

MINUTES OF THE MEETING
FINANCE AND CLAIMS COMMITTEE
MONTANA STATE SENATE

April 1, 1981

The 33rd meeting of the Senate Finance and Claims Committee met in room 108 on the above date. The meeting was called to order by Chairman Himsel at 8:07 a.m. Roll call was taken and all members were present.

CONSIDERATION OF HOUSE BILL NO. 655:

Representative Anderson, House District 16, Flathead County, explained the bill as a long overdue adjustment on transportation. He said the bill as written was raised from 55 cents to 70 cents a mile on reimbursement. House Appropriation had it at 60 cents. It was presented at 85% and was amended to 65%. These two amendments were for school buses. In addition, it raised individual transportation from 18 cents per mile to 20 cents per mile. An individual who collected on this was paid on one round trip per day. Thirdly, the bill would raise the room and board for students who come from remote areas, but they have to live in a town or city for an extended time. It proposes to raise the room and board from \$4 a day to \$5 per day with \$3 for each additional child per family. It has not changed for many years and you would find that was not very much money if you had to do it. The fiscal note has been revised, and the changes will have to be noted. The \$4,758,000 is about cut in half by the Appropriation subcommittee of the House. At the top of the fiscal note, this would lower property tax equivalent to the state reimbursement. We are only funding it at 60% level at the present time. The state picks up 1/3 of the cost. Currently, they are paying out of the 55 cents, 18 cents. The districts are picking up substantially more. The state portion is 18 1/3 cents, county is 18 1/3 cents and because of the 60% funding in the districts, they are picking up 55 2/3 cents.

Senator Regan: What are the numbers across the bottom? Stockton, OPI: Size of bus and the number of students on a bus. I would like to explain the chart, exhibit 1, HB 655. The Legislature first undertook to raise transportation rates. The original concept was 1/3 each. They set the base line rate at 20 cents. You are increasing the states contribution by 1 2/3 cents per mile. The raise of schedule is somewhat over 10%. The model is using inflationary 15.55%. Whatever the costs in district transportation, the district will have to pay it. The district is only to pay whatever the traffic requires. We pay a percentage share instead of an equalized share. The dashed line near the middle is the one originally proposed. The solid line below it is the LFA proposal. The two lines below show the states share. The uneven one, at the top is the projected cost of actual operation.

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There were no other proponents, no opponents, and Senator Himsl asked if the members had questions.

Senator Dover: On the fiscal note #1, it says buses will increase in travel 7.1%. Why that much more mileage? Is it because of consolidating the schools more? Stockton: When gas was not so high a large number of high school kids drove. The ridership is going up now.

Senator Aklestad: Isn't money for transportation in H. B. 610? Stockton: There is none in that bill.

Senator Aklestad: On your chart, on the state share, all that was before the House amendment took it down? Stockton: The dashed line is before the amount. The solid line is after.

Senator Himsl: Could you give us the net fiscal note now? Have you a reasonably solid number? Anderson: \$9,743,695, that is the subcommittee on Appropriations recommendation.

Senator Himsl: What is the general fund appropriation share? Stockton: That is it. Anderson: The difference is in 500.

Senator Himsl: What you are asking for is an increase of (the additional amount on exhibit 2) attached.

Senator Keating: Are you talking about 50 students? The school or the bus? Stockton: The bus, 50 students on the bus.

Senator Keating: Why so high? The reason is that after a certain size bus they add an additional 2 cents per mile per student.

Senator Keating: You talked of inequality of money in districts. It seems they are autonomous as to what they do. Why are you quarreling with it? Stockton: One district may have to transport 75% of the kids and another may have to transport only 25%.

Senator Keating: Isn't there some kind of a trade-off, somewhere else in the district, or just a real inequality in the district? Stockton: Just a real inequality in the district.

Senator Boylan: There are subdivisions clear out in nowhere and they are transporting kids.

Senator Dover: I get confused in the handout. On your comparison with House Bill 655 and 500 you have \$2,376,083, and \$2,039,695. Why the two figures? Stockton: House Bill 500 has a figure based on the present schedule. House Bill 655 would raise it to 70%, the subcommittee reduced it to 60%, that is the difference between the two. If the Legislature did nothing with this bill it would still require what is in 500 now.

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Judy Rippengale: If you go to the bottom of the chart. It says House Bill 655 would cost \$12,119,778. The subcommittee recommendation, or as amended was \$9,743,695. The first \$2,376,083 you see is if you let House Bill 655 go back to the original form, it would cost more than the subcommittee recommendation. In House Bill 500 the subcommittee recommended \$9,743,695. The House Appropriation committee took the money out and put in the 81 schedule level because House Bill 655 was not approved. House Bill 500 contains \$7.7 million and in order to bring it up to where HB 655 has been adjusted, you need \$2,039,695. That is from House Bill 500 to where 655 is now. If back to the original you would put in \$2.3 million additional or \$4.4 million over House Bill 500.

Representative Anderson closed by saying that on the fiscal note the differences just mentioned are in cost. Whatever the state doesn't pick up the school districts will pick up in mandatory levies. I am sure that with the continuation of urban sprawl, there will be pressure for transportation. With fuel prices escalating rapidly it makes sense to consider this. Parents transport via automobiles and we consume greater amounts of fuel.

Senator Dover: If we don't plug this in, there are mandatory levies. If this goes in, will it affect the levies that are voted on? Anderson: No, that is for general maintenance of the schools. This is a mandatory levy, not a voted levy.

Senator Dover: If we appropriate this money how can we keep it where it belongs? Stockton: School district contracts are on buses. They pay it. Whatever is not reimbursed, they have to pick up. They are reimbursed from our office on the actual miles paid.

Senator Dover: What if there is a surplus of money? Stockton: Our rates are so low that I don't know of a single case---if it could happen, it must go to lower the mandatory rates.

Senator Himsl: It seems to me we should take action on this bill. It affects HB 500.

Senator Smith: In other words, the House Appropriation committee would not appropriate this money? Would they appropriate the attitional in 500? Himsl: No, this is the difference that is requested to be put in to come up to the level of the total transportation levy as provided in the new shcedule. You are reducing the amount of money that has been raised on a mandatory levy on the local districts. There is some property tax relief in a sense.

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DISPOSITION OF HOUSE BILL NO. 655:

Senator Story: I move it do not pass. There is a trade-off. We have pink lungs and you do not have to take the keys out of the car.

Senator Aklestad: There is another point that Senator Boylan made. The subdivisions, if this money was not increased, they would pay a little more of their own transportation costs.

Senator Story: Don't the pupils have to be brought to a kind of pick-up point? Stockton: There is a watch-dog group. The county commissioners and a representative from the school. They can go nearly wherever they want to.

