

MINUTES OF THE MEETING
FINANCE AND CLAIMS
MONTANA STATE SENATE

SPECIAL SESSION

November 23, 1981

The sixth meeting of the Senate Finance and Claims Committee met in Room 108 of the State Capitol Building on the above date. Senator Himsl, Chairman, called the meeting to order at 8:18 a.m. Upon roll call all members were present.

Senator Himsl said he had received a note from Leo Berry DNR, that said there was a joint proposal from Montana Power Company and Mountain States Energy, saying I would be inclined to wait until phase 1 is done. If it would attract the facility to Montana I would proceed with that portion.

Senator Himsl said the purpose of the meeting is a hearing on House Bill 13, sponsored by Representative McBride.

Representative McBride said this bill had passed the House in the revised version you see in the blue bill. She said she had heard people talking and saying this was not only H.B. 13, but Proposition 13. This bill came about from my concern from the cuts in Washington, and one would say we had the money for the counties and the counties saying not enough money being generated to help them. The counties putting forth the effort should receive some of the benefits in terms of being at the upper level of the mill levy for the poor fund but also addressing the additional impacts from the federal and the costs being shifted to the counties.

This bill does three things: 1. Preserves the relationship between SRS and the counties. No specific change that will go on with that. 2. It will clearly recognize the efforts made by the counties. Those making the most effort get the first benefits. 3. A question of equity. Recognition that those counties that have put forth the effort should receive the benefit. The impacts of the changes of federal level are coming back to the local taxpayer. If it is not as great as being feared, the impact would not be as great. It is only when a county proves they have need that they get the money. There was discussion and contribution from members of the House that wanted to see some of the original aspects tightened up. A new section was added in Matching Grants from state funds to counties. This was in regard to the department match for a grant-in-aid. The house passed this out at 8 mills. The idea is to require that match and therefore it would require no accountability. It requires a county to have a workfare program. This is perhaps a realization that we can see that those who choose not to work do not get the money. Above 13.5 mills, a county would be triggered into the emergency grant-in-aid at 100%.

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From the accounting standpoint in rural counties, the actual care of the indigent and the nursing homes and/or hospitals has been comingled. How much goes to the indigent is hard to break out. One result of this will be a better accounting for the care of the indigent and the county hospitals. Some areas say, we raise 10 mills to operate our hospital and nursing home. This does not work. It is the same as now. If we are afraid to take a new approach we are slighting the people of Montana. We are facing a new problem. We have not dealt with block grants before. The taxpayer cannot foot the whole burden.

Representative Bertleson spoke as a proponent of the bill. He said he is from District 27, Ovando. You have before you the only piece of legislation in this session which gives you an opportunity to help the counties in the state of Montana which might be impacted by the block grants. If they are not, then this piece of legislation has practically no fiscal impact. I like the concept of this legislation, it does go to the counties that have an unemployment problem and those needing the county medical assistance. It points at the area where the impact exists. Being a farmer I am reluctant to spray the whole field for a couple spots of weeds. You spray where the weeds are. This piece of legislation would cost \$1.4 million from the general fund. That is also true if the same impact would apply -- \$2.2 million in the grant-in-aid if this impact does exist. 1300 and 1400 cases SRS has assumed if the worst case that would be above what you would have paid otherwise. In several counties with workfare 1/3 to 1/2 dropped in the number of people in the program. We may end up with considerably less impact. We are instituting a feeling that if you are going to get help you are willing to work for it. The person who gets in trouble is delighted to work for it. He would feel he had done something to warrant getting this money. You have an opportunity to involve the state of Montana in a new concept but a very good concept. The only opportunity you have to actually do something for the counties if they are impacted by the block grant program.

Representative Budd Gould, District 98, Missoula, said I am here speaking very strongly as a proponent for H.B. 13, as a property taxpayer in Missoula County. This bill is probably the most important piece of legislation to come out of this Special Session. This was a compromise between 6 and 10 mills. This is between 65 and \$70,000. \$683 per year is 10% of the value of the home I live in for property tax. If we have an increase we will start to kill the goose that lays the golden egg. We need increased help as far as the sheriff is concerned, we will run into a rent problem as far as education is concerned and people will vote down mill levies simply because they can't afford the taxes. This bill would help the taxpayer and also let the counties know we are willing to help them. The important issue is to look at people paying 10% per year of the value of their property. Something has to be done.

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Mike Stephens said he was in support of the bill. This bill is positive. 24 counties will benefit from this particular action.

Bob Palmer, Missoula County Commissioner said he supports House Bill 13. To use an example, if we don't receive some help from state legislature we project the poor fund to double next year. With no relief about 2 1/2 mills increase to get into the 13 1/2 grant-in-aid. H.B. 13 addresses that issue. I support it at the 8 mill levy and hope you would reject any effort to raise it to 10 mills. I think the incentive workfare program would then be lost and the property tax levy would go higher if it were set at 10 mills.

Harold McLaughlin, Director of the Poor Fund, Cascade County said we support this bill. In Cascade County we anticipate a significant increase in general assistance and county medical. Cascade County will be eligible for grant-in-aid. We feel there has been an inequity in counties. Cascade County attracts more people because of the medical facilities and the chances of getting employment. It has been our experience that workfare programs do cut down on the draw from the poor fund. It does not teach work skills.

Dave Goss, Billings Chamber of Commerce spoke in support of H.B. 13. He said they support the bill at 8 mills. It is possible the community in Billings would have to pick up much of the impact as a result of the cut in federal funds. This is estimated between \$400,000 and \$500,000. Those figures are probably a low estimate. The 8 mill trigger point would still pick up about 1/2. It does not result in taxes, it keeps them from climbing higher yet. Yellowstone would see their taxes increased substantially. Taxes go up and the taxable evaluation goes down. To pass this onto the local level is unfair.

John LaFaver, Director, Social and Rehabilitation Services, said in looking at this session from the standpoint of SRS a lot has been accomplished we can be proud of. We trimmed costs, tightened the eligibility to bring it down approximately 1/3. \$8 million of cuts justified in SRS. There is one piece of work not completed. As we went about trimming our welfare rolls and costs, we know in all the testimony that an element of this would be shifted to the counties and the only way it could be justified would be to put into place some sort of a safety net in the counties. H.B. 13 would keep that safety net in place. At the preferred level of 8 mills it would provide 1/3 of the amount of relief needed at the county level. We would strongly urge the mill levy be lowered to 6 mills which would provide 1/2 of the relief and provide more counties in the safety net. The county cost would go to 29 counties at 6 mills. A major part of this bill -- no county is eligible for a dime of the money unless they have a workfare program in place. That would mean that for the first time in the state of Montana we would have in place a program for a broad workfare program. I would urge it be put in place and at 6 mills.

