

MINUTES OF THE MEETING OF THE HOUSE APPROPRIATIONS COMMITTEE
MARCH 23, 1981

The meeting was called to order by CHAIRMAN LUND at 8:00 a.m. in Room 104, State Capitol, with all members present.

HEARINGS.

HB 658.

REP. JOHN SHONTZ, District 53, testified as sponsor of HB 658, stating that the bill would provide for a second district court judge in the 7th Judicial District. He stated that the cost would be \$25,015 for the biennium and that Richland County would pick up support costs of \$17,000.

REP. SHONTZ stated that the District covers Wibaux, Dawson, Richland and McCone Counties. He stated that the reason for the request was the impact from the coal and gas industry. He added that these four counties put about \$53,000,000 into the State treasury.

MR. GARY THOGERSEN, Attorney, Sidney, MT, provided the Committee with Exhibits 1 and 2 (attached). He stated that that existing caseload is a very serious problem, increasing 33% between 1980 and 1981, or a minimum of 1,600 cases in 1981 compared to 1,200 cases in 1980. He stated that the anticipated caseload for FY 82 is 2,100-2,200.

MR. THOGERSEN stated that judges in the 7th Judicial District travel 14,000 miles compared with 3,900 miles for judges in the First Judicial District. He stated that the judge in Havre traveled 13,000 miles, but that the figure was misleading. He stated that Havre doesn't have near the potential for an increased caseload, as the 7th Judicial District.

MR. THOGERSEN stated that there is space in the Richland County Courthouse for a second judge. He stated that there is a problem with trial date, injunctions, etc., as the judge is in Sidney only once a week. He stated that Judge Gilbranson would try to set a policy for the new judge to keep his office in Sidney.

JUDGE GILBRANSON testified by telephone, due to the cost of traveling to Helena and time constraints. He stated that in 1980, he closed out 1,100 files and that judges in Wolf Point, and Glasgow only heard 600 and 500 cases, respectively, in 1980.

JUDGE GILBRANSON stated that he feels Yellowstone River water to Wibaux County will have a tremendous development impact on the judicial district.

MR. OTTO HABIDANK, Sidney, also testified by phone, stating that he feels there is a shortage of time for research, which causes

a greater appeal load in the Supreme Court.

MR. H.R. OBERT, Public Defender, Richland County, stated that until recently 500 persons were getting mail via general delivery in Sidney. He stated that an increase in criminal litigation was anticipated in Sidney and that if timely injunctions could not be obtained, the result might be increased costs to the landowner for oil production delays.

MR. DALE COX, Attorney, Glendive, testified by phone. He stated that attorneys in Dawson, Wibaux and McCone Counties support HB 658. He stated that the number of attorneys in Glendive has increased by 100% in the past few years and that the number of attorneys in the other three counties has also increased.

MR. RUSSELL MCDONAUGH, Attorney, Glendive, stated his support of HB 658, by phone.

MR. JIM SIMONTON, Dawson County Attorney, stated that there was an anticipated increase in the criminal caseload and that he was concerned.

MR. SIMONTON stated that he anticipates more trials, which will impede upon time for civil litigation. Mr. Simonton's testimony was also given by phone.

SEN. LARRY TVEIT, District 27, Richland and Dawson Counties, stated his support of HB 658.

REP. JOHN RYAN, District 79, also stated his support of the bill.

There were no opponents to the bill.

REP. MOORE asked why there was an increase in civil litigation and what kind of litigation was being filed, other than gas and oil suits.

JUDGE GILBRANSON stated that the increase is in all types of cases, and not just oil and gas suits.

REP. HURWITZ asked how many research assistants and secretaries the judge had. Judge Gilbranson replied that he had none.

REP. BENGTONSON asked how the caseload would be divided. Judge Gilbranson replied that it would be worked out as problems arose and that if a judge were placed in Sidney, that judge would handle the caseload there and would require training time.

REP. BARDANOUVE stated that he was concerned with the method in which judges were appointed. He stated that he feels the Committee should be addressing reorganization of judges.

REP. SHONTZ stated that he feels redistricting will take up to

four years.

REP. BENGTON asked if there were adequate jail space for persons awaiting criminal trial. REP. SHONTZ stated that the Richland County jail is three years old and is already short of space.

MR. THOGERSEN stated that if McCone County were placed in the 15th Judicial District, it would be of some help, but not for Sidney.

REP. SHONTZ stated that he agrees with REP. BARDANOUVE that re-districting of judges is needed, but that he feels speedy justice is also needed.

JUDGE GILBRANSON stated that he has been hearing about re-districting for 15 years, but that he has seen no action yet.

REP. QUILICI asked why there were 14 criminal cases and 74 civil cases over 180 days old. Judge Gilbranson stated that those figures were inaccurate. He stated that there were 100 cases pending in the 7th District and that he was behind by 100 cases in 1980.

REP. WALDRON stated that a bill had been introduced to raise the civil case limit that a justice of the peace can handle, to \$1,500. Judge Gilbranson stated that this would not affect his district.

REP. HURWITZ asked why there is no secretary or law clerk. Judge Gilbranson stated that he is working on getting a secretary and that he feels a law clerk won't help in decision-making, but that it would help somewhat.

REP. SHONTZ, in closing, stated that he feels Judge Gilbranson has a heavy caseload, as trial dates are booked one year ahead for civil cases in Richland County. He stated that the judge would be elected and would not take office until January 1983. He asked the Committee to support HB 658.

HB 355.

REP. ROBERT SIVERTSEN, District 37, Havre, testified as sponsor of HB 355, stating that there was a problem in certifying Montana as a Brucellosis-free State. He stated that there was a problem with cattle coming into the state and that he has introduced another bill requiring that incoming cattle be vaccinated against Brucellosis.

REP. SIVERTSEN stated that there are seven herds and 1,070 cattle with the disease in Blaine County. He added that the disease is contagious to humans.

MR. MONS TEIGEN stated that the bill is designed to clean up disease in Montana and that it is endorsed by the NFO, Montana Cowbellees, Montana Livestock Association, WIFE.

DR. JIM GLOSSER, DVM, and Administrator, Animal Health Division, Department of Livestock, stated that he supports the bill. He stated that his primary concern is for human health in Montana, as Brucellosis is debilitating to humans and there has been an increase in the disease among cattle owners with the disease.

DR. GLOSSER stated that there was a problem in that many persons feel the State should not compensate herd owners for infected cattle. He stated that in 1951, the Montana cattle industry was asked to participate in a program to fight Brucellosis. He stated that the USDA, the State and the industry put money into the program and that \$1,000,000,000 has been invested in the program overall. He stated that since 1976 there has been little progress in combating the remaining 1% of the disease.

DR. GLOSSER stated that \$286,000 is requested to cover seven remaining infected herds in Montana, of which \$96,000 would be Federal funds. He stated that the goal was to arrive at a Brucellosis-free State certification by January, 1982.

DR. GLOSSER stated that he feels if this is not done, the cost to the industry in fighting the disease would double. He stated that passing HB 355, would speed up deregulation of the industry.

There were no opponents to the bill.

REP. MOORE asked if Brucellosis were a genetic disease. Dr. Glosser replied that it was not a bacterial disease and that it was transmitted at birth. He stated that birds can carry infected tissues and that it can be contracted by drinking milk from infected cows. He stated that the incubation period can now be as long as eight months and that a diagnosis may not be made for up to two years and symptoms may not show. He stated that the meat from an infected animal may be salvaged, but that there is no economical cure for the disease.

REP. THOFT asked if replacement cattle were susceptible to the disease. He stated that there have been a few incidents in vertical lineage but that heifers in these herds would be spayed.

REP. HURWITZ asked why the problem belonged to the State instead of the industry.

REP. WALDRON asked why \$500,000 was requested in the bill, when Dr. Glosser stated that only \$286,000 was needed. Dr. Glosser stated that the Agriculture Committee wrote the bill.

REP. WALDRON asked why vaccination was not mandatory. Dr. Glosser stated that 100% level of vaccination could never be obtained.

DR. GLOSSER stated that in 1982 a health certificate will be required before cattle may be shipped to Iowa.

REP. CONROY asked what happened to the herd in Missoula. Dr. Glosser stated that the cattle in Missoula finally tested clean when one cow was eliminated, but that it took seven years.

DR. GLOSSER stated that there are still problems with Leptosporosis and Vibriosis and that the State is not doing well with other diseases. He stated that no pure-bred cattle are involved in the Brucellosis infection and that he is getting good cooperation in Blaine County on the problem. He stated that he still feels that there will continue to be a cooperation problem in some areas.

REP. BARDANOUVE stated that the problem in Blaine County developed with a veterinarian whose herd had Brucellosis. He stated that the veterinarian hid the fact for some time, thus infecting other herds.

CHAIRMAN LUND asked why the herds were not cleaned up by the owners.

REP. SIVERTSEN stated that he feels the Board of Livestock has not done its job in the past and that there was a problem with the county attorney in Blaine County, who refused to file an injunction. He stated that he feels the cattle should be quarantined until the herds are cleaned up.

REP. STOBIE asked what the alternative course of action would be if the herds were not cleaned up. Dr. Glosser stated that there would be increased regulation via Federal action. He stated that HB 355 would force owners to sell those herds, but that it would still take an additional 18 months of testing to make certain that the disease is eradicated.

REP. THOFT asked what assurance there is that the disease will be totally eradicated.

REP. STOBIE asked if an amount of less than \$500,000 would be acceptable in the bill. Dr. Glosser replied that it would be.

HB 810.

CHAIRMAN LUND stated that the bill would authorize the governor to enter into agreement with other states to preserve rail services from Jonathan, MN to Miles City, MT and provide an appropriation.

MR. KENNETH D. CLARK, Representative, United Transportation Union, stated his support of HB 810.

MS. JO BRUNNER, WIFE, stated her support of HB 810.

MR. PETER JACKSON, Western Environmental Trade Association, stated his support of HB 810.

MR. J. T. MULAR, State Director, Brotherhood of Airline and Railway Workers, stated his support of HB 810. He stated he feels Eastern Montana is the gateway for grain and coal.

REP. HUBERT ABRAHAMS, District 66, Wibaux, stated his support of HB 810.

MR. JOHN DELANO, Montana Railroad Association, stated his support of HB 810.

REP. MOORE asked if this were a continuation of the Milwaukee Railroad and how many dollars other states would contribute.

MR. MULAR stated that funding would be 80% state and 20% Federal.

REP. QUILICI asked why the rail line would not be all across Montana. He stated that he feels that if coal is shipped overseas, adequate rail facilities will be needed to go West.

MR. CLARK stated that the rail planners put \$200,000 into the rail line from Miles City to the Montana-North Dakota border. He stated that if the Milwaukee dumps this section, the State won't even be able to consider rails west of Miles City.

REP. THOFT asked if the Milwaukee were doing this just to get the States to pick up the bill. REP. SHONTZ stated that the Milwaukee is not a Land Grant Railroad.

HB 45.

REP. JOHN VINCENT, District 78, Bozeman, testified as sponsor of HB 45, stated that the original bill would have had a formula and would have been on-going. He stated that if HB 45 passes, certain benefits would occur on a one-time only basis.

REP. VINCENT stated that with the automatic approach, a commitment would be made by those currently working with the system and that there would be an increase for some persons and that some would be precluded for participation.

REP. VINCENT stated that the bill would establish certain minimum benefits and a \$450 minimum for Police and Highway Patrolmen, with a \$300 minimum for all others. He stated that some Police and Highway Patrolmen were not covered by Social Security benefits.

REP. VINCENT stated that the formula for the cost-of-living increase would be \$.50 times the number of years worked. He stated that a retirement income of \$675 per month would have to increase to \$913 to keep up with inflation and that since this kind of increase is unrealistic, the formula given was devised. He stated that there would be a \$12.50 per month increase in pensions .

REP. VINCENT proposed that the Committee consider using \$1.50 per year, as he feels \$.50 is an insignificant increase. He stated that the actuary feels that the attached fiscal note is \$500,000 too high. He stated that there were no general fund dollars involved and that funding would be received from employee contributions.

REP. GLENN MUELLER, District 21, Libby, Montana, stated that the original Fiscal Note was over \$18,000,000. He stated that the current fiscal note is \$1,789,000 with a cost of \$950,100 for minimum monthly benefits and \$829,970 for the benefit increase.

REP. MUELLER stated that there was a \$648,000,000 unfunded liability to date in the State. He stated that the sponsors tried not to increase unfunded liability in the proposal.

MR. G.V. ERICKSON, Montana Retired Teacher's Association, stated that retired persons on fixed incomes have life savings wiped out by inflation. He stated his support of HB 45.

MR. JESSE LONG, Montana School Administrators, stated his support of HB 45.

MR. TOM SCHNEIDER, Executive Director MPEA, stated his support of HB 45. He stated that the Highway Patrol has never received a benefit increase since 1946, along with the Game Wardens and Sheriffs.

MR. LARRY NACHTSHEIM, Public Employees Retirement Division, Department of Administration, stated his support of the bill.

MR. BOB JOHNSON, Teachers Retirement System, stated his support of HB 45.

MR. JIM JENSEN, Low-Income Senior Citizens advocate stated his support of HB 45 and endorsed the amendment to the bill.

MR. MIKE MORRIS, Retired Police Officers, State of Montana, stated that he was speaking for officers who retired after 1975 and that he supported the bill.

MR. JOE WOLF, Budget Director, Butte-Silver Bow, stated that he feels this is a much better program.

REP. WALTER SALES, District 79, Manhattan, stated his support of HB 674, adding that he does not object to the amendments.

MS. JAN DOLAN, Director of Administrative Services, City of Great Falls, stated her support of the bill and the amendments.

MR. LARRY NACHTSHEIM, Administrator, PERD, stated his support of the bill.

MR. AL SAMPSON, City of Missoula, stated his support of HB 674.

There were no opponents to the bill.

CHAIRMAN LUND asked if the premium tax were the same as the insurance tax. REP. FABREGA stated that the FY82 premium tax would be \$7,735,228 and that other taxes would be \$2,059,723. He stated that with total revisions, \$4,002,000 would go to pensions and \$3,733,000 to the general fund. He added that \$7,014,721 actual impact is going into the Firemens pension.

MR. VERN ERICKSON, Montana Firefighters, stated that these figures were received from Rick Tucker, Chief Deputy Securities Commissioner, State Auditor's Office.

REP. FABREGA stated that the cities will be propelled into an 18% contribution in the next few years. He stated that several cities were at approximately 20% unfunded liability at this time. He stated that there was a need for a meaningful actuarial study after the matter settles down. He added that anyone hired after July 1, 1981, will not have the same benefits as those hired earlier or retired.

REP. FABREGA stated that each city will be on a separate schedule for unfunded liability.

CHAIRMAN LUND asked when the program would be on solid footing. REP. FABREGA stated that with \$7,000,000 in beginning funds for investment and HB 674, as the sole bill to completely fund the program, there would be a reevaluation in 3 years.

The meeting was adjourned at 11:52 a.m.



REP.. ART LUND, CHAIRMAN

MR. DAVE SEXTON, Montana Education Association, stated his support of HB 45 and the amendments to the bill.

There were no opponents to the bill.

REP. VINCENT, in closing, stated that he was committed to helping those who need help most and that he has not submitted a technical amendment. He stated that the \$1.50 figure could be plugged into the bill, if so desired. He added that the maximum allowed is \$15.00 per month.

MR. ELTON HEDINGSTON, Actuary, stated that the current minimum for the Highway Patrol is \$300 and that it would be increased to \$450. He stated that the minimum is available only to those who work a full 30 years. He stated that, in the past, when increases were contributed on the part of the employee and the employer, these contributions went for other benefits and not for retirement benefits. He stated that the amount of funding would increase each biennium as salaries increased and that this is a valid point of concern.

CHAIRMAN LUND asked if it were appropriate for the 47th Legislature to bind the next legislature.

REP. COZZENS stated that people on social security do receive cost of living increases.

MR. G. V. ERICKSON, stated that perhaps 95% of retired teachers in the state are on Social Security. He stated that the only ones who aren't are a few small rural districts.

REP. SHONTZ stated that the Reagan Administration plans to do away with cost-of-living increases for Social Security.

HB 674.

REP. JAY FABREGA, District 74, Great Falls, testified as sponsor of HB 674. (Exhibit attached-Amendment A).

REP. FABREGA stated that one-fifth of one percent would go to the Firemens Association to cover the cost of administration. He stated that 7% would be withheld from the employee's salary of which 6/7 would be paid to the retirement fund and 1/7 to cover the cost of insurance. He stated that 4/5 of 1% would have gone into life insurance.

REP. FABREGA provided the members of the Committee with copies of Amendment B, (attached). He stated that the Amendment would cover lay-offs on a last hired, first to be layed-off, basis, with temporary rehire on a seniority basis and that it would allow retirement benefits to be withdrawn by the employee. He stated that the employee would have six months to repay the funds if he were rehired and that there was no objection from

the cities to this plan.

REP. FABREGA, provided the members of the Committee with Amendment C, which provides an escalator clause for survivor benefits. (Copy attached). He stated that firemen are not covered by social security and that survivors would be covered under the amendment.

REP. FABREGA stated that State participation would go from 10% to 18%. He stated that the 2 and 3/4% premium tax is considerably more than the corporation license tax, but feels this increase is justified, as the pension was funded in an irresponsible manner in the past. He stated that unfunded liability is increasing and that the estimated impact is \$750,000 annually.

MR. AL THELEN, Billings City Administrator, stated his support of HB 674. He stated that Hendrickson and Berg provided actuarial reports in 1977 and 1979. He stated that the unfunded liability was \$23,000,000 in 1977 and \$33,000,000 in 1979. He added that the anticipated unfunded liability is \$40,000,000 in 1981.

MR. THELEN stated that the unfunded liability in Billings increased by 5.2% in 1977 and 8.2% in 1979. He stated that the unfunded liability for police retirement was \$10,700,000 which was reduced to \$4,600,000.

MR. THELEN stated that the bill provides for a grandfather clause and that it appears that the pension system may not be able to be funded in the future. He stated that it would take a 43% increase to make the bill actuarially sound.

MR. RAY BLEHM, stated that some cities, such as Anaconda, may not have a Fire Department in the future, due to economic changes. He stated that the escalator clause would be financed by the city portion of the funding. He added that new firemen would retire on their last three years' average salary instead of on the last month's salary and will need to now serve 25 years instead of 20 years and be 50 years of age, at the time of retirement.

MR. DENNIS TAYLOR, Budget Director, City of Helena, stated his support of HB 674. He stated that the bill would correct past errors and create a fiscally sound base.

REP. JOE BRAND, District 28, Deer Lodge, stated his support of the bill. He stated that the Auditor's office stated that as much is going into the general fund at the 18% increase as before and that there is no loss of funds.

WITNESS STATEMENT

NAME Gary Thogersen BILL No. HB 658
ADDRESS 122 2nd St SE. DATE 3-23-81
WHOM DO YOU REPRESENT Richland Co Bar Assoc.
SUPPORT OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

3-23-81
EX 0

<u>DISTRICT</u>	<u>TOTAL CASELOAD</u>	<u>NUMBER OF JUDGES</u>	<u>CASELOAD PER JUDGE</u>	<u>MILES TRAVELED</u>	<u>MILES PER JUDGE</u>
1	2,353	2	1,176	7,816	3,908
2	1,239	2	619	4,045	2,022
3	745	1	745	7,897	7,897
4	5,567	3	1,855	45,859	15,286
5	768	1	768	18,546	18,546
6	632	1	632	13,681	13,681
7	1,191	1	1,191	14,371	14,371
8	3,414	3	1,138	7,987	2,662
9	938	1	938	16,662	16,662
10	614	1	614	12,919	12,919
11	1,868	2	934	4,773	2,386
12	1,112	1	1,112	13,291	13,291
13	5,761	4	1,440	10,953	2,738
14	364	1	364	14,880	14,880
15	503	1	503	14,964	14,964
16	1,367	2	683	21,032	10,516
17	438	1	438	13,448	13,448
18	1,383	2	692	7,913	3,956
19	671	1	671	14,078	14,078

JUDICIAL DISTRICT NUMBER 7
 COUNTIES IN THE DISTRICT 4
 POPULATION (7/1/1978) 25700
 AREA IN SQUARE MILES 7946
 DENSITY PER SQUARE MILE 3.234

C A S E L O A D

CASE TYPE	FILINGS			DISPOSITIONS		THRUPTUT (4)/(3) X100
	ORIG (1)	RE-UP (2)	TOTAL (3)	CASES (4)	AVG TIME DAYS (5)	
CRIMINAL CASES (DC)	143	16	159	145	77	91
CIVIL CASES	683	5	688	672	528	98
GENERAL CIVIL (DV)	461	1	462	448	560	97
DOMESTIC REL. (DR)	222	4	226	224	462	99
JUV., PROB., & MISC.	245	1	246	257	445	104
JUVENILE (DJ)	20	0	20	25	126	125
PROBATE (DP)	163	1	164	174	628	106
INSANITY (DI)	14	0	14	14	3	100
ADOPTION (DA)	48	0	48	44	45	92
TOTAL	1071	22	1093	1074	447	98

P E N D I N G C A S E L O A D

CASE TYPE	TOTAL PENDING CASES	0-90 PCT		91-180 PCT		OVER 180 PCT	
		DAYS OF OLD	TOTAL	DAYS OF OLD	TOTAL	DAYS OF OLD	TOTAL
CRIMINAL CASES (DC)	35	16	46	7	20	12	34
CIVIL CASES	261	114	44	50	19	97	37
GENERAL CIVIL (DV)	173	82	36	33	19	78	45
DOMESTIC REL. (DR)	88	52	59	17	19	19	22
JUV., PROB., & MISC.	194	43	22	38	20	113	58
JUVENILE (DJ)	4	3	75	1	25	0	0
PROBATE (DP)	183	36	20	35	19	112	61
INSANITY (DI)	0	0	0	0	0	0	0
ADOPTION (DA)	7	4	57	2	29	1	14
TOTAL	490	173	35	95	19	222	45

JUDICIAL DISTRICT NUMBER 7
 COUNTIES IN THE DISTRICT 4
 POPULATION (7/1/1978) 25700
 AREA IN SQUARE MILES 7946
 DENSITY PER SQUARE MILE 3.234

C A S E L O A D

CASE TYPE	FILINGS			DISPOSITIONS		THRUPUT (4)/(3) X100
	ORIG (1)	RE-OP (2)	TOTAL (3)	CASES (4)	AVG TIME DAYS (5)	
CRIMINAL CASES (DC)	125	13	138	135	77	98
CIVIL CASES	707	17	724	685	286	95
GENERAL CIVIL (DV)	465	0	465	426	298	92
DOMESTIC REL. (DR)	242	17	259	259	266	100
JUV., PROB., & MISC.	320	9	329	255	213	78
JUVENILE (DJ)	30	4	34	23	88	68
PROBATE (DP)	196	2	198	140	349	71
INSANITY (DI)	52	3	55	56	30	102
ADOPTION (DA)	42	0	42	36	46	86
TOTAL	1152	39	1191	1075	242	90

P E N D I N G C A S E L O A D

CASE TYPE	TOTAL PENDING CASES	0-90 PCT		91-180 PCT		OVER 180 PCT	
		DAYS OF OLD	TOTAL	DAYS OF OLD	TOTAL	DAYS OF OLD	TOTAL
CRIMINAL CASES (DC)	30	9	30	1	3	20	67
CIVIL CASES	360	102	28	74	21	184	51
GENERAL CIVIL (DV)	267	62	23	54	20	151	57
DOMESTIC REL. (DR)	93	40	43	20	22	33	35
JUV., PROB., & MISC.	261	50	19	55	21	156	60
JUVENILE (DJ)	13	5	38	3	23	5	38
PROBATE (DP)	238	42	18	50	21	146	61
INSANITY (DI)	0	0	0	0	0	0	0
ADOPTION (DA)	10	3	30	2	20	5	50
TOTAL	651	161	25	130	20	360	55