Senator Dover: We talk about SRS, etc., but one of the reasons we have problems is these taxes.

Senator Regan: I think we do have an obligation. They are only asking for a modest increase for the state to assume their fair share. I think that is the way to look at it. The increased costs come about because of increased costs of gas and inflationary factors. The increase is very modest and this just brings it up a little.

Senator Story: Our countryside is filling up with these people. They are living on chopping wood and macrame, and I don't think we should have to help support them on this.

Senator Van Valkenburg: I thought the individual contracts were a very small amount. The main amount of money is to run the buses. All taxpayers in the district are paying on the mandatory levy.

Senator Story: It depends on the bus routes. If you want them down, no individual payments and they will be less.

Senator Smith: I would like to criticize this committee for its free expenditures. I am going to vote against any bill coming in from the House that has money in it.

Senator Dover: No matter which way we go there is a block of money to put out. Pete says if we give them this money you will get more money back.

Senator Story: It deals with individual transportation rates. They are going up.

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Senator Dover: I would like to have this straightened out, they said either from the county or from the state. Stockton: There is some individual transportation. It raises it from 18 cents a mile to 20 cents a mile for this individual transportation. Room and board goes up \$1. For instance, if I had two children I had to board, the law says that they must move to town. If by choice, they do not get it, the actual individual money is very small. The majority is in the bus transportation area. They have to run. They are averaging about \$24 to \$32,000 a bus, plus the costs of operating. We are transporting about 1/3 of the children on buses. Whatever the county and state gives them, it helps out.

Senator Dover: What part of this bill would we have to amend to have it just pay transportation.

Senator Dover: I would move a substitute motion that the changes go back on the individual costs to 18 cents.

Senator Story: It still gives them more money. If you give them more money it will increase the bus rates. It makes it more profitable to go up to the places than to have the kids at a collector road.

Senator Etchart: I agree with Senator Story. Some places they have to haul the kids with a 4 wheel drive. Going up those roads would just cost the district more.

Senator Dover: I withdraw my motion.

Senator Nelson: I don't know what we are screaming about bussing these kids. Back east they are bussing them clear across the town to another school.

Question called, the vote for do not pass was defeated. The motion failed.

MOTION by Senator Jacobson that House Bill 655 be concurred in.

Senator Nelson: Who makes the choice as to whether they move to town or not? Story: The school board says so. County transportation and OPI also say so. There has to be three approvals before you get paid to move in.

Senator Nelson: That is if there is no bus within the three mile limit. Story: Or if the road is closed. The criteria is whether the child will miss so much school it endangers the passing grade.

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The motion was voted and passed.

DISPOSITION OF HOUSE BILL NO. 500:

MOTION #56: Fish and Game: Senator Jacobson said that yesterday she had passed out an amendment the first half of which was passed, on the gasoline to the fish and game. She would now move the second part of the motion which would increase the FTE by four. This would be two secretaries, a property manager and a person for the Montana Outdoor magazine.

Senator Smith: They had four over in the subcommittee. It was very thoroughly discussed in subcommittee. We asked them to have people work in a larger area. We appropriated a lot of money in different areas plus four additional FTE were added in the House Appropriation committee. I don't think another four are necessary.

Senator Dover: I would make a substitute motion we do not place the additional people on the staff. The motion was voted and passed.

MOTION #57: The department passed out an amendment on page 36, line 19. I would move the amendment which would add to the first year in other funds, \$26,624 and in the second year \$26,564 in other funds. This money would come from the Resident Trust Indemnity Fund. It would fund one hard rock mine inspector. They need this because of the increased mining in respect to the gold and platinum in the Stillwater area.

Senator Smith: Is this an additional over the subcommittee or was it taken out by the Appropriations committee? The hand-out from Mrs. Ripplingale on page 9 indicates a full House Appropriation committee removed one mine inspector. The subcommittee approved it in committee.

The question was called, voted, and passed with the vote unanimous.

MOTION #58: Senator Dover had an amendment he moved on Natural Resources. It would authorize two additional people in the energy division. This one is no added money. The money comes from the alternate energy program. It is necessary because we have asked that the funds be monitored more closely. One engineer and one assistant. I would move we allow them to add the two FTE to properly carry out our mandate. We have said they must evaluate the grants and follow up on them.

Senator Smith: I would like to ask the analyst. Is it needed or not? Robinson: An amount is authorized and when they receive the money in July-----by this motion it is authorized.

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Senator Boylan: When you do this there is less money for grades. If you hit it up all the way there is less money for grades.

Himsel: On the audit report, it is a pretty damning approach. Money spent through the contract with Human Services throughout the state. There is a problem with effectiveness. No follow up or anything. Somebody had a solar system put in his house and then put it up for sale. You need to follow it up and not waste a good portion of it.

The question was called, voted, passed with the vote unanimous.

MOTION #59: Senator Dover said he would amend page 38, line 20 because in House Bill 16 the subcommittee did not appropriate people for the program but would wait depending on the outcome of the bill. They originally asked for five and were cut down to three. He gave the appropriation amount.

Mr. Berry, Director DNR, said the three people we have, one is a current level person in the fiscal assistance bureau, the other two are in direct relationship to House Bill 16. This is to track the petroleum, etc. and take any remedial action to solve it. It was the tacit agreement if it passed, we could get the people. Without the people we would have the responsibility and no people to carry them out. The one person is an existing bureau chief and one is an electricity person.

Senator Smith: If I understand this was to give the Governor the authority to do this. With the amount of pipe lines, refineries, etc., I think we need the three. I don't see why three people are needed to monitor this. I had some experience with it and unless it is better than before, I had to do all this myself on my own. Their argument was before they did not have the authority. This was heard in our committee. We did not allocate the people for it. We passed a piece of legislation to give them that authority and now they want more people.

Senator Aklestad: I think it was brought up on the floor they would not need more people---just the authority. The bureau chief. Where is the money coming from, the general fund?

Senator Dover: We can sit here and say all these things. When things get in a bad situation and we start yelling for help---you know what happened last time about the state not doing anything for us. We did not have anything in line to do it. There are extremes here to do anything and in other places you spent a lot of money to do it. These people will get the records and monitor them. Between the people and the problem of working with the situation. The purpose of these people is to say that we can keep our energy moving smartly.

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Senator Smith: When they had some set-aside fuels they did a lot of good. They did get us fuel. The last deal, just before Christmas, we had called in a fellow from Denver and we asked for a follow-up. Now with deregulation there is no authority at all. We had to do this ourselves. We contacted oil people and did the work ourselves.

Senator Dover: With no set-aside, we need the people more.

Senator Boylan: This is the craziest thing I ever heard. If Ed Smith needs fuel he can call around to get it.