Representative Marks, District 80, spoke in favor of the concept of this bill. I am strongly in favor of amending it to be triggered at 10 mills rather than 8. The difference in this bill as now amended and some of the others by legislators and the governor's is this bill is not a revenue sharing bill in any sense. They provide assistance to the county based on an assumption of need to all counties. This doesn't do that. If an alledged impact because of economic future or as cuts in federal funds in a certain area-- if you can assume that is correct then you can also say only in the areas of the poor fund. It is an experiment. LaFaver says he is a strong proponent of a workfare program and I have been for many years. At 10 mills it is assumed 22 counties would come under it. Those paying in at 10 would have effective 1 3/4 mill property tax relief. The real incentive for putting in a workfare is already in place in the counties. It is a fallacy to say this is not enough incentive. If every dollar you save in a workfare program is entirely at the county level, let us say that a county that has no workfare program will get no aid. If 1/3 of the people do not show up to work, they have effectively cut their welfare program by 1/3. If the state is going to support this by putting \$1 million at 10 mills based on estimates by the LaFaver office, their estimated increase in case loads would cost the Department \$2.2 million. The cost would be \$3.2 million. I think the state would diminish its total savings by this much. Some say it costs more than it is worth. If they don't take the workfare, forget the 10 mills, they can then come in for grant-in-aid at 13 1/2 mills. Lewis & Clark County has done a real good job in working with the county commissioners on a workfare program. They were put in charge of supervising the fair grounds and they completely renovated it. It works here. The difference between this and the other bills is that this one does not require any front-end money. It is picked up as a supplemental in the next session. I would strongly urge you to amend it to 10 mills. It would be much easier to get out of if it were a wash out.

There were no further proponents, no opponents, and Senator Himsel asked if there were questions from the committee.

Senator Aklestad: Just to make sure I am straight. The counties will come in at 13.5 for grant-in-aid, right? Representative McBride: Yes. The matching part and the workfare go together.

Senator Aklestad: What incentive for a county to initiate a workfare at this time? To make the turnover at this point? Representative McBride: A provision for SRS to be able to match. They will have to submit the workfare plan to SRS before they could get the money.

Senator Aklestad (to Mr. Stephens) You are supporting this bill? Mr. Stephens: We support this bill because 20 some counties would get help.

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Senator Aklestad: Has the county organization voted on this and given you their recommendation on it? Mr. Stephens" We have the authority to support it.

Senator Van Valkenburg: Mr. McLaughlin, do you have a workfare program in Cascade County? Mr. McLaughlin: I have been there since 73 and it was already in existence then.

Senator Van Valkenburg: How do you know the reductions in the general assistance case loads? Mr. McLaughlin: We make some exemption over 65 and parents with small children. We give an authorization to report to work and if he does not report to work he receives no subsistence. 15 or more do not show up.

Senator Van Valkenburg: How much does your county expend administering the workfare program?

Mr. McLaughlin: Last year, about \$16,000 for supervision. Cascade is a maximum levy and asked SRS to adopt regulation to establish reasonable and necessary expenditures. They said no and we have had no money provided for them before and now we are operating with no money but out of the departments.

Senator Van Valkenburg: What estimate do you use, minimum wage or what? Mr. McLaughlin: We determine the need and divide it by \$3.50 and require they work that number of hours.

Senator Van Valkenburg: How? Mr. McLaughlin: We are using minimum wage. If we are able to develop additional work sites we may consider going back to this.

Senator Story: You said you support Senate Bill 4 over this. Is that because of the work program or what? Mr. McLaughlin: There is no free money. This is shifting property tax to income tax on all taxpayers. This shifts from all income to some of the property taxpayers. You would prefer a system that reduced a property tax on all rather than part of the county.

Senator Story: You can look at this. Carter County gets more money through this bill. Their poor fund is up from 6 - why shouldn't they benefit?

Senator Dover: Your comment that we might have problems with unions. Do you see any negotiations that have to be made there?

Representative McBride: I realize they are coming from a strong labor area and this aspect went into my decision. You will recognize that SRS is given the ability to set guidelines and programs whereby a county can add what is best for them. I believe they will take care of the considerations that I and the union people had that talked to me. There will be some guidelines set up. No attempt to undermine legitimate work.

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Senator Regan: This was introduced at 6 and went up to 8. Was the 10 rejected by the House? Rep. McBride: Yes.

Sen. VanValkenburg: Assuming SB 4 does not go anywhere, what would be the difference with this one between the 10 and the 8 mills?

Story: I think between 8 and 10 mills -- you are including two more counties. 8 mills assist 24 and 10 assist 22. Other than raising the limit, the incentive program would be the same except going up 2 more mills to trigger the mechanism.

Senator VanValkenburg: Would 11 mills be a point you would not consider it worth while, but you would at 10 mills? How many would you lose? Sen. Story: You will encourage counties to go up in their mill levy. SB 4 discourages that. This is why we are not going in this with our original proposal.

Senator Wolf (to Rep. McBride): How many counties do have workfare programs now? Rep. McBride: Specifically, I do not know. Lewis & Clark, Yellowstone-- I am not sure if any of the people in SRS could answer this. There has been no provision that says you must have them. No incentive to start.

Senator Story: In the LFA original book, page 276, a table of county mill levies for the poor fund. Is that table wrong? Sen. Himsl: That is an earlier compilation. Another is from the Association of Counties that is different, and Mr. Stephens reported an even different one than the 1982 budget. This last shows only 18 counties that would be above the 8 mills.

Sen. Story: The original LFA was last year. Our sheet gives you this year's budget figures and the information I gave is all the work sheet from SRS. That should have taken into consideration nursing homes, hospitals, etc.

Sen. Smith: In regarding the increase in number of counties probably coming under grant-in-aid, what kind of adjustments for auditing these counties is there, since they have to be audited? Mr. LaFaver: I am not asking for any extra costs.

Sen. Smith: Is it your department that would have to audit them? LaFaver: Yes.

