were not in the original proposal. They actually increased the area of review and did not enlarge the money.

At this time Representative Azzara closed stressing that the bill is not an environmental bill. It deals with everybody's health. It should command the support of everyone interested in the health of Montana.

This closed the hearing on House Bill 273.

At this point Representative Keedy, the sponsor of HB 451 presented his bill saying that it is a simple appropriation measure designed to appropriate funds for a community coordinated child care facility in Kalispell which is designed to reduce child abuse and neglect. He said that the area to be served is the only area remaining that has no such program in effect now. Rep. Keedy said that the committee may want to amend the bill to do what they had intended that it do in the first place. He said that some figures have been closed and there is a \$37,875 total appropriation for the biennium. This should be \$50,000. The general fund would be \$12,625 and the clearance fund would be \$34,875. It is not his intent to penalize any on-going programs; he doesn't want them to take money out of one pocket and put it in another.

March 20, 1979, P.M.

Page Five

Mary Hurley from Kalispell rose in support of HB 451. Ms. Hurley stated that this bill was developed on the federal level in response to a federal recommendation. She said that she works for the City County Health Department and that she is frustrated by the lack of resources. She feels strongly about the need in their area for this type of help.

Susan Christofferson from the Kalispell Day Care Association stated that she had a petition signed supporting this bill. The people that signed the petition strongly support the bill as it will provide better quality day care for their children. She thinks the bill will only strengthen the skills of any child care providers. They need training and are hungry for knowledge of childcare and development.

The next proponent was Tracy Proctor from Kalispell. She represented the Teen Pregnancy Program and stated that she supports the bill. It would benefit the community in many ways. There is a bad need for this type of care in this area.

Jennifer Clark from Columbia Falls rose in support.

Laurel Peterson from Kalispell also rose in support of the bill.

Susan Ford from Kalispell stated that she is mostly a parent with one natural and one foster child. She urged for support of HB 451 to establish this program in the 4 northwest counties in the State. She says the need is because many parents work and nearly all of the parents are in the low income brackets. She closed urging a Do Pass recommendation.

Verna Tanner from the Head Start in Kalispell stated that she is strongly in support of the 4-C's concept.

Shiela Rice from the 4-C's in Great Falls stated that there are about 200 children born to women under 18 every year. She said that the figure is dismal because of the lack of education. They put together 4 different agencies and 7 different funding agencies. They had no extra money. She recommended a Do Pass of this bill.

There were no further proponents and no opponents to the bill

QUESTIONS FROM THE COMMITTEE:

Representative Waldron stated that Title XX money will fund this. He said that they would appreciate continued appropriation for the 4-C's in the areas that are not covered at the present time.

Representative Manuel asked if this is private grant money. Is all the Title XX money used up.

Rep. Waldron explained that we are overmatched on Title XX money. It is actually general fund money.

March 20, 1979, P.M.
Page Six

Representative Hurwitz asked how they decide where the money will be going.

Representative Waldron gave an explanation of the 4-C's program.

Representative Kvaalen asked what they are trying to do here and Representative Keedy stated that they are trying to put an agency that can help in the whole area of child development. Programs are on-going now, we are trying to make them more effective.

Discussion was then held on the explanation of what this program stands for.

At this point Representative Waldron stated that SRS strongly supports the 4-C's program and that he would request that we do fund the foster care and day care programs as well.

This closed the hearing on HB 451.

Chairman Bardanouye then presented Representative Conroy the sponsor of HB 902. Rep. Conroy stated that this is an act to establish a veterans cemetery at the Old Fort Custer in Big Horn County.

He explained that the battle field is completely full. The nearest veterans cemetery now is in Denver. The veterans are quite concerned that they would like to be buried in a national cemetery. The bill asks for \$100,000 matching funds from the State which will be matched with federal funds under a new act passed by the federal government. He went on to explain that federal requirements take the appraisal price of the land plus what the state will contribute and the federal government will match that for purposes of building a VA cemetery. He commented that there is 90 acres available. They will put in an underground water system and land-scaping, all of which comes to \$81,395. This breaks down to \$32,400 for the State's share of the land. He went on to explain that they will pump water out of the Big Horn River and that the county commissioners would oversee the project. The money from the federal government will be available October 1 of this year.