Senator Van Valkenburg: It seems to me we are arguing the merits of the bill. The bill has passed.

MOTION #59-A: Senator Keating: I would make a substitute motion to change this to two positions. One electrician to keep tabs on our energy. I would change the figures to \$77,220 the first year and \$79,270 the second year. The other position included here is a petroleum person.

The motion was voted and failed.

Original motion, #59 voted and failed.

Senator Smith: I understand the bill as came out of committee reduced the amount of money for soil conservation districts. We put the money in and the House Appropriation reduced it. If House Bill 223 does pass, I will make no attempt to put general fund money in. If it does not pass, I will do my best to put \$100,000 in.

MOTION #60: I would like to amend page 40, line 5 to add \$108,000 plus in 1982 and \$106,332 in 1983 to the general fund numbers. As the amendment states, it will reinstate the subcommittee recommendations for the five positions they cut out in the House. The original request was for thirteen positions and the subcommittee recommended five. Mr. Opitz explained the need for at least the five. I can tell everybody on this committee the Public Service Commission is overworked, period. One measure of the increase of the workload is that commission meetings, the minute entries have increased in the past 2 years by about 30% and this is a gage of their workload. Federal laws passed have imposed workloads on the commission. They have to do the work, the federal money goes away, but they have to do the work, the workload remains. If we don't fund them properly, probably we will have more rate increases. I work for Montana Power and I feel very strongly about this. The House Appropriation Committee took this out and Mr. Stobie acknowledged that there should be some compromise. I think this is a necessity to keep the work going. I would so move.

Senator Story: Didn't we just make a drastic cut with our action yesterday? This would save some work.

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Senator Haffey: The action we took when we passed a bill to give the municipalities some authority to deal with some kinds of rate increases. None of what we did yesterday will lessen the load of the Public Service Commission one bit. The perimeter says below a certain ceiling. The kinds of requests they are working on are all above the ceiling.

Senator Dover: I do know they need some. They are getting into the cases of energy development. The hydro-electric.....they have to initiate the whole thing. The electric rates on this and how to address and assess them. They need the FTE to carry it out.

Senator Smith: In the subcommittee we were very thorough. We brought the people in and discussed a lot of things with them. When we came out of the subcommittee we felt we had a very good job of the thing for the proposed budget. I don't know why the House Appropriation committee didn't do this, they sent it over to the Senate and said they could do it. There didn't seem to be any logic, they just said take five out and they did it.

The question was called, voted, passed, with Senator Aklestad voting no.

MOTION #61: Institutions Department. Senator Johnson said she would move to restore the \$1.6 million taken out of the Institutions budget. When we met as a subcommittee I felt we did a fine job. After the meeting there was one more cut. It pulled this money out and I don't think they can operate without it. It is \$680,000 the first year and \$683,000 the second.

Senator Jacobson: Who made the final cut?

We in the subcommittee were taken down to the second level. The third level the chairman authorized. We did not vote on this.

Senator Etchart: We were told there were some cuts being made. Nobody really objected to it.

Senator Aklestad: When Representative Moore was in here he made note of it, that we might want to look into it later.

Senator Regan: These cuts were not made and there was some feeling that these cuts.....made in the third level, were made with the approval of the head of the Department of Institutions. This has not proved to be the case. These cuts were made arbitrarily, not with the approval of the department head.

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Senator Hims1: Does this amendment replace all of the corrections and changes in the Institutions? I would like to know how much money is in this. We keep chipping away at the appropriations.

Senator Keating: I am sending around an amendment for Mental Health. It will be in addition to this amendment. The Mental Health gets \$300,000 out of this. There was reference in testimony of going to third level and cuts of 3%. That was at the third level cut. It was a straight cut across the board.

Senator Smith: In the area of Montana State Prison, wasn't there additional legislation made there? Wasn't that the \$150,000 for a fence? There was additional guards, etc., and a tower?

Senator Etchart: I would support this motion, to reinsert this money.

Senator Aklestad: What are the monies actually going for?

Johnson: I can't give you the breakdown, I don't have it with me. It was a 3% cut straight across. What this amendment does, it restores it back to the way we had it in subcommittee.

Voted and passed, with Senators Boylan, Aklestad and Nelson voting no.

MOTION #62: Senator Keating made an amendment to add \$750,000 for the biennium for Mental Health Division. It was my understanding that the Mental Health Department took a double cut and that they are operating at 46% of their last biennium, and that this money will put them up to current level to help keep from returning to Warm Springs.

Senator Thomas: I would support the motion. We took a very harsh look at the Mental Health Centers. They were doing something we did not like. We cut them a little too hard and this could be a reversion back to Warm Stprings.

Senator Regan: Does this take them to the 50%? Keating: No, I don't believe it would. Senator Regan: They were at 46%. Keating: The statement says it will provide them with a maximum of 50% funding and will ensure services. One of the other problems so far as the employees go, they are set up to the personnel services. They are state employees, they are allowed to keep the FTE but there is not enough to pay the employees if the raise goes through. They need it in order to function.

Senator Hims1: How much increase total? Keating: \$774,000 and \$775,000. Hims1: The total increase is in the body of the bill.

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Senator Van Valkenburg: On the \$775,000 increase, I have been getting a lot of letters for a \$4 million increase. I think we are holding the line quite a bit according to the demands.

Senator Aklestad: On page 59 of the green book, this would be increases on top of that, 16 of general fund and 22 of other?

Senator Himsl: The question is what? Aklestad: Is it true there is \$16,000 more in general funds and \$22,000 more in others?

Senator Etchart: I would ask that our analyst answer this question. Rae: The only increase given is in general fund, being that is the only one the state participates in. The \$17.4% is an increase in general fund in the biennium.

Senator Dover: In the book, does it include what you are asking for? Rae: Over and above. Aklestad: The locals can tax for this but they don't. Keating: They are collecting fees. In some cases they do. In some places they have been a little lax in collecting them. The subcommittee came down hard enough that I think they will be doing it from now on.

Senator Aklestad: If they take care of the fees they should not need the additional money then.

Senator Johnson: With this amendment, what percentage does it fund? Keating: 50%. Regan: Didn't we say this was on contracts?

Senator Himsl: It is my understanding the department will contract with them for the services.

Senator Johnson: I do believe we came down hard. I do believe we came out with a fair budget. I will resent this motion.

The question was called, voted and passed.

MOTION #63: Senator Haffey said he had some proposed amendments to Warm Springs budget. I would propose you amend 500, page 42, line 12. That is a \$190,448 proposed increase to the Warm Springs budget for personnel services. The same amendment would go on page 44, line 9.