Sen. Jacobson: We have been discussing SB 4 as opposed to HB 13. SB 4 -- that money is up-front money and we would have to go back and open up HB 2? Sen. Himsl: Yes.

Sen. Himsl: Any county above 8 mills would require a workfare program and share 50-50 with SRS. At 13 1/2 mills they would take a flight off that program and go to grant-in-aid. Rep. McBride: The only other picture would be if a county chose not to do the workfare, they could go directly to grant-in-aid at 13 1/2 mills.

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Senator Hims1: (4) of the bill, "a county receiving matching grant-in-aid may not levy more than 1/2 mill for each 1 mill expenditure equivalent over 6 mills for poor fund purposes except to subsidize a medical facility". Rep. McBride: Exactly what we are trying to get at. Counties at 4 mills or at exactly 6 mills of actual care of the indigent. If they need to raise more for a county hospital or nursing home, it would not count to the match and no provision is made to stop them. We are not trying to keep the county hospitals or nursing homes from getting their mills. It would depend on the number of mills spent for nursing homes and hospitals. One factor -- you now said a county that matches exactly 10 mills is in a position where it can only raise 3.5 mills for a county hospital. That could be a problem in some counties if it is set at 10 mills. That is one reason I set a figure at 8.

Sen. Hims1: Let us suppose a county is at 13 1/2 mills and is receiving grant-in-aid. That county maximum levy is no more than 1 mill? Rep. McBride: It says that a county that, as this bill projects it, will need 10 mills as care for the indigent, over 8 mills, it can only levy 1/2 of that increment, 1/2 mill for each mill expenditure.

Sen. Hims1: Does this mean if you need 10 mills and you are at 8 mills you could increase it to 12 mills and then they will trigger it in? Rep. Bertleson: It means if you started at 8 mills, if you want grant-in-aid, you would have to levy 1/2 mill for each mill you would spend, up to 11 mills.

Sen. Regan: You use warrants to use the 1/2 mill or what?

Rep. Bertleson: Or the state could transfer the money to the counties.

Sen. Hims1: I don't understand it. They would get into it before they spent 13 1/2 mills of county money. Bertleson: Suppose that I have Powell county and I want to get into grants-in-aid and we say we need 13 1/2 mills since, after 8 mills, the state would contribute 1/2 mill for every mill instead of going up the 5 1/2 mills we only need to increase the 2 3/4 mills of county levy and would go into grant-in-aid then.

Sen. Hims1: With this provision, you would go into grant-in-aid before your county had 13 1/2 mills. I don't understand this. I understand the poor fund is at 8 mills and a workfare program. Above that a 50-50 match. If they go up 1/2 mill for each mill above it (only 2 3/4)? Between 8 and 13 1/2 divided by 2 is 2 3/4. That means that, with an additional 2 3/4 mills, they would come to the 10 mills and they could then be eligible for the grant-in-aid. This could take in a number of counties. How many counties are eligible at the present time at the 8 point trigger?

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Rep. Bertleson: 24. Sen. Hims1: 24 counties could use this device and not use the regular 13 1/2 mill levy.

Sen. Aklestad: I am not sure I followed all this. Your concern is about the medical facilities. At this point in time, how do they draw at 13.5 when the trigger mechanism comes in they draw in with poor fund and you are trying to operate them? Rep. McBride: Strictly from accounting purposes.

Sen. Aklestad: Can a county come in at 8 mills and get all the money they need without more mills? Rep. McBride: Only when a county spends 13.5 mills for indigents. The actual cost of the hospital is separate, also the nursing homes.

Sen. Dover: Up to 8 mills, can they include nursing homes and still trigger the 1/2 above it? Or do they have to cancel this before they can trigger it? When they get up above that 13 1/2 mills is there some way they can still pick up money for nursing homes?

Sen. Dover: A county has 8 mills. They can levy 9 mills and get 10, but they need 2 mills for nursing homes, so you could actually levy 11 mills.

Sen. Wolf: I see Don Peoples sitting out in the audience. Silver Bow operates a hospital.

Don Peoples, Butte, Silver Bow: Essentially that is correct. We levied 13 1/2 mills for care for indigents and the hospital and nursing home had to occur outside that. Now 9, if the hospital had levied 2 for that and, in effect, we would be levying 11 mills.

Sen. Story: If we opened SB 4, we would have to re-open HB 2. That is also through here? Rep. McBride: No. Sen. Regan: No.

Sen. VanValkenburg to Sen. Story: Sen. Regan's bill would have to, but this bill as I understand it would not. If you levy less mills than you need to expend, then how do you have the cash to operate? Sen. Story: That remains to be seen. If they intend to have this come in and the workfare fell through, you would have to cough up at the local level, and there are a couple of problem areas in it. If you try to be conservative you will have to suffer for it.

Rep. McBride: I just want to point out a couple of things. My preference would be at 6 mills. You have an idea of what the figure would be. I want to speak emphatically against the 10 mills. A savings of 1 1/2 mills where a mill is worth less and less, they could get a property tax savings. For \$30,000, they could invest that? I have some serious questions on that. I strongly urge you to leave it at 8 mills.

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Senator Hims1: I think the committee should express its thanks to John LaFaver in the reduction of the SRS budget and savings of the dollars they have done, and the committee expresses its appreciation.

Sen. Hims1 called on Rep. Fabrega, sponsor of HB 14, to explain his bill.

Rep. Fabrega, House District 44, Cascade: This bill is a nature of addressing who should be responsible for the interest on any warrants that have to be registered by any county for grant-in-aid. The 13 1/2 mill levy will have two problems. One is mandatory, the other is optional. County hospital and for welfare but, if 13 1/2 mills are levied and the county cannot qualify for grant-in-aid unless the total is for indigents, it allows it to levy for a county hospital only when all funds have been exhausted. That is what makes this problem so illusive. Only Medicaid, approved care of the indigent patient, would qualify. In Cascade county we are in excess. A nursing home and hospital that are totally indigent. The fact that it is not used for other purposes -- maybe 1/2 mill -- (you can get a vaccination for \$1 or so). We spend 13 mills of the 13 1/2 mills for primary purposes that have been mandated. If you don't need it, you can levy for a county nursing home or hospital that is not only for the indigent.

