

MINUTES OF THE MEETING  
LONG RANGE BUILDING SUBCOMMITTEE

April 3, 1979  
7:00 p.m.  
Room 104  
State Capitol Building

Subject: HB 504, HB 542,  
HB 743, HB 893, HB 904, HB 920  
HB 417 - Labor and Industry  
- Military Affairs  
- Natural Resources

The meeting was called to order by Chairman Dan Yardley with all members present. Also present was Judy Rippingale, Fiscal Analyst.

DEPARTMENT OF LABOR AND INDUSTRY. Dave Fuller summarized their proposal to build a new building to house five divisions. He said they would be available to answer questions at the Executive Session.

The second proposal is the Employment Security Division's request for a new building in Bozeman and for the remodeling of the Kalispell office. This does not include any general fund money or FTE.

Mr. Waltermire said the Kalispell office was built in 1958, this remodeling would double the size of the existing facilities. They presently have 20 staff members in an area designed for 12. The present operation is not satisfactory to accommodate the growing work force or the staff.

The Bozeman facility was forced to move due to the expanding labor force. The facility had inadequate parking which is not conducive to their activities and the rent is extremely high. The Gallatin County labor force has increased 44.2%. They began with a staff of 10 and have 18 today. The projects would be funded by the sale of bonds liquidated by the U.S. Department of Labor. There would be no state funds involved.

Rep. Lund asked about the bonding procedure used. It was explained that the procedure would be the same as before; the bonds would be sold to PERS or Teacher's Retirement and retired in 20 years.

DEPARTMENT OF MILITARY AFFAIRS. Kea Cotrill explained the Department of Military Affairs' requests. They include five projects; 2 roofing projects, 2 painting projects and 1 sewer modification at the Whitefish Armory. The sewer modification is necessary because in the spring the water table is so high they cannot use the sump system.

The roof projects include the replacement of roofs at five loca-

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tions that have deteriorated beyond normal maintenance capability. The remainder is to seal coat roofs at 17 armories and 7 shops.

They also asked for exterior and interior paint for numerous armories and shops to reduce building deterioration and upgrade overall appearance.

The total request from Military Affairs is \$563,100 Long Range Building Funds with \$135,300 federal matching.

Sen. Fasbender asked if they contracted to get this work done. It was explained that projects in one area are combined and let to one contractor.

HOUSE BILL 893. Rep. Siefert presented HB 893, of which he is sponsor. This bill would appropriate money to the Department of Fish and Game for expansion and development of recreational facilities at Lambeth Memorial State Recreation Area. It would include \$50,000 from the bond proceeds and insurance clearance account, and \$50,000 from the state parks federal and private revenue account. This park is the only park around Lake Mary Ronan and is used year round. Burlington Northern owns the bulk of the land around the lake and has spent a considerable amount to keep it from degenerating any faster. Rep. Siefert felt the popularity of this area among local people is obvious. In 1969 a minimum facility was installed to accommodate the increase in recreational use. The proposal is for installation of a visitors orientation area, entrance gate, and utilities for a caretaker.

Rep. Siefert concluded, saying he hoped the committee would see the need for this expansion. At present there is no water supply which is a potential health hazard. He said private enterprise in the area is very much in support of this improvement. He asked for the committee's support.

Harold Gregg, Polson, spoke in support of HB 893, reiterating Rep. Siefert's presentation. He said the area is deteriorating rapidly, the facilities are badly in need of repair, and there is no caretaker much of the time. It is difficult to collect from overnight campers when the caretaker is only there part time. They also have a problem with vandalism. He finished, saying there is a big investment in this area and asked for the committee's support.

Frank Stock, Polson, said use of the park has increased from 12,000 cars in 1976 to 23,000 in 1977. Burlington Northern has put a lot into fencing, but they have not set up for camping. He felt it was only fair that the state contribute something. He realized that \$100,000 was a lot of money, but if you consider it is \$4.35 per person it is not much on an individual basis.

Ron Holliday, Department of Fish and Game, said use of the area has increased tremendously and that the area is deteriorating rapidly. He said that of over 140 projects considered, this project was the number 13 priority in the whole state, and number 6 within the department. He concluded, saying any funds appropriated can be paired with federal money, dollar for dollar.