Personnel services.....this is fifteen positions. When Mr. South and Representative Moore were on a lot of dialogue about whether and why 25 or 26 additional personnel were needed above what the bill has. Mr. South explained through a letter from the

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administrator that the direct care patient ratios in 1969 should not apply now. These ratios are no longer appropriate. This addresses that matter. Mr. South explained to us that not only additional direct care, and not only in excess of fifteen made, but additional support staff people in the form of custodian people. I think we are running a great risk in not taking care of the health care in Warm Springs and the Department of Health has explicitly said they do them. This bill addresses the fifteen. It is a different mix of patients than in 1979, if I understand Mr. Moore and Mr. Hoffman. Had you been given this, you would have used the new figures. I would move the amendments.

Senator Etchart: I would resist the motion. I think that budget was well worked. I think it was tight enough, but I don't think this is called for.

Senator Johnson: I would like to ask Senator Haffey from the figures I have, as of 3/6 at Warm Springs, there are 25.5 that are vacant. If that is true I can't understand. They are not staffing up to full capacity, but if at 25.5, if they were filled would this not take care of the people? If these 25.5 were working. Senator Haffey: The effect of that would be to have 514 positions which is what Mr. South has characterized as a bare bones budget. Mr. Hoffman: They clearly have 25 positions. As to whether it would care for the patients in the area of direct care, I don't know.

Senator Van Valkenburg: Aren't they vacant because of forced vacancy savings?

Senator Regan: Mr. South is here, we might as well put him on the spot. On the restoration of the cut made, \$80,000 that goes into operating, does it address personnel services? There may be some trade-off.

Carroll South, Director, Department of Institutions: The latest information, there are 491 and the authorization is for 506. That would leave 15 vacant positions in our opinion. These are the latest figures.

Senator Regan: It would appear that the 83 biennium then authorizes 487 so you are fully staffed under this authorization. Is that right? In the green book under '83 biennium, it shows FTE 487. If you are currently carrying 491 you are 4 over now?

Mr. South: We want to leave a place for putting people in vital positions if both are merged.

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Senator Regan: You are merging Galen and Warm Springs. Will this merger result in a reduction of the need for the FTE, or just a redistribution? South: We get rid of an administrator and some duplication. We would hope to put direct care in place of them. Less administrators and more direct care. That was the purpose of the suggested merger.

Senator Johnson: Mr. Hoffman, would you respond to Senator Regan's question of the current authorized staff. If it is 514 positions, there will be a reduction of 2.51 direct care from those authorized in Warm Springs State Hospital. Direct care is authorized at 247, from that number 2.5 will be deleted based on a reduction of patients, on the authorized level.

Senator Haffey: The Lafferty report (Galen) which was passed out, when we were on Warm Springs and Galen. Taken in context, in terms of recommendations, it leaves us to believe that the hours of direct care are needed. There is good reason to believe that all 27 people should be added back in. The effect of Senator Johnson's motion is to add back. We are leaving 27.9 unaddressed. I am not asking for this. In Warm Springs the fact that we are using 1979 ratios, and Mr. South has testified that they are more hard to care for patients. That effect caused him to ask for 19. I submit, if we don't fund for the 15 we could have problems at the institution.

The question was called, voted and failed on a vote of 12 to 4.

MOTION #64: Senator Thomas said he had some amendments on page 45 of the bill, page 100 of the green book, on education. I have a technical amendment. After ", " strike all the last of line 19 and strike line 20, "week end janitor service". We are actually located in the Vo-Tech in Great Falls. On weekends on each training session the school would have to pay for someone to provide the janitorial service.

Senator Haffey: As my memory of this in the subcommittee, it was that the fire service training school didn't have money in the last 2 years to pay for janitorial service on the weekend. They didn't have money in their budget now so that the fire service training school, if they are forced to pay on the weekend, they don't have the money to do it.

Senator Thomas: It is not fair to charge the school for the janitorial services. By making the school provide it you are making the school pay for it.

Senator Jacobson: We did not mean for them to pay for it.

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Senator Nelson: There was quite a little discussion in the subcommittee. As long as it is their building they thought they should provide the janitorial service. They would be more satisfied than if someone came in and messed up their stuff. If you want to charge them, fien.

Senator Johnson: Line 21 says no charge. No way the school district can be reimbursed. By making it so that they have to work it out they can provide their own or hire janitorial service themselves. The cost is transferred to the local district.

Senator Keating: How much janitorial service? Are they there every weekend? What kind of a cost?

Senator Thomas: It depends on the season. During winter there would be no fire training sessions then.

Senator Keating: What are we talking about in money? Who is going to pay the cost? Thomas: I think it should be between the Vo-Tech and the fire district. It is not fair for the school district to have to pay it and if you leave the language in, the local school district has to provide the janitor service. I think you intended to have it a negotiable thing.

Senator Haffey: We intended to put it in Great Falls vo-Tech to take care of it. Thomas: Are you going to charge the local school district? Haffey: We mentioned that for the Vo-Tech we had given them the money to provide for this. Thomas: I will withdraw my motion and write it up so that it is not transferred to the local school district then.

The motion was withdrawn by Senator Thomas.

MOTION #65: Senator Regan moved to insert \$2,039,695 and the necessary figures in the blue bill to take care of House Bill 655. There was a brief discussion of it being too soon to do this.

The motion was withdrawn.

MOTION #66: Senator Jacobson said she had some amendments on the Historical Society section of the bill. This is the Heritage Project. The amount of money is \$127,973 for the biennium. This is a scaled down program. This is traveling with mixed media to go out through the state. The mixed media art is taken wherever there is space and adequate security to give the living artist exposure. Language on front sheets, amendments on the last, attached. This project has wide-spread bipartisan support in the rural areas. I would move the amendments.

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Senator Haffey: Page 115 of the green book. This is in addition to that? Jacobson: This is a separate project.

Senator Nelson: I would resist the motion. This was considered and reconsidered in the committee and always came up with a tie vote. They already have some federal money in there. We have already pumped \$40,000 into the arts council for grants.

Senator Smith: I live 500 and some miles from here. I am about as isolated as anyone. Some of us would just as soon they would leave us alone in some cases. We have history and are doing something about it ourselves. There is a limit on the general funds.

Senator Aklestad: We just pumped \$150,000 in already, that will be general fund money from now on.

MOTION #66A: Senator Dover moved a substitute motion that this amendment do not pass. Voted, and passed - 9 to 7.

MOTION #67: Senator Regan said on page 56 under instruction, as you know, I have questioned for a long time the rationale of having Eastern patterned in a staffing pattern of 90% and they are lumped with the rural schools. The original proposal was that Eastern be at 93%. In the past we have had a staffing pattern of the big schools, then they come in with a salary schedule that put us on the 90%. I propose each year of the biennium \$500,000 to Eastern. I would move this amendment.