What I am addressing in this bill, page 3, line 20, "The grants-in-aid from the department may be used only for public assistant activities lawfully conducted by the county, including but not limited to", etc. How does SRS fund grant-in-aid? They grant budget authority. A county as of June 30 of this year would have to wait until the next session for us to incorporate the money to make that money available. SRS goes from their budget spending authority they would actually draw the funds. 13 1/2 mills for welfare. That is the safety net for the taxpayer, if the impact will correct 45 mills just for the indigent. Once a county has to issue warrants for 14 or 15% interest, the state should also pay that interest. If they spent 8 mills in 8 months, they would have had to levy 10 3/4 mills. That would give more than ample notice that their 1/2 that would cover it would be needed and should be made available to that county so that they don't have to administer warrants. It is only fair, but it still a remaining problem that we will have to solve. A county has to have, used its poor funds, they get grant-in-aid and still have to pay off their interest. Where do they get the money? Everything is already committed. Where do you levy to pay the interest in the poor fund when you are already at the maximum? This can be avoided by having the state make the money available on a timely basis. Then you have not made an economic impact on the state.

Don Peoples, Butte, Silver Bow: This is a serious problem in Silver Bow. We have continued to roll the interest year in and year out, and I stand in favor of this bill.

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Harold McLaughlin, county welfare director in Cascade County, said 14 1/2 mills for welfare was levied in his county last year. After 13 1/2, it would now be grant-in-aid. We have had some cash in reserve. We are required to spend down all the cash before we qualify and will have to borrow money to make these commitments.

There were no further proponents, no opponents, and Sen. Himsl asked if the committee had questions.

Sen. Regan: I don't see John LaFaver in here. I would like someone from the department to address this. The fiscal note seems to be a cop-out. I would think they would have a better handle on it than that.

Ben Johns, Deputy Director, SRS: I understand there are \$7 million in county warrants. I don't know how much in the county poor funds. The question is how can the county get their money and, if on time, the impact would be minimal. The gist of this is to see that the money flows with the counties' budgets. If they work with the counties and have some front end money, it should be minimal.

Sen. Himsl: I think she wants to know if there is any administrative problem in this. Sen. Regan: Why isn't the money put out in a timely basis?

Rep. Johns: We had some problems in the past. We would grant money and could not get the money back when they did not expend it on grant-in-aid. Next year we would not have to be so precise. The gist of the poor fund is that at the end of the year there is no money left.

Sen. Regan to Rep. Fabrega: This fiscal note isn't worth the paper it is written on. Out of the \$9 1/2 million now. They just started the fiscal year. Silver Bow and Cascade will probably approach the state in April or May. Sen. Keating: What were you asking? Sen. Regan: I think this fiscal note is nonsense.

Sen. Keating: In one list we saw several million dollars worth of warrants in Silver Bow. In auditing their county hospital, they don't differentiate between the hospital and aid to the indigent.

Sen. Himsl: I get the impression from Mr. Johns that there would not be any need for this type of thing after this. Johns: There should be no impact if you can get the dollar amounts to flow right. If not, it could be anything. Sen. Regan: This is the big stick to make them cough up the money on time.

Rep. Fabrega: This bill is like the death penalty. If you don't commit murder, you don't have to be afraid to be hung.

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The committee recessed to the call of the chair at 9:45 a.m.

The committee reconvened at 2:03 p.m.

Senator Hims1 said there seemed to be an indication from the counties as to our interest in the relief program. The committee has been asked to address the possibility of Senator Regan's SB 4.

Senator Regan: The House really won't buy it. Shouldn't we just kill it?

Senator Hims1: No, we are going to take up SB 4.

MOTION by Senator Dover to amend Senate Bill 4 (amendments attached as Exhibit A). When the bill came out originally, it was 50-50. Now it is at 10-90. If we go at 10-90 the net cost would be \$1.1 million. If 80-20, it would be \$2.1 million additional. Page 1, line 19, this is the work program on the first part of SB 4. This is the same work program for that as if we had House Bill 13. The new section, section 3, lines 13-18, would also be deleted. You are changing from 50-50 to a 90 county, 10 percent state.

Senator Hims1: The figure I had was \$1.3 million.

Senator Dover: When this was changed around it changed the 13 1/2 mill and it also changed some of that, and when you start changing the figures around, the county's net would be \$1.1 million.

Senator Regan: Since this is my bill, I would like to explore it a little further as to what has happened. You are saying instead of 50-50 spread, you are going to have the state 10% and the county share 90%. You strike the section that deals with medical assistance. You require a workfare program in order to qualify. Do you do anything else with the bill? Oh, yes, it sunsets. If you remember, I came in with these bills at the request of the department. We knew we did not really have the bill we wanted. We wanted something we could work on as a reduction for the impacted counties. Senate Bill 4 is the MACO bill. SRS agreed to submit with 5 and 6. You are all aware that the fairest of the bills is HB 13 of which I am a co-sponsor. I think it ironic that I must oppose my own bill. I think you are wasting your time. The bill calls for, within the legislative appropriation, it will now read 10%. There is no money in this bill, and I suppose you will have to try to open up HB 2, get the rules suspended to open up HB 2. I suspect this might be difficult to do. A more reasonable approach would be to address HB 13 which truly provides a safety net. It is inconceivable to me that we are going to offer 10% to the counties. Clearly, we are now saying, we are going to throw on you a whole bunch of people, possible 1,200 or more, but we are going to give you a safety net. It is so thin you might as well give them a veil. You are going home and say we gave you a safety net and it is a sham. If you are really going to help the counties,

you can't give them nothing. I would hope you would reject the amendments and then the bill.

Sen. Keating: Is it possible to amend the amount?

MOTION by Senator Keating to amend the third amendment to strike "10" and insert "20", page 1, line 18. Page 2, line 8, strike "10" and insert "20". \$2 million would be the amount of money that would be in addition to the grant-in-aid estimates. This is slightly more of a fiscal obligation than HB 13 which was 1.9 million. Under Senate Bill 4, all the counties will participate rather than 24 counties.

Sen. Van Valkenburg: Where have you gotten the dollar figures you are working with here? Sen. Keating: LFA. Van Valkenburg: Judy, under SB 4 as introduced, the annual dollar amount was \$2.8 million that would be the fiscal effect on the state in a regular year.

Rippingale: I don't have this figure with me at this moment.

Sen. Dover: SB 4 was the additional 5%. Rippingale: Original was county 5% of the state and medicaid costs, and that is no longer the amount being offered. You did not have that money coming in as a net offset. Your real question is where are the figures coming from now. We took SRS levels as offered for the counties as to effects in 1982 and used SRS as a base to record the concept in. There were no original mill levies for the counties.