Sen. Fasbender asked how they had come up with the figure \$100,000. A cost break down was included in their handout. Sen. Fasbender asked if this project was 13th on the list, why wasn't it included by the Executive Branch. It was explained that all projects to be funded with Bureau of Land Management funds were removed from the budget by the Executive Office.

Rep. Yardley, referring to their original figure, asked if \$70,000 would be sufficient. It was stated that the original figures looked at limited improvement. The local people have requested expansion of the camping area. It was agreed that this was needed and is a high priority, and is reflected in the figure submitted.

In closing, Rep. Siefert said activity in the area definitely points to the need for this expansion. The situation is only going to get worse the longer we let this go. He asked for the committee's support.

HOUSE BILL 542. Rep. Tropila, District 36, Cascade County, presented HB 542. The bill is a request for \$4,900,000 for the School for the Deaf and Blind. The school is under the supervision of the Board of Public Education, it has 60 children living on the campus and 62 more who reside in Great Falls. He stated that there are 200 deaf and blind children throughout the state in addition. The children are now living in a building with the third floor condemned. Boys and girls, ages 3 to 19 are living on the same floor. The cafeteria is equipped with equipment that is all removable. Rep. Tropila then turned testimony over to the many people present in support of this bill.

Floyd McDowell, Director of the School for Deaf and Blind said the proposal submitted represents a facility which will bring a segment to their program which is lacking. The staff is interested in the whole child, this is an attempt to develop mind and body. He said the school produces tax contributors and not tax users for the rest of their lives. It will enable a great many children to have an equal opportunity for education and growth.

Edward VanTighen, Montana Association for the Deaf, said the school is one of the best we have, but it is one of the poorest for physical education and home living. He asked if we were going to wait for a fire and the subsequent loss of life before we act. The children spend an average of 250 days at the school a year and deserve a wholesome environment for living. He urged support of

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the bill because it is so badly needed.

Dennis Catron spoke as a student at MSDB. He said that a larger gym is needed to help the children gain interest in their physical development. The present facility is inadequate to meet the needs of the children. He urged support from the committee.

Bob Lamu, said he had two deaf children who have never had the opportunity to play in a gym. He felt these children should be given the same opportunities and advantages as children in the school districts. He asked for the committee's support.

John Eide, Great Falls, spoke in support of HB 542.

Hal Million, President of DDHA, had a great interest in the future of this facility. His son is deaf and resides at the facility. It does not matter if they are resident or day students, these children are excluded from the activities of normal children. These children must have a place where they go and communicate. He said that to deny these children adequate facilities is a great disservice. He felt it was the obligation of the state to help.

Gene Humphrey said he has one son who has every opportunity for healthy activities, but he is not deaf. His son who is deaf, has facilities totally inadequate for his needs. He felt this was gross discrimination.

Jim Crambeda, Missoula, said he has a 14 year old son who is very interested in sports and should have the right to participate but needs this opportunity. He asked for the committee's support.

Don Darson spoke as the parent of an 8 year old blind daughter. He felt that children with no handicaps would find themselves limited at this school, not to mention a child who is handicapped. His concern is for physical safety and the possibility for physical therapy through water recreation.

Robert Miers, Great Falls, has a nephew who attended this school and has gone on to get a college education. He felt the committee should take a look at this facility because it is a real fire hazard. If the members have not been there, he felt they should visit the facility. He felt it was terrible to put these children in this type of facility.

Jerry Gaptill, Great Falls, has a son 9 years old whose education does not stop after school. He has turned down promotions because there is no way he would leave his child in this dormitory. He hoped the committee would support this bill.

Rep. Gould spoke as a co-sponsor of this bill. He said this is something that is very necessary. He hoped the committee would look favorably on this proposal.

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Bob James, Helena, said the school is now a member of Class C Basketball. He said they need this gym and cottages.

Jerry McNamis, spoke as a physical education teacher and coach at MSDB. He said it is difficult to conduct classes because of the size of the gym. Classes average about 13 children and the gym is not adequate for the required activities. He asked for the committee's support.

Judy Ray was concerned with HB 684. If this bill passes there is the possibility that more handicapped will be referred to this facility.

Rep. Pistoria spoke in support of HB 542. He said he is very conservative but he has a heart and has a feeling for people in need. He felt the committee should pass this bill and appropriate money for it. We should use our money to help our people at home first.