Senator Nelson: I would resist the motion. This budget was very well worked. The subcommittee worked the University rather hard. Every one of the Universities got their share of everything. Senator Regan called for the question, there was a tie vote, and the motion failed. Senator Regan explained that being it was April 1, she had to give it a try.

MOTION #68: Representative Donaldson handed me these amendments as housekeeping amendments to clean it up a little. This would go on several pages, but start on page 53, following line 8. I would ask Mr. Nichols to explain it to you.

Curt Nichols, LFA: This takes the critical area and places the salaries for those areas on a line item of themselves. This is the critical area faculty, and is contingent on the agreement with the Board of Regents. It is putting that appropriation in and making it contingent on the Board of Regents.

MINUTES
FINANCE AND CLAIMS COMMITTEE
April 1, 1981
Page sixteen

A motion was made by Senator Nelson to approve the amendments.

Senator Hims1: What is a critical area faculty salary? Nichols: This ia a term the subcommittee used. It is the areas they had trouble getting help at the salary base.

Senator Hims1: Did the subcommittee list the critical area ones? Nichols: I guess that would be left to the University and the Board of Regents.

the question was called, voted, passed with Senators Regan and Hims1 voting no.

MOTION #69: Senator Dover said he had some amendments on the University budget. He said there were some areas I think we can do some cutting on. This is simple good fiscal responsibility. Nichols: This relates to enrollments.

Senator Dover: Enrollments used in the budget are the high of the three years average. Actually the enrollments are going down because they use the high scale, and this really projects the dollars way up. We have a tremendous funding in the University and it would be better to give them a little less now than to give them more and have to come back and cut them. I would propose as an alternate base college and University funding for both years on the 1983 enrollment.

Senator Hims1 requested copies be made for the rest of the committee.

Senator Smith: I also have an amendment for later on in the bill to address some of the problems you are referring to.

Senator Dover: We are trying to get it written up and it will just be a minute. This is some we had been working on, and while it is not in very good shape yet, Curt did just what I asked for. He handed out the information and said to refer only to number 4 of the attachment on the second page.

Senator Nelson: I will resist the motion. I would like to have the commissioner explain to you what we did with the enrollment in this thing. I would like to point out one thing. I am a farmer and if I have a hail storm one year and a good year the next one, this is what is happening to the University system. I was totally ashamed of myself when I got home last session. We started the base formula for this budget from the formula that the interim finance committee gave us. They had drawn the bills we were supposed to use. We could not even leave the legislature the bills

MINUTES
FINANCE AND CLAIMS COMMITTEE
April 1, 1981
Page seventeen

they gave us to use. I would like to have John explain the difference. Both on this and the actual enrollment.

Dr. Richardson, Commissioner of Higher Education said the methodology in terms of the use of the 3 year average and the projected one was the recommendations by the interim Finance Committee. The dollars used on the enrollment were those projected by the Legislative Fiscal Analyst when the office put together their report for the Legislature for all state agencies. We attempted to work this into the University for what we perceive to be the coming biennium. We tried to retain the level. We saved some on the enrollment made, reduced them to some and increased to some. Enrollment projections are like looking into a crystal ball. I wasn't here two years ago. Those predictions were made two years ago. This year it is off by 2500 students. I would say that I do not believe these estimates contained in your appropriation bill are what we realize in the colleges and universities. Quite contrarily, they are up for private and public colleges as well. I think we can see the enrollment better as in the bill.

Senator Haffey: I think I would share what we went through on the subcommittee. I think that is true when it came to the subcommittee there had been a lot of data gathered and almost two years review by the Finance Committee, several months of work by the analyst, etc.. Then after a review, that for several weeks, we would try to get some sort of consensus of enrollment. The methodology is in the green book. The consensus came out as part of the \$4 1/2 million that was required, but that was reduced because of a compromise on the enrollment thing. To give a folksy response, I think you could pick up a number of problems when you multiply by 10 and get a reduction in enrollment. I think where you can do something more wise and prudent, that you come up with something that good, in the short time here, than they could in the time they spent on it. I don't think this is logical.

Senator Aklestad: We did study it. There was no doubt in our minds the University had this catch-up. The whole plans were not finalized. I don't think the committee ever voted on it until after the session started. Even if a vote was taken, it was nothing the subcommittee had to take. I am sure that we did not realize that the Universities were going to play catch-up so fast. There was a lot of discrepancy, and that is why I want to get a peer group. I don't think if a consensus, from the interim committee, I would like to know when the complete formula was finalized.

Nichols, LFA: The figures in the green book were in by the interim committee. They did not adopt the dollar figures.

MINUTES

FINANCE AND CLAIMS COMMITTEE

April 1, 1981

Page eighteen

Senator Story: I am just not clear in my mind. What was the dollar amount of the catch-up? If it was supposed to put them on an even keel and the inflationary gains, what was it? Nichols: I don't think that number has been calculated. Because of the interim study.

Senator Himsl: On page 150 of the green book, there are combined figures and it looks like general fund increase of 22% and other funds about 22%. The pay plan, etc., in it will reach about 36%. On the other page with the pay plan, a 46% increase.

Senator Boylan: I don't know what Senator Aklestad was talking about. He was wondering. At the appropriation committee meeting one evening only about three votes were against it. The bottom line is what we are funding it at. It is further and further apart all the time. I don't know how to put in an amendment like that. If you start to cut the appropriation you are going to have to cut out units or programs of the system. The only way is to whittle down programs. You do away with engineering or physics or whatever. If you don't believe in the enrollment figures set up a contingency fund, if it goes up, say that they have it, if not, they don't. At least they would have a way to go. The estimates have been a lot lower than the actual. This one graph was the enrollment actual at the universities. I think that this time the committee did a better job on the university budget than any other committee did before. They have already cut \$5 1/2 million out of the original. If you come in for \$2 1/2 million more you have cut the whole thing. Now you come up this morning with special critical areas. That is why they had to go into it. There was not enough funding to keep faculty. The only way to fund them was by critical areas.

Senator Dover, looking at the graph. Who gave these enrollment figures? Boylan: That is the university actual enrollment.

Nichols: Using your figures to come up with number 4. The enrollment figures are in the green report project enrollment figures. It is the result of figures used in the subcommittee action.

Senator Dover: In 1967 we really cut the universities. I don't know if I can condone that, but we did do it. I don't think that is right. Maybe I am asking for too much money. Are we getting ourselves into the same type of thing? In a few years, looking at the high school figures now, it is a possible decline. If not sound, it does take place.....it is cautious but it hurts less and is better than getting your head off later.

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April 1, 1981
Page nineteen

Senator Smith: I was wondering, because of the substantial increase did the legislative fiscal analyst use the recommendation of the peer groups, and did the Governor's office have access to the study.