Sen. Van Valkenburg: How much time was devoted to this change?
Rippingale: About an hour, I think.

QUESTION was called for the amendment to the amendment to change the 10% to 20% participation by the state. Voted, passed, 13-3.

MOTION by Senator Dover, who moved the amendments as amended. Voted, passed, 9-7.

MOTION by Senator Dover that SB 4, as amended DO PASS.

Senator Regan: I seek some information. I find myself seeing that this bill has been amended so poorly it turns it into a pretense of giving assistance to the counties. (to Dover) Is MACO present out there at this time? Dover: Yes, they helped me work this up. Regan: All the counties? Dover: Yes. Regan: Did you check with the counties? Dover: The association came to me and they are the ones that contact the counties. They are the ones who suggested to me that they would be willing to do this. Regan: I think we see here that some of our counties are being taken advantage of.

Senator Smith: On the calculations. Some people are saying all rural counties get assistance, and the others won't. When I had this up, McCone has 55.44 mills. It is not just in their poor fund. They give 12 mills for poor fund. There will be poor rural counties getting assistance as well as urban.

Senator Van Valkenburg: I guess it doesn't matter a lot to people here. The LFA has put one hour's work to assessing the fiscal impact of this bill. The total amount will be picked up by the counties, and we are looking at establishing a revenue-sharing system that many of you will say this is the one thing we really did wrong.

Senator Regan to LaFaver: Have you assessed this? LaFaver: I have had as long to look at this as you have. The main problem is the problem I had with the bill when it first came to you. Under a cost-sharing arrangement for all 56 counties, SRS staff would have to audit all 56 counties to be sure all counties are sharing correctly. I don't have a staff to audit them all. There is a significant amount of work involved in allocating this money if you were to approve it. I don't have enough in the budget.

Sen. Dover: I think it is good that it is required. They could give us a better figure after the audit to know where the counties are and what they need.

QUESTION was called, the motion to pass SB 4, as amended, was voted and passed by 9-7.

MOTION by Senator Dover to adopt the statement of intent. Voted and passed by 9-7.

The committee recessed for this bill to go to the floor.

The committee reconvened at 5:50 p.m. to consider HB 14 and Senator Himsel said that this is the bill that has an interest rate paid by the state SRS on delayed payments to the counties for reimbursement on aid-in-grant warrants issued by the counties. The state would pick up the interest payments when these payments are not made in a timely fashion.

John LaFaver: We were very neutral on the bill in its best form. Neutral on the assumption that HB 13 would pass and the interest obligations would be under HB 13. Assuming this bill went through unchanged as you just passed it, we would have interest obligations in every county in the state. If this is the figure you pass, we would have to oppose HB 14. It changed the ground rules under which the state would make interest payments. If no further legis-

lative action were to take place, we could not make those payments to the 56 counties until the end of 1983. Interest payments would then be to all 56 counties. It really puts HB 14 in a different light. SB 4 puts HB 14 in a different light.

Sen. Van Valkenburg: I have a question. Our announcement on the Senate floor means we would open HB 2 and put an appropriation in to let the Department pay out under SB 4. They say you would have the money. LaFaver: Even if that were to happen, I don't know how it can be paid out until the end of the year when we can go in and verify the amounts under SB 4.

Sen. Himsl: I don't know what conditions these might entail. I see no reason why we have to have this. Maybe it would be better not to.

Sen. Boylan: I move we take HB 14 and lay it on the table.

Sen. Keating: Does this pertain to outstanding warrants -- current outstanding warrants' interest, as well as future warrants?

Sen. Himsl: Only on grant-in-aid warrants in the future.

LaFaver: Only the grant-in-aid warrants this year that qualify as state law exists after we go home. Obviously, some already are incurred and a county could already be drawing interest on it. I would think it would happen later this year.

Sen. Himsl: The counties have money in the first part, but run out of cash and wait for the audit time. It might be a considerable time they would have to issue warrants.

Wolf: The Senate has passed SB 4 over to the House, and we do not know what action it will receive in the House. I would be willing to make a motion to leave HB 14 in the committee until we find what the action is in the committee.

Sen. Story: We don't want it either way.

MOTION: Senator Etchart moved a substitute motion for all pending motions that House Bill 14 do not pass.

QUESTION was called. The motion that HB 14 BE NOT CONCURRED IN was voted and passed 10-6.

The meeting was recessed at 6:10 p.m., subject to the call of the chair.

Minutes of the Meeting
Senate Finance and Claims
November 23, 1981
Page 15

Senator Himsl called the meeting back to order and asked for a roll call. Meeting convened at 10:25 a.m. All members were present except Senator Aklestad who was excused.

Senator Himsl said the reason for the meeting was to take executive action on HB 13 and that there is a proposed amendment to sunset the bill on June 30, 1983.

MOTION by Senator Wolf to amend HB 13 to put in a sunset provision. Voted, passed, unanimous.

MOTION by Senator Regan that HB 13, as amended, BE CONCURRED IN. Voted, amended, passed, 9-6.

Senator Himsl said that completed the bills before us for hearings and that, except for the other two Senate Bills, it cleared them out of the committee. Those two would remain in committee.

There was a motion for adjournment. Voted and passed.

The meeting was adjourned at 10:35 a.m.

Senator Himsl, Chairman

ROLL CALL

FINANCE AND CLAIMS COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date 11-23-81

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

STATEMENT OF INTENT--Senate Bill 4 (SS1)

A statement of intent is necessary for this bill because sections 1 and 2 grant rulemaking authority to the department of social and rehabilitation services.

The department is to make rules defining reasonable and necessary expenses of a county poor fund for state participation. The rules are expected to be guidelines that adequately forewarn counties as to the expenses that they can reasonably expect to be recognized by the state, yet not restrict a county's ability to locally operate its assistance program except insofar as a legitimate state interest is involved because of state financial participation.

The department may also adopt guidelines for state approval of work programs. It is preferred that the department will establish minimum and perhaps maximum standards allowing a county latitude in formulating a meaningful work program based upon its caseload and geographical location. The county plan adopted with these guidelines would be then be subject to department approval.