RICHLAND COUNTY

OFFICE OF THE CLERK OF THE DISTRICT COURT

SIDNEY, MONTANA

March 18n 1981

323

EXB

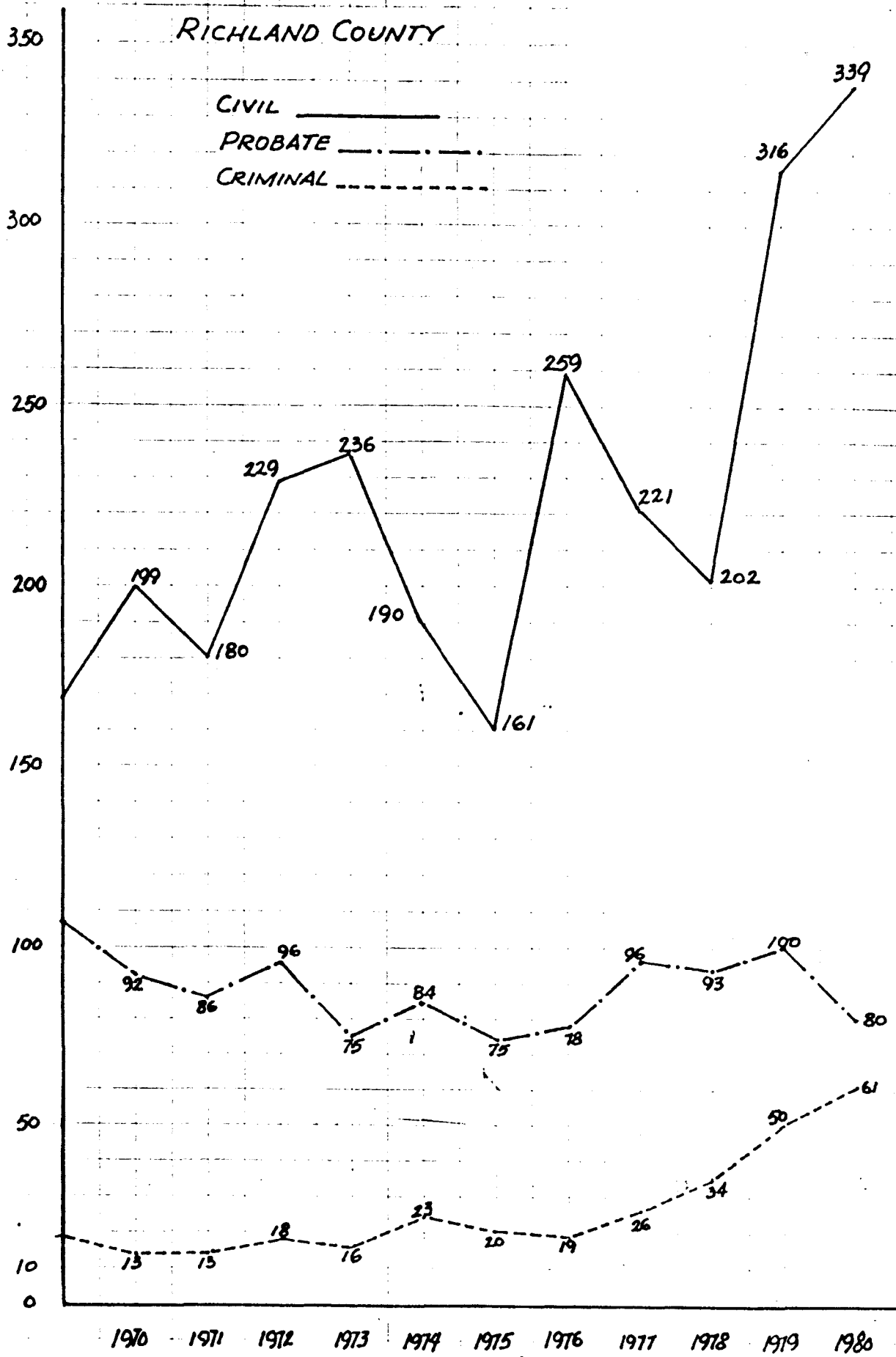
ARLENE RIGGS, Clerk
JUNE PALADICHUK, Deputy
BONNITA ANDERSON, Deputy

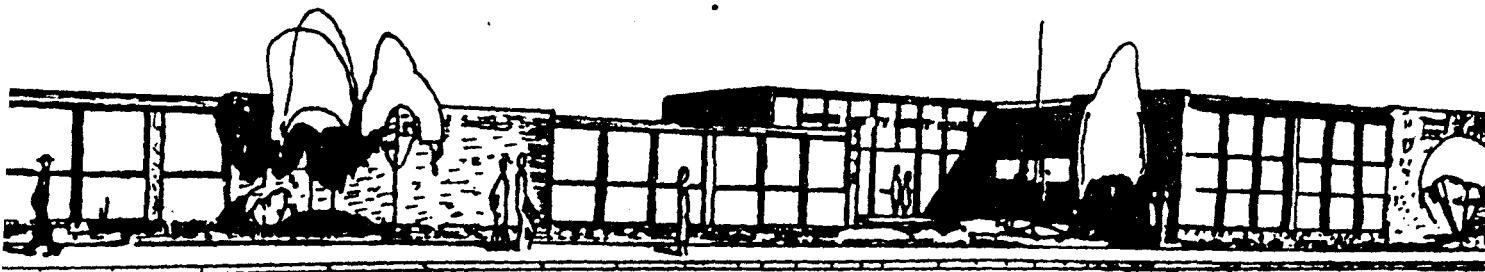
The following is a list of All filings in Richland County, Sidney, Montana from January 1, 1980 thru March 16, 1980, and from January 1, 1981 thru March 16, 1981.

	<u>1980</u>	<u>1981</u>
Civil	66	101
Criminal	10	14
Probate	15	13
Commitments	0	0
Adoptions	4	3
Juvenile	<u>3</u>	<u>0</u>
Total	98	131

Arlene Riggs
Arlene Riggs
Clerk of District Court

RICHLAND COUNTY





OFFICE OF:
CLERK OF DISTRICT COURT
Elaine M. Wester

COUNTY OF DAWSON

GLENDIVE, MONTANA 59330

March 17, 1981

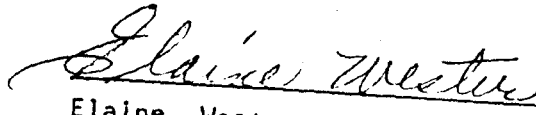
P. O. Box 1009

Phone 365-3967

The following is a list of ALL filings in Dawson County, Glendive, Montana from January 1, 1980 thru March 16, 1980, and from January 1, 1981 thru March 16, 1981.

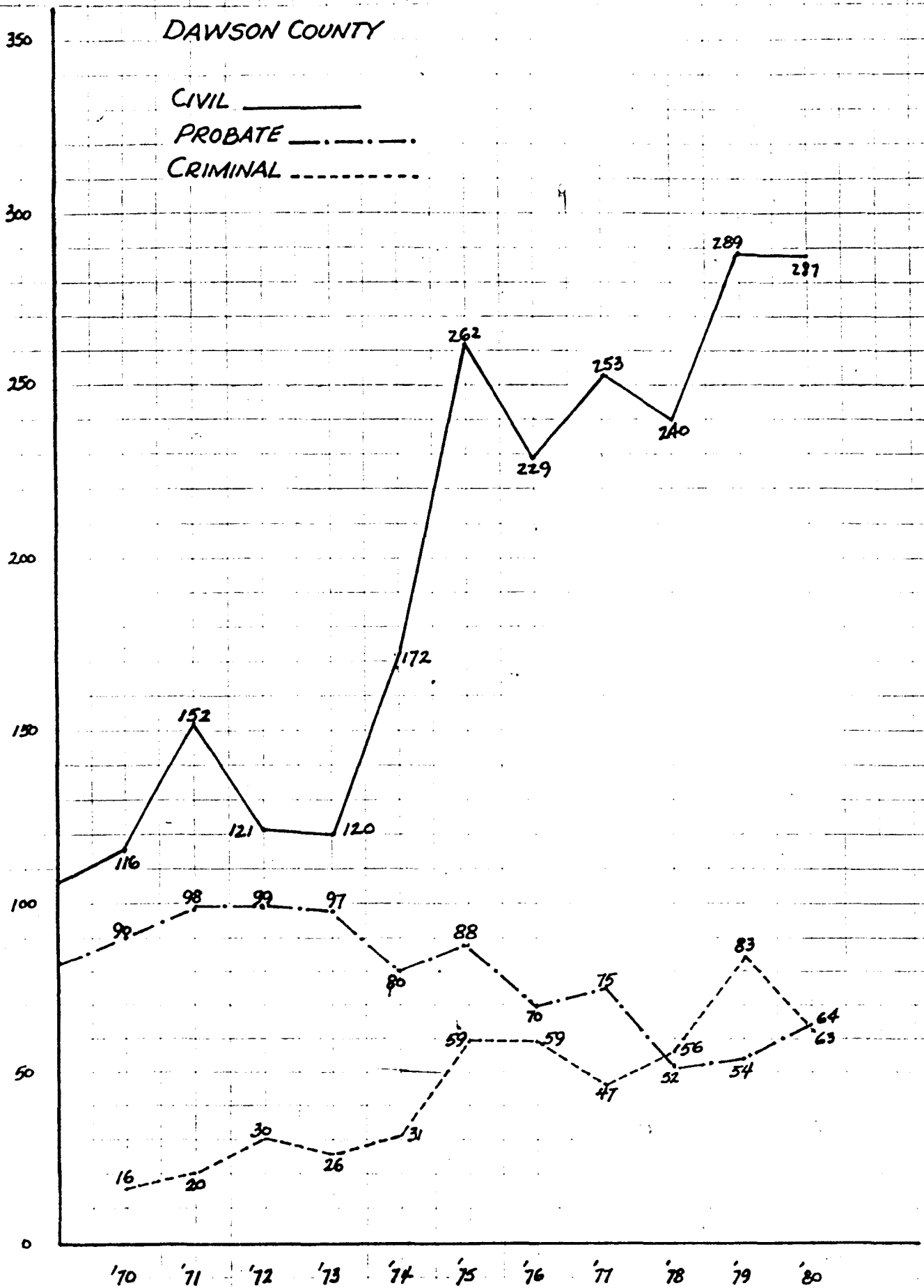
	<u>1980</u>
Civil (DV)	22
Civil (DR)	24
Criminal	12
Probate	13
Commitments	1
Adoptions	0
Juvenile	<u>3</u>
Total	<u>75</u>

	<u>1981</u>
Civil (DV)	37
Civil (DR)	27
Criminal	16
Probate	17
Commitments	1
Adoptions	0
Juvenile	<u>3</u>
Total	<u>101</u>


Elaine Wester
Clerk of Court

DAWSON COUNTY

CIVIL _____
PROBATE
CRIMINAL - - - - -



LAW OFFICES
OF
HABEDANK, CUMMING & BEST

February 4, 1981

Mr. John Shontz
State Representative
Capitol Station
Helena, Montana 59601

Re: Additional Judge in Seventh
Judicial District

Dear Representative Shontz:

The undersigned members of the Richland County Bar Association hereby extend their full support to the legislation which you have introduced providing for a second District Court Judge in the Seventh Judicial District.

As practicing members of the Bar in Sidney, we are acutely aware of the tremendous strains that have been placed upon the judicial system in this area because of rapid population growth. Judge L. C. Gulbrandson, who currently serves Dawson, Wibaux, McCone and Richland Counties, is by far one of the most able and hardest working judges in the State of Montana. In spite of this, Judge Gulbrandson's case load has become so heavy that criminal and civil trials are almost impossible to set less than six to eight months in advance. In addition, routine ex-parte matters are time-consuming and difficult to schedule because Judge Gulbrandson's schedule only allows him to be in Sidney one day per week.

We feel that it is imperative that the legislature authorize an additional judge in this judicial district during the present session, since the additional judge will not be elected and take office until January 1, 1983. By that time, the strain on the judicial system in this district will be even more critical than it is at this time. Further, if energy development plans continue as proposed in the Wibaux and Circle areas, it is conceivable that we may very well face a serious breakdown in the judicial system serving the citizens in this part of the state.

Representative John Shontz
February 4, 1981
Page 2

Your continued vigorous support of this legisla-
tion is appreciated and encouraged. If there is anything
further that we may do in order to impress upon the
legislature the importance of this legislation, please
advise.

Sincerely,

Thomas R. Hill
Victor Anderson

Peter O. Maltese
Orest. Habedank

H. R. O'Brien

Gary J. Meyer
James W. Bond
Dick Phillips
Gary L. Chitt
Mark H. Hill
Wayne R. Cummings

cc: Senator Larry Tveit
Senator Joseph P. Mazurek
Representative L. Dean Switzer
Senator Steve Brown
Representative Hubert J. Abrams
Representative Marjorie Hart
Senator S. A. Olson

COUNTY COMMISSIONERS
BING POFF, Chairman
HAROLD FINK, Vice Chairman
ROBERT L. MULLEN, Member

HELEN GIERKE, Clerk

COUNTY OF RICHLAND
OFFICE OF
COUNTY COMMISSIONERS
SIDNEY, MONTANA

February 9, 1981

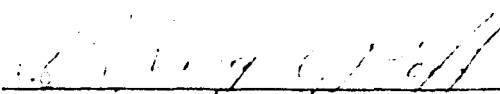
Representative John Shontz
Capitol Station
Helena, Montana 59601

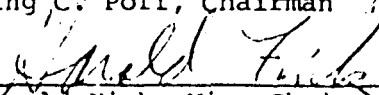
Dear Representative Shontz,

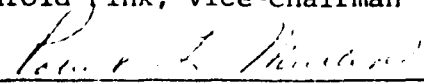
The Board of Commissioners of Richland County are very aware of the excessive caseload and related problems of Judge L. C. Gulbrandson. Therefore, the Board of Commissioners give their whole hearted support to House Bill #658.

Very truly yours,

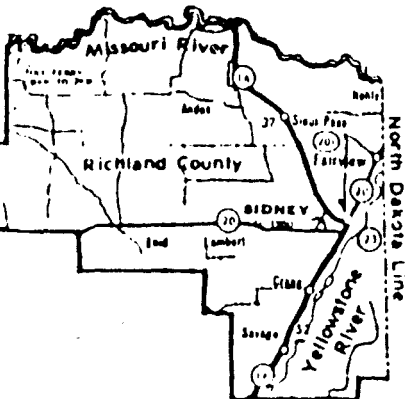
BOARD OF COUNTY COMMISSIONERS


Bing C. Poff, Chairman


Harold Fink, Vice-Chairman


Robert L. Mullen, Member

BCP:hg



OFFICE OF
THE SHERIFF
SIDNEY, MONTANA

FEB. 10, 1981

HAROLD N. GRINOLDS, Sheriff
ARON SCHMIERER, Undersheriff
LEOTA JOHNSON, Deputy Matron
JOHN BRAATEN, Deputy
GARY RAY, Deputy
RICHARD L. BEHNKEN, Deputy
MARVIN R. JOHNSON, Deputy
BRAD BAISCH, Deputy
KEVIN FORRESTER, Deputy

Honorable John Shontz
Representative District 53
429 South Montana St.
Helena, Montana 59601

Dear Sir,

Have been asked to advise you that the Richland County Sheriff's Department supports HR658.

At the present time our District Judge travels here once a week from Glendive. If he gets called to preside in another district and misses his day in Sidney, his work load builds up and when this happens we have to hold the defendants over, this costs the county a good deal in board and room, laundry bills and attorneys fees for the ones that have a court appointed attorney.

Our District Judge has about all he can handle right now and if this oil boom continues to grow as it has in the past couple of years, no way will he be able to handle all of the cases that are sent to district court. If this bill passes and we get a second district judge and if they see fit to station him in this county, it would really expedite our court cases. Have been following the work of the legislation that is published in the Billings Gazette and we think you are doing a good job. Keep it up.

Sincerely,

H. N. Grinolds

Richland County Sheriff
Sidney, Mont.

DISTRICT COURT OF RICHLAND
 JUDICIAL DISTRICT NUMBER 7
 POPULATION (7/1/1978) 10400
 AREA IN SQUARE MILES 2079
 DENSITY PER SQUARE MILE 5.002

C A S E L O A D

CASE TYPE	FILINGS			DISPOSITIONS		THRUPUT (4)/(3) X100
	ORIG (1)	RE-UP (2)	TOTAL (3)	CASES (4)	AVG TIME DAYS (5)	
CRIMINAL CASES (DC)	63	3	66	53	94	80
CIVIL CASES	341	7	348	299	138	86
GENERAL CIVIL (DV)	218	0	218	177	142	81
DOMESTIC REL. (DR)	123	7	130	122	131	94
JUV., PROB., & MISC.	115	2	117	93	235	79
JUVENILE (DJ)	16	2	18	12	79	67
PROBATE (DP)	72	0	72	57	337	79
INSANITY (DI)	2	0	2	3	186	150
ADOPTION (DA)	25	0	25	21	53	84
TOTAL	519	12	531	445	153	84

P E N D I N G C A S E L O A D

CASE TYPE	TOTAL PENDING CASES	0-90 PCT		91-180 PCT		OVER 180 PCT	
		DAYS ULD	UF TOTAL	DAYS OLD	UF TOTAL	DAYS OLD	OF TOTAL
CRIMINAL CASES (DC)	24	8	33	1	4	15	63
CIVIL CASES	148	41	28	33	22	74	50
GENERAL CIVIL (DV)	112	25	22	27	24	60	54
DOMESTIC REL. (DR)	36	16	44	6	17	14	39
JUV., PROB., & MISC.	100	19	19	21	21	60	60
JUVENILE (DJ)	6	4	67	0	0	2	33
PROBATE (DP)	87	13	15	19	22	55	63
INSANITY (DI)	0	0	0	0	0	0	0
ADOPTION (DA)	7	2	29	2	29	3	43
TOTAL	272	68	25	55	20	149	55

DISTRICT COURT OF DAWSON
 JUDICIAL DISTRICT NUMBER 7
 POPULATION (7/1/1978) 11200
 AREA IN SQUARE MILES 2370
 DENSITY PER SQUARE MILE 4.725

C A S E L O A D

CASE TYPE	FILINGS			DISPOSITIONS		THRUPUT (4)/(3) X100
	ORIG (1)	RE-OP (2)	TOTAL (3)	CASES (4)	AVG TIME DAYS (5)	
CRIMINAL CASES (DC)	54	9	63	72	61	114
CIVIL CASES	287	10	297	316	431	106
GENERAL CIVIL (DV)	178	0	178	189	473	106
DOMESTIC REL. (DR)	109	10	119	127	369	107
JUV., PROB., & MISC.	138	6	144	123	154	85
JUVENILE (DJ)	13	2	15	11	98	73
PROBATE (DP)	64	1	65	49	332	75
INSANITY (DI)	50	3	53	53	22	100
ADOPTION (DA)	11	0	11	10	48	91
TOTAL	479	25	504	511	312	101

488 520

P E N D I N G C A S E L O A D

CASE TYPE	TOTAL PENDING CASES	0-90 DAYS		91-180 DAYS		OVER 180 DAYS	
		PCT OF OLD	PCT TOTAL	PCT OF OLD	PCT TOTAL	PCT OF OLD	PCT TOTAL
CRIMINAL CASES (DC)	2	0	0	0	0	2	100
CIVIL CASES	158	51	32	25	16	82	52
GENERAL CIVIL (DV)	109	29	27	15	14	65	60
DOMESTIC REL. (DR)	49	22	45	10	20	17	35
JUV., PROB., & MISC.	80	14	18	16	20	50	63
JUVENILE (DJ)	6	0	0	3	50	3	50
PROBATE (DP)	72	13	18	13	18	46	64
INSANITY (DI)	0	0	0	0	0	0	0
ADOPTION (DA)	2	1	50	0	0	1	50
TOTAL	240	65	27	41	17	134	56

DISTRICT COURT OF MCCONE
 JUDICIAL DISTRICT NUMBER 7
 POPULATION (7/1/1978) 2600
 AREA IN SQUARE MILES 2607
 DENSITY PER SQUARE MILE .997

C A S E L O A D

CASE TYPE	ORIG (1)	FILINGS		DISPOSITIONS		THRUPUT (4)/(3) X100
		RE-UP (2)	TOTAL (3)	CASES (4)	AVG TIME DAYS (5)	
CRIMINAL CASES (DC)	4	0	4	5	103	125
CIVIL CASES	34	0	34	33	311	97
GENERAL CIVIL (DV)	29	0	29	25	176	86
DOMESTIC REL. (DR)	5	0	5	8	732	160
JUV., PROB., & MISC.	29	0	29	23	360	79
JUVENILE (DJ)	0	0	0	0	0	0
PROBATE (DP)	27	0	27	21	394	78
INSANITY (DI)	0	0	0	0	0	0
ADOPTION (DA)	2	0	2	2	0	100
TOTAL	67	0	67	61	312	91

P E N D I N G C A S E L O A D

CASE TYPE	TOTAL PENDING CASES	0-90 DAYS OLD	PCT OF TOTAL	91-180 DAYS OLD	PCT OF TOTAL	OVER 180 DAYS OLD	PCT OF TOTAL
CIVIL CASES	22	5	23	5	23	12	55
GENERAL CIVIL (DV)	19	3	16	4	21	12	63
DOMESTIC REL. (DR)	3	2	67	1	33	0	0
JUV., PROB., & MISC.	34	10	29	8	24	16	47
JUVENILE (DJ)	0	0	0	0	0	0	0
PROBATE (DP)	34	10	29	8	24	16	47
INSANITY (DI)	0	0	0	0	0	0	0
ADOPTION (DA)	0	0	0	0	0	0	0
TOTAL	58	15	26	13	22	30	52

DISTRICT COURT OF RICHLAND
 JUDICIAL DISTRICT NUMBER 7
 POPULATION (7/1/1978) 10400
 AREA IN SQUARE MILES 2079
 DENSITY PER SQUARE MILE 5.002

C A S E L O A D

CASE TYPE	ORIG (1)	FILINGS		DISPOSITIONS		THRUPUT (4)/(3) x100
		RE-UP (2)	TOTAL (3)	CASES (4)	AVG TIME DAYS (5)	
CRIMINAL CASES (DC)	2	1	3	5	33	167
CIVIL CASES	22	0	22	21	105	95
GENERAL CIVIL (DV)	17	0	17	18	116	106
DOMESTIC REL. (DR)	5	0	5	3	42	60
JUV., PROB., & MISC.	5	1	6	4	184	67
JUVENILE (DJ)	1	1	2	0	0	0
PROBATE (DP)	3	0	3	2	194	67
INSANITY (DI)	0	0	0	0	0	0
ADOPTION (DA)	1	0	1	2	74	200
TOTAL	29	2	31	30	105	97

P E N D I N G C A S E L O A D

CASE TYPE	TOTAL PENDING CASES	0-90 DAYS ULD	PCT OF TOTAL	91-180 DAYS ULD	PCT OF TOTAL	OVER 180 DAYS ULD	PCT OF TOTAL
CIVIL CASES	148	36	24	39	26	73	49
GENERAL CIVIL (DV)	109	18	17	32	29	59	54
DOMESTIC REL. (DR)	39	18	46	7	18	14	36
JUV., PROB., & MISC.	100	17	17	21	21	62	62
JUVENILE (DJ)	7	4	57	1	14	7	29
PROBATE (DP)	86	11	13	18	21	57	66
INSANITY (DI)	0	0	0	0	0	0	0
ADOPTION (DA)	7	2	29	2	29	3	43
TOTAL	273	58	21	65	24	150	55

DISTRICT COURT OF MCCONE
 JUDICIAL DISTRICT NUMBER 7
 POPULATION (7/1/1978) 2600
 AREA IN SQUARE MILES 2607
 DENSITY PER SQUARE MILE .997

C A S E L O A D

CASE TYPE	ORIG (1)	FILINGS			DISPOSITIONS		THRUPT (4)/(3) X100
		RE-OP (2)	TOTAL (3)	CASES (4)	AVG TIME DAYS (5)		
CRIMINAL CASES (DC)	0	0	0	0	0	0	
CIVIL CASES	2	0	2	4	59	200	
GENERAL CIVIL (DV)	1	0	1	4	55	400	
DOMESTIC REL. (DR)	1	0	1	0	0	0	
JUV., PROB., & MISC.	3	0	3	4	155	133	
JUVENILE (DJ)	0	0	0	0	0	0	
PROBATE (DP)	3	0	3	4	159	133	
INSANITY (DI)	0	0	0	0	0	0	
ADOPTION (DA)	0	0	0	0	0	0	
TOTAL	5	0	5	8	109	160	

P E N D I N G C A S E L O A D

CASE TYPE	TOTAL PENDING CASES	0-90 PCT DAYS OF OLD TOTAL		91-180 PCT DAYS OF OLD TOTAL		OVER 180 PCT DAYS OF OLD TOTAL	
CRIMINAL CASES (DC)	2	0	0	0	0	2	100
CIVIL CASES	21	4	19	1	5	15	76
GENERAL CIVIL (DV)	17	1	6	1	6	15	83
DOMESTIC REL. (DR)	4	3	75	0	0	1	25
JUV., PROB., & MISC.	32	6	19	9	28	17	53
JUVENILE (DJ)	0	0	0	0	0	0	0
PROBATE (DP)	32	6	19	9	28	17	53
INSANITY (DI)	0	0	0	0	0	0	0
ADOPTION (DA)	0	0	0	0	0	0	0
TOTAL	55	10	18	10	18	35	64

WITNESS STATEMENT

NAME Jo Brunner BILL No. HB 810
ADDRESS Helena DATE 3/23
WHOM DO YOU REPRESENT W.I.F.E.
SUPPORT OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: Mr Chairman - members of the committee Women Involved in Farm Economics wishes to go on record in support of HB 810 authorizing the Governor of Montana to work ^{with} other states to preserve rail service to Miles City. We are presently involved in the effort to purchase ^{the} Milwaukee right of way from Miles City west and in other efforts to try and keep a competitive railroad industry in Montana.