Morris Miller graduated from the school 22 years ago and never wanted to go back to that building. He is now a teacher at the school. He felt like he had been deprived of growing up in a home atmosphere and felt this could be accomplished in a cottage facility.

Shirley Savage, Corvallis, said it was not her choice to have her daughter in Great Falls. But, if she has to be there, she would like her to have an equal opportunity.

Sharon Krumuieda, Missoula, said the real issue is what is the sense of waiting. We will need this facility sooner or later.

Rep. Manning, speaking as a former firefighter, said these children are more susceptible to fire, not even considering the condition of the building. We have to do something to update this building and insure the safety of our children. He urged the committee to support this bill.

Rep. South asked about the proposal to build one cottage included in HB 417. He also asked about the declining population in the dormitories. It was explained that there has been a general trend in this direction. However, it is partially dependent on the economic opportunities available to the parents in Great Falls. There has been no ongoing effort to place these children in foster homes. The problem with placing these children in foster homes is they all have parents. In response to another question it was estimated that the school has about 14 elementary students and 45 secondary students living on campus, however, this varies.

Sen. Himsel asked about the effect of the HEW ruling for the placement of special education students. It was explained that this ruling calls for the education of these children in the least restrictive environment and most appropriate program. The problem in Montana is giving appropriate education to the hearing impaired.

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child. To place all the children in the school districts would not provide them appropriate programs. However, it cannot be denied that the pressure is on to have more of these children in the schools. HB 524 is an effort speaking to the school districts obligations, it would not effect the school in Great Falls.

The school has had children on a day basis as young as 18 months and children living in the dorms as young as 3½ years. Eligibility is determined by a study team process.

Sen. Fasbender asked about demographics as far as school age children and the anticipated decline. The school has anticipated this decline but everytime one cause of blindness or deafness is reduced another comes along. National statistics show that an average of one half of 1% of the children born today have a hearing impairment. The state now has 105 hearing handicapped children. There are adequate programs in certain areas to take care of some of them. The school only takes cases which cannot be served locally.

Sen. Fasbender asked what their priority would be as to which they would prefer to have built first. Because the Gym would serve all the children, they felt this should be the first priority. The cottages would serve 65% of the students.

In closing, Rep. Tropila said this has been a state institution since 1936 and is one of the finest in the nation. They have experienced teachers and healthy children. He asked the committee to consider what would happen if the condemned building collapses. He felt this was a worthwhile project that has been neglected. It is time to rectify our past mistakes. He asked for the committee's kind consideration.

HOUSE BILL 743. Rep. Curtiss, District 20, Lincoln County presented HB 743. The bill is a request for Renewable Resource Money for emergency replacement of the St. Clair Creek Siphon in the Glen Lake Irrigation District which irrigates 2,000 acres.

DNR has recommended funding at 5% of the application. At the time this decision was made they had not even adopted criteria for applicants. She feels there has been some discrepancy in the criteria used, citing city parks that have been recommended at 25% funding but can get funds from other sources. She finished saying it is imperative that the state recognize water as the life-blood of the state.

Dick Brinton, Commissioner of the Glen Lake Irrigation District, said this is a project they do not feel they can handle on a money basis. The whole system is in good shape but they do need the siphon. The annual water cost is \$14 but they are concerned that this one siphon is not adequate to secure water delivery for the district.

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Rep. Lund asked who owned the syphon. It was explained that the district owns it and all the water rights.

Sen. Thiessen asked about the rate structure. It was again stated that the water users are paying \$14 an acre foot with 2,000 bonded acres which they hope to expand to 4,000 acres. The total cost of the project is \$400,000. Total current indebtedness is \$165,000. The term of the debt is 20 to 30 years and is with the FHA. One seed company has shown interest in this area and it would be a boost to their economy if they could provide enough water to bring this production into the area.

In closing, Rep. Curtiss said this appropriation request is an attempt to represent water projects. She said water projects should be given the highest priority in this program. She felt this was the intent of the legislature in setting aside the renewable resource funds.

HOUSE BILL 904. Rep. Gould presented HB 904 of which he is chief sponsor. This is a request from the Fish and Game for a new district office in Missoula. The present facility is deplorable and is sitting on valuable ground.