Because of the uniqueness of this act it the department may adopt rules governing the administration of the state participation. Such matters as county reporting, methods of application, manner of reimbursement, and and other matters which if properly addressed by rule will prevent repetitious ad-hoc decisions relating to different counties and, within the bounds of law, to provide simple and economical administration of state participation to encourage county work programs.

STANDING COMMITTEE REPORT

November 23

19 81

MR. **President**

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

having had under consideration **Senate**

Bill No. **4**

Respectfully report as follows: That **Senate**
be amended as follows:

Bill No. **4**

(AS SS SHOWN ON ATTACHMENT SSI SBA - I)

**AND AS AMENDED,
DO PASS**

Senator Dover
Amendments to Senate Bill 4
Amend as Follows:

OK JWZ

Title, lines 7 and 8.

Following: "ASSISTANCE" on line 7.

Strike: ", COUNTY" on line 7 and line 8 in its entirety.

Insert: "IF A COUNTY HAS A WORK PROGRAM"

Title, line 9.

Strike: "THE STATE"

Page 1, line 18.

Following: "county"

Strike: "50"

Insert: "20"

Page 1, line 19.

Following: "county"

Strike: "."

Insert: ", except for a subsidy to a medical facility, if:

(a) such county expenditures were reasonable and necessary, according to criteria set by the department in its rules adopted for such purposes for the county to meet its obligations under law to provide assistance to the needy; and

(b) the county participates in or operated a work program, as authorized by 53-3-304, that has been approved by the department."

Page 2, line 8.

Following: "county"

Strike: "50"

Insert: "20"

Page 2, line 9.

Following: "53-3-103"

Strike: "."

Insert: ", except for a subsidy to a medical facility, if:

(a) such county expenditures were reasonable and necessary, according to criteria set by the department in its rules adopted for such purposes for the county to meet its obligations under 53-3-103; and

(b) the county participates in or operated a work program, as authorized by 53-3-304, that has been approved by the department."

Page 2.

Following: Line 12.

Strike: Lines 13 through 18 in their entirety.

Page 2, line 21.

Strike: Line 24 in its entirety.

Insert: "July 1, 1982."

Page 2.

Following: Line 24.

Insert: "Section 6: Repeal. This act is repealed on June 30, 1983."

SENATE COMMITTEE

FINANCE AND CLAIMS

Date 11/23

S

Bill No. 4

Time 2:18

NAME	YES	NO	ABSENT	EXCUSED
Senator Etchart	✓			
Senator Story	✓			
Senator Aklestad	✓			
Senator Nelson	✓			
Senator Smith	✓			
Senator Dover	✓			
Senator Wolfe <u>Wolfe</u>	✓			
Senator Keating	✓			
Senator Boylan				✓
Senator Regan				✓
Senator Thomas	✓	✓		
Senator Stimatz	✓			
Senator Van Valkenburg	✓			
Senator Haffey	✓			
Senator Jacobson				✓
Senator Himsl	✓			

13 3

Sylvia Kinsey
Secretary

Senator Himsl
Chairman

Motion:

[Signature]

P. 2 10 0 20%

SENATE COMMITTEE

FINANCE AND CLAIMS

Date 11/23

3 Bill No. 4

Time 2:20

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	✓			

97

Sylvia Kinsey
Secretary

Senator Himsl
Chairman

Motion: Done

SENATE COMMITTEE

FINANCE AND CLAIMS

Date 4/23

5

Bill No. 4

Time 2:29

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: 6 9 5

SENATE COMMITTEE

FINANCE AND CLAIMS

Date 11/23

S Bill No. 4

Time 2:30

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:

Statement of Intent

STANDING COMMITTEE REPORT

November 23 19 81

MR. **President**

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

having had under consideration **House** Bill No. **14**

Fabriga

Respectfully report as follows: That **House** Bill No. **14**

BE NOT CONCURRED IN

~~DO NOT~~

HC

6105

Date _____

Bill No. _____

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	✓			

10 6

Sylvia Kinsey
Secretary

Senator Himsl
Chairman

Motion:

H/B 14 C-6

ROLL CALL

FINANCE AND CLAIMS COMMITTEE

47th LEGISLATIVE SESSION - - 1981 Date 11/24/81

NAME	PRESENT	ABSENT	EXCUSED
Senator Etchart	✓		
Senator Story	✓		
Senator Aklestad			✓
Senator Nelson	✓		
Senator Smith	✓		
Senator Dover	✓		
Senator Johnson ^{Waf}	✓		
Senator Keating	✓		
Senator Boylan	✓		
Senator Regan	✓		
Senator Thomas	✓		
Senator Stimatz	✓		
Senator Van Valkenburg	✓		
Senator Haffey	✓		
Senator Jacobson	✓		
Senator Hims1	✓		

STANDING COMMITTEE REPORT

November 24 1981

MR. **President**

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

having had under consideration **House** Bill No. **13**

McBride (Regan)

Respectfully report as follows: That **House** Bill No. **13**

third reading bill, be amended as follows:

1. Title, line 9.

Following "DATE"

Insert: "AND TERMINATION DATE"

2. Page 3.

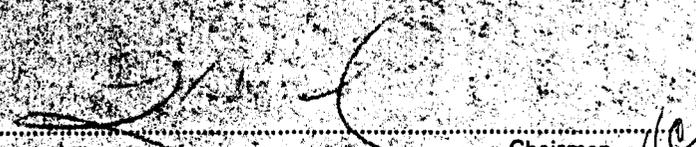
Following: line 21

Insert: "Section 4. Termination date.

This act shall terminate on June 30, 1983"

AND AS SO AMENDED,
BE CONCURRED IN

~~XXXXX~~


.....
SENATOR HIMSL

Chairman. *HC*

Date _____

Bill No. 13

Time 10:32

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 6 1

Sylvia Kinsey
Secretary

Senator Himsl
Chairman

Motion:

(Handwritten signature)

STATE OF MONTANA

REQUEST NO. 4-SP-81

FISCAL NOTE

Form BD-15

In compliance with a written request received November 20, 19 81, there is hereby submitted a Fiscal Note for House Bill 13 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:

To provide state grants-in-aid to those counties with a county work program and have reached a 8/8 mill poor fund levy for assistance to the needy.