As far as we are concerned we may be shutting the barn door after the horse got out but we intend to make every effort possible to ~~continue~~ ^{to} and restore adequate rail service to the agriculture & all other state industry affected by the loss of competitive rail service. Hopefully, it will not be too little, too late!

WITNESS STATEMENT

NAME JIM GLOSSER BILL No. HB 355
ADDRESS HELENA, MT. DATE 3/23/81
WHOM DO YOU REPRESENT DEPARTMENT OF LIVESTOCK
SUPPORT X OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

SEE ATTACHED STATEMENT.

Statements Presented Before The House Appropriations Committee, in
Support of HB 355 - Depopulation of Brucellosis Infected Cattle, Herd
By: James W. Glessner, D.V.M.

My name is Jim Glessner. I am the Administrator of the
Animal Health Division, Montana Department of Livestock.

The Department of Livestock supports this bill since this
approach is the most cost effective method available to rid
Montana of bovine brucellosis. However, of far greater importance
is the need for the State of Montana to rid itself of a ~~very costly~~
governmental program that continues to increase in costs
and regulations on an industry which is already over-regulated.

The Department's position is that the principal justification
and thrust for the eradication of brucellosis is based primarily
upon the public health concern and is not primarily one of animal
health. This is particularly true with the knowledge and techniques
available for the diagnosis and control of the disease.

This position is supported by the prestigious National Bureau
of Technical Assistance whose membership is free of government, industry,
and industry bias. A quote from its reports:

"Brucellosis is a serious and debilitating disease of
human beings. Its incidence in the United States is
understated in all official reports, but is clearly related

to the prevalence of brucellosis in cattle. Moreover, in the prevalence of bovine brucellosis have been directly associated with increases in the prevalence of human brucellosis among livestock producers, their families and others in the marketing and processing chain. Therefore, the Commission recommends: That the level of eradication be recognized as a public benefit in that it provides protection to public health."

The bill has been criticized by some who believe that the State of Montana should not reward owners of infected herds since most were put together herds which had a very low level of vaccination against the disease. I concede that these factors are not the best management factors to protect a herd against the threat of infection, however, the main issue here is the impact that the seven infected herds present today ^{in Montana} will have on the entire cattle ~~and~~ industry in the future.

The history of the brucellosis program illustrates this point. In 1951, the Montana cattle industry was asked to participate in the National Brucellosis Eradication Program. The need for such a program was presented by state and federal officials on the basis of animal and public health concerns. The word that was dangling was free movement of cattle once an area was free of the disease.

The industry accepted the responsibility for eradicating the disease from their herds. Throughout the years, the industry

demonstrated remarkable patience and support of the program through the tremendous sacrifices and hardships it experienced with the severely restricted movement of their herds. Moreover, the industry willingly has to largely underwrite the high costs in sustaining this program as naturally. In 36 years, the only public money from general taxation invested in the Montana effort was ^{one} from federal (USDA) sources!!

The case of the National Brucellosis Program is alarming. One billion dollars of federal and state revenues were expended in the period 1947 through 1975 to reduce the national incidence of brucellosis by 99 percent. Since 1976, ~~more~~ little or no progress has been ^{made} reducing the incidence further, yet over a half a billion dollars of federal and state monies have been expended.

It is noteworthy that the bureaucrats and technocrats failed to warn the cattle industry that in any eradication effort it is necessary to invest a factor of one to reduce the incidence of a disease by 99 percent but at least a factor of 2 will be required to eliminate the one percent incidence.

Of more relevance to Montana's situation is the expenditure of federal, state and industry funds necessary since 1975 necessary to maintain disease surveillance and reduce the number of infected herds from 65 in 1975 to the present 7 remaining. The cost has

increased steadily with an annual cost of this program of 1.1 million dollars in FY 1976 to over 1.5 million dollars in FY 1980.

This bill provides for the depopulation of brucellosis infected herds at full appraised value. At the present time, there are only 7 herds that would be eligible for depopulation. With today's cattle prices, this would require \$26,000 to indemnify the owner for the difference between slaughter value and replacement costs. It is anticipated that federal funds of \$6,800 would reduce this cost to the state to approximately \$19,200. However, the date of the federal budget is uncertain at this time.

Montana must rid itself of these seven infected herds by Jan 1, 1982 to be recognized nationally as a brucellosis free state (zero infected). Without depopulation money it is very doubtful that this can happen. Therefore, the Department will be trapped into enforcing additional federal requirements for interstate and intrastate movement of cattle which will double the program costs to the industry. This over regulation will be necessary for Montana to maintain its export potential of its livestock to other states.

Passage of HB 355, in contrast, will greatly enhance the Dept's ability in deregulating the cattle industry because of this costly program. Therefore, the Department strongly urges the Committee to consider a favorable vote on HB 355.

demonstrated remarkable patience and support of the program through the tremendous sacrifices and hardships it experienced with the nearly restricted movement of their herds. Moreover, the industry is willing to largely underwrite the high costs in sustaining the program as necessary. In 30 years, the only public money for general taxation invested in the Montana effort was ^{one} for federal (1500) purposes!

The cost of the National Brucellosis Program is alarming. One billion dollars of federal and state revenues were expended in the period 1947 through 1975 to reduce the national incidence of brucellosis by 99 percent. Since 1976, ~~was~~ little or no progress has been ^{made} reducing the incidence further, yet over a half a billion dollars of federal and state moneys have been expended.

It is noteworthy that the bureaucrats and technicians failed to warn the cattle industry that in any eradication effort it is necessary to invest a factor of one to reduce the incidence of a disease by 99 percent but at least a factor of 2 will be required to eliminate the one percent incidence.

Of more relevance to Montana's situation is the expenditure of federal, state and industry funds necessary since 1975 necessary to maintain disease surveillance and reduce the number of infected herds from 65 in 1975 to the present 7 remaining. The cost has

increased steadily with an annual cost of this program of 1.1 million dollars in FY 1976 to over 1.5 million dollars in FY 1980.

The bill provides for the depopulation of brucellosis infected herds at full appraised value. At the present time, there are only 7 herds that would be eligible for depopulation. With today's cattle prices, they would require \$26,000 to indemnify the owner for the difference between slaughter value and replacement costs. It is anticipated that federal funds of \$4,800 would reduce this cost to the state to approximately \$18,200. However, the fate of the federal budget is uncertain at this time.

Montana must red itself of the seven infected herds by Jan 1, 1982 to be recognized nationally as a brucellosis free state (zero infected). Without depopulation money it is very doubtful that this can happen. Therefore, the Department will be trapped into enforcing additional federal requirements for interstate and intrastate movement of cattle which will double the program costs to the industry. This over regulation will be necessary for Montana to maintain its export potential of its livestock to other states.

Passage of HB 355, in contrast, will greatly enhance the Dept's timetable in deregulating the cattle industry because of this costly program. Therefore, the Department strongly urges the Committee to consider a favorable vote on HB 355.

PROPOSED AMENDMENT "A" to HOUSE BILL 674

1. Page 9, line 3.

Following: "board"

Strike: remainder of line 3

2. Page 9, lines 11 through 15.

Following: Line 10

Strike: subsection (2) in its entirety

3. Page 17, lines 8 through 16.

Following: "contributions."

Strike: remainder of NEW SECTION 27

Insert: "Each employer shall retain from the monthly compensation of each active member a sum equal to 7% of his monthly compensation as a firefighter. The employer shall report and remit monthly this deduction as follows:

(1) 6% of the monthly compensation retained by the employer shall be paid to the administrator who shall deposit them in the fund; and

(2) 1% of the monthly compensation retained by the employer shall be paid to the Montana State Firemen's Association for the payment of premiums on a group life and accidental death and dismemberment insurance policy for members and defray expense incurred by association when representing members of the plan."

4. Page 17, line 19.

Following: "deductions"

Insert: "paid to the administrator and"

5. Page 30, lines 17 through page 31, line 1.

Following: line 16, page 30

Strike: NEW SECTION. Section 51 in its entirety.

Renumber: subsequent sections.

If section 51 is stricken, all parenthetic citations [sections 1 through 53] should be changed accordingly.

PROPOSED AMENDMENT TO HOUSE BILL 674

B

1. Page 11, line 21.

Following: "employer"

Insert: ";" and a new subsection (c)

"(c) the date he ceases to be employed because of a reduction of the number of firefighters in the fire department as prescribed in 7-33-4125, MCA"

2. Page 12, line 4.

Following: "member"

Strike: "shall"

Insert: "may"

PROPOSED AMENDMENT TO HB 674 (THIRD READING COPY):

C

1. Page 29, line 7.
Following: "adjustment."
Insert: "(1)"

2. Page 29.
Following: line 17
Insert: "(2) For a member hired on or after July 1, 1981, and his surviving spouse or dependent children, the disability retirement allowance provided in [subsection (2) of section 40] and the survivorship allowance provided in [subsection (2) of section 44] may not be less than one-half the monthly compensation paid to a newly confirmed, active firefighter of a city that last employed him as a firefighter, as provided each year in the budget of that city."

Montana State Firemens Association - Ray E. Blehm

In support of an amendment to HB 674 to allow a firefighter to leave his contributions on deposit with the system in the event of a reduction in force.

This bill as currently written would require a member who is layed off with less than 10 years of service to withdraw his contributions as provided by section 17, line 4, ~~which~~ provides that an active member shall withdraw the amount of his regular contributions. It is the feeling of the firefighters that this should be changed to "may" withdraw and that language should be added to section 16, providing that an inactive membership of a layed off member be placed in this status as follows:

(c) the date he ceases to be employed because of a reduction of the number of firefighters in the fire department as prescribed in 7-33-4125, MCA"

MONTANA STATE FIREMENS ASSN.
RAY E. BLEHM, JR.

IN SUPPORT OF AN AMENDMENT TO HB 674 TO INCLUDE THE PENSION ADJUSTMENT CLAUSE FOR DISABILITY AND SURVIVORSHIP PENSIONS FOR FIREFIGHTERS HIRED AFTER JULY 1, 1981 THE FOLLOWING POINTS ARE SET FORWARD.

1. THE PRIMARY REASON FOR THE INCLUSION OF THIS AMENDMENT INVOLVES AN AGREEMENT REACHED BETWEEN THE REPRESENTATIVES OF THE CITIES AND THE FIREMEN DURING THE TIME WHEN THIS BILL WAS BEFORE THE HOUSE STATE ADMINISTRATION COMMITTEE. THE FIREMEN AGREED TO BENEFIT CHANGES WHICH REDUCED THE NORMAL COST ALLOCATION FOR NEW FIREFIGHTERS BENEFITS BY 30% WHEN COMPARED TO THE BENEFITS PROVIDED FOR CURRENT EMPLOYEES, THE REPRESENTATIVES OF THE CITIES AGREED TO INCLUSION OF THE PENSION ADJUSTMENT CLAUSE. INASMUCH AS THE COST OF THIS PROVISION WOULD BE BORN BY THE CITIES PORTION OF THE FUNDING PROVIDED BY THIS BILL THE FIREMEN WERE UNDER THE IMPRESSION THIS AGREEMENT WOULD BE VALID AND HOLD. WHAT HAPPENED TO THIS PROVISION IN THE STATE ADMINISTRATION COMMITTEE & THE HOUSE FLOOR IS HISTORY. THE FIREMEN'S ASSOCIATION IS NOW WILLING TO SUPPORT THIS LEGISLATION IF THIS PARTIAL COVERAGE CAN BE PUT IN PLACE TO PROTECT THOSE WHO SUFFER A DISABILITY OR TO THE SURVIVORS OF DECEASED FIREFIGHTERS. THIS PARTIAL PROVISION SHOULD BE LESS THAN 1/3 THE COST OF PROVIDING COVERAGE TO ALLOW NEW FIREFIGHTERS OR LESS THAN 2% OF SALARY.

2. FIREFIGHTERS RECEIVE NO SOCIAL SECURITY COVERAGE IN THE STATE OF MONTANA AND THEREFORE WOULD NOT HAVE THE ADVANTAGE OF PENSIONERS WHO HAVE SOCIAL SECURITY COVERAGE.

3. FAILURE TO INCLUDE THIS PROVISION WOULD LOWER THE NORMAL COST ALLOCATION FOR NEW FIREFIGHTERS BELOW ANY OF THE OTHER HAZARDOUS

DUTY OCCUPATIONS WHEN IT IS CLEAR FROM AVAILABLE STATISTICS THAT FIRE-FIGHTING IS THE MOST HAZARDOUS OCCUPATION IN THE UNITED STATES.

4. THE PENSION ADJUSTMENT CLAUSE IS AN INDEX WHICH HAS THE ADVANTAGE OF PREFUNDING AS OPPOSED TO THE UNRELIABLE AND MORE COSTLY APPROACH OF AD HOC RAISES.

IN SUPPORT OF THE AMENDMENT PROPOSED BY P.E.R.D. TO CLARIFY THE HANDLING OF THE 7% MEMBER CONTRIBUTION:

THE FIREMEN SUPPORT CHANGES PROPOSED BY P.E.R.D. MAINLY BECAUSE THEY UNDERSTAND THE PROBLEM CAUSED TO THE ACCOUNTING SYSTEM IF THIS LEGISLATION WERE TO BE IMPLEMENTED AS IS. BY HAVING 1% OF SALARY GO DIRECTLY TO THE STATE ASSOCIATION THIS AMENDMENT WILL CAUSE SOME CHANGE TO THE EMPLOYEE WHO SEPARATES FROM SERVICE PRIOR TO ATTAINING ANY RETIREMENT BENEFIT. HE WILL RECEIVE A RETURN OF CONTRIBUTION AMOUNTING TO ONLY 6% OF SALARY. ALSO ACTIVE EMPLOYEES WILL BE ABLE TO DEDUCT THE 1% OF SALARY FROM CURRENT TAX LIABILITY RATHER THAN WAIT UNTIL RETIREMENT TO COUNT CONTRIBUTIONS AGAINST RETIREMENT INCOME.

THIS CHANGE ALSO WILL RESULT IN A TRANSFER FROM THE RETIREMENT FUND TO THE STATE ASSOCIATION OF THE LIABILITY TO PROVIDE THE INSURANCE COVERAGE RECEIVED BY CURRENT EMPLOYEES.

REP. L. H. NILSON
DISTRICT 37

by

G. V. Erickson - Joint State Legislative Committee of AARP and MRTA

The Joint State Legislative Committee is not only interested in securing cost-of-living adjustments (hereafter referred to as C.O.L.A.) to retirement benefits of public employees, teachers, highway patrol, municipal police, sheriffs, and game wardens who are now retired, but also for those who will retire in the future.

The 1979 Legislature was directed in HJR 40 to establish a committee to study the public retirement systems in view of establishing cost-of-living adjustments for the various systems. HJR 40 Committee Chairman, John Vincent, members of the Committee, the research people of the Legislative Council and Alton Hendrickson, Actuarial Consultant of the various retirement systems are to be commended for the fine work they have done in the proposed formula for providing C.O.L.A. The Joint State Legislative Committee has worked closely with HJR 40 Committee and support the formula and method of financing the adjustment as proposed.

We believe the adjustment, while a modest one, is fair and equitable and, in part, protects retired persons, now and in the future from the erosive affects of inflation.

Over 95 percent of all state and federal employees have some C.O.L.A. Most of them have some limits or caps as to the amount of increase. However, this is not true in regards to civil service and federal employees whose C.O.L.A. is given twice each year and tied directly to the increase in the Consumer Price Index.

The formula as found on page three of the bill, lines 4-10, expressed in mathematical terms follows:

$$1/2 \text{ Average Salary} \times \frac{\text{Cr Yrs}}{30} \times (\text{C.P.I.} - \text{three percent}) \times 2/3 = \text{C.O.L.A.}$$

Substituting figures into formula:

$$1/2 (\$16,000) \times \frac{30}{30} \times (12-3) \times 2/3 = \text{C.O.L.A.}$$

$$8,000 \times \frac{1}{1} \times 6 = \$480 \text{ per year for all retired teachers who taught at least 30 years.}$$

Advantages of formula as proposed: 1) Non-accumulative. When a straight percentage method is used those who now have the largest benefits receive the largest C.O.L.A. 2) All retirees regardless of when they retired are given the same cost-of-living increase. It is the belief that cost-of-living increases are the same or similar for all regardless of present benefit. 3) Future increases are automatically adjusted by using the average salary and percentage changes in C.P.I. 4) Years of service will give greater increases to those who have given the most years of service. 4) Increases in C.O.L.A. will not be based on benefits now being received.

Restrictive safeguards in the formula: 1) The Consumer Price Index is based on the average increase over the previous three-year period. 2) The average salary of active persons is always of the previous year. 3) There would be no C.O.L.A. unless the C.P.I. exceeds three percent. 4) No increase would be based on more than a 12 percent increase (six percent highest benefit) in C.P.I. regardless of how much the C.P.I. exceeded this. 5) No C.O.L.A. would be made during the first three years a person was retired. 6) If the funding request is not granted by the Legislature, the C.O.L.A. and minimum monthly benefits allowances will be reduced to reflect the available funding.

PROPOSED AMENDMENTS TO HB 45 (SECOND READING COPY):

1. Page 44, line 6.
Following: "retired"
Insert: "on or after July 1, 1975, but"

2. Page 47, line 22.
Following: "~~14~~%"
Strike: "15%"
Insert: "14.04%"

HB 658

Mr Chairman, members of the Committee
I might mention before beginning that House did approve
HB 658 on second reading 78-10

- I want to thank ~~the~~ Chairman Lord
- scheduling problems
 - Law and motions day - judge can't get away ^{10 P.}
 - 1000 miles round trip - ~~1000~~
 - telephone look-up - need to answer questions
 - criminal ~~justice~~ cases have skyrocketed
 - civil justice is severely lacking in speedy resolve

365-2666

(1)

	R*	m	o	w
Population 1970	9,837	2,825	11,269	1,465
1980	12,225	2,707	11,850	1,479
%				

↓
 $480 \times 2.9 = 14,581$

$2,358 \div 9,837 \equiv 24\% \text{ growth}$

District population = 30,615

- Oil & Gas development
- Tenneco Coal - 8,000 people Wibarx Cty
- Circle West - 8,000 people

- taxes

We are asking for \$25,015 for biennium
the county is willing to pay \$17,000 for biennium
- which is support costs for Court.

we come with a unified voice

oil and gas
the impact will provide a minimum of
\$30,676,836 and (Gov.) a maximum
of \$52,587,802 to the foundation program
and general fund

(2)

- one of the heaviest case loads (1,200 last year) in Montana.
- traveled over $\frac{1}{2}$ way around the world in pursuit of justice in the district (14,371 miles)

- case of surface owner - mineral developer
- need for an injunction
- trial date ^{for civil cases} set one year in advance - speedy justice.

- the judge will ~~be~~ hold court in Richland City
- discretion of senior judge
- place of funding by county commissioners

elect ^{rather than} appointed

- The honorable Leslie Hillbranson, District court judge

UNITED APPEAL 1500-1600

Redistributing and doing work

- Gary Thogerson - law firm of Habelank, Cummings, Best, Thogerson - Sidney represents the Richland City law firm.

③ - CLOSE

- Rapid growth / dirty polluting industry

- We have not ~~not~~ pushed for special favors to deal with our impacts from the Legislature. However, we cannot deal with this problem as it is the Legislature's prerogative to establish judgeships - we are willing to pay our fair share. (Letters of support)

- I appreciated your positive note on second reading of this bill (HB 658) and I ask you again to help us in a small way contribute to the financial benefit of the State's general fund and to justice for the people paying the ~~the~~ tax dollars.

- the pledge Liberty and justice for all ... who can afford it.

~~Since~~ 1975 → 1980

4 counties

40 mill foundation program from oil & gas proceeds
6 mill university funding

1976 biennium → ~~1,723,350~~ \$1,723,350

~~1983~~ 1983 biennium \$18,353,704

80%
Richland
City

Severance Tax

1976 biennium → \$1,325,661 to general fund

1983³ biennium → \$12,323,132 to general fund

- \$11,000,000 from Richland City alone

Horowitz

Governor flat fee license program SB 356

additional \$11,910,966

total \$24,234,098

\$20,000,000 from Richland County

Fndn program plus current but severance tax = \$30,676,836

add flat fee license program = 11,910,966

\$52,587,802

⊙ Because of impact! only

see - Monty

STATE OF MONTANA

REQUEST NO. 337-81

FISCAL NOTE

Form BD-15

compliance with a written request received February 9, 19 81, there is hereby submitted a Fiscal Note House Bill 658 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).
Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 658 is an act to provide for a second district court judge in the seventh judicial district.

FISCAL IMPACT:

(State Expenditures)

	FY 81-82	FY 82-83
Proposed Law		
Personal Services	-0-	22,815
Operating Expense	-0-	2,200
Capital Outlay	-0-	-0-
Additional Expenditures for proposed Law	<u>-0-</u>	<u>25,015</u>

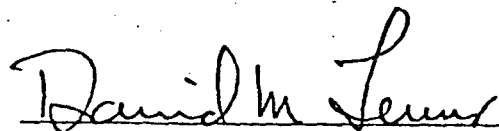
LOCAL IMPACT:

(County Expenditures)

Personal Services	-0-	10,800
Operating Expense	-0-	1,500
Capital Outlay	-0-	4,700
Additional Expenditures for proposed Law	<u>-0-</u>	<u>17,000</u>

NOTE:

Personal Services and operating expenses would be continuing costs to state for each subsequent FY. Estimates above for state and county (local) are based on 1/2 of FY 82-83 since the judge would take office on January 1, 1983.



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-12-81

A. Net proceeds ~~tot~~ paid on oil production ^{and royalties} under 40 mill levy and 6 mill levy *

Tax Year	Wibaux	Dawson	Richland	McCone	To
1975	\$ 332,005	\$ 82,136	\$ 426,095	\$ 42,768	\$ 88
1976	251,948	83,153	475,256	39,989	85
1977	140,025	45,086	881,255	87,690	1,154
1978	165,943	54,109	654,539	100,603	975
1979	188,295	36,120	1,096,051	75,066	1,395
1980	225,276	69,647	2,202,514	53,898	2,551
1981**	2,481,079	564,561	5,874,964	206,248	9,126
1982**	2,481,079	564,561	5,874,964	206,248	9,126
					\$ 26,063,

* Tax receipts from 40-mill levy used to fund counties' school foundation program, with surplus (as defined in 20-9-331 through 20-9-334, NCA) deposited in ^{state} public school equalization account.

** Estimates based on current production, oil prices at \$35/bbl. and deductions at 1979 level.

B. Oil severance taxes paid by producers*

Tax year	Wibaux	Dawson	Richland	McClone	Total
1975	\$ 179,220	\$ 59,327	\$ 338,663	\$ 28,428	\$ 605,638
1976	122,739	39,381	485,704	72,199	720,023
1977	109,456	34,420	688,401	68,633	900,910
1978	149,767	27,230	870,690	59,226	1,106,913
1979	155,244	48,690	1,545,389	35,283	1,784,606
1980	231,980	72,757	2,309,258	52,723	2,666,718
1981**	385,586	120,934	3,838,333	87,633	4,432,486
1982**	561,243	176,026	5,586,919	127,555	6,451,743
1983**	597,835	187,503	5,951,179	135,872	6,872,389
TOTAL					\$ 25,541,422

* Returns are not reported by county. Estimated by taking net proceeds valuation for county to total valuation and multiplying by total severance tax collections.