Rep. Ellis, co-sponsor of HB 904 said 16 acres on the Old Fort Missoula grounds have been donated to the department for this purpose. He said it is economically practical to get this done now. There is earmarked revenue available through the Fish and Game.

There was a short slide presentation of the present building and unfavorable conditions. There is no way to insulate the building and heating bills are as high as \$300 a month.

Mr. Hauck explained that the original request had Long Range Building Program Funds and therefore was not included in their program.

In closing, Rep. Gould said the present site is worth \$20,000 an acre. In addition, land valued at \$300,000 has been donated. They estimate they can get \$275,000 for the land they are now occupying. There is also the possibility that city zoning ordinances could be changed by the City Council and the price of the land could go down. Also, they do not want to loose the land that has been donated. He hoped the committee would look kindly on this bill.

HOUSE BILL 920. Rep. Brand, District 28, Powell County presented HB 920. The bill provides \$675,000, Long Range Building funds, for design and construction of a veterans domiciliary facility at Twin Bridges. The existing facility will accommodate 40 people, this would make room for 60 more. They are requesting money from Long Range Building funds because originally the cigarette tax was for veterans benefits. Congressmen from the state will also introduce legislation so federal money will be available. The bill is for the biennium

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ending June, 1981. He would appreciate the committee's concurrence on HB 920.

Gene Mealey, VFW Butte, spoke in support of the facility saying we are going to suffer a great loss if we do not appropriate this money for the deserving men and women veterans of the state. There are hundreds in the state that require this facility, all they need is the legislature's approval.

Robert Derke said there are 25,000 veterans in Montana. It has long been a project to establish the Twin Bridges Facility for a veterans dormiciliary. The time to do it is now. The state is presently paying \$100,000 annually to maintain a vacant facility. A bill has been introduced that would declare the facility a veterans home. Once this is done the VA will contribute to the project with a 65/35 match for construction. They also have adequate maintenance money with the VA paying \$8.50 per day, per veteran per diem. He said the veteran can support the rental cost. The only cost to the state would be the indigent veteran which is hard to find. If federal funds are forthcoming in 1981, this project can be implimented.

Rep. Hand was present as a proponent of HB 920.

Rep. Kvaalen asked if this facility would eventually need nursing home care. The committee was assured the facility would only be dormiciliary and would not be considered a nursing home.

Rep. South asked if this would be an ongoing cost to the state. Mr. Mealey stated that they anticipate a cost of \$10.40 per day per veteran with the VA paying \$6.50 of this cost. There are very few veterans who cannot pay their share. They are hoping that eventually the VA share will be raised to \$3.50.

Rep. Kvaalen said he felt the Appropriations Committee had been misled. It appears they have taken money out of HB 243 and put it in this bill. The proposed figure is \$675,000 or 35% of the cost which will be the state's share.

Rep. Brand closed saying that over 100,000 veterans are coming to age 50. He hoped the committee would recommend do pass on HB 920.

HOUSE BILL 904. Rep. Hand, District 82, Beaverhead County, presented HB 904. The proposal is to perform investigations on water storage sites in the Big Hole and Jefferson Basins. He said 120 different areas were considered. The estimated cost per acre is \$3,000 to \$11,000, the bill requests \$36,500 to study acres that can be engineered.

John Wilson, Montana Trout Unlimited, said this is a creative solution to a problem which is a potential threat to the Rickley Dam.



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120 sites were studied and 20 were found worthy of additional study. Mr. Wilson felt such a study would meet the needs of agriculture as well as the sportsman. He hoped the committee would support this bill and asked that they fund the department to do this work.

Rep. Yardley asked where they would get the money for the dam. It would probably come from the general fund or there could be some available from the coal tax. If the water is marketable, this would be another argument in favor of the construction of dams.

Rep. Hand closed saying there could be other sources to draw on besides the general fund and this could be a cost effective program.

Ron Holliday explained litigation involving a contract for concession services at the Lewis and Clark Caverns. In 1946 the Parks Commission made an agreement with the Link Brothers for 50 years. The contract was for a tramway up to the caverns. In 1971 the first 25 years were up, at which time the Fish and Game contested the validity of the contract. The court upheld the validity of the contract. Since then, the facilities have deteriorated and the tram and train have been closed. In looking at alternatives they found that most people did not mind walking to the caverns. Because of the replacement cost and because people accepted the trail, the department decided not to make repairs. They were taken to court, asking that the tram be put back in operating condition. The Montana Supreme Court has ruled that the tram and train be put back in operable condition for the duration of the contract. The department has obtained an estimate of \$273,000 to comply with the order.