ASSUMPTIONS:

- 1. Costs of county operated medical facilities are not eligible for grants-in-aid.
2. 1,650 cases will lose AFDC/Medicaid eligibility due to federal or state action.
3. 240 cases will not be eligible for county GA/county medical because of excess income. Therefore 1,410 cases are potentially eligible for county benefits.
4. 50% of the 1,410 cases (705 cases) will actually receive county general assistance. 635 cases will be eligible for county medical assistance.
5. Operational costs of the county work projects are not reimbursable by grants-in-aid under this proposal.

FISCAL IMPACT:

A+ 8mills

FY 83

Expenditures under proposed law

4140166
\$5,100,000

Expenditures under current law

2,200,000

Increased expenditures under proposed law

1940166
\$2,900,000

Handwritten signature of David M. Lewis

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 11/21/81

1 HOUSE BILL NO. 2 (1st SS)
 2 INTRODUCED BY DONALDSON
 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND HOUSE BILL NO.
 4 500, LAWS OF 1981, TO APPROPRIATE MONEY TO VARIOUS STATE
 5 AGENCIES FOR THE BIENNIUM ENDING JUNE 30, 1983; AND
 6 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

7
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 9 Refer to Introduced Bill
 10 (Strike everything after the enacting clause and insert:)
 11 Section 1. House Bill No. 500, Laws of 1981, is
 12 amended to read:
 13 "Section 1. Short title. This act may be cited as the
 14 "General Appropriations Act of 1981".

15 Section 2. Definitions. For the purposes of this act,
 16 unless otherwise stated, the following definitions apply:
 17 (1) "Agency" means each state office, department,
 18 division, board, commission, council, committee,
 19 institution, university unit, or other entity or
 20 instrumentality of the executive branch, office of the
 21 judicial branch, or office of the legislative branch of
 22 state government.

23 (2) "Approving authority" means the governor or his
 24 designated representative for executive branch agencies; the
 25 chief justice of the supreme court for judicial branch

1 agencies; appropriate legislative committees for legislative
 2 branch agencies; or the board of regents for the university
 3 system.

4 (3) "University system unit" means the board of
 5 regents, office of the commissioner of higher education, the
 6 university of Montana at Missoula, Montana state university
 7 at Bozeman, Montana college of mineral science and
 8 technology at Butte, eastern Montana college at Billings,
 9 northern Montana college at Havre, western Montana college
 10 at Dillon, the agricultural experiment station with central
 11 offices at Bozeman, the forestry and conservation experiment
 12 station with central offices at Missoula, the cooperative
 13 extension service with central office at Bozeman, or the
 14 bureau of mines and geology with central office at Butte.

15 Section 3. Budget amendments. (1) The approving
 16 authority may approve a budget amendment to spend funds that
 17 were not available for consideration by the legislature but
 18 have become available from a source other than the state's
 19 general fund or earmarked revenue fund and other than
 20 receipts to the state from the United States government made
 21 available under provisions of P.L. 94-488, the federal
 22 Revenue Sharing Extension Act or any extension or
 23 modification of that act. Each budget amendment shall be
 24 submitted to the budget director and the office of
 25 legislative fiscal analyst.

1 (2) A budget amendment may be approved to spend money
 2 in the earmarked revenue fund only if the approving
 3 authority certifies that an emergency justifies the
 4 expenditure.
 5 (3) A budget amendment may be approved for a time
 6 period greater than one fiscal year but not to exceed the
 7 biennium ending June 30, 1983. Budget amendments for greater
 8 than one fiscal year shall itemize planned expenditures by
 9 fiscal year.
 10 Section 4. Amendment procedures. (1) In approving a
 11 budget amendment, the approving authority shall:
 12 (a) certify specific additional services to be
 13 provided as a result of a higher expenditure level;
 14 (b) certify that no other alternative is available to
 15 provide the additional services;
 16 (c) certify that the additional proposed services have
 17 not been considered and rejected by the legislature;
 18 (d) certify that no commitment, implied or otherwise,
 19 is made for increased future general fund support;
 20 (e) specify criteria for evaluating the effectiveness
 21 of the additional services provided.
 22 (2) The additional funds are appropriated contingent
 23 upon total compliance with all budget amendment procedures.
 24 Section 5. Budget requests. Sufficient funds are
 25 appropriated in this act to enable each agency to submit its

1 1985 biennium budget request to the budget director and the
 2 legislative fiscal analyst pursuant to the time schedule
 3 established in 17-7-112(1). If any agency fails to submit
 4 its final, complete budget request by the deadlines
 5 established in 17-7-112(1), the expenditure authority herein
 6 granted shall be reduced or rescinded by the budget director
 7 unless the agency director certifies that an emergency
 8 situation has precluded a timely budget presentation and the
 9 budget director approves an extension not to exceed 30 days.
 10 Section 6. Detailed budget information. Within 10 days
 11 after the 48th legislature convenes in regular session, the
 12 budget director and the legislative fiscal analyst shall
 13 mutually exchange expenditure recommendations by object of
 14 expenditure to the second level of detail and by funding
 15 source detailed by treasury fund. This information shall be
 16 filed in the respective offices and available to members of
 17 the legislature and the general public.
 18 Section 7. Expenditure limit. Expenditures may not
 19 exceed appropriations.
 20 Section 8. Other appropriated funds. Unless otherwise
 21 indicated herein, the appropriations made under the column
 22 heading "Other Appropriated Funds" are from funds within the
 23 earmarked revenue fund, the federal and private revenue
 24 fund, or the revolving fund that accrue under provisions of
 25 law to the expending agency. Any federal funds received by

1 or allocated to the state of Montana prior to January 3,
 2 1983, as a block grant as defined by an act of congress
 3 enacted subsequent to April 1, 1981, and specifically
 4 designated as a block grant shall require a special session
 5 of the legislature for appropriation by the legislature
 6 prior to distribution of these funds among agencies and
 7 programs.

8 Section 9. Operating budgets. Expenditures may be made
 9 only in accordance with operating budgets approved by the
 10 approving authority. The respective appropriations are
 11 contingent upon approval of the operating budget by July 1
 12 of each fiscal year. Each operating budget shall include
 13 expenditures for each agency program detailed at least by
 14 personal services, operating expenses, equipment, benefits
 15 and claims, transfers, and local assistance.