** Estimates based on 1979 production split, Refunds to counties under SB182 are not subtracted from these estimates.

If the severance tax were raised the additional revenue from these counties would be approximately as follows:

Tax year	3.65%	5%
1982	\$ 2,468,280	\$ 5,767,467
1983	2,629,209	6,142,499

For
Dr. Rider

K. C. H. Land Co. Oil Severance
paid to state by oil production

1971-72

June 72	41,166.83	
March 72	40,200.72	S
Dec. 71	43,062.97	
Sept. 71	26,230.23	
	<u>150,660.75</u>	127

1972-73

June 73	51,471.26	
Mar. 73	40,817.65	m
Dec. 72	38,778.36	
Sept. 72	34,075.62	
	<u>165,142.89</u>	171

1973-74

June 74	79,812.46	
Mar 74	87,237.94	
Dec. 73	57,810.75	
Sept. 73	46,758.39	
	<u>271,619.54</u>	145

1974-75

Jun. 75	85,596.14	
Mar. 75	78,999.31	
Dec. 74	85,076.01	
Sept. 74	81,958.11	
	<u>331,629.57</u>	143

1979-80

Jun. 80	710,494.83
Mar. 80	719,317.28
Dec. 79	587,655.09
Sept. 79	404,322.66

1975-76

Jun. 76	120,401.51
Mar 76	108,210.32
Dec. 75	102,655.36
Sept. 75	100,256.98
	<u>431,524.17</u>

1976-77

Jun. 77	156,332.15
Mar. 77	119,580.35
Dec. 76	137,711.30
Sept 76	140,848.05
	<u>554,471.85</u>

1977-78

Jun. 78	201,832.57
Mar. 78	189,468.97
Dec. 77	235,836.87
Sept. 77	173,471.82
	<u>800,610.23</u>

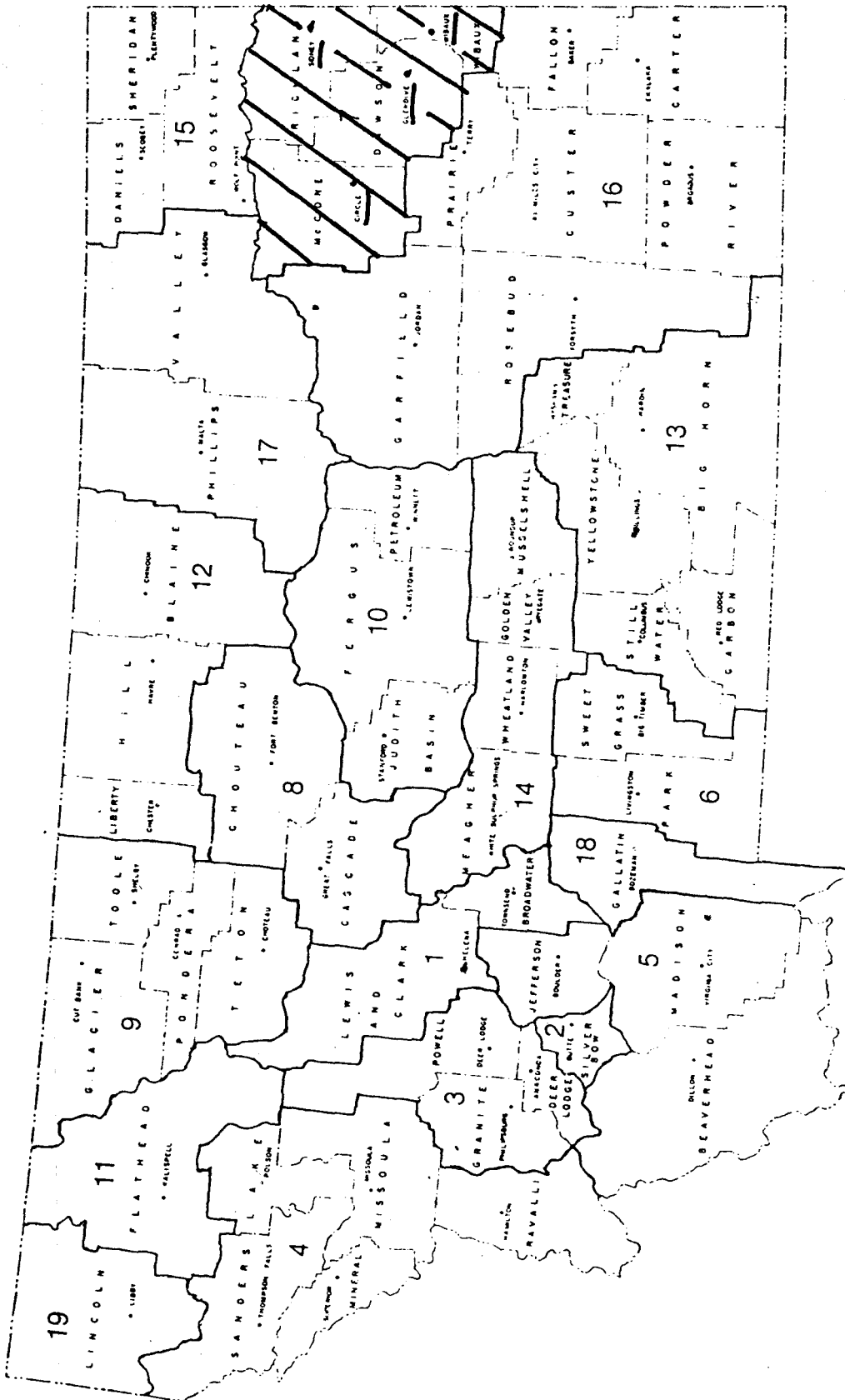
1978-79

Jun. 79	318,252.61
Mar. 79	287,174.39
Dec. 78	292,791.35
Sept. 78	241,713.46

1,159,932.01

2,421,729.01

JUDICIAL DISTRICTS



MONTANA
COUNTIES & COUNTY SEATS

<u>DISTRICT</u>	<u>TOTAL CASELOAD</u>	<u>NUMBER OF JUDGES</u>	<u>CASELOAD PER JUDGE</u>	<u>MILES TRAVELED</u>	<u>MILES PER JUDGE</u>
1	2,353	23	1,176	7,816	3,908
2	1,239	2	619	4,045	2,022
3	745	1	745	7,897	7,897
4	5,567	34	1,855	45,859	15,286
5	768	1	768	18,546	18,546
6	632	1	632	13,681	13,681
7	1,191 ^{20%}	1	1,191	14,371	14,371
8	3,414	3	1,138	7,987	2,662
9	938	1	938	16,662	16,662
10	614	1	614	12,919	12,919
11	1,868	2	934	4,773	2,386
12	1,112	1	1,112	13,291	13,291
13	5,761	34	1,920	10,953	3,651
14	364	1	364	14,880	14,880
Welf Port 15	503	1	503	14,964	14,964
16	1,367	2	683	21,032	10,516
Glasgow 17	438	1	438	13,448	13,448
18	1,383	34	1,383	7,913	7,913
19	671	1	671	14,078	14,078

- 0 -

14,371 - increase in the state
 - increase in the state

1062

30922

605

17684

363-2666

5

JUDICIAL DISTRICT NUMBER	7
COUNTIES IN THE DISTRICT	4
POPULATION (7/1/1978)	25700
AREA IN SQUARE MILES	7946
DENSITY PER SQUARE MILE	3.234

C A S E L O A D

CASE TYPE	FILINGS			DISPOSITIONS		THRUPUT (4)/(3) X100
	CRIG (1)	RE-OP (2)	TOTAL (3)	CASES (4)	AVG TIME DAYS (5)	
CRIMINAL CASES (DC)	125	13	138	135	77	98
CIVIL CASES	707	17	724	685	286	95
GENERAL CIVIL (DV)	465	0	465	426	298	92
DOMESTIC REL. (DR)	242	17	259	259	266	100
JUV., PROB., & MISC.	320	9	329	255	213	78
JUVENILE (DJ)	30	4	34	23	88	68
PROBATE (DP)	196	2	198	140	349	71
INSANITY (DI)	52	3	55	56	30	102
ADDOPTION (DA)	42	0	42	36	46	86
TOTAL	1152	39	1191	1075	242	90

P E N D I N G C A S E L O A D

CASE TYPE	TOTAL PENDING CASES	0-90 PCT		91-180 PCT		OVER 180 PCT	
		DAYS OF OLD	TOTAL	DAYS OF OLD	TOTAL	DAYS OF OLD	TOTAL
CRIMINAL CASES (DC)	30	9	30	1	3	20	67
CIVIL CASES	360	102	28	74	21	184	51
GENERAL CIVIL (DV)	267	62	23	54	20	151	57
DOMESTIC REL. (DR)	93	40	43	20	22	33	35
JUV., PROB., & MISC.	261	50	19	55	21	156	60
JUVENILE (DJ)	13	5	38	3	23	5	38
PROBATE (DP)	238	42	18	50	21	146	61
INSANITY (DI)	0	0	0	0	0	0	0
ADDOPTION (DA)	10	3	30	2	20	5	50
TOTAL	651	161	25	130	20	360	55

DISTRICT COURT OF RICHLAND
 JUDICIAL DISTRICT NUMBER 7
 POPULATION (7/1/1978) 10400
 AREA IN SQUARE MILES 2079
 DENSITY PER SQUARE MILE 5.002

C A S E L O A D

CASE TYPE	FILINGS			DISPOSITIONS		THRUPUT (4)/(3) X100
	ORIG (1)	RE-UP (2)	TOTAL (3)	CASES (4)	AVG TIME DAYS (5)	
CRIMINAL CASES (DC)	63	3	66	53	94	80
CIVIL CASES	341	7	348	299	138	86
GENERAL CIVIL (DV)	218	0	218	177	142	81
DOMESTIC REL. (DR)	123	7	130	122	131	94
JUV., PROB., & MISC.	115	2	117	93	235	79
JUVENILE (DJ)	16	2	18	12	79	67
PROBATE (DP)	72	0	72	57	337	79
INSANITY (DI)	2	0	2	3	186	150
ADOPTION (DA)	25	0	25	21	53	84
TOTAL	519	12	531	445	153	84

P E N D I N G C A S E L O A D

CASE TYPE	TOTAL PENDING CASES	0-90 PCT		91-180 PCT		OVER 180 PCT	
		DAYS OF OLD	TOTAL	DAYS OF OLD	TOTAL	DAYS OF OLD	TOTAL
CRIMINAL CASES (DC)	24	8	33	1	4	15	63
CIVIL CASES	148	41	28	33	22	74	50
GENERAL CIVIL (DV)	112	25	22	27	24	60	54
DOMESTIC REL. (DR)	36	16	44	6	17	14	39
JUV., PROB., & MISC.	100	19	19	21	21	60	60
JUVENILE (DJ)	6	4	67	0	0	2	33
PROBATE (DP)	87	13	15	19	22	55	63
INSANITY (DI)	0	0	0	0	0	0	0
ADOPTION (DA)	7	2	29	2	29	3	43
TOTAL	272	68	25	55	20	149	55

DISTRICT COURT OF MCCONE
 JUDICIAL DISTRICT NUMBER 7
 POPULATION (7/1/1978) 2600
 AREA IN SQUARE MILES 2607
 DENSITY PER SQUARE MILE .997

C A S E L O A D

CASE TYPE	FILINGS			DISPOSITIONS		THRUPTUT (4)/(5) X100
	ORIG (1)	RE-OP (2)	TOTAL (3)	CASES (4)	AVG TIME DAYS (5)	
CRIMINAL CASES (DC)	0	0	0	0	0	0
CIVIL CASES	2	0	2	4	54	200
GENERAL CIVIL (DV)	1	0	1	4	55	400
DOMESTIC REL. (DR)	1	0	1	0	0	0
JUV., PROB., & MISC.	3	0	3	4	150	133
JUVENILE (DJ)	0	0	0	0	0	0
PROBATE (DP)	3	0	3	4	150	133
INSANITY (DI)	0	0	0	0	0	0
ADOPTION (DA)	0	0	0	0	0	0
TOTAL	5	0	5	8	100	150

P E N D I N G C A S E L O A D

CASE TYPE	TOTAL PENDING CASES	0-90 PCT		91-180 PCT		OVER 180 PCT	
		DAYS OLD	OF TOTAL	DAYS OLD	OF TOTAL	DAYS OLD	OF TOTAL
CRIMINAL CASES (DC)	2	0	0	0	0	2	100
CIVIL CASES	21	4	19	1	5	16	76
GENERAL CIVIL (DV)	17	1	6	1	6	15	88
DOMESTIC REL. (DR)	4	3	75	0	0	1	25
JUV., PROB., & MISC.	32	6	19	9	23	17	52
JUVENILE (DJ)	0	0	0	0	0	0	0
PROBATE (DP)	32	6	19	9	23	17	52
INSANITY (DI)	0	0	0	0	0	0	0
ADOPTION (DA)	0	0	0	0	0	0	0
TOTAL	55	10	18	10	18	35	64

DISTRICT COURT OF WILBAUX
 JUDICIAL DISTRICT NUMBER 7
 POPULATION (7/1/1978) 1500
 AREA IN SQUARE MILES 890
 DENSITY PER SQUARE MILE 1.685

C A S E L O A D

CASE TYPE	FILINGS			DISPOSITIONS		THRUPUT (4)/(3) X100
	ORIG (1)	RE-OP (2)	TOTAL (3)	CASES (4)	AVG TIME DAYS (5)	
CRIMINAL CASES (DC)	4	1	5	5	93	100
CIVIL CASES	45	0	45	37	220	82
GENERAL CIVIL (DV)	40	0	40	35	229	88
DOMESTIC REL. (DR)	5	0	5	2	47	40
JUV., PROB., & MISC.	38	1	39	16	326	41
JUVENILE (DJ)	1	0	1	0	0	0
PROBATE (DP)	33	1	34	13	395	38
INSANITY (DI)	0	0	0	0	0	0
ADOPTION (DA)	4	0	4	3	26	75
TOTAL	87	2	89	58	238	65

P E N D I N G C A S E L O A D

CASE TYPE	TOTAL PENDING CASES	0-90 PCT		91-180 PCT		OVER 180 PCT	
		DAYS OF OLD	TOTAL	DAYS OF OLD	TOTAL	DAYS OF OLD	TOTAL
CRIMINAL CASES (DC)	2	1	50	0	0	1	50
CIVIL CASES	32	5	16	11	34	16	50
GENERAL CIVIL (DV)	27	5	19	8	30	14	52
DOMESTIC REL. (DR)	5	0	0	3	60	2	40
JUV., PROB., & MISC.	47	7	15	10	21	30	64
JUVENILE (DJ)	1	1	100	0	0	0	0
PROBATE (DP)	45	6	13	10	22	29	64
INSANITY (DI)	0	0	0	0	0	0	0
ADOPTION (DA)	1	0	0	0	0	1	100
TOTAL	81	13	16	21	26	47	58

DISTRICT COURT OF DAWSON
 JUDICIAL DISTRICT NUMBER 7
 POPULATION (7/1/1978) 11200
 AREA IN SQUARE MILES 2370
 DENSITY PER SQUARE MILE 4.725

CASELOAD

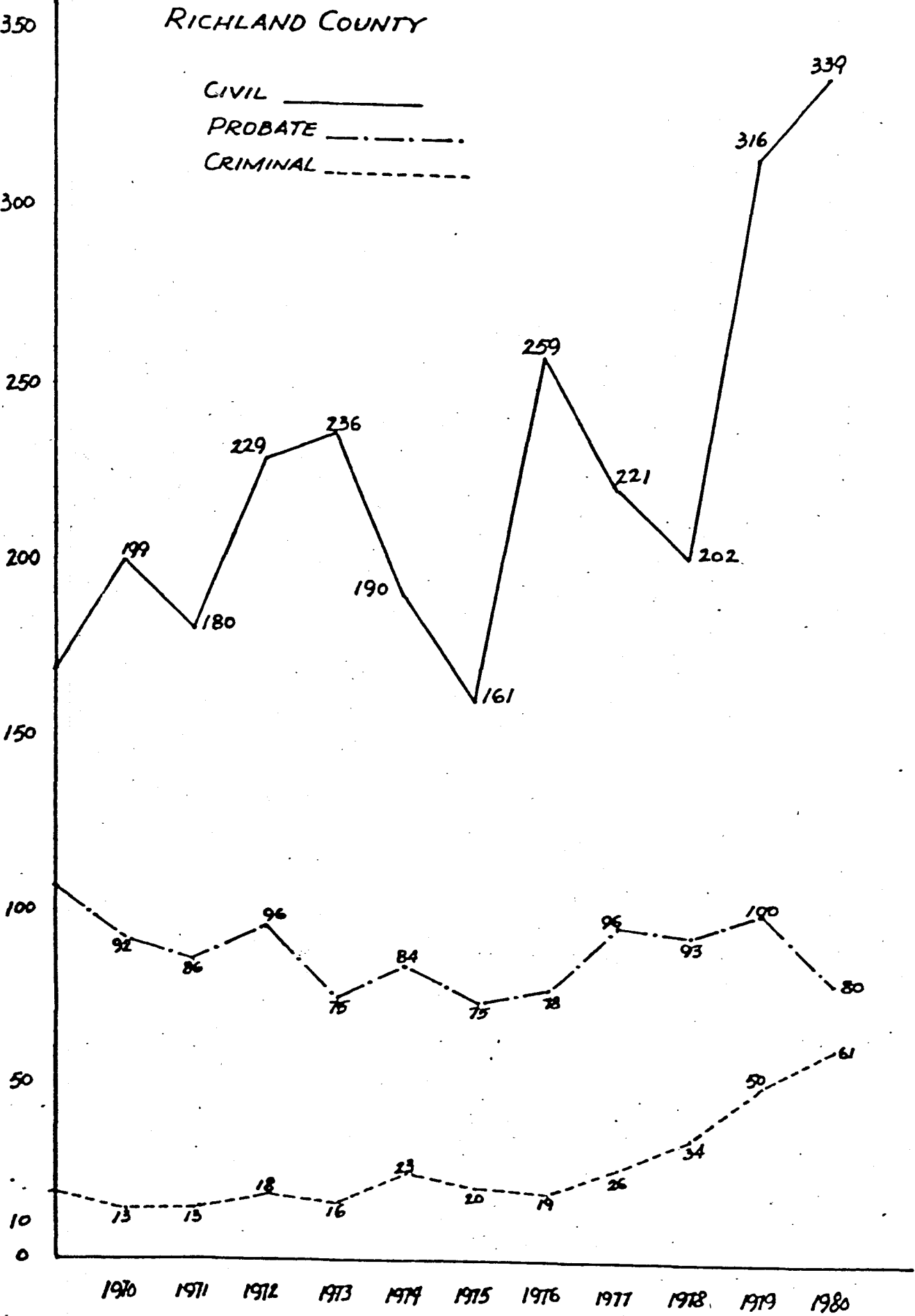
CASE TYPE	FILINGS			DISPOSITIONS		THRUPTU (4)/(3) X100
	ORIG (1)	RE-DP (2)	TOTAL (3)	CASES (4)	AVG TIME DAYS (5)	
CRIMINAL CASES (DC)	54	9	63	72	61	114
CIVIL CASES	287	10	297	316	431	106
GENERAL CIVIL (DV)	178	0	178	189	473	106
DOMESTIC REL. (DR)	109	10	119	127	369	107
JUV.. PROB.. & MISC.	138	6	144	123	154	85
JUVENILE (DJ)	13	2	15	11	98	73
PROBATE (DP)	64	1	65	49	332	75
INSANITY (DI)	50	3	53	53	22	100
ADOPTION (DA)	11	0	11	10	48	91
TOTAL	479	25	504	511	312	101
	488			520		

PENDING CASELOAD

CASE TYPE	TOTAL PENDING CASES	0-90 PCT		91-180 PCT		OVER 180 PCT	
		DAYS OF OLD	TOTAL	DAYS OF OLD	TOTAL	DAYS OF OLD	TOTAL
CRIMINAL CASES (DC)	2	0	0	0	0	2	100
CIVIL CASES	158	51	32	25	16	82	52
GENERAL CIVIL (DV)	109	29	27	15	14	65	60
DOMESTIC REL. (DR)	49	22	45	10	20	17	35
JUV.. PROB.. & MISC.	80	14	18	16	20	50	63
JUVENILE (DJ)	6	0	0	3	50	3	50
PROBATE (DP)	72	13	18	13	18	46	64
INSANITY (DI)	0	0	0	0	0	0	0
ADOPTION (DA)	2	1	50	0	0	1	50
TOTAL	240	65	27	41	17	134	56

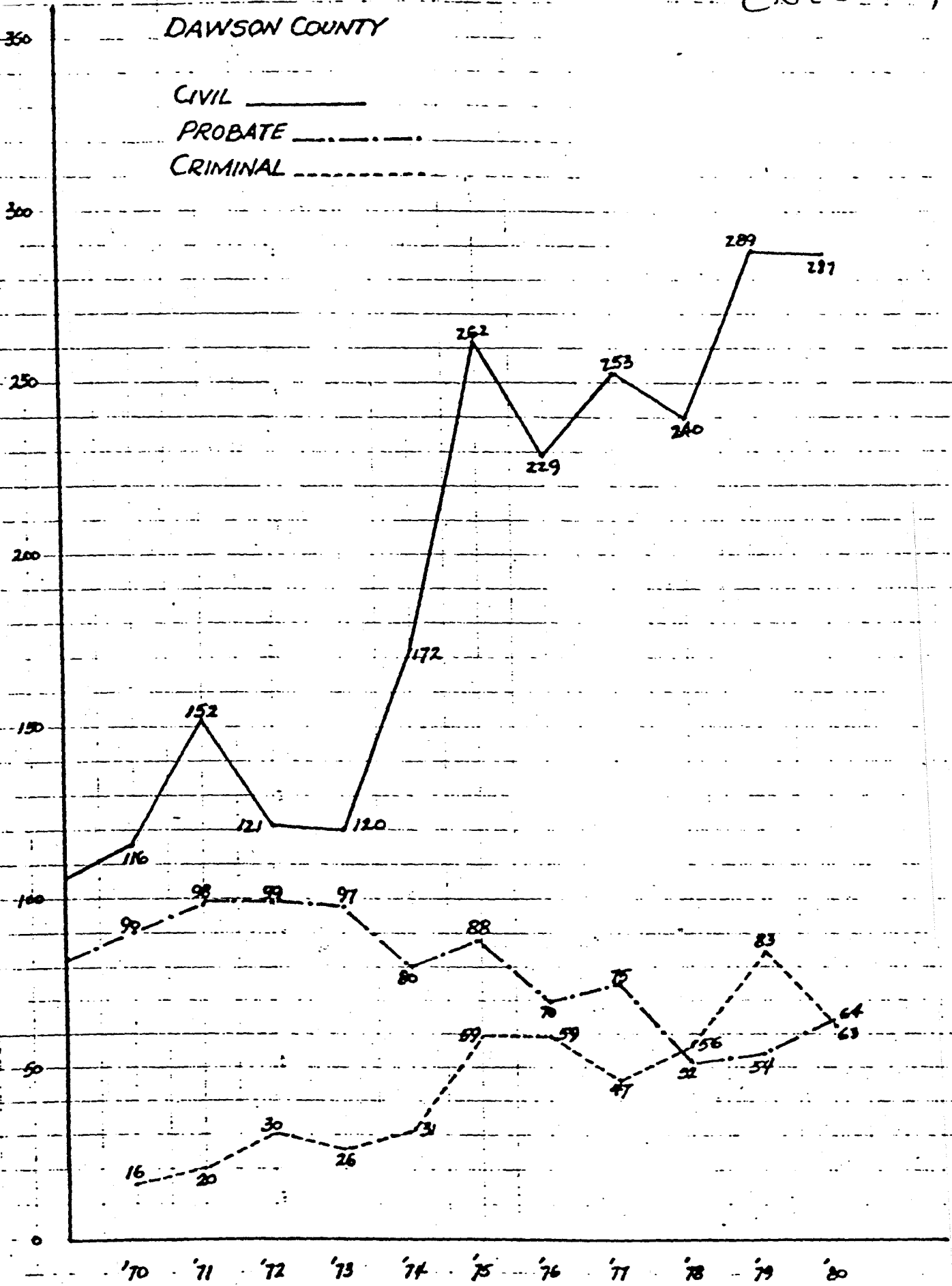
RICHLAND COUNTY

CIVIL _____
PROBATE -.-.-.-
CRIMINAL - - - - -



DAWSON COUNTY

CIVIL _____
PROBATE
CRIMINAL - - - - -



COUNTY COMMISSIONERS
BING POFF, Chairman
HAROLD FINK, Vice Chairman
ROBERT L. MULLEN, Member

EXHIBIT 6
HELEN GIERKE, Clerk

COUNTY OF RICHLAND
OFFICE OF
COUNTY COMMISSIONERS
SIDNEY, MONTANA

February 9, 1981

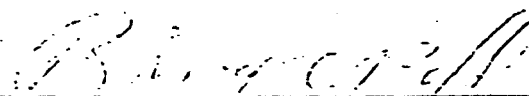
Representative John Shontz
Capitol Station
Helena, Montana 59601

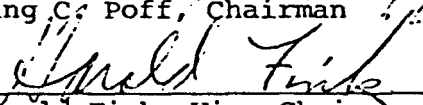
Dear Representative Shontz,

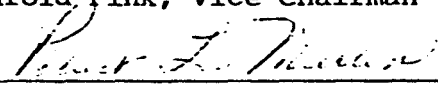
The Board of Commissioners of Richland County are very aware of the excessive caseload and related problems of Judge L. C. Gulbrandson. Therefore, the Board of Commissioners give their whole hearted support to House Bill #658.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS



Bing C. Poff, Chairman


Harold Fink, Vice-Chairman


Robert L. Mullen, Member

BCP:hg

John Shontz
Page 2
February 10, 1981

appreciated. Please let us know how we can help to further this important piece of legislation.