At this time Bob Durkee, speaking on behalf of the VFW for the State of Montana, stated that Custer Battlefield is administered by the Department of Interior. It is more of a monument than a cemetery. They never intended to use it for a cemetery. There is no room for expansion nor does the Department of Interior desire to expand it. The VA has assured them that no one has made application for the money that is available from the federal government for the construction of these cemeteries. He urged the committee to give the bill a Do Pass. He concluded saying that if it should fail, the \$100,000 would not be spent.

Tony Cumming from the American Legion in Helena was the next proponent of the bill. He asked for a Do Pass on behalf of his organization.

March 20, 1979, P.M.

Page Seven

Phil Hauck from the office of A & E of the Department of Administration stated that his office will administer the cemetery. He stated that this is a state veterans cemetery. He assumes we will take over the maintenance and operation of it after it is built. It will be a state owned facility. Why would the county commissioners be involved at all if it is a state facility. He went on to say that possibly there should be some legislative intent written into the bill to tell them how to do this.

There were no further proponents and no opponents to the bill.

QUESTIONS FROM THE COMMITTEE:

Chairman Bardanouve asked where the county commissioners come in if the land is to be given to the State of Montana.

Rep. Conroy responded that there are a lot of details to be worked out. The State has to own the land to comply with the federal grants. He stated that Senator Melcher is behind this 100%.

Questions were then asked on whether or not the county commissioners should be included in the bill or not.

Chairman Bardanouve then asked what they will have there in the line of utilities and Representative Conroy stated that there is electricity.

Chairman Bardanouve asked who will maintain it and again the answer was that that will have to be considered also. It would take 1 FTE and 1/2 PTE. It is going to cost money, but I do not know how much. It might be we will be able to put this in the Long Range Program.

A lengthy discussion followed on the location of the cemetery.

The hearing was closed on HB 902.

Chairman Bardanouve then stated that Representative Moore was the sponsor of HB 903. Representative Moore explained that this bill would appropriate money to the Department of Fish and Game for recreational improvements to the Giant Springs State Park. Mr. Moore stated that a committee formed for the purpose of restoring the park has raised \$115,000 in cash. They have put in about \$50,000 in-kind services. They have completely removed the junkyard that was located there previously. He said that the total cost of restoration would be approximately \$276,000 and that they would get the 50% federal funds. He said that this would just about complete the park.

Chairman Bardanouve stated that his interest in Giant Springs goes back to his childhood. He supports the bill. He said it is a beautiful area.

Phil Hauck, Department of Administration, suggested this should be in the Long Range Building Committee. He suggested the money be appropriated to the Department of Administration.

March 20, 1979, P.M.

Page Eight

Representative Moore then closed the hearing on HB 903.

At this time Chairman Bardanouye stated that the committee would hear further testimony on the problem that has arisen at Eastmont on SB 425.

Representative Marks spoke on the development of the various options that were brought out of the Phelps Report. They were trying to develop and use that for a nursing home. He contended that the services should be devoted to the Developmentally Disabled children in eastern Montana. He went on to say that the building in Glendive is heated electronically. This could pose some safety hazards. He explained that the population in Boulder is highly destructive and that there might be some hazard with things such as the electrical heating, and the low windows, etc.

He then presented Mr. Jerry Hoover, who was at one time the Superintendent of the Eastmont Training Center. Mr. Hoover stated that he was in accord with the points that Representative Marks brought up.

Representative Kvaalen stated that he was not all that enthused about transferring people from Boulder. He asked if they have a 5 day facility there?

Mr. Hoover replied that Eastmont is a 5 day facility.

Representative Kvaalen then asked if there was any need for a partial 7 day week program there. Mr. Hoover replied in the alternative.