Larry Ellison, representing the Governor's Office, explained the implications of the court order. The commission has two years from the issuance of the order to comply. The Link Brothers have agreed to reach a cash settlement of \$464,000 to buy out the contract.

Rodney, Hartman, lawyer representing the Link Bros. said litigation has been ongoing since 1971. He said the department's request for \$273,000 may be insuring that litigation will continue until Mr. Link is in his 80's. The \$273,000 is just to repair the system, he felt the system should be replaced. The Links have not done anything wrong in the contract, it is the Fish and Game that has not upheld their end of the contract. Also, he said the \$273,000 will not make the system operable because they will not be able to get insurance. They have received an estimate for \$780,000 from one source. He asked that the Fish and Game submit their exact plans because he felt they need to know exactly what they are getting. The \$273,000 is not going to be enough, he thought they were easily talking about complete and total replacement of the system. He felt the cost would be \$300,000 but would leave it up to the committee to determine what the proper procedure should be.

Mr. Link was present and stated that the cooperation with the Fish has been very limited.

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Rep. Yardley pointed out that normally the committee would not appropriate any more than the department asked for.

Dan Sullivan, Consulting Engineer, explained the proposal is to refurbish the existing system. The gears would be repaired, they would not be replaced. The rails of the track are all in place.

Rep. South asked about the \$464,000. This is the settlement agreed to by Mr. Link to buy out the contract. This has been discussed with his attorney to determine this amount, to have the contract settled before 1981. Rep. South asked if this was negotiable. Mr. Link felt they had already done this as the original request was \$300,000. Mr. Link is involved in projects this year which make a cash settlement very favorable.

In response to a question about funding, Fish and Game has identified earmarked revenue in the parks division as a source of funding.

Sen. Fasbender asked if the state was going to be responsible for maintenance and repair for the next 25 years. The court order says the Links will be responsible for this once the tram has been put in operable condition.

Rep. South asked what would happen if the state were to do nothing. It was thought that eventually someone would be found in contempt of court.

Sen. Thiessen asked if they had ever tried to have this heard before a jury trial. It was explained that the court has ruled on the contract and there is no other course of legal action.

Mr. Link stated, with regard to the cash settlement, that he would be willing to discuss this further with the commission.

Members of the Budget Office said they would not take a stand on this, the committee would have to ask Mr. Bousliman, Director.

Sen. Himsel asked Mr. Link if he would rather have the tram or the money. Mr. Link said that under the existing conditions, the cash settlement might be better.

DEPARTMENT OF NATURAL RESOURCES. Jerry Brown explained the program requests from DNR. The first request is \$46,200, general fund money to provide for 13 maintenance and renovation projects of Forestry Division facilities throughout the state.

The second request is authority to expend federal funds that may become available for the construction of facilities necessary for forest fire protection. The request is for \$200,000.

The third request is authority to expend \$10,000 in federal funds that may become available for construction of shop and storage

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facilities at the Clearwater State Forest Headquarters.

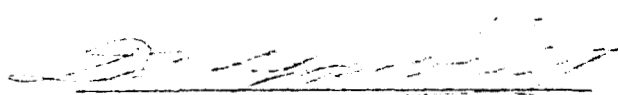
The department's fourth request was included in the Executive Program. The proposal is to build a forest tree and shelterbelt nursery greenhouse, refrigerator, and cold storage building for a modern growing environment and protective storage for tree cuttings and nursery stock that has been readied for shipment. The project is to be funded with \$200,000 bonded indebtedness

Sen. Fasbender asked about the cost to grow trees and their mortality rate. It was explained that it costs about \$35 a thousand to grow the trees and another \$35 a thousand to transfer them. The mortality rate in a bad year can be as high as 70%.

Of the total cost, \$40,000 to \$50,000 would be for the cooler, refrigerator and the remainder would be for the green house.

There was no further business, the meeting was adjourned at 10:15 p.m.

Respectfully submitted.

  
REP. BAN-YARDLEY, Chairman

Miss Haragan  
Secretary