Sincerely,

Dear Col
Cynthia M. Parnick
Richard A. Simonsen
Mawin J. Howe
Bill Sweeney

New York
John J. ...
John J. ...

cc: Senator Larry Tveit
Senator S. A. Olson
Representative L. Dean Switzer
Representative Marge Hart

EXHIBIT 3

LAW OFFICES

McDONOUGH, COX & SIMONTON, P.C.

HAGENSTON BUILDING

GLENDIVE, MONTANA 59330

RUSSELL C. McDONOUGH
DALE COX
RICHARD A. SIMONTON
RANDALL O. SKORHEIM

TELEPHONE
406-365-5206
P. O. BOX 1250

February 10, 1981

Mr. John Shontz
State Representative
Capitol Station
Helena, Montana, 59601

Re: Additional Judge in Seventh Judicial District

Dear Representative Shontz:

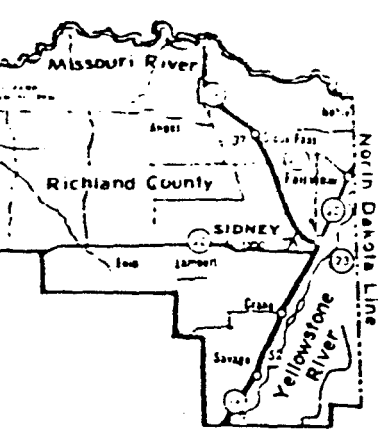
The undersigned members of the Dawson County Bar Association fully support the legislation which you have introduced to provide for a second District Court Judge in the Seventh Judicial District.

As practitioners in this district, we have become aware of the tremendous strain that has been placed upon the judicial system in this district and particularly upon Judge Gulbrandson who serves as District Court Judge for Dawson, Wibaux, McCone and Richland Counties. All indicators point to an even increasing strain upon this system principally due to the impact from energy development here.

Although Judge Gulbrandson is one of the most able, competent and hardest-working judges in the State, he has been deluged in recent years with an ever increasing case load that is becoming unmanagable even for one of his ability and temperament. As you know, Judge Gulbrandson is required to actually sit as Judge in each of the counties so that they can be properly served. This necessarily requires a great deal of time-consuming travel.

If a continuous high quality judicial system is to be maintained for the people of our district, it is imperative that an additional District Court Judge be secured for our district now.

Your vigorous efforts and support of this legislation is



OFFICE OF
THE SHERIFF
SIDNEY, MONTANA

FEB. 10, 1981

HAROLD N. GRINOLDS, Sheriff
ARON SCHMIERER, Undersheriff
LEOTA JOHNSON, Deputy Matron
JOHN BRAATEN, Deputy
GARY RAY, Deputy
RICHARD L. BEHNKEN, Deputy
MARVIN R. JOHNSON, Deputy
BRAD BAISCH, Deputy
KEVIN FORRESTER, Deputy

Honorable John Shontz
Representative District 53
429 South Montana St.
Helena, Montana 59601

Dear Sir,

Have been asked to advise you that the Richland County Sheriff's Department supports HB658.

At the present time our District Judge travels here once a week from Glendive. If he gets called to preside in another district and misses his day in Sidney, his work load builds up and when this happens we have to hold the defendants over, this costs the county a good deal in board and room, laundry bills and attorneys fees for the ones that have a court appointed attorney.

Our District Judge has about all he can handle right now and if this oil boom continues to grow as it has in the past couple of years, no way will he be able to handle all of the cases that are sent to district court. If this bill passes and we get a second district judge and if they see fit to station him in this county, it would really expedite our court cases. Have been following the work of the legislation that is published in the Billings Gazette and we think you are doing a good job. Keep it up.

Sincerely,

H. N. Grinolds

Richland County Sheriff
Sidney, Mont.

LAW OFFICES
OF
HABEDANK, CUMMING & BEST

February 4, 1981

Mr. John Shontz
State Representative
Capitol Station
Helena, Montana 59601

Re: Additional Judge in Seventh
Judicial District

Dear Representative Shontz:

The undersigned members of the Richland County Bar Association hereby extend their full support to the legislation which you have introduced providing for a second District Court Judge in the Seventh Judicial District.

As practicing members of the Bar in Sidney, we are acutely aware of the tremendous strains that have been placed upon the judicial system in this area because of rapid population growth. Judge L. C. Gulbrandson, who currently serves Dawson, Wibaux, McCone and Richland Counties, is by far one of the most able and hardest working judges in the State of Montana. In spite of this, Judge Gulbrandson's case load has become so heavy that criminal and civil trials are almost impossible to set less than six to eight months in advance. In addition, routine ex-parte matters are time-consuming and difficult to schedule because Judge Gulbrandson's schedule only allows him to be in Sidney one day per week.

We feel that it is imperative that the legislature authorize an additional judge in this judicial district during the present session, since the additional judge will not be elected and take office until January 1, 1983. By that time, the strain on the judicial system in this district will be even more critical than it is at this time. Further, if energy development plans continue as proposed in the Wibaux and Circle areas, it is conceivable that we may very well face a serious breakdown in the judicial system serving the citizens in this part of the state.

Your continued vigorous support of this legisla-
tion is appreciated and encouraged. If there is anything
further that we may do in order to impress upon the
legislature the importance of this legislation, please
advise.

Sincerely,

Thomas R. Hill
Wilton B. Anderson

Gary J. Hoagster
James W. Bond
Don Phillips

Peter D. Maltus
Orin T. Habedank

Paul & Carter
Mark H. Hill

H. R. O'Brien

Wayne K. Cumming

- cc: Senator Larry Tveit
- Senator Joseph P. Mazurek
- Representative L. Dean Switzer
- Senator Steve Brown
- Representative Hubert J. Abrams
- Representative Marjorie Hart
- Senator S. A. Olson

ROBERT T. HOOVER

COUNTY ATTORNEY

McCone County

Circle, Montana 59215

Telephone 406-485-2250

February 9, 1981

Representative John Shontz
Capitol Station
Helena, Montana 59601

Dear Mr. Shontz:

I urge favorable consideration and passage of H. B. 658.

Yours truly,

Robert T. Hoover

RTH/hs

VISITORS' REGISTER

HOUSE Comm.

COMMITTEE

BILL 674 + 45

Date 3-23-81

SPONSOR _____

NAME	RESIDENCE	REPRESENTING	SUP- PORT	OP- POSE
J. Dolan	Great Falls	City of	X	
M. Karlovich	Great Falls	City of	X	
John	X	
Ed Johnson	Granada	City of	X	
Pete Peterson	Anaconda	City of	X	
Ham Erickson	Missoula	Mt. St. Firemen's Assoc.	X	
Ray Blehm	Billings	Mt. St. Firemen's Assn.	X	
Dennis Taylor	Helena	City of Helena	X	
C. P. Haas	Helena	Retired Teacher	X	
Dwight Fraser	Swinging Gate	Mt. St. Firemen's Assn.	X	
Robert McPherson	Great Falls	- - - -	X	
Merle Morrison	Granada	" " "	X	
Frank	X	
Harvey Crawford	Helena	Mt. St. Firemen's Assoc.	X	
Jim Ryan	BUTTE	Mt. St. Firemen's Assoc.	X	
JOHN PAULL	BUTTE	Mt. St. Firemen's Assn.	X	
Tim McCarthy	Butte	Mt. St. Firemen's Assn.	X	
Doc Brand	Deer Lodge	self	X	
Ed Harroett	Helena	self	X	
Gene Long	Helena	Sch. Dir. of MT	X	

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

HOUSE ADP 4p. COMMITTEE _____
 BILL 45 Date 3-23-81
 SPONSOR Vincent

NAME	RESIDENCE	REPRESENTING	SUP-PORT	OP-POS
DAVID SEXTON	HELENA	MEA	X	
Bob Hunt	✓	Self		X
Jim Jensen	Helena	LISCA	X	
Henry Jorgensen	Helena	PTA	X	
STEVE BENNYHOSE	HELENA	Com. OF HIGHER ED.	X	
Owen Nelson	"	MEA	X	
674 Al Sampson	Missoula	Mont St-Fire Chiefs City of Missoula	X	
B. 45 W. A. Ennd	Helena	Patrol	X	
J.G. Sahinen	Helena	Self	X	
D.J. Kristin	Helena	O.P.F	X	

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

WITNESS STATEMENT

NAME DENNIS M. TAYLOR BILL No. HB674
ADDRESS 316 N. PARK HELENA DATE 3-23-81
WHOM DO YOU REPRESENT CITY OF HELENA
SUPPORT X OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

WITNESS STATEMENT

NAME Ray Blehm BILL No. H.B. 674
ADDRESS 623 Ave B DATE 3-23-1981
WHOM DO YOU REPRESENT Mt St Firemens Assn
SUPPORT X OPPOSE _____ AMEND X

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

on separate letter

WITNESS STATEMENT

NAME Veera Eirikson BILL No. 674
ADDRESS 7102 Siesta DATE 3/23/81
WHOM DO YOU REPRESENT Mont. State Firemen's Assoc.
SUPPORT X OPPOSE _____ AMEND X

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Amendments on separate letter.

WITNESS STATEMENT

NAME AL JAMPSON BILL No. 674
ADDRESS MISSOURI DATE 3-23-81
WHOM DO YOU REPRESENT City of missouri
SUPPORT Missouri Fire Chiefs Assoc.
OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Although we feel the increased cost to the cities are not entirely justified it does finally put the firefighter pension system ⁱⁿ a stronger financial position. We support the bill and the amendments.

MONTANA STATE FIREMENS ASSN.
RAY E. BLEHM, JR.

3-23
Exhibit

IN SUPPORT OF AN AMENDMENT TO HB 674 TO INCLUDE THE PENSION ADJUSTMENT CLAUSE FOR DISABILITY AND SURVIVORSHIP PENSIONS FOR FIREFIGHTERS HIRED AFTER JULY 1, 1981 THE FOLLOWING POINTS ARE SET FORWARD.

1. THE PRIMARY REASON FOR THE INCLUSION OF THIS AMENDMENT INVOLVES AN AGREEMENT REACHED BETWEEN THE REPRESENTATIVES OF THE CITIES AND THE FIREMEN DURING THE TIME WHEN THIS BILL WAS BEFORE THE HOUSE STATE ADMINISTRATION COMMITTEE. THE FIREMEN AGREED TO BENEFIT CHANGES WHICH REDUCED THE NORMAL COST ALLOCATION FOR NEW FIRERIGHTERS BENEFITS BY 30% WHEN COMPARED TO THE BENEFITS PROVIDED FOR CURRENT EMPLOYEES, THE REPRESENTATIVES OF THE CITIES AGREED TO INCLUSION OF THE PENSION ADJUSTMENT CLAUSE. INASMUCH AS THE COST OF THIS PROVISION WOULD BE BORN BY THE CITIES PORTION OF THE FUNDING PROVIDED BY THIS BILL THE FIREMEN WERE UNDER THE IMPRESSION THIS AGREEMENT WOULD BE VALID AND HOLD. WHAT HAPPENED TO THIS PROVISION IN THE STATE ADMINISTRATION COMMITTEE & THE HOUSE FLOOR IS HISTORY. THE FIREMEN'S ASSOCIATION IS NOW WILLING TO SUPPORT THIS LEGISLATION IF THIS PARTIAL COVERAGE CAN BE PUT IN PLACE TO PROTECT THOSE WHO SUFFER A DISABILITY OR TO THE SURVIVORS OF DECEASED FIREFIGHTERS. THIS PARTIAL PROVISION SHOULD BE LESS THAN 1/3 THE COST OF PROVIDING COVERAGE TO ALLOW NEW FIREFIGHTERS OR LESS THAN 2% OF SALARY.

2. FIREFIGHTERS RECEIVE NO SOCIAL SECURITY COVERAGE IN THE STATE OF MONTANA AND THEREFORE WOULD NOT HAVE THE ADVANTAGE OF PENSIONERS WHO HAVE SOCIAL SECURITY COVERAGE.

3. FAILURE TO INCLUDE THIS PROVISION WOULD LOWER THE NORMAL COST ALLOCATION FOR NEW FIREFIGHTERS BELOW ANY OF THE OTHER HAZARDOUS

DUTY OCCUPATIONS WHEN IT IS CLEAR FROM AVAILABLE STATISTICS THAT FIRE-FIGHTING IS THE MOST HAZARDOUS OCCUPATION IN THE UNITED STATES.

4. THE PENSION ADJUSTMENT CLAUSE IS AN INDEX WHICH HAS THE ADVANTAGE OF PREFUNDING AS OPPOSED TO THE UNRELIABLE AND MORE COSTLY APPROACH OF AD HOC RAISES.

IN SUPPORT OF THE AMENDMENT PROPOSED BY P.E.R.D. TO CLARIFY THE HANDLING OF THE 7% MEMBER CONTRIBUTION.

THE FIREMEN SUPPORT CHANGES PROPOSED BY P.E.R.D. MAINLY BECAUSE THEY UNDERSTAND THE PROBLEM CAUSED TO THE ACCOUNTING SYSTEM IF THIS LEGISLATION WERE TO BE IMPLEMENTED AS IS. BY HAVING 1% OF SALARY GO DIRECTLY TO THE STATE ASSOCIATION THIS AMENDMENT WILL CAUSE SOME CHANGE TO THE EMPLOYEE WHO SEPARATES FROM SERVICE PRIOR TO ATTAINING ANY RETIREMENT BENEFIT. HE WILL RECEIVE A RETURN OF CONTRIBUTION AMOUNTING TO ONLY 6% OF SALARY. ALSO ACTIVE EMPLOYEES WILL BE ABLE TO DEDUCT THE 1% OF SALARY FROM CURRENT TAX LIABILITY RATHER THAN WAIT UNTIL RETIREMENT TO COUNT CONTRIBUTIONS AGAINST RETIREMENT INCOME.

THIS CHANGE ALSO WILL RESULT IN A TRANSFER FROM THE RETIREMENT FUND TO THE STATE ASSOCIATION OF THE LIABILITY TO PROVIDE THE INSURANCE COVERAGE RECEIVED BY CURRENT EMPLOYEES.

REP. L. H. NILSON
DISTRICT 37

3-22
Exhibit

Montana State Firemens Association - Ray E. Blehm

In support of an amendment to HB 674 to allow a firefighter to leave his contributions on deposit with the system in the event of a reduction in force.

This bill as currently written would require a member who is layed off with less than 10 years of service to withdraw his contributions as provided by section 17, line 4, ~~which~~ provides that an active member shall withdraw the amount of his regular contributions. It is the feeling of the firefighters that this should be changed to "may" withdraw and that language should be added to section 16, providing that an inactive membership of a layed off member be placed in this status as follows:

(c) the date he ceases to be employed because of a reduction of the number of firefighters in the fire department as prescribed in 7-33-4125, MCA"

House Appropriations Committee

Testimony - House Bill 45

March 23, 1981

The Teachers' Retirement Board is in support of House Bill 45. Most retired members of the Teachers' Retirement System have not had an adjustment in retirement benefits since July 1, 1976. Inflation during that same period has risen almost 50% which has resulted in a serious erosion of purchasing power for those individuals living on a fixed income. We respectfully request your consideration for passage of House Bill 45.



F. ROBERT JOHNSON
Administrator
Teachers' Retirement System

WITNESS STATEMENT

NAME F Robert Johnson BILL No. HB 45
ADDRESS 1500 6th Avenue DATE March 23, 1981
WHOM DO YOU REPRESENT Teachers' Retirement Board
SUPPORT OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

WITNESS STATEMENT

NAME G. V. Erickson BILL No. 45
ADDRESS Buzzards, Mt. DATE 3/23/81
WHOM DO YOU REPRESENT Mont. Retired Teacher's Ass'n
SUPPORT OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: *See attached sheet
to be distributed to
Committee members -*

*Support bill 45
& amendment as proposed
by Representative Vesiment*

by

G. V. Erickson - Joint State Legislative Committee of AARP and MRTA

The Joint State Legislative Committee is not only interested in securing cost-of-living adjustments (hereafter referred to as C.O.L.A.) to retirement benefits of public employees, teachers, highway patrol, municipal police, sheriffs, and game wardens who are now retired, but also for those who will retire in the future.

The 1979 Legislature was directed in HJR 40 to establish a committee to study the public retirement systems in view of establishing cost-of-living adjustments for the various systems. HJR 40 Committee Chairman, John Vincent, members of the Committee, the research people of the Legislative Council and Alton Hendrickson, Actuarial Consultant of the various retirement systems are to be commended for the fine work they have done in the proposed formula for providing C.O.L.A. The Joint State Legislative Committee has worked closely with HJR 40 Committee and support the formula and method of financing the adjustment as proposed.

We believe the adjustment, while a modest one, is fair and equitable and, in part, protects retired persons, now and in the future from the erosive affects of inflation.

Over 95 percent of all state and federal employees have some C.O.L.A. Most of them have some limits or caps as to the amount of increase. However, this is not true in regards to civil service and federal employees whose C.O.L.A. is given twice each year and tied directly to the increase in the Consumer Price Index.

The formula as found on page three of the bill, lines 4-10, expressed in mathematical terms follows:

$$1/2 \text{ Average Salary} \times \frac{\text{Cr Yrs}}{30} \times (\text{C.P.I.} - \text{three percent}) \times 2/3 = \text{C.O.L.A.}$$

Substituting figures into formula:

$$1/2 (\$16,000) \times \frac{30}{30} \times (12-3) \times 2/3 = \text{C.O.L.A.}$$

$$8,000 \times \frac{1}{1} \times 6 = \$480 \text{ per year for all retired teachers who taught at least 30 years.}$$

Advantages of formula as proposed: 1) Non-accumulative. When a straight percentage method is used those who now have the largest benefits receive the largest C.O.L.A. 2) All retirees regardless of when they retired are given the same cost-of-living increase. It is the belief that cost-of-living increases are the same or similar for all regardless of present benefit. 3) Future increases are automatically adjusted by using the average salary and percentage changes in C.P.I. 4) Years of service will give greater increases to those who have given the most years of service. 4) Increases in C.O.L.A. will not be based on benefits now being received.

Restrictive safeguards in the formula: 1) The Consumer Price Index is based on the average increase over the previous three-year period. 2) The average salary of active persons is always of the previous year. 3) There would be no C.O.L.A. unless the C.P.I. exceeds three percent. 4) No increase would be based on more than a 12 percent increase (six percent highest benefit) in C.P.I. regardless of how much the C.P.I. exceeded this. 5) No C.O.L.A. would be made during the first three years a person was retired. 6) If the funding request is not granted by the Legislature, the C.O.L.A. and minimum monthly benefits allowances will be reduced to reflect the available funding.

WITNESS STATEMENT

NAME Thomas E. Schneider BILL No. HB 45
ADDRESS Box 5600 DATE 3/23/81
WHOM DO YOU REPRESENT MPPR
SUPPORT X OPPOSE _____ AMEND X

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: *Would like to see bill amended
to give a little more money to
the retirees.*

WITNESS STATEMENT

NAME Moira Tegen House BILL No. 355
ADDRESS Refena DATE 3/23/81
WHOM DO YOU REPRESENT Mont. Stockgrowers, Cowbellers, Cattlemen, Nat Farmers Org
SUPPORT OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

This bill is designed to clean up the last vestiges of Brucellosis in the state. These few herds are keeping Montana from attaining Class A or O injected status. While Brucellosis is a problem for the stockman it is a far more serious problem for man. While vaccination can control it in animals, it still poses a threat to humans.

We can now see the light at the end of the tunnel and this modest appropriation (under \$500,000) will bring us out into a Brucellosis free condition.

This should not be construed as rewarding poor management, but rather lifting a huge burden from the entire livestock industry.

HB 355 has been supported by the RAD livestock subcommittee and a number of local livestock owners.

WITNESS STATEMENT

NAME Peter Jackson BILL No. AS 010
ADDRESS 2301 Colonial Drive DATE 3-23-01
WHOM DO YOU REPRESENT Wita
SUPPORT OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

TESTIMONY OF JAMES W. FLYNN, DIRECTOR
DEPARTMENT OF FISH, WILDLIFE & PARKS

March 24, 1981

In House Appropriations Committee
on HB 616

Mr. Chairman, members of the committee, my name is Jim Flynn. I appear today on behalf of the Department of Fish, Wildlife & Parks in support of HB 616.

In Montana, as in most other western states, the wise use and allocation of our surface and ground waters is one of the most important decisions facing us today. Decisions made concerning water use now will not only affect our generation, but future generations of Montanans as well.

A substantial, sound data base concerning all aspects of our water resources is necessary to make wise and meaningful decisions as well as to solve many of the existing water problems we face today. The Montana University Joint Water Resources Research Center has been instrumental in sponsoring research projects and funding worthwhile studies to develop such a data base. My department has served on the advisory council to the Water Resources Center for many years, and can attest to the quality of work administered by the center and the relevancy of the research results. Every effort is made by the center to identify real problem areas and tailor research projects to address those problems.

The need for water related data has not diminished. If anything, that need will increase in the future as competition increases for the use of Montana's limited water resources. The Water Resources Research Center provides a useful function by providing needed data for the wise use and allocation of our waters. That function must be continued. We urge this committee to support HB 616.