Nichols: The governor's office used the traditional method of inflation and adjustment for enrollment.

Senator Himsl: The Governor's proposed budget provided 35% increase over 1979-80. This bill increases it much more than that.

Senator Dover: What I would like to do is to delay until tomorrow. Maybe it should be taken out somewhere else, but anyway we get a chance to look at it. I am jumping in and would like to get more information. It is a lot of money and is important to a lot of people.

Decision to delay #69 until tomorrow.

MOTION #70: Senator Etchart said he would add \$76,000 to the University of Montana for a study to be done by the School of Business, over there, on the economic contributions of the federal lands to the Montana economy. That would be a study done under Maxine Johnson's shop. The study would have three aspects.

1. Federal lands in Montana as a resource base,
2. The current contribution of resource use on federal lands to the Montana economy, and
3. The potential economic contribution of resources to the state economy.

I would move the above.

Senator Regan: I would resist the amendment in that the study would not be distinctive or honest, but its focus would be only on one aspect, really. This is just, look at the way the three questions are structured. This is just a continuation of the sagebrush rebellion.

Senator Himsl: In the school they make the study. Does someone have to fund it?

Senator Regan: We are going on a contract service. This would be a contract with the Legislature and The University of Montana.

MINUTES
FINANCE AND CLAIMS COMMITTEE
April 1, 1981
Page twenty

Senator Himsl: Don't they initiate these studies in-house?
Regan: When you want something this specific you will contract for them.

Senator Stimatz: They do a lot of studies for the Bureau of Economy. The report is in the quarterly book. Whether employees or not, I don't know. These people are available to them. They did the banking study.

Senator Himsl: Isn't that on their own initiative? Stimatz: I would say that maybe a grant from an industry or someone and they just do them. I would say if they initiate them they should have to be objective.

Senator Keating: The amount of federal land in the state is considerable. We are in a situation in which we receive, in lieu of tax payments in various areas, and we receive them from them but don't know if an audit or have a basis for believing what they send us. I would think this would be a valuable tool for the western part of the state. I think it would be a valuable study to understand the grazing and what not in the east as well as the minerals there.

Senator Himsl: Does the BLM have studies? Keating: They have statistics but as to economic base value of the state, I don't know.

Senator Van Valkenburg: As near as I can determine in this state of time, the University has not even been advised in regard to the study. I am real concerned about the idea of individual departments coming to the Legislature through various constituents on something that they think is valuable and put to the University as a want. You may be encouraging this sort of thing from every department in the Legislature.

Senator Johnson: We just sat here with an amount to start chopping money and look at putting on an extra amount of work. I would rather hold where we are.

Senator Nelson: I would resist this motion. If they wanted it they could have brought it to the subcommittee. We gave the University money and it could have gone in there. I will fight for the budget the way it came out of the subcommittee.

Senator Etchart: There are a lot of us interested in what the federal lands give to the state of Montana. It was at our initiative

MINUTES
FINANCE AND CLAIMS COMMITTEE
April 1, 1981
Page twentyone

that this came forward. I don't want Maxine Johnson chopped to make an issue. I think it is prerogative to find out what we have.

Senator Smith: I think you just ask them. You could suggest that this is an area they might want to work at.

The motion was voted, motion failed, 9-7

MOTION #71: Senator Smith said we have reason for this amendment. This would direct them to give a plan to the Legislative Finance Committee by September 1 to try to control the University problem and the variations because of enrollments. Senator Smith read the amendment, attached, and said these remarks should be inserted in the bill on page 53, line 8. We may have gone too far. There was a question on the amendment of enrollment, also on the FTE. Our concern was using formula when enrollment goes up, then they should use the formula when it goes down. There is an enrollment drop in schools.

Senator Himsl: As Chairman of the Finance committee, can't it be done by a letter rather than in a bill?

Senator Smith: I think it carries a lot more force in the Appropriation bill. A lot more clout. Our committee does not have that power otherwise.

Senator Jacobson: The plan shall be submitted by September, 1982, is that correct? Smith: That should be '81.

Senator Regan: I have a bit of trouble with the language saying he must, because of the honorary position the commissioner enjoys with relationship to the trustees. I expect they form a body-guard around him and then this, the commissioner "shall". I don't think he will do anything the Board of Regents doesn't say to do. I expect he has heard and will do it without us telling him. I think this should not pass in this form and perhaps he would just take the hint that if the Universities are going to continue, something will have to be done.

Senator Himsl: I think there is a limit in expressing concerns in a bill. I don't think this belongs in 500.

Senator Dover: I wanted to put something in under the Department of Transportation. I think this belongs as a letter of intent, not a part of the boiler plate of the bill.

MINUTES
FINANCE AND CLAIMS COMMITTEE
April 1, 1981
Page twenty-two

Senator Boylan: I think the Board of Regents and the Commissioner have already gone through this once. Enrollment did increase and I think they are keeping a handle on it now. They will trigger it if it should occur. I think they are very cognizant of what happened a couple of years ago.

Senator Smith: I think there is intent to do two things. Our Legislative Finance Committee had very good cooperation with the Commissioner and the Board of Regents. I think what we are hoping is that all of us realize there will be a drop in enrollment. We are using a formula our Legislative Committee came up with. We do not want to have them say they agree but you did not tell us what would happen when it went down. I would so move that this be added to House Bill 500.

Motion voted, failed. Senator Smith voting for the motion.

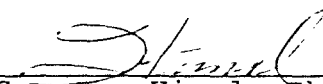
MOTION #72: I know you want to consider the times. I think a lot of people have looked over the University budget and have followed it closely. The subcommittee has suffered cuts. I think there are a lot of people who have worked hard on this. I would move we approve the University budget as it stands right now.

Senator Himsl: I think we should give the people working on it an opportunity. I don't think we should cut them off through deliberate action. I think they should be heard. You realize if this motion should pass it would end the executive action on the bill and it would be closed.

Senator Van Valkenburg: Yes, that is my motion.

Motion was voted, tie vote and the motion failed.

The meeting adjourned at 11:52 a.m.



Senator Himsl, Chairman.

SH:sk

SENATE COMMITTEE

FINANCE AND CLAIMS

Date

4/1

Bill No.

500

Time

8:48

NAME	YES	NO	ABSENT	EXCUSED
Senator Etchart		✓		
Senator Story		✓		
Senator Aklestad	✓			
Senator Nelson	✓			
Senator Smith	✓			
Senator Dover	✓			
Senator Johnson	✓			
Senator Keating	✓			
Senator Boylan	✓			
Senator Regan		✓		
Senator Thomas		✓		
Senator Stimatz		✓		
Senator Van Valkenburg		✓		
Senator Haffey		✓		
Senator Jacobson		✓		
Senator Himsl		✓		

7 9

Sylvia Kinsey
Secretary

Senator Himsl
Chairman

Motion:

Reconsider En 's' in En

55

y d

SENATE COMMITTEE

FINANCE AND CLAIMS

Date

4-1

Bill No.