Representative Kvaalen then stated that if there was an opportunity to leave them on a 7 day basis, it would probably serve more people in Eastmont.

Chairman Bardanouye then asked about the housing situation in Glendive.

Mr. Hoover stated that he is not prepared to answer that. He said that the housing situation had generally been scarce.

Representative Moore then stated that there are several levels of mentally disabled children. He wondered if it would be possible that the types that we put out in foster homes and group homes could utilize those services.

Mr. Hoover stated it would be a more restrictive alternative than putting them in a group home.

Representative Menahan asked if they could handle some of the people that are in nursing homes if that part of the state.

Chairman Bardanouye then asked Mr. Zanto, Director of the Department of Institutions how he feels about transferring patients from Boulder to Eastmont.

Mr. Zanto replied that he thinks they can support that proposal. We did the study based on the institutional populations that we currently

March 20, 1979, P.M.

Page Nine

have to deal with. There is possibly a population that could use this facility more than nursing homes.

Chairman Bardanouve asked Mr. Zanto if the legislature supports the proposal to move the mentally retarded from Boulder to Eastmont, would he oppose or support that move.

Mr. Zanto stated that he does not oppose the move. He supports it.

Representative Gesek stated that the Fiscal Analyst also recommended this and then asked if Mr. LaFaver would have some input regarding this move.

Mr. LaFaver stated that the original recommendation was to use the Eastmont facility for geriatrics. It became obvious that we could house more geriatrics in Galen. This left Eastmont unused. They never recommended one way or the other using Eastmont for the Developmentally Disabled. It was a proposal that was worked out in the subcommittee with the help of the Department of Institutions.

At this point Representative Moore read from a letter from Mr. Phelps which contained 5 suggestions for the use of Eastmont. He said that the letter was written in February of 1978.

Representative Hurwitz asked what would happen if they do not move the people out of Boulder and Chairman Bardanouve stated we will probably have to write the budget again. We will have to add a considerable amount of money to the Boulder budget.

Lengthy discussion followed on the move of the patients from Boulder to Eastmont.

Representative South asked if we pick up any reimbursement by moving from Boulder to Eastmont and Representative Yardley stated that we do. It might require some changes. As far as a certified facility for Mentally Disabled, it gets that category now.

At this point Representative Knaalen made a motion that S.B. 425 Do Pass.

Representative Ellis asked if it would be advisable to have SRS on the bill also.

Discussion was then held on wording in the bill referring to a legislative oversight committee.

Representative Kvaalen withdrew his motion and at this point Representative Moore moved to amend SB 425 by striking section 3 in its entirety. Motion carried. Representative Kvaalen then moved that SB 425 As Amended Be Concurred In. With Representative Menahan abstaining; Reps. Marks and Moore voting no, the motion carried.

Representative Yardley then asked Mr. Hoover how feasible is the plan

March 20, 1979, P.M.

Page Ten

the subcommittee came up with. He wondered how well it will integrate with the current system. He wondered if the people will be provided with necessary services and what is your opinion of the subcommittee proposal.

Mr. Hoover responded that screening has indicated we would be unable to improve on it.

Mr. Zanto stated that there are patients at Boulder who would not be approved for transfer to Eastmont. He went on to say that there are fewer patients than they thought there were that would be appropriate for transfer. He said that the patients at Warm Springs were basically tabbed as SRS placements.

Mr. Hoover stated that the subcommittee wanted to get Boulder patients out of facilities that are uncertifiable for merits.

Discussion was held on the movement of the patients. Questions were asked of Mr. Hoover and Mr. Zanto regarding this.

Mr. Hoover explained that he has screened 125 patients. Nine of those would be contingent upon parent and doctor approval.

At this point Representative Moore questioned where the children would be taken for medical attention.

Chairman Bardanouve stated that the time was getting late and he would chair a motion for adjournment.

The meeting was adjourned at 11:00 P.M.

Respectfully submitted,

FRANCIS BARDANOUVE, Chairman

Mary Flanagan for RS
Secretary