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DEPARTMENT OF FISH, WILDLIFE & PARKS

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VISITORS' REGISTER

HOUSE

House of Appropriations

COMMITTEE

BILL

H3801

Date

March 23, 1998

SPONSOR _____

NAME	RESIDENCE	REPRESENTING	SUP-PORT	OP-POSE
William To-Fryth	Helena	U. of Mont.	801	
Edwin Repler	Bozeman	N.C.A.T.	801	
Richard A Meads Jr	Great Falls	Richard A Meads Jr	801	
Jack Robbins	Bozeman	Biofuels Task Force MSU	8	✓
Nancy Singery	Helena	MT. Dept. of Agric.	801	
Nancy Evans	Helena	Agriculture	811	
Roy Brownson	Helena	Agriculture	801	
Jane Bradford	Helena	Humana	✓	
W.F. Scott	Great Falls	Ag. 116	801	
Jose Weber	Helena	D. of P.	801	
S. J. Turcotte	Helena	PERD	801	
Dennis BlockHetter	Bozeman	DNAC - REAC } ^{Montana} State	801	
Mary C. Howell	Conrad	Horizon Lodge	801	
Jack & Jillie	Clancy	Dept of Rev	801	✓
Joseph Plunkett	Bozeman	MER II	801	
David Oien	Conrad		801	
Joseph Lopez	Helena	Schools of MT	801	

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Testimony, House Appropriations Committee, March 23, 1981

1. Rep. Kathy McBride

2. John Badgley, Ph.D.
Institute of the Rockies
Missoula

3. Charless W. Fowlkes, Ph.D.
Fowlkes Engineering
Bozeman

3a - JOHN RABENBERG - mt gasohol commission

4. Prof. John Robbins
Biofuels Task Force
Montana State University
Bozeman

5. Dan Mizner, Director LIVINGSTON
League of Cities, Helena
Possibly: (a) Senator Story
(b) Rep. Yardley
(c) Rep. Ellison

6. Major Caldwell
Horizon Lodge
Conrad

7. Dr. Jerry Plunkett
Chairman, First Renewable Energy Advisory Council, 1976
Director, Montana Energy Research and Development Institute
Butte

8. Earlene Ostberg
Rural Route 1
Power

? 9. Mike Lang
Ethanol of Montana
Miles City

10. Don Brelsford
Brelsford Engineering
Bozeman

→ David Olson
Conrad

? 11. James Hodge
Northern Tier Pipeline
Chairman, Renewable Energy Advisory Council
Member of the first Council - 1976

12. Bruce Kania, President
A. E. Montana, Inc.
Bozeman/Amsterdam
13. Thor Jackola
Energy Engineering, Inc.
Kalispell
14. Harold Morgenstern
President, East Shore Engineering
and Construction
Vista Lago Landowners Association
Big Fork
15. Richard Meade, Contractor
Great Falls.
16. Prof. Dennis Blackketter
Mechanical Engineering Department
MSU - Member of Renewable Energy
Advisory Council; Member of
State Board of Professional Engineers
17. Peter Antonioli
Director, Conservation/Alternative Energy
Montana Power Company
Butte
18. Jess Long *Medicine Lake*
Executive Secretary
School Administrators of Montana
Helena
19. Patsy Reimche
Nashua
Representing Women Involved in
Farm Economics (WIFE)
20. *Mark Price, Research Assistant*
Representing Forestry School, UM
Missoula
- 21. Wilbur Scott
AG/NRG Executive Committee
Great Falls
22. Frank Gruber
Contractor
Helena
23. ~~John McBride~~ *Ed Kepler* Deputy Director
National Center for Appropriate Technology
Butte
24. Lynn Lundborg, Owner
Lynn's Stove Shop
Representing the energy business sector
Helena

25. Terry Savage
Real Estate Broker
Superior

→ 26. Linda Nielson
Nashua
Representing Agri Processors
Valley Industrial Park
Old Glasgow Air Force Base

27. Professor John Means
University of Montana
Missoula

28. Margaret Neu
Lewis and Clark Library
Helena

29. Dan Miles, Chairman
Agrifuels Corporation
Polson

30. Senator Harold Dover
Lewistown

(NOY) or John Nichols, Director

WITNESS STATEMENT

NAME HOWARD H. ELLIS BILL No. HB 801
ADDRESS 1227-11th AVE DATE 3-23-81
WHOM DO YOU REPRESENT P.S.C.
SUPPORT _____ OPPOSE _____ AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

3-23-81

FY 1981

GRANTS AWARDED IN FALL 1980 •
FROM THE
RENEWABLE ENERGY GRANTS PROGRAM

Definite Grants	\$ 480,040.00
Tentative Grants	1,818,948.00
Earmarked for Requests for Proposals (RFP's)	381,000.00
	<hr/>
TOTAL	\$2,679,988.00

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION

January, 1981

GRANT PERIOD SEVEN
FY 1981

<u>Energy Category</u>	<u>Number of Applications Received</u>	<u>Funds Requested</u>	<u>Number of Grants Awarded</u>	<u>Amount of Funding</u>
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TOTALS	175	\$5,742,779	79	\$2,298,989

*This includes these major projects:

Highway Maintenance Building, Helena	\$ 80,000
Job Service Center, Bozeman	76,000
Medicine Lake High School	75,000
TOTAL	<u>\$231,000</u>

2/2/81

DETAIL OF SPRING 1981 REQUESTS FOR PROPOSALS (RFP's)

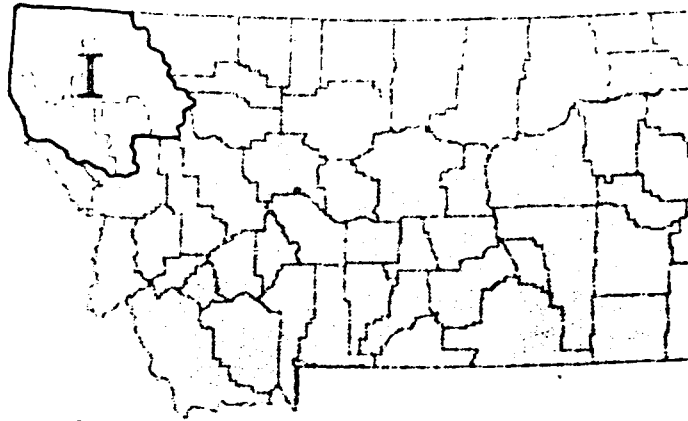
Designs for model earth-sheltered homes in Montana	\$ 10,000.00
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CUMULATIVE MEASURABLE BENEFITS
THROUGH FY 1981

Renewable Energy Bureau staff has estimated energy savings resulting directly from demonstration projects from the first grants in 1976 through the definite grants awarded in FY 1981. This direct cumulative savings is estimated at 803 billion BTU's (British Thermal Units). This is equivalent to about 138,000 barrels of crude oil or about \$4.5 million at current prices. Significant additional BTU savings would result through the tentative grants, and indirect savings are also happening from demonstration grants and from Program-sponsored research, development and commercialization.

In addition to this significant return on investment, the approximately \$5 million in state grant money (including FY81 definite and tentative funding amounts) is bringing in more than \$62 million in federal or private matching funds and is creating more than 240 permanent, full-time jobs, as well as additional part-time employment.

AREA I



Lincoln
Flathead

Sanders
Lake

AREA I
DEFINITE

<p>Troy Schools % Wayne Fletcher Drawer 0 Troy, MT 59935</p>	<p>Renewable energy education program</p>	<p>\$ 1,333.00</p>
<p>Marc Carstens Route 1, Box 99 Polson, MT 59860</p>	<p>Alcohol and oil ex- traction from seed crops</p>	<p>\$ 5,000.00</p>
<p>Richard Wrench 115 Garland Street Kalispell, MT 59701</p>	<p>Prototype fireplace insert</p>	<p>\$ 7,500.00</p>
<p>Richard Wrench 115 Garland Street Kalispell, MT 59701</p>	<p>Two "do-it-yourself" pamphlets on renewable energy</p>	<p>\$ 2,000.00</p>
<p>William C. Black Box 138 Troy, MT 59935</p>	<p>Wind-powered electric system</p>	<p>\$ 4,500.00</p>

AREA I
TENTATIVE

<p>Salish Kootenai Community College % Gerlad Slater Box 117 Pablo, MT 59855</p>	<p>Solar heating, cooling and lighting of multi- use facility</p>	<p>\$ 20,000.00</p>
<p>Matt Keane Route 3, Box 19-C Thompson Falls, MT 59873</p>	<p>Solar heated/earth- sheltered housing design</p>	<p>\$ 14,000.00</p>
<p>James R. Brown Quinn's Hot Springs Box 187 Paradise, MT 59857</p>	<p>Geothermal heating system</p>	<p>\$ 5,000.00</p>
<p>Dan Miles AGRI-Fuels Corporation Box 3371 Polson, MT 59860</p>	<p>Farm-scale alcohol still</p>	<p>\$ 50,000.00</p>

Energy Engineering
Box 1997
Kalispell, MT 59901

Major alcohol plant using
geothermal heat

\$100,000.00

Vista Lago Land-
owners Assoc.
Jane Pitkin, President
East Lake Shore
Bigfork, MT 59911

Small hydroelectric system
for subdivision

\$ 60,000.00

AREA I
TENTATIVE

Orlena Barnard
1395 Swan Highway
Bigfork, MT 59911

Residential hydroelectric
system

See note below

Merle Jore
Route 2, Box 58A
Ronan, MT 59864

Residential hydroelectric
system

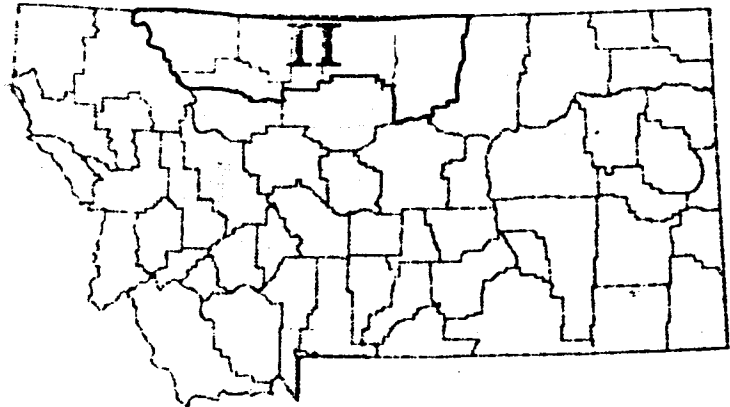
See note below

NOTE: These and two hydroelectric projects in Area IX were approved contingent on hiring an engineering consultant, through a request for proposals process, to provide technical assistance to the grantees. The Department approved definite funding of \$16,000.00 for consultant service to all four projects. Also approved was definite funding of \$16,000.00 for a system at the most feasible site and tentative funding of \$50,000.00 for systems at the remaining sites.

AREA II

Glacier
Pondera
Toole

Liberty
Hill
Blaine



AREA II
DEFINITE

Patrick E. Wyse
406 South Virginia Street
Conrad, MT 59425

Passive solar heating of
large commercial building

\$ 15,213.00

AREA II
TENTATIVE

Orville & David Oien
RR 3, Box 89
Conrad, MT 59425

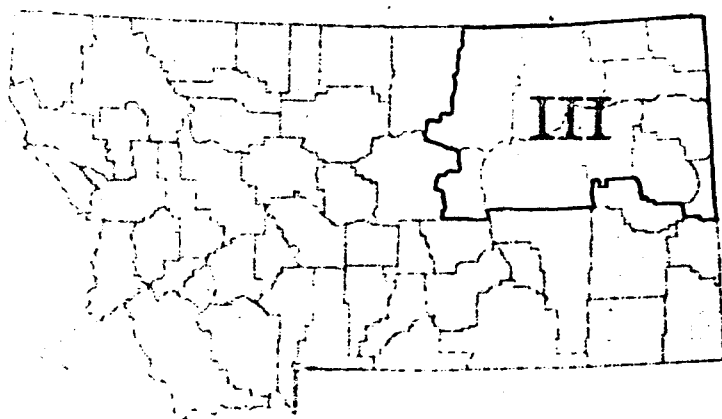
Farm-scale methane digester

\$ 94,045.00

AREA III

Phillips
Valley
Daniels
Sheridan
Roosevelt
Petroleum

Garfield
McCone
Richland
Dawson
Wibaux



AREA III DEFINITE

Dwain Prellwitz Box 1408 Malta, MT 59538	Portable, homemade solar furnace	\$ 900.00
Ron Audet Box 423 Scobey, MT 59263	Wood and solar heating system	\$ 2,500.00
Harlow Strandlund Homestead, MT 59242	Biomass furnace	\$ 4,530.00
Randy Holton Archer Star Rt, Box 11 Plentywood, MT 59254	Solar shop heating	\$ 1,000.00
Medicine Lake High School Karl Fiske, Supt. Medicine Lake, MT 59247	Solar panels for space heating of school complex	\$ 12,000.00 D \$ 63,000.00 T
Ben D. Bollwitt 216 5th St. H.P. Glendive, MT 59330	Low-cost solar heating system	\$ 2,550.00

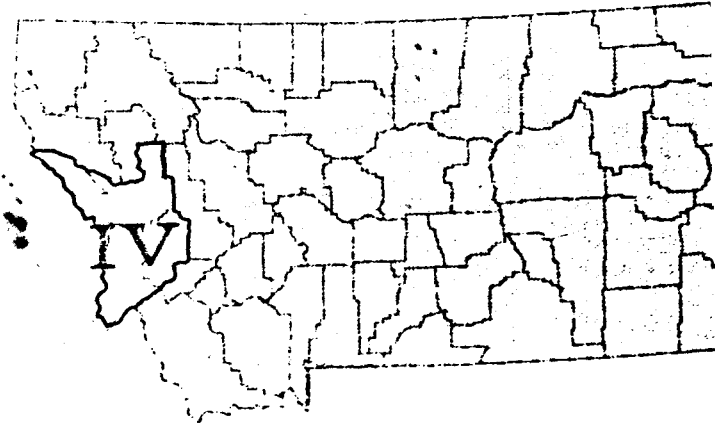
AREA III TENTATIVE

AGRI-Processors % Jim Smrcka Glasgow, MT 59230	Commercial alcohol plant	\$150,000.00
David Erickson 735 Knapp St. Wolf Point, MT 59201	Wind-powered electric system	\$ 9,245.00
Bruce Bannister	Wind energy study of eastern Montana (See Area IX)	

AREA IV

Mineral
Missoula

Ravalli
Granite



AREA IV DEFINITE

Carol & Mike Gauthier
1364 East Dickinson
Missoula, MT 59801

Installation and monitoring
of low-pollution, wood-fired
boiler \$ 9,374.00

Tom Montgomery
Wextern Timber
Utilization Group
2801 Russell
Missoula, MT 59801

Feasibility study of using
forest thinnings as fuel \$ 15,500.00

Steve Loken
1342 Van Buren
Missoula, MT 59801

Guide to passive solar
housing in Montana \$ 7,515.00

AREA IV TENTATIVE

Benjamin Stout
Forestry School
University of Montana
Missoula, MT 59801

Solar lumber kiln \$ 35,528.00

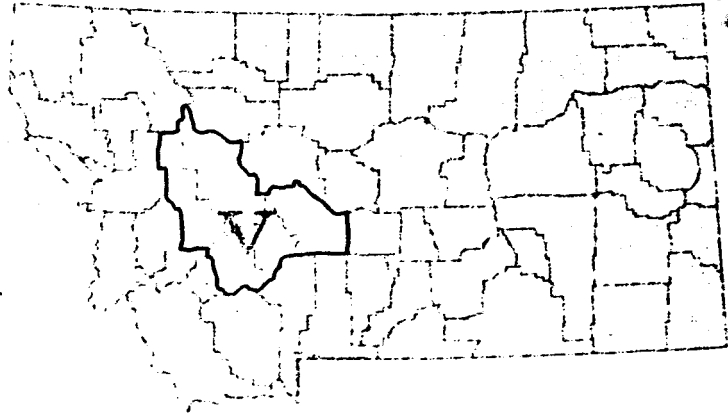
Charles Gividen
Route 1, Box 66-B
Victor, MT 59875

Solar greenhouse for
for home heating \$ 4,461.00

AREA V

Powell
Lewis & Clark

Jefferson
Meagher



AREA V
DEFINITE

Tom Harpole
Earth Energy Institute
Box 304
Avon, MT 59713

Geothermal greenhouse for
commercial use \$ 13,321.00

Lewis and Clark Library
120 S. Last Chance Gulch
Helena, MT 59601

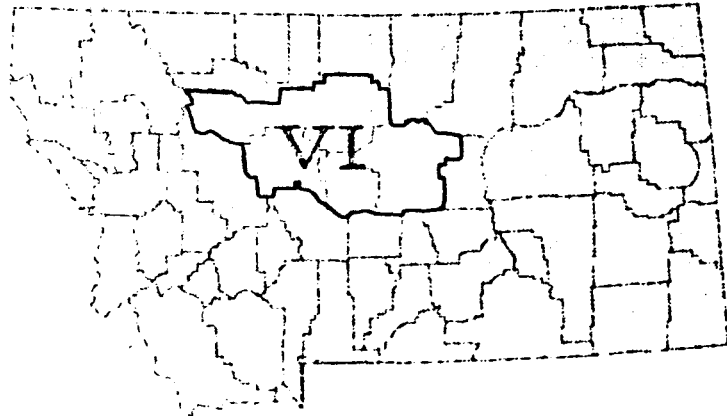
Energy collection
development program \$ 19,994.00

AREA V
TENTATIVE

New Western Energy Show
226 Power Block
Helena, MT 59601

Energy education kit
for schools \$ 21,056.00

AREA VI



Teton
Choteau
Cascade

Judith Basin
Fergus

AREA VI DEFINITE

Rick McIntyre Box 686 Hobson, MT 59452	Wind monitoring study	\$ 403.00
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Russell Hansen 715 West Pine Lewistown, MT 59457	Solar space and water heating retrofit	\$ 4,529.00
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AREA VI TENTATIVE

AG NRG % Joe Renders Box 1243 Helena, MT 59624	Commercial alcohol facility in Great Falls	\$200,000.00
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The Fagenstrom Company Box 2623 Great Falls, MT 59403	Prototype solar and earth- sheltered building	\$ 7,000.00
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Sun Prairie Energy % Mary Holtz Route #1 Fairfield, MT 59436	Feasibility study of commercial alcohol plant	\$ 10,000.00
	-Purchase of boiler, if feasible	\$ 60,000.00

Dave & Vicki Gustafson Box 162 Simms, MT 59477	Farm-scale wind-powered generator	\$ 3,175.00
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Charles Bronec Star Route Geraldine, MT 59446	Farm-scale alcohol plant	\$ 37,000.00
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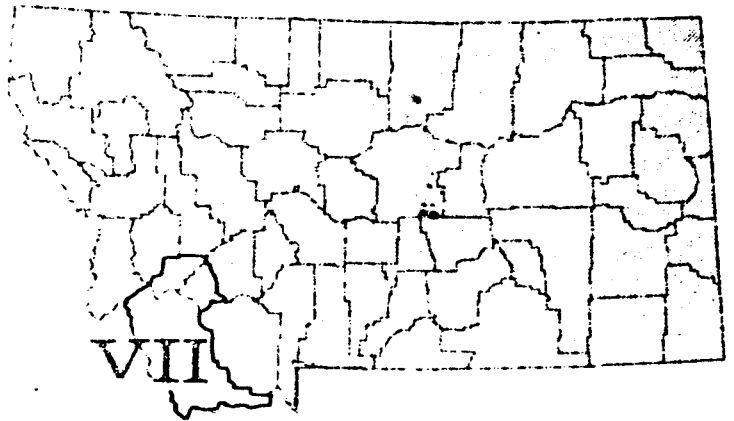
Fergus Electric Cooperative, Inc. % Dick Peck Box 58 Lewistown, MT 59547	Wind monitoring study	\$ 51,410.00
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Clark Carter 101 Mountain View Lewistown, MT 59457	Study of aspen as alcohol feedstock	\$ 32,800.00
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Richard Meade 4600 10th Avenue North Great Falls. MT 59401	Energy self-sufficient village using biomass	\$ 50,000.00
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AREA VII

Deer Lodge
Silverbow
Beaverhead



AREA VII DEFINITE

Western Montana College
% Thomas Briggs
Dillon, MT 59725

Feasibility study of garbage burning generation \$ 6,000.00

AREA VII TENTATIVE

Larry & Peggy Racicot
2040 Roberts
Butte, MT 59701

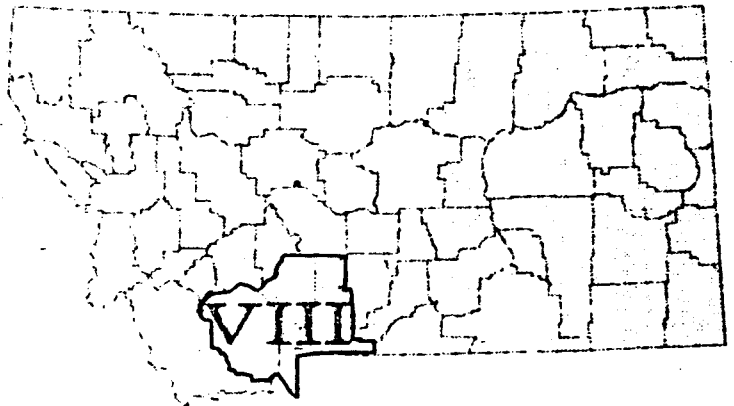
Passive solar/wood stove residential heating system \$ 6,491.00

Montana Energy and MHD
Research and Development
Institute
Box 3809
Butte, MT 59701

Feasibility study of commercial alcohol plant (in Anaconda) \$100,000.00

AREA VIII

Madison
Gallatin
Park



AREA VIII DEFINITE

A. E. Montana, Inc
B. G. Kania, Pres.
717 South 14th Avenue
Bozeman, MT 59715

Commercial alcohol facility \$ 25,000.00 D
in Amsterdam \$ 50,000.00 T

Department of Admin.
A/E Division-Design Bureau
1500 East Sixth Avenue
Helena, MT 59601

Solar heating system of Bozeman Job Service building \$ 76,000.00

D. O. Blacketter and C. R. Wimberly Dept. of Mech. Engrng. MSU Bozeman, MT 59717	Feasibility study of a garbage burning generation system	\$ 73,314.00
Richard Hodder 2479 Bear Canyon Road Bozeman, MT 59715	Compost space heater	\$ 1,200.00
Brelsford Engineering Box 1252 Bozeman, MT 59715	Alcohol distillation process using solar heat	\$ 13,135.00
Lauren McKinsey Dept. of Political Science MSU Bozeman, MT 59715	Summer Energy Institute	\$ 3,136.00
Charless Fowlkes 31 Gardner Park Drive Bozeman, MT 59715	Solar insolation monitoring at 30 high schools	\$ 37,400.00
Community Development Office City of Livingston % Ed Stern Livingston, MT 59047	Wind-powered electric generators for municipal sewer lagoon	\$ 25,000.00 \$ 28,250.00
Marcus McBeen Box 64 Gardiner, MT 59030	Solar domestic hot water system	\$ 4,837.00
Mont. St. University Roy Linn Extension Safety and Energy Specialist 409 Cobleigh Hall Bozeman, MT 59717	Biofuel and other renewable energy forum	\$ 6,025.00

AREA VIII
TENTATIVE

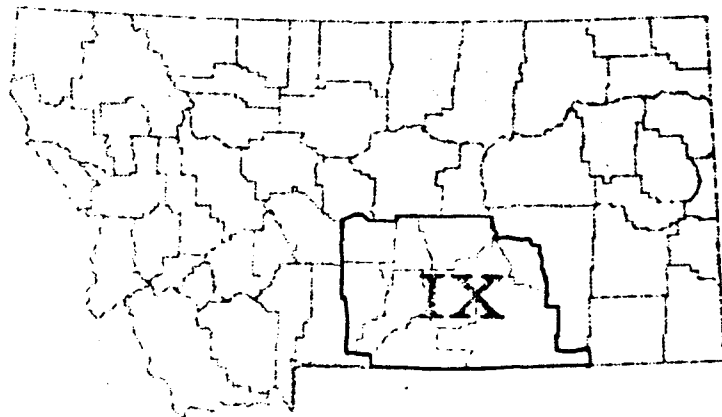
Human Resources Development Council District Nine 234 East Main Bozeman, MT 59715	Solar greenhouse renovation in Three Forks	\$ 11,304.00
Charless Fowlkes	Performance monitoring of solar heating projects	\$ 38,379.00
Brelsford Engineering Box 1252 Bozeman, MT 59715	Biomass pilot plant	\$ 32,800.00
John Robbins Chemistry Department MSU Bozeman, MT 59715	Research in anerobic digestion	\$ 23,000.00

David Ward Dept. of Microbiology MSU Bozeman, MT 59715	Research in methane conversion	\$ 14,052.00
Warren Scarrah Dept. of Chem. Engrg. MSU Bozeman, MT 59715	Testing of barley grain and straw in water absorption from hydrous alcohol	\$ 15,413.00
Bair Electric, Inc. %Richard D. Cook Box 725 Livingston, MT 59047	Wind-powered electric system	\$ 7,200.00
Harold Johnson Springdale, MT 59082	Wind-powered electric system	\$ 4,800.00
Joseph & Diana Gilliam 616 North "L" Livingston, MT 59047	Solar greenhouse for home heating	\$ 5,055.00

AREA IX

Wheatland
Golden Valley
Musselshell
Sweet Grass
Stillwater

Yellowstone
Treasure
Carbon
Big Horn



AREA IX DEFINITE

Bruce Bannister Box 795 Billings, MT 59103	- Wind monitoring at Rosebud - Electric generator, if feasible - Wind monitoring of 10 other eastern Montana sites	\$ 5,000.00 Also: \$ 50,000.00 \$ 10,000.00
David Coles Molt, MT 59057	Wind powered electric system	\$ 5,541.00
Alternative Energy Resources Organization 424 Stapleton Building Billings, MT 59101	Community Energy Outreach Program	\$ 15,682.00
Harlowton High School % Gary Olsen Harlowton, MT 59036	Vo-ag solar energy program	\$ 6,457.00
Dan Aadland Box 549 Absarokee, MT 59001	Residential solar addition	\$ 10,000.00
Northern Plains Resource Council 419 Stapleton Building	Rural energy outreach	\$ 20,165.00