500

Time

10:51

NAME	YES	NO	ABSENT	EXCUSED
Senator Etchart		✓		
Senator Story		✓		
Senator Aklestad		✓		
Senator Nelson		✓		
Senator Smith	✓			
Senator Dover	✓			
Senator Johnson		✓		
Senator Keating	✓			
Senator Boylan		✓		
Senator Regan	✓			
Senator Thomas		✓		
Senator Stimatz	✓			
Senator Van Valkenburg	✓			
Senator Haffey	✓			
Senator Jacobson	✓			
Senator Himsl		✓		

8

8

Sylvia Kinsey
Secretary

Senator Himsl
Chairman

Motion:

Add 5th 1st 2nd

L 16m

P H - 42 -

SENATE COMMITTEE

FINANCE AND CLAIMS

Date

4/1

Bill No. 150

Time 10:47

NAME	YES	NO	ABSENT	EXCUSED
Senator Etchart	✓			
Senator Story	✓			
Senator Aklestad	✓			
Senator Nelson	✓			
Senator Smith	✓			
Senator Dover	✓			
Senator Johnson	✓			
Senator Keating	✓			
Senator Boylan		✓		
Senator Regan	✓	✓		
Senator Thomas		✓		
Senator Stimatz		✓		
Senator Van Valkenburg		✓		
Senator Haffey		✓		
Senator Jacobson		✓		
Senator Himsl	✓			

9-7

Sylvia Kinsey
Secretary

Senator Himsl
Chairman

Motion:

11-6

20 3 eff 4

SENATE COMMITTEE

FINANCE AND CLAIMS

Date

4/1

Bill No.

655

Time

8:46

NAME	YES	NO	ABSENT	EXCUSED
Senator Etchart		✓		
Senator Story		✓		
Senator Aklestad		✓		
Senator Nelson	✓			
Senator Smith		✓		
Senator Dover	✓			
Senator Johnson	✓			
Senator Keating	✓			
Senator Boylan	✓			
Senator Regan	✓			
Senator Thomas	✓			
Senator Stimatz	✓			
Senator Van Valkenburg	✓			
Senator Haffey	✓			
Senator Jacobson	✓			
Senator Himsl	✓			

12 4

Sylvia Kinsey
Secretary

Senator Himsl
Chairman

Motion:

PE

Himsl
Done 12.1

SENATE COMMITTEE

FINANCE AND CLAIMS

Date

41

H.

Bill No.

655

Time

8:44

NAME	YES	NO	ABSENT	EXCUSED
Senator Etchart	✓			
Senator Story	✓			
Senator Aklestad	✓			
Senator Nelson		✓		
Senator Smith	✓			
Senator Dover		✓		
Senator Johnson		✓		
Senator Keating		✓		
Senator Boylan	✓			
Senator Regan		✓		
Senator Thomas	✓			
Senator Stimatz		✓		
Senator Van Valkenburg		✓		
Senator Haffey		✓		
Senator Jacobson		✓		
Senator Himsl		✓		

6, 10

Sylvia Kinsey
Secretary

Senator Himsl
Chairman

Motion:

P-6

SENATE COMMITTEE

FINANCE AND CLAIMS

Date

4/1

Bill No.

500

Time

9:52

NAME	YES	NO	ABSENT	EXCUSED
Senator Etchart		✓		
Senator Story		✓		
Senator Aklestad		✓		
Senator Nelson		✓		
Senator Smith		✓		
Senator Dover		✓		
Senator Johnson		✓		
Senator Keating		✓		
Senator Boylan		✓		
Senator Regan		✓		
Senator Thomas		✓		
Senator Stimatz	✓			
Senator Van Valkenburg	✓			
Senator Haffey	✓			
Senator Jacobson	✓			
Senator Himsl		✓		

4 12

Sylvia Kinsey
SecretarySenator Himsl
Chairman

Motion:

31 sec 8:15 PM

6 FTE

SENATE COMMITTEE

FINANCE AND CLAIMS

Date

4/1

Bill No.

500

Time

9:08

NAME	YES	NO	ABSENT	EXCUSED
Senator Etchart		✓		
Senator Story		✓		
Senator Aklestad		✓		
Senator Nelson		✓		
Senator Smith		✓		
Senator Dover	✓			
Senator Johnson		✓		
Senator Keating		✓		
Senator Boylan		✓		
Senator Regan	✓			
Senator Thomas		✓		
Senator Stimatz		✓		
Senator Van Valkenburg	✓			
Senator Haffey	✓			
Senator Jacobson	✓			
Senator Himsl		✓		

5

11

Sylvia Kinsey
Secretary

Senator Himsl
Chairman

Motion:

Orig Motion

#59 3 p oey 4 D/R

SENATE COMMITTEE

FINANCE AND CLAIMSDate 4/1Bill No. 500 Time 9:37

NAME	YES	NO	ABSENT	EXCUSED
Senator Etchart		✓		
Senator Story	✓			
Senator Aklestad		✓		
Senator Nelson		✓		
Senator Smith	✓			
Senator Dover	✓			
Senator Johnson		✓		
Senator Keating	✓			
Senator Boylan		✓		
Senator Regan	✓			
Senator Thomas	✓			
Senator Stimatz	✓			
Senator Van Valkenburg	✓			
Senator Haffey	✓			
Senator Jacobson	✓			
Senator Himsl		✓		

Sylvia Kinsey
Secretary

Senator Himsl
Chairman

Motion:

no cup needed
(774) E

46

#62

ROLL CALL

FINANCE AND CLAIMS COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date

4/1

NAME	PRESENT	ABSENT	EXCUSED
Senator Etchart			✓
Senator Story	✓		
Senator Aklestad	✓		
Senator Nelson	✓		
Senator Smith	✓		
Senator Dover	✓		
Senator Johnson	✓		
Senator Keating	✓		
Senator Boylan	✓		
Senator Regan	✓		
Senator Thomas	✓		
Senator Stimatz	✓		
Senator Van Valkenburg	✓		
Senator Haffey	✓		
Senator Jacobson	✓		
Senator Himsl	✓		

SENATE COMMITTEE

FINANCE AND CLAIMS

Date

4/1

Bill No.