George Siemion
Box 484 YRS
Hardin, MT 59034

Small-scale hydroelectric project \$ 5,000.00

AREA IX
TENTATIVE

Ron Cole
670 Sapphire
Billings, MT 59101

Vertical-axis windmill design \$ 28,000.00

Virgil Jones
Klein Star Route
Roundup, MT 59072

Solar greenhouse \$ 4,670.00

Stanley Wiatr
Dept. of Biology
Eastern Montana College
Billings, MT 59101

Study of biomass potential of fodder beets and cattails \$ 28,913.00

DeVries Alcohol Fuel, Inc.
Rockvale, MT

Commercial alcohol plant \$100,000.00

Jim Dick
113 Henry Road
Billings, MT 59102

Small-scale hydroelectric system See note Area I

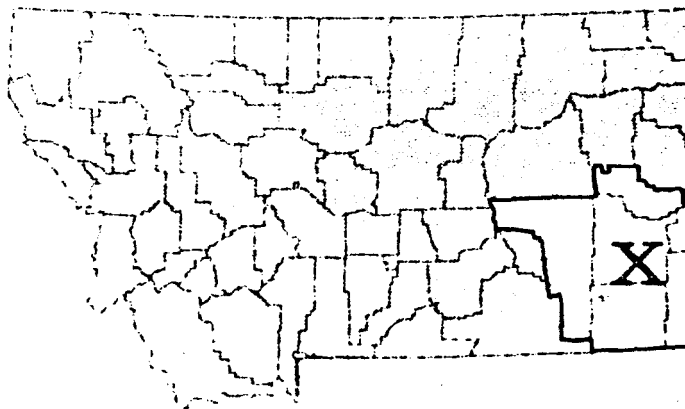
James Murnion
Box 55
Shawmut, MT 59078

Small-scale hydroelectric system See note Area I

AREA X

Rosebud
Custer
Fallon

Powder River
Carter



AREA X
DEFINITE

Bruce Bannister

Wind monitoring at Rosebud
(See Area IX, definite)

AREA X
TENTATIVE

Lange Farms, Inc.
Box 1232
Miles City, MT 59301

Commercial alcohol plant \$100,000

Bruce Bannister

Wind monitoring of eastern

TO: Commissioners/Executive Director

FROM: Centralized Services Division

SUBJECT: Budget Status Report as of February 27, 1981
Responsibility Center 1
Operations

	<u>Budgeted</u>	<u>Current Month Expended</u>	<u>YTD</u>	<u>Encumbered</u>	<u>% Expended</u>	<u>Time Expired</u>
Salaries	707,875	52,935	418,473		59.1	67%
Employee Benefits	<u>123,215</u>	<u>9,611</u>	<u>73,576</u>		<u>59.7</u>	
Total Personal Services	831,090	62,547	492,049		59.2	
Contracted Services	29,120	2,098	35,248	2,306	121.0	
Supplies & Materials	16,750	2,757	11,664	1,051	75.9	
Communication/Legals	42,000	6,267	28,173		67.0	
Travel	26,752	2,356	17,630		65.9	
Rent	38,000	4,275	27,777	16,932	117.6	
Utilities	4,460	494	2,136		47.8	
Repair & Maintenance	4,000	282	3,643	3,358	175.0	
Other Expenses	3,700	295	2,097		56.6	
Equipment	6,240	0	92	6,939	112.6	
Remodeling Building	0		417			
Total Operating Expenses	<u>171,022</u>	<u>18,823</u>	<u>128,877</u>	<u>30,584</u>	<u>93.2</u>	
TOTAL PROGRAM COST	1,002,112	81,370	620,926	30,584	65.0	

(1) Behind pay period ending February 20, 1981 - about \$31.201

We are behind two months on payment of Postage (\$1,400), Telephone Bill (\$3,900), Montana Power (\$500) and Motor Pool (\$500) and one month on payment of Duplicating (\$1,300).

Adding the estimated 38,801 we have not paid the percent expended is 68.8

Handwritten initials/signature

WITNESS STATEMENT

NAME Jack Robbins BILL No. 801
ADDRESS Bozeman DATE 3-23-81
WHOM DO YOU REPRESENT Biofuels Task Force MSU
SUPPORT _____ OPPOSE AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Energy Research - Biofuels Task Force at MSU

Research projects that would be cut out if the Alternative energy revenue is reduced would be:

1. Using Montana barley for dehydration of alcohol to reduce energy input for alcohol production.
2. Factors affecting bioconversion and anaerobic digestion: Stability with increased production.
3. Rate limitations imposed by methanogen bacteria in methane production.

The first project is a start-up project whereas the other two are projects that have been underway for a few years. The projects dealing with methane production have made good progress thus far. But there are some important accomplishments that could be made if these projects were to be continued. The second project has shown ways to improve methane yields and has come up with practical suggestions for producing methane fuel in Montana. This study has also discovered a new technique for investigating the processes occurring in digesters that would greatly simplify the gathering of information. We are prepared to pursue the application of this technique but may not be able to pursue it due to the lack of funds. This technique would be of interest throughout the world if we are successful.

WITNESS STATEMENT

NAME A. V. Morgenstern BILL No. 801
ADDRESS P.O. Box 695 ^{to show} ~~that~~ DATE 3-23-81
WHOM DO YOU REPRESENT 115th Lane Home Owners
SUPPORT Yes OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Coal tax is a result of energy depletion and therefore a small portion should go back into energy development. —
Thousands of small Hydro-electric potentials exist in the state and could be developed. —

A. V. Morgenstern

I am, Frank Gruber, 4930 Highway 12 West, Helena, owner of the Broadwater Athletic Club and house that is heated completely with geothermal energy. I am in support of House Bill #801, line item #20, Energy Planning. I received a \$15,000 grant in 1976 in build a demonstration model, using geothermal energy for heating in a subdivision. With the grant money, I was successful in designing a heating system for home heating. Because of the cost of research and the limited amount of information in this area, I probably would not have done this with my own money.

Due to the success and information learned from this, I used a similar type system on the Broadwater Athletic Club. It also has worked very well.

With this energy saving, I have already exceeded the cost of the grant. Anybody having access to the resource could build a similar system for home heating, with this information, for under \$2,000.

FY 1981

9-23-81
Exhibit A

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FROM THE
RENEWABLE ENERGY GRANTS PROGRAM

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DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION

January, 1981

GRANT PERIOD SEVEN
FY 1981

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2/2/81

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TOTAL RFP's	\$ 331,000.00

CUMULATIVE MEASURABLE BENEFITS
THROUGH FY 1981

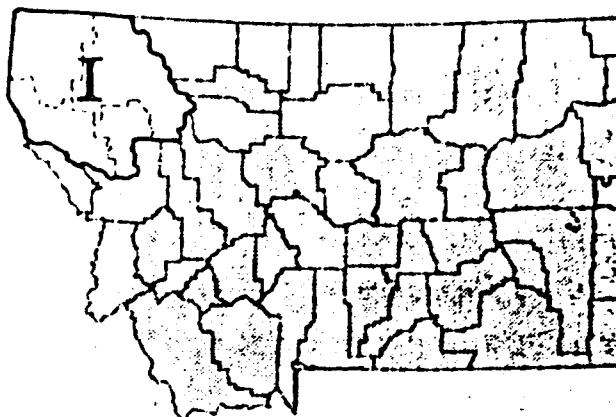
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AREA I

Lincoln
Flathead

Sanders
Lake



AREA I DEFINITE

Troy Schools % Wayne Fletcher Drawer 0 Troy, MT 59935	Renewable energy education program	\$ 1,333.00
Marc Carstens Route 1, Box 99 Polson, MT 59860	Alcohol and oil ex- traction from seed crops	\$ 5,000.00
Richard Wrench 115 Garland Street Kalispell, MT 59701	Prototype fireplace insert	\$ 7,500.00
Richard Wrench 115 Garland Street Kalispell, MT 59701	Two "do-it-yourself" pamphlets on renewable energy	\$ 2,000.00
William C. Black Box 138 Troy, MT 59935	Wind-powered electric system	\$ 4,500.00

AREA I TENTATIVE

Salish Kootenai Community College % Gerlad Slater Box 117 Pablo, MT 59855	Solar heating, cooling and lighting of multi- use facility	\$ 20,000.00
Matt Keane Route 3, Box 19-C Thompson Falls, MT 59873	Solar heated/earth- sheltered housing design	\$ 14,000.00
James R. Brown Quinn's Hot Springs Box 187 Paradise, MT 59857	Geothermal heating system	\$ 5,000.00
Dan Miles AGRI-Fuels Corporation Box 3371 Polson, MT 59860	Farm-scale alcohol still	\$ 50,000.00

Energy Engineering Box 1997 Kalispell, MT 59901	Major alcohol plant using geothermal heat	\$100,000.00
Vista Lago Land- owners Assoc. Jane Pitkin, President East Lake Shore Bigfork, MT 59911	Small hydroelectric system for subdivision	\$ 60,000.00

AREA I
TENTATIVE

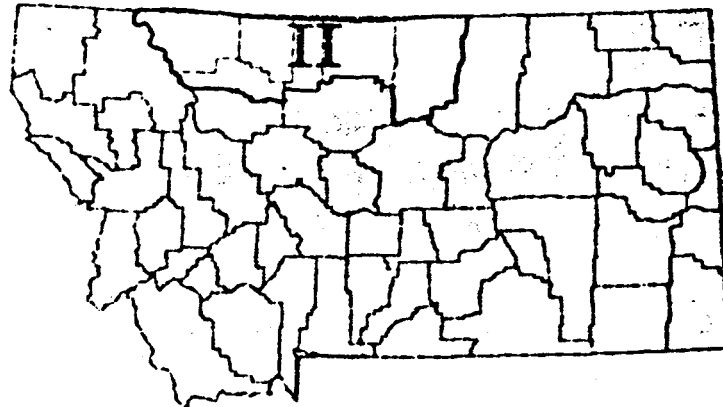
Orlena Barnard 1395 Swan Highway Bigfork, MT 59911	Residential hydroelectric system	See note belo
Merle Jore Route 2, Box 58A Ronan, MT 59864	Residential hydroelectric system	See note belo

NOTE: These and two hydroelectric projects in Area IX were approved contingent on hiring an engineering consultant, through a request for proposals process, to provide technical assistance to the grantees. The Department approved definite funding of \$16,000.00 for consultant service to all four projects. Also approved was definite funding of \$16,000.00 for a system at the most feasible site and tentative funding of \$50,000.00 for systems at the remaining sites.

AREA II

Glacier
Pondera
Toole

Liberty
Hill
Blaine



AREA II
DEFINITE

Patrick E. Wyse 406 South Virginia Street Conrad, MT 59425	Passive solar heating of large commercial building	\$ 15,213.00
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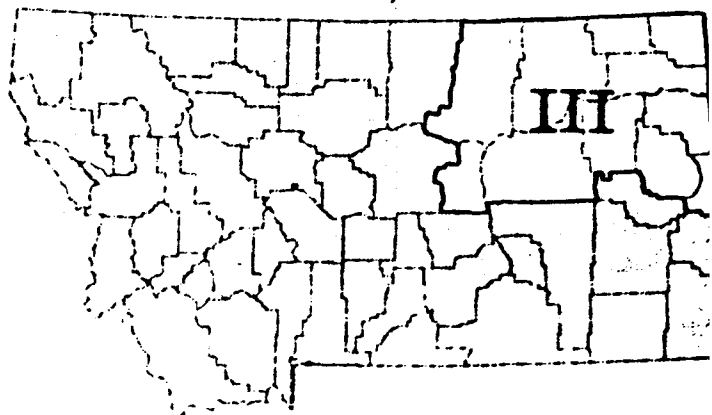
AREA II
TENTATIVE

Orville & David Oien RR 3, Box 89 Conrad, MT 59425	Farm-scale methane digester	\$ 94,045.00
--	-----------------------------	--------------

AREA III

Phillips
Valley
Daniels
Sheridan
Roosevelt
Petroleum

Garfield
McCone
Richland
Dawson
Wibaux



AREA III DEFINITE

Dwain Prellwitz Box 1408 Malta, MT 59538	Portable, homemade solar furnace	\$ 900.00
Ron Audet Box 423 Scobey, MT 59263	Wood and solar heating system	\$ 2,500.00
Harlow Strandlund Homestead, MT 59242	Biomass furnace	\$ 4,530.00
Randy Holton Archer Star Rt, Box 11 Plentywood, MT 59254	Solar shop heating	\$ 1,000.00
Medicine Lake High School Karl Fiske, Supt. Medicine Lake, MT 59247	Solar panels for space heating of school complex	\$ 12,000.00 \$ 63,000.00
Ben D. Bollwitt 216 5th St. H.P. Glendive, MT 59330	Low-cost solar heating system	\$ 2,550.00

AREA III TENTATIVE

AGRI-Processors
% Jim Smrcka
Glasgow, MT 59230

Commercial alcohol
plant \$150,000.

David Erickson
735 Knapp St.
Wolf Point, MT 59201

Wind-powered electric
system \$ 9,245.

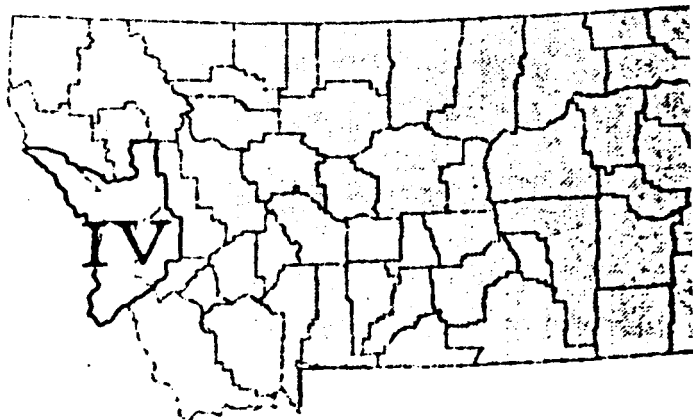
Bruce Bannister

Wind energy study of eastern
Montana (See Area IX)

AREA IV

Mineral
Missoula

Ravalli
Granite



AREA IV DEFINITE

Carol & Mike Gauthier
1364 East Dickinson
Missoula, MT 59801

Installation and monitoring
of low-pollution, wood-fired
boiler \$ 9,374.00

Tom Montgomery
Wextern Timber
Utilization Group
2801 Russell
Missoula, MT 59801

Feasibility study of using
forest thinnings as fuel \$ 15,500.00

Steve Loken
1342 Van Buren
Missoula, MT 59801

Guide to passive solar
housing in Montana \$ 7,515.00

AREA IV TENTATIVE

Benjamin Stout
Forestry School
University of Montana
Missoula, MT 59801

Solar lumber kiln \$ 35,528.00

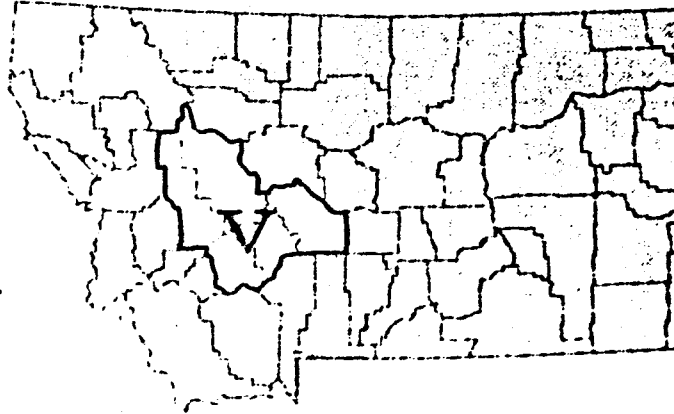
Charles Gividen
Route 1, Box 66-B
Victor, MT 59875

Solar greenhouse for
for home heating \$ 4,461.00

AREA V

Powell
Lewis & Clark

Jefferson
Meagher



AREA V DEFINITE

Tom Harpole
Earth Energy Institute
Box 304
Avon, MT 59713

Geothermal greenhouse for commercial use \$ 13,321.00

Lewis and Clark Library
120 S. Last Chance Gulch
Helena, MT 59601

Energy collection development program \$ 19,994.00

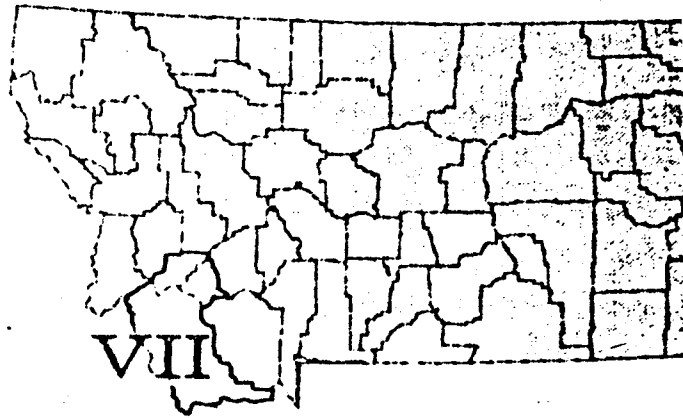
AREA V TENTATIVE

New Western Energy Show
226 Power Block
Helena, MT 59601

Energy education kit for schools \$ 21,056.00

AREA VII

Deer Lodge
Silverbow
Beaverhead



AREA VII DEFINITE

Western Montana College
% Thomas Briggs
Dillon, MT 59725

Feasibility study of
garbage burning generation \$ 6,000.00

AREA VII TENTATIVE

Larry & Peggy Racicot
2040 Roberts
Butte, MT 59701

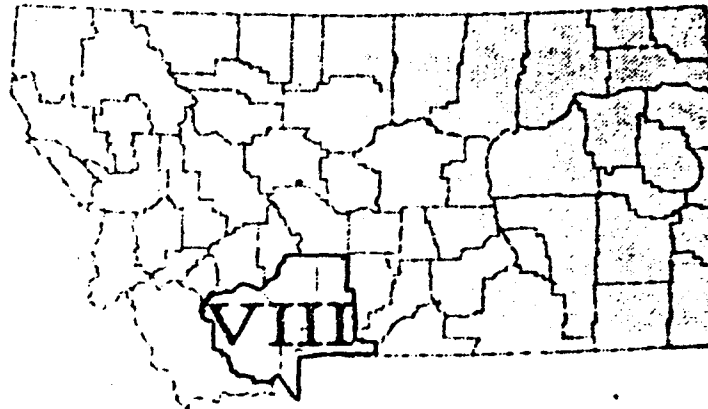
Passive solar/wood stove
residential heating system \$ 6,491.00

Montana Energy and MHD
Research and Development
Institute
Box 3809
Butte, MT 59701

Feasibility study of
commercial alcohol plant
(in Anaconda) \$100,000.00

AREA VIII

Madison
Gallatin
Park



AREA VIII DEFINITE

A. E. Montana, Inc
B. G. Kania, Pres.
717 South 14th Avenue
Bozeman, MT 59715

Commercial alcohol facility
in Amsterdam \$ 25,000.00
\$ 50,000.00

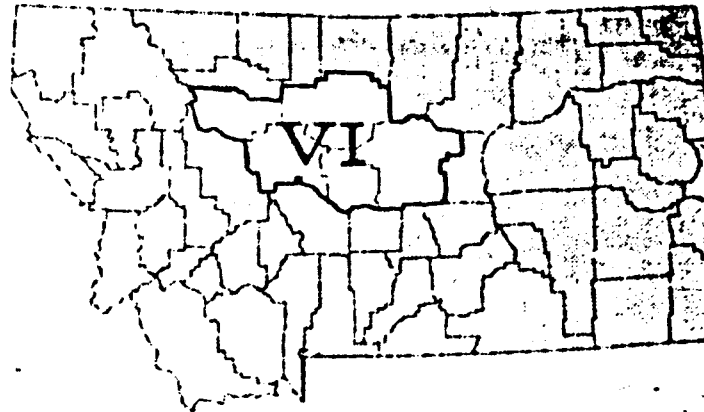
Department of Admin.
A/E Division-Design Bureau
1500 East Sixth Avenue
Helena, MT 59601

Solar heating system of
Bozeman Job Service building \$ 76,000.00

AREA VI

Teton
Choteau
Cascade

Judith Basin
Fergus



AREA VI DEFINITE

Rick McIntyre Box 686 Hobson, MT 59452	Wind monitoring study	\$ 403.00
Russell Hansen 715 West Pine Lewistown, MT 59457	Solar space and water heating retrofit	\$ 4,529.00

AREA VI TENTATIVE

AG NRG % Joe Renders Box 1243 Helena, MT 59624	Commercial alcohol facility in Great Falls	\$200,000.00
The Fagenstrom Company Box 2623 Great Falls, MT 59403	Prototype solar and earth- sheltered building	\$ 7,000.00
Sun Prairie Energy % Mary Holtz Route #1 Fairfield, MT 59436	Feasibility study of commercial alcohol plant	\$ 10,000.00
Dave & Vicki Gustafson Box 162 Simms, MT 59477	-Purchase of boiler, if feasible	\$ 60,000.00
Charles Bronec Star Route Geraldine, MT 59446	Farm-scale wind-powered generator	\$ 3,175.00
Charles Bronec Star Route Geraldine, MT 59446	Farm-scale alcohol plant	\$ 37,000.00
Fergus Electric Cooperative, Inc. % Dick Peck Box 58 Lewistown, MT 59547	Wind monitoring study	\$ 51,410.00
Clark Carter 101 Mountain View Lewistown, MT 59457	Study of aspen as alcohol feedstock	\$ 32,800.00
Richard Meade 4600 10th Avenue North Great Falls, MT 59401	Energy self-sufficient village using biomass	\$ 50,000.00

David Ward
 Dept. of Microbiology
 MSU
 Bozeman, MT 59715

Research in methane conversion \$ 14,052.00

Warren Scarrah
 Dept. of Chem. Engrg.
 MSU
 Bozeman, MT 59715

Testing of barley grain and straw in water absorption from hydrous alcohol \$ 15,413.00

Bair Electric, Inc.
 Richard D. Cook
 Box 725
 Livingston, MT 59047

Wind-powered electric system \$ 7,200.00

Harold Johnson
 Springdale, MT 59082

Wind-powered electric system \$ 4,800.00

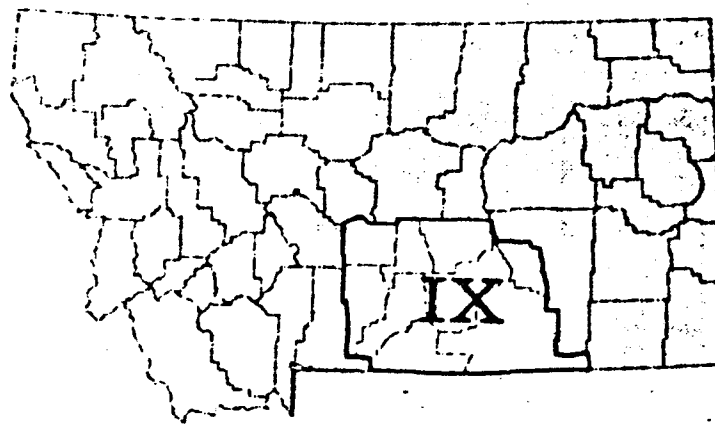
Joseph & Diana Gilliam
 616 North "L"
 Livingston, MT 59047

Solar greenhouse for home heating \$ 5,055.00

AREA IX

Wheatland
 Golden Valley
 Musselshell
 Sweet Grass
 Stillwater

Yellowstone
 Treasure
 Carbon
 Big Horn



AREA IX
 DEFINITE

Bruce Bannister
 Box 795
 Billings, MT 59103

- Wind monitoring at Rosebud \$ 5,000.00
 - Electric generator, if Also:
 feasible \$ 50,000.00
 - Wind monitoring of 10 other \$ 10,000.00
 eastern Montana sites

David Coles
 Molt, MT 59057

Wind powered electric system \$ 5,541.00

Alternative Energy
 Resources Organization
 424 Stapleton Building
 Billings, MT 59101

Community Energy Outreach Program \$ 15,682.00

Harlowton High School
 Gary Olsen
 Harlowton, MT 59036

Vo-ag solar energy program \$ 6,457.00

Dan Aadland
 Box 549
 Absarokee, MT 59001

Residential solar addition \$ 10,000.00

Northern Plains Resource
 Council
 419 Stapleton Building

Rural energy outreach \$ 20,165.00

WITNESS STATEMENT

NAME CHARLESS W. FOWLES BILL No. 801
ADDRESS 31 GARDNER PARK DATE 3/23/81
WHOM DO YOU REPRESENT FOWLES ENGINEERING
SUPPORT ✓ OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

3-23
Exhibit D

Statement In Support of House Bill No. 801:

An Act to Increase Funding During the Biennium Ending June 30, 1981

Specifically: Energy Planning Item \$2,500,00 of Earmarked Revenue for
SB-86 Renewable Energy Research and Development Program

by

DR. JERRY D. PLUNKETT,
PRESIDENT OF MONTANA ENERGY AND MHD
RESEARCH AND DEVELOPMENT INSTITUTE, INC.
Butte, Montana

Presented:

March 23, 1981

Room 104, State Capital Building

7 p.m.

(This statement reflects the professional opinions and judgments of the author and is not an official policy position adopted by the MERDI Board of Directors.)

Mr. Chairman, members of the Committee, ladies and gentlemen, it is indeed my pleasure to appear this evening in support of the immediate release of funds to further enhance the fine work being done under SB-86 renewable energy research and development program.

I would like to take this opportunity to make a few relevant observations and recommendations with respect to SB-86 operations and management by the Department of Natural Resources and Conservation.

Program Failures and Complaints

Certain general criticisms leveled at the program simply miss the point or are invalid. It is true that many research and development programs fail or do not achieve the expected results. This is precisely the reason for the state supporting projects, many of which may not succeed. Those that do achieve the results desired have high returns that make the overall program a sound investment.

Keep in mind that projects carried out by private firms are based upon the same general philosophy, but usually entail lower risks in keeping with the desire for as high and immediate return as possible.

EXXON has recently announced that the development of a new energy saving electric motor has been dropped as a new product even though this very development was announced with great fanfare less than two years ago. Thus, even though EXXON invested \$1.4 billion in a firm and proceeded with what appeared as a sure thing, the end result was a failure. Such is R&D, and the SB-86 program will not be different.

There is reason to ask why the State of Montana and the taxpayers should pay for the renewable R&D program. The answer is very simple-the farmers and ranchers, as well as the small businessmen, cannot individually make the investment due to narrow or negative profit margins. In order for these businesses to keep pace with the rest of the world's businesses, and to enhance their productivity as well as further increase Montana jobs and business activity, R&D is essential, especially R&D directed toward Montana's immediate and future renewable energy needs.

With respect to the criticism that wood-burning stoves are being purchased for test...specific projects in the wood burning area may not have been as useful as they could have been. However, western and central Montana contain large amounts of timber, logging residues, mill residues, and dead and downed timber that can be used by ordinary citizens harvesting from the public lands with chain saws and pickup trucks or could be sold to others.

Yet the utilization of this resource is restricted, or will be so in the future, due to the very large environmental insult from existing wood stoves. Wood, by its chemical nature, contains no sulfur yet is difficult to burn in a pollution free manner with present stove designs. Even airtight models simply sit and cook off large quantities of aerosols under the best of operating conditions and using the greatest care. It is a matter of greatest urgency that new wood-burning equipment for homes and small commercial buildings be developed. This must be a matter of high priority for SB-86 R&D.

Program Direction

The SB-86 program was established to promote innovations and to demonstrate renewable energy technology particularly smaller scale technology for individuals and small businesses. Two years ago, the bill was amended to allow commercial production of energy, for example, via alcohol plants and electric wind generators. I strongly supported this change, and I believe it has added an important dimension to the program.

However, further changes are needed. Since many solar homes are now in place and working and other renewable energy systems have been installed at diverse points around the state, it is now possible for the most average residents of the state to drive only a short distance to see a model home that may be of interest. Thus, while the demonstration program will always need to continue filling in gaps with existing renewable energy systems and put in place new developments and innovations as the state-of-the-art matures, balance must shift to other areas or it will become bogged down in marginal or useless activities.

Any R&D program starts with new ideas, and moves toward a product or service that is used individually, or more commonly bought or sold in the private sector. Because, the SB-86 program funding was wisely designed to increase, as time passes, the funds are increasing. These funds can be wisely used or badly misused if we are not careful to understand the changing needs and requirements.

The two hazards are that funds could be thrown away in massive bureaucratic studies or piddled away in tiny little research projects that while each contribute a paper for some professional and provide a tidy little morsel for a researcher, but does nothing to enhance the economy of Montana. Thus, the balance of SB-86 must shift from innovation, research, and resource studies to the support of the some 30 small firms that are now established in fertile soil, but need capital to grow.

When I say this, I would appear to be talking against the interests of MERDI since our people being researchers, and good ones, can research and study as long as someone will foot the bill. There will always be a need for studies and research, but not all plants are equally good for crops. So, we must be increasingly selective or this legislature and the taxpayers will be supporting the growth of technological weeds.

I would emphasize that results-oriented, problem-solving technology can benefit the State of Montana, and as results are produced, then MERDI will benefit. We cannot hit the bull's eye every time, but we can hit often enough for it to be an important factor in the economic maturity and enrichment of Montana.

MERDI supported the development of fuel alcohol even before it was popular. We believed that it was in the interest of the farmers and ranchers of Montana to diversify their markets and to increasingly control the processing of their products. To my knowledge, we were the only organization that has publicly and consistently supported grain fuel ethanol development. We still don't

know how profitable or how extensive its use will become, but it's important that we find out. MERDI's support of fuel ethanol was originally funded with our own few dollars because we felt it important to counteract the negative professional opinion prevailing at that time. Thank goodness that this situation has reversed, and I hope we can now defend the fuel alcohol program against its new supporters as we did from its skeptics. While studies that support new ideas will always be needed, we must not give out vast sums in small amounts for generating what has been described as LPU's or least publishable units. That is support for the smallest amount of data that will allow one more research paper or report to be published to further clutter up resumes and the technical literature.

Massive Studies to be Avoided

Due to the variable nature of solar, wind, and precipitation, it is a golden opportunity for endless and essentially useless studies. It is possible to consider measuring the flux of the natural elements on every square yard of the State of Montana for every second. While this data is essentially useless, it sounds great to be assessing the renewable energy resources of Montana, but much data is not worth the cost of collection. If the legislature is to protect us all from the endless expansion of the gathering of useless data, then it must set firm policies with respect to these type studies. Resource assessment is important, in a broad sense, to direct the setting of priorities for selecting from various technological developments, but never an end in itself.

As a perfect example of this type of pathetic bird, I point to that incredible inflated turkey the "REV" study. REV stands for Renewable Energy Viability study which was conceived as a quick six (6) months study by four (4) people to draw in broad strokes the overall renewable energy potential of Montana to an accuracy of $\pm 10\%$. No great amounts of detail were gathered but a sufficient amount to allow proper support for a diversified R&D program based upon sound resource data.

The Department of Natural Resources and Conservation personnel, plus selected friendly consultants nestled nearby in Helena, and similar comfortable nests, have now blown this sound and badly needed study up to over \$1 million dollars, and there is no end in sight for this inflated but meatless turkey. It is said that only \$200,000 of Montana State money is to be used, and the rest will come from the feds. That is pure pie-in-the sky. Let's see the contract or letter-of-agreement from the Department of Energy.

Based upon a lack of substance, need, direction, purpose, and common sense, I specifically request that this absurd REV study NOT be funded with any of these funds I am asking to be released. Further, that a study be done in the DNRC to see who has so much idle time to put together such trivia.

How the Funds Should be Spent

1.0 Immediately Find Small Grants -- Demonstration

While the bureaucracy is busy feathering its own nest, there are a number of projects that were submitted in 1980 by citizens from over the

State that were evaluated and found to be worthwhile. These projects remain unfunded. The first priority should be to get this money to these grantees as quickly as possible so they can plan to get started this summer; thus, the funds can be most effectively spent. All projects under \$25,000 should be granted immediately and those over \$25,000 re-reviewed before action is taken. I would point out that the only proposal that I think MERDI has submitted, and which is now approved, falls in the reevaluation group.

2.0 Continue Funding Useful Research and Innovations

Fund projects that are submitted in response to priority areas, such as but not limited to, low pollution, high efficiency wood stoves and furnaces.

3.0 Major Program Direction for 1981

Since the present bill refers to \$2.5 million and the expected fiscal year coal tax income for SB-86 is \$2.6 million the total is \$5.1 million. If \$600,000 is set aside for previously approved and new grants, this would leave \$4.5 million remaining. I would recommend that ALL of this be put into a special fund to be used as a starting fund in support of SB-141. This bill provides for authority to be given to the Department of Natural Resources and Conservation to make loans through the financial institutions in Montana for the commercialization of alternative renewable energy.

This bill is so logical, so timely, and important that I urge the legislature to pass it and further, to provide a substantial fund to get this program moving again. Moreover, I would urge the concentration on the production of fuel alcohol as the prime initial target. Further, I think an additional \$10.5 million of coal tax interest revenues be added to provide a total of \$15.0 million for alcohol plants. All these funds should be made only in the form of loans, not grants. The State cannot and should not give grants to everyone. Now that grain fuel ethanol is on the verge of commercial success, the funds provided by the state should be paid back if successful businesses are established. Of course if they fail, no payment would be required. The pay back provision will properly tend to limit the amount of funds requested and reduce the establishment of new but dependent industries.

It is vital that the State of Montana step in to fully support fuel alcohol production now that the federal government has reduced or eliminated its alcohol program.

Conclusion and Recommendation

I recommend the passage of HB-801 with the amendment that \$1.9 million of these funds be set aside to support a loan program for alcohol and other renewable energy production and related manufacturing activities.

Further, I strongly recommend that SB-141 be enacted as a companion bill to give new direction to the alternative renewable energy program by providing the capital needed to establish a viable new economic activity to enhance and support agriculture in Montana.

WITNESS STATEMENT

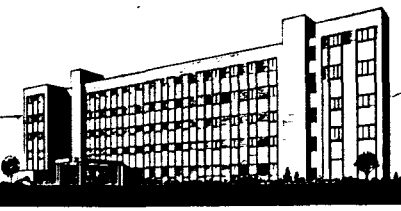
NAME Major Caldwell BILL No. 801
ADDRESS 301 Central Court Mt. DATE 7-23-81
WHOM DO YOU REPRESENT Horizon Lodge Residents
SUPPORT OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Statement submit

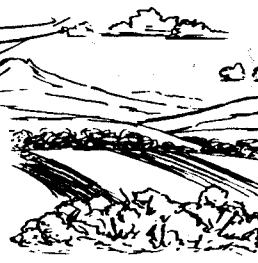
3-23-81
Exhibit E



701 South Wisconsin Street
Conrad, Montana 59425
278-3233

HORIZON LODGE

RETIREMENT RESIDENCE



March 20, 1981

To: Art Lund

Reference: House Bill 801

Horizon Lodge a 236 HUD Elderly Housing project, was the recipient of a grant to provide solar energy to preheat the domestic hot water for 96 low income elderly. This project is providing monthly savings of \$2.54 per person.

I feel the proposed bill would allow an expansion of research and development at the layman level for additional projects in the state. I believe it is essential that funds be provided to scientifically monitor existing projects, providing additional data that will be useful to all citizens in their individual effort to develop alternate energy sources.

Sincerely,

Major T. Caldwell
Administrator

WITNESS STATEMENT

NAME Rita Ramirez BILL No. HB 20

ADDRESS La Strada Box 276 DATE 2/23/81

WHOM DO YOU REPRESENT W.I.F.E. (Women Involved in Farm Econ

SUPPORT Do support OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

I support the Renewable Energy portion
of HB 301.
Thank you

3-23-81
Exhibit F

Hello. My name is Patsy Reinche. My husband and I farm by Nashua in Northeast Montana. I am representing W.I.F.E. (Women Involved in Farm Economics). I am the State Gasohol Chairman for W.I.F.E. I am here to support the Renewable Energy Program within HB 801. W.I.F.E. feels that this program has focused its attention on the potential of Agriculture to be an energy producer.

Of the \$1.8 million in tentative grants that were awarded, pending release of the funds by this legislature, \$1.3 million would go to projects directly applicable to agricultural use. We feel this is a big boost to our industry.

W.I.F.E. has been a strong promoter of alcohol fuels for the last 4 years. We have sent a convoy to Washington D.C., had the first alcohol still in the state and brought the first Gasohol to Montana. We have put on workshops all around the state with the stove-top still promoting alcohol protein by-product. Some of you may have seen the demonstration here in the Capitol last Thursday. That same still was invited to Washington D. C. where the demonstration was given in the Senate and House Ag Committees. Some of our members have invested dollars in commercial plants in Montana. We really do believe in the viability of alcohol as a source of fuel and the by-product as a high protein human food.

W.I.F.E. will continue to promote and support alcohol fuel. And we hope the state of Montana will push forward too. This program can do a lot for Montana and its people. W.I.F.E. urges you to support this portion of HB 801.

Thank You for your time.

WITNESS STATEMENT

NAME Dow BRESFORD BILL No. NB-801
ADDRESS P.O. Box 1252, BOZEMAN MT DATE 3-23-81
WHOM DO YOU REPRESENT BRESFORD ENGINEERING, Inc
SUPPORT YES OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

WITNESS STATEMENT

NAME Mark A. Price BILL No. HB 801
ADDRESS 409 South 5th St. East, Msls, Mt. DATE 3-23-81
WHOM DO YOU REPRESENT School of Forestry, Univ. of Montana
SUPPORT Yes OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: Typed statement left with secretary.

EXHIBIT A
3-23-81

I am Wilbur E. Scott, Great Falls, a member of the board of directors and the executive committee of Ag/NRG, Inc., a group of Montanans planning the construction and operation of a 1 million gallon annual capacity fuel alcohol plant in Cascade county.

I appear today to support House Bill 801 to increase the Department of Natural Resources and Conservation budget during the biennium ending June 30, 1981, specifically in regard to the \$2,500,000 earmarked revenue for the renewable energy program account.

Our organization, nine of the ten investors of which are agricultural producers, including myself, frankly admits to a self-interest in this legislation as our proposal to the department has received tentative approval for a \$200,000 loan based on the outcome of the bill before you.

But, we also have a larger public interest in the development of a fuel alcohol industry in Montana, through which the state might contribute to the energy self-sufficiency of the nation.

If this basic economic development is to come to Montana, it will be through incentive inspired by the state, because of the recent withdrawal of federal support.

Our own project is at the critical stage of securing financing for construction and these funds could be instrumental in that achievement.

This added state support could make our facility one of the earliest entries into the alcohol industry in Montana and we are pledged to act as a demonstration project, supplying all of our information and experiences to others.

We have acquired a site in northeast Great Falls, and with

the engineering assistance of the Montana Energy and MHD Research and Development Institute, Inc., Butte, have completed our process and design and prepared bid specifications for construction and equipment.

Ours will be a plant which can be duplicated throughout Montana, keeping the maximum amount of the construction and equipment costs in Montana, and the design objective has been for as simple a process as possible, with the maximum number of components able to be made in Montana.

We have agreed to make the plant layout and engineering designs available to anyone in Montana for the cost of reproduction. All plant technical information and, within proper business practice limits, fiscal information also will be made available.

Additionally, when construction is completed and production begins, visits to the plant, within the limits of safety and sound fiscal operations, will be welcomed by any interested Montana citizens.

This is an industry uniquely suited to Montana's resources and capabilities. With the known gasohol potential and the anticipated diesel-alcohol technology breakthroughs, Montana can benefit greatly from in-state processing of our agricultural products as opposed to our traditional captivity of paying the freight both ways.

Mr. Chairman and members of the committee, we need your support.

Thank you for hearing me out, for your interest in Montana agriculture, and hopefully for putting Montana in the forefront of the fuel alcohol industry.

WITNESS STATEMENT

NAME David Oien BILL No. H.B. 801

ADDRESS P.R.S. Conrad DATE 3/23/81

WHOM DO YOU REPRESENT 3

SUPPORT OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

The Alternative Energy Grant program has been an effective program that has had considerable "ripple effect" in bringing renewable energy information & technology to many Montana citizens.

The city of Conrad is a prime example of the effect a ^{solar} demonstration project can have.

Biofuels are presently where solar was 5 years ago — they are on the verge of widespread application, but need concrete, working examples to lead the way.

H. B. 801 would fund these examples

WITNESS STATEMENT

NAME John R. Meeks BILL No. 801
ADDRESS 2870 Solterra Lane DATE 3/23/81
WHOM DO YOU REPRESENT Self
SUPPORT OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Some "spinoff" values of
a grant given for a passive-
solar Trombe wall within an
earth covered home. DNRC
Gave the grant!

WITNESS STATEMENT

NAME Bruce Karol (AE Montana) BILL No. HB 801

ADDRESS Rt 2 Box 125A Manhattan DATE 3/23/81

WHOM DO YOU REPRESENT ethanol producers (AE Montana)

SUPPORT Yes OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Promotion of ethanol industry

WITNESS STATEMENT

NAME Tom RABENBERG BILL No. JA 401
ADDRESS WOLF POINT DATE 5-23-51
WHOM DO YOU REPRESENT MONTANA CATTLE ASSOCIATION
SUPPORT OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

WITNESS STATEMENT

NAME John Badley BILL No. 801
ADDRESS 627 EVANS, MISSOULA DATE March 7
WHOM DO YOU REPRESENT INSTITUTE OF THE ROCKIES
SUPPORT OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

WITNESS STATEMENT

NAME Terry Savage BILL No. 801
ADDRESS Rt. 1 Box 2300 DATE 3/23/81
WHOM DO YOU REPRESENT Self
SUPPORT OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

I am a D.N.R.C. grant recipient of D.N.R.C. grant # 603-772 in the amount of \$14,050.

These funds have been used to construct a 12 KW Hydro-electric plant on our small ranch S.W. of Superior, Mt. In conjunction with the hydro plant, we have also built, with our own financing an mostly concrete 2,000 sq.ft. modern all electric, energy efficient, subterranean house. This project has been very difficult and has spanned a time period from 1977 to the present. We have personally expended a great deal of our money and our time on the project, to a point where now the project has taken all of our personally available funds and then some.

The first problem was encountered in 1977 when we tried to get adequate information on specific hydro-electric plants that are available and engineered on our site. We quickly learned that competent people and firms in this field are far inbetween. This has not substantially changed today. The large firms that have a history in hydro are not interested nor can they economically handle such small projects. Most of the firms in small hydro are relatively new and small, without a history and without financial capability to protect the consumer.

Our second problem was financing. Financing was virtually impossible. We were turned down by all the local lending sources including the F.L.B. It was only with a letter to the White House that we were able to get F.H.A. insurance under F.H.A.'s 233 experimental housing program. Even with F.H.A. insurance, because of the nature of the project, it took another 6 months to get an construction loan. I should point out that my degree is in finance and my profession is as a Real Estate Broker and thus I probably have an advantage over the average person. I don't believe that the average person would have been able to overcome the financial hurdle and I don't believe I would have been able to either without the aid of D.N.R.C. The success at this point need to be laid at the door of D.N.R.C. Without their aid, I believe we would have failed at this point.

One might think, as we did, that ^{with} a contractor selected, with F.H.A. insurance, and with the construction financing finally obtained, we had the major problems solved -- wrong! We quickly learned that there were numerous State and Federal permits to get. Eight in all. We got permits from Mt. D.N.R.C., Local Soil Conservation District, Mt. Dept. of Fish and Game, Mt. Historical Society, Mt. Dept. of Health and Environmental Sciences, U.S.F.S., U.S. Fish and Wildlife Services, and a license from U.S.F.E.R.C. This process took a very great deal of personal time and approx. 2 years to accomplish. At no time during this process, were we even assured of success and we were even discouraged by some federal agencies. I should add that all of our problems and delays encountered in the permit process came from the Federal level and that the State agencies in all cases were efficient, exceedingly polite, encouraging, and pleasant to deal with. The Federal agencies have spent in excess of the D.N.R.C. grant in just processing paper. We have also had to-date two inspections from an engineer with the F.E.R.C. out of San Fran. Of all the problems, this permit process was an excellent introduction to the bureaucratic night-mare that so many talk about and was perhaps the most discouraging of all our problems.

With the encouragement and the sympathetic ear of D.N.R.C., we perhaps would not have been able to overcome this hurdle also. I do know that the average consumer will not be able to tolerate such barriers without aid and guidance.

As if these problems were not enough, we also suffered contractor problems. As I earlier pointed out.- the contractors and engineers in this field are far in-between and don't always have a track record to judge them by and aren't of size to be able to adequately financially protect the consumer if problems arise. Our contractor exceedingly delayed us and we had to live in our new house for a year and half without adequate power. This was during the hard winter of 1979 and was very trying to us both physically and mentally. I'm happy to report however that this unexpected test of the efficiencies of the subterranean house design proved successful and the house was able, without its electric heating source, to keep my family warm.

I don't mean for my emphasis on our difficulties to distract from our successes. We did get financial insurance from F.H.A., a first in the nation for a energy efficient, subterranean house and for a house not on public power. This is of primary importance to others who wish to do the same of similar to us. Without financing, middle America won't be able to afford alternative energy sources or conservation. We have also indentified and complied with and have received all the required permit. We have proved the efficiencies of the subterranean house and the reliability of the small scale hydro-electric turbin. We have opened our place to the public and have had two newspaper articles and two $\frac{1}{2}$ hr. television features done on the project and its efficiencies. We have had perhaps over 1,000 people to look at the house and the turbin and have advised them on their questions. I am happy to report that many of these people indicated they are going to follow our example. We learned that problems are the handmaiden of pioneering and experimentation. The risks and problems are to great for individuals alone to tackle.

All we have accomplished has been at great personal cost and only because of the personal intense interest and time we have expended and because of the aid, advise, and encouragement fof D.N.R.C.

I submit to you that we have earned the money we have received from D.N.R.C. and I further submit that the funds have been effectively spent. The D.N.R.C. has been a source of immense and invaluable help to us. They have been a pleasant, very efficient and effective agency to deal with. I am proud to be associated with them on this project. I, and those who have benefited from our work, owe them and thus you, ladies and gentlemen, a great deal of thanks.

Thank you.

WITNESS STATEMENT

NAME Edwin C Kepler BILL NO. HB 801
ADDRESS P03838 Butte, mt DATE 3/23/81
WHOM DO YOU REPRESENT Nat. Ctr. For Appropriate Technology
SUPPORT yes OPPOSE _____ AMEND _____
PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Support spending authority for \$2.5 million
for Dept. of Natural Resources Small
Grants Program in order to speed
demonstration and adoption of
alternative, renewable energy
resources in Montana.

ECK

WITNESS STATEMENT

NAME Miles, David R. BILL No. H.B. 801
ADDRESS Box 2134 Jackson, W.V. 25986 DATE 3/23/81
WHOM DO YOU REPRESENT Public Safety Research & Consulting
SUPPORT Support OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Testimony submitted to Secretary
D.R.M.

WITNESS STATEMENT

NAME Linda NIELSEN BILL No. 801

ADDRESS Box 21 NASHUA, MONTANA DATE MARCH 23, 1981

WHOM DO YOU REPRESENT MONTANA ⁵⁹²⁴⁸ Agri-Processors

SUPPORT YES - Support OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

3-23-81
Exhibit I

Mr. Chairman and Committee

My name is Linda Nielsen. I am from Nashua, Montana and I represent Montana Agri-Processors. I am here in support of the Renewable Energy Program in HB 801.

Alcohol as a fuel is a new business to many of us and is very risky. We feel that support from State funds shows that we in the State are looking to the future. Coal is non-renewable and this money will be put into a renewable source. The economic impact could be real valuable in the way of utilizing our own products. Freight would be processed locally and the protein supplement is very beneficial. To be self-sustaining in the future years, we have to look for alternate ways of finding and using our energy sources.

The release of these funds would greatly help us as we are dollar poor and we do urge you to release these funds and support this portion of HB 801/

WITNESS STATEMENT

NAME THOMAS A. WICKERMAN BILL No. 801

ADDRESS P.O. Box 1997, KALISPELL 57901 DATE MARCH 23, 1981

WHOM DO YOU REPRESENT ENERGY ENGRG. INC., KALISPELL,

SUPPORT X OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

ATTACHMENT.