HB 500

Time

NAME	YES	NO	ABSENT	EXCUSED
Senator Etchart		✓		
Senator Story		✓		
Senator Aklestad		✓		
Senator Nelson	✓			
Senator Smith		✓		
Senator Dover		✓		
Senator Johnson	✓			
Senator Keating		✓		
Senator Boylan	✓			
Senator Regan		✓		
Senator Thomas	✓			
Senator Stimatz	✓			
Senator Van Valkenburg	✓			
Senator Haffey	✓			
Senator Jacobson	✓			
Senator Himsl		✓		

8 8

Sylvia Kinsey
Secretary

Senator Himsl
Chairman

Motion:

Amended 65 J R L G
Higher 19 U G

L P W

SENATE COMMITTEE

FINANCE AND CLAIMS

Date

4/1

Bill No.

580

Time

10:38

NAME	YES	NO	ABSENT	EXCUSED
Senator Etchart	✓			
Senator Story	✓			
Senator Aklestad		✓		
Senator Nelson		✓		
Senator Smith	✓			
Senator Dover	✓			
Senator Johnson		✓		
Senator Keating	✓			
Senator Boylan	✓			
Senator Regan		✓		
Senator Thomas	✓			
Senator Stimatz		✓		
Senator Van Valkenburg		✓		
Senator Haffey		✓		
Senator Jacobson		✓		
Senator Himsl		✓		

7

9

Sylvia Kinsey
Secretary

Senator Himsl
Chairman

Motion:

For Study

70

✓ ✓

STANDING COMMITTEE REPORT

.....~~March~~ April 1..... 19 81.....

MR. President.....

We, your committee on Finance and Claims.....

having had under consideration House..... Bill No. 655.....

(Hims1)

Respectfully report as follows: That..... House..... Bill No. 655.....

BE CONCURRED IN

~~DO NOT~~ *by dr*

TRANSPORTATION

HB 655

1. Schedules

Fiscal 1981 - \$.55 per mile plus \$.02 for each seat over 50 seats.

Fiscal 1982 - \$.70 per mile plus \$.02 for each seat over 50 seats.

Fiscal 1983 - \$.85 per mile plus \$.02 for each seat over 50 seats.

2. Cost

	<u>Fiscal 1982</u>	<u>Fiscal 1983</u>	<u>1983 Biennium</u>
HB 655 (Fiscal Note)	\$5,435,880	\$6,683,898	\$12,119,778
HB 655 (LFA)	5,097,206	5,984,120	11,081,326

Subcommittee Recommendation

1. Schedules

Fiscal 1982 - \$.60 per mile plus \$.025 for each seat over 50 seats.

Fiscal 1983 - \$.65 per mile plus \$.025 for each seat over 50 seats.

2. Cost

	<u>Fiscal 1982</u>	<u>Fiscal 1983</u>	<u>1983 Biennium</u>
Subcommittee	\$4,724,445	\$5,019,250	\$9,743,695

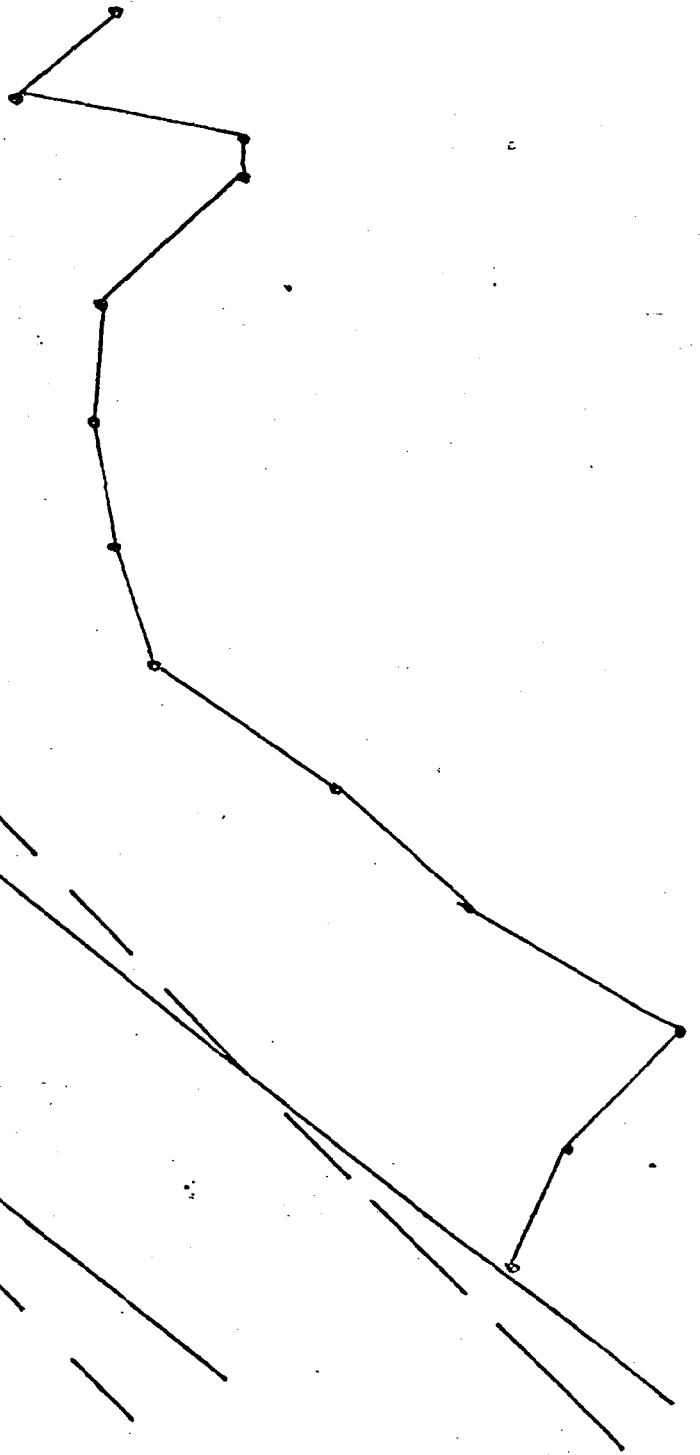
Comparison of HB 655 with Subcommittee Recommendation

	<u>1981 Biennium</u>	<u>1983 Biennium</u>	<u>Increase</u>
HB 655	\$8,259,844	\$12,119,778	47
Subcommittee Recommendation	<u>8,259,844</u>	<u>9,743,695</u>	<u>18</u>
Difference	-0-	\$ 2,376,083	

Comparison of HB 655 and Subcommittee With Amount for Transportation in HB 500

	<u>1983 Biennium</u>	<u>Amount In HB 500</u>	<u>Difference</u>
HB 655	\$12,119,778	\$7,704,000	\$4,415,778
HB 655 committee	9,743,695	7,704,000	2,039,695 ✓

Projected Cost
for 1981-82



HB 655 schedule

LEA schedule

State's share of
HB 655

State's share
of LEA schedule