16 Section 10. Access to records. No funds appropriated
 17 by this act may be expended for any contract, written or
 18 oral, for services with a nonstate entity for services to be
 19 provided by the nonstate entity to members of the public on
 20 behalf of the state unless such contract contains a
 21 provision allowing access to those records of the nonstate
 22 entity as may be necessary for legislative audit and
 23 analysis purposes in determining compliance with the terms
 24 of the contract. Each such contract may be unilaterally
 25 terminated by the state, and each contract shall so provide

1 upon refusal of the nonstate entity to allow access to
 2 records necessary to carry out the legislative audit and
 3 analysis functions set out in Title 5, chapters 12 and 13.
 4 Section 11. Reduction of appropriation. In the event
 5 of a shortfall in revenue, the governor may reduce any
 6 appropriation by not more than 15% except appropriations
 7 for:

- 8 (1) payment of interest and retirement of state debt;
- 9 (2) the legislative branch;
- 10 (3) the judicial branch;
- 11 (4) public schools; or
- 12 (5) salaries of elected officials during their term of
 13 office.

14 Section 12. Severability. If any section, subsection,
 15 sentence, clause, or phrase of this act is for any reason
 16 held unconstitutional, such decision does not affect the
 17 validity of the remaining portions of this act.

18 Section 13. Reversion. Notwithstanding other
 19 provisions of law, the unexpended balance of each
 20 appropriation reverts to the fund from which it was
 21 appropriated at the end of each fiscal year unless otherwise
 22 provided in this act.

23 Section 14. Other funds to offset general fund. The
 24 approving authority shall decrease the general fund
 25 appropriation of the agency by the amount of funds received

1 from other sources in excess of the appropriation provided
 2 in this act unless such action is expressly contrary to
 3 state or federal law, rule, or contract or the approving
 4 authority certifies that the services to be funded by the
 5 additional funds are significantly different from those for
 6 which the agency has received an appropriation.

7 Section 15. National conference of state legislatures.
 8 Agencies may participate in the activities and programs of
 9 the national conference of state legislatures within
 10 existing appropriations.

11 Section 16. Coal tax trust income. Interest income
 12 from the coal tax constitutional trust fund established
 13 under Article IX, section 5 of the Montana Constitution is
 14 hereby appropriated to the general fund for use during the
 15 biennium ending June 30, 1983. The portion of the general
 16 fund which represents this appropriation is appropriated to
 17 the school foundation program in HB 611 (\$16,000,000), the
 18 long-range building bond proceeds and insurance clearance
 19 account in HB 666 or the highway earmarked revenue account
 20 (\$16,469,324), and to the department of commerce in HB 500,
 21 items 4, 5, 6, and 8 (\$1,580,676).

22 Section 17. Amounts appropriated for audits may be
 23 transferred between fiscal years.

24 Section 18. Totals not appropriations. The totals
 25 shown in the act are for informational purposes only and are

1 not appropriations.
 2 Section 19. Appropriations. The following money is
 3 appropriated only for the purposes shown for the respective
 4 fiscal years:

5 A. LEGISLATIVE, JUDICIAL, AND ADMINISTRATIVE AGENCIES
 6 Fiscal Year 1982 Fiscal Year 1983
 7 Other Other

8 General Appropriated General Appropriated
 9 Fund Funds Fund Funds
 10 LEGISLATIVE AUDITOR
 11 1,008,825 861,675 1,266,805 783,425
 12 LEGISLATIVE FISCAL ANALYST
 13 489,178 506,639
 14 LEGISLATIVE COUNCIL

15 1,905,829 318,200 1,801,835 42,000
 16 The general fund appropriation for FY 1982 includes
 17 funds for CSC and NCSL travel, interim studies, Forestry
 18 Task Force, Revenue Oversight Committee, Administrative Code
 19 Committee, District and Apportionment Commission, coal tax
 20 oversight subcommittee, and Constitutional Convention
 21 Proceedings publication in the total amount of \$347,710
 22 which is a biennial appropriation.

23 The 1982 appropriation for the legislative council
 24 contains \$6,000 in general fund for the coal tax oversight
 25 subcommittee. This biennial appropriation is contingent upon

1 457000 607000
 2 157000
 3 10. Engine Replacement 70,000
 4
 5 11. Audit 16,000
 6
 7 12. Contingency - Vacancy Savings 1,600,000
 8

9 ~~13. Federal Pay Plan Funds~~ 4611231
 10

11 Total Governor's Office 4611231
 12 376507664 4507000 270057503 4007000
 13 216201664 181450 1,245,503 4611231

14 Federal indirect cost reimbursements shall be reverted
 15 to the general fund.

16 Item 10 is an expense for the biennium.
 17 Funds in item 9 shall revert to the general fund if not
 18 used for this purpose.

19 Item 12, a biennial appropriation, is solely for
 20 instructional faculty salaries in the six college and
 21 university units and shall only be expended if vacancy
 22 savings are not realized. As a further condition precedent
 23 to the expenditure of this item 12 appropriation, any of the
 24 said agencies requesting any portion of said appropriation
 25 shall submit a verified request therefor, which request

1 shall be verified by the president of the requesting agency
 2 and supported by evidence itemized and detailed
 3 establishing, to the satisfaction of the governor, that the
 4 requesting agency is entitled to a portion of said funds.
 5 The request and supporting documentation must be submitted
 6 by March 15 of each fiscal year and shall be subject to the
 7 conditions herein set forth. The governor shall respond with
 8 his decision by April 15 of each fiscal year.
 9 The above agencies shall, by July 1 of each fiscal
 10 year, submit for the current unrestricted subfund a detailed
 11 list of all FTE, faculty positions, each individual salary,
 12 and total budgeted benefits. The list shall equal total
 13 compensation at 100% excluding critical area faculty salary
 14 adjustment funds appropriated in this act for personal
 15 services. This total compensation figure may not from any
 16 individual agency be 3.6% greater than the operating budget
 17 for personal services for such agency. The list shall have
 18 at least these sections. Section 1 shall detail the
 19 positions which are eligible for the contingency vacancy
 20 savings appropriation. Any salary increases granted after
 21 this list is submitted will not be reimbursed from the
 22 vacancy savings fund. Section 2 shall detail all other
 23 staff. Section 3 shall detail by position the allocation of
 24 the critical area faculty salary adjustment funds.
 25 In the event any such request is submitted and the

1 governor shall find that the requesting agency has satisfied
 2 all the requirements and conditions herein set forth, the
 3 governor may issue his approval for expenditure of the said
 4 contingency-vacancy funds.
 5 If the governor should determine, in his discretion,
 6 that any requesting agency has not satisfied the conditions
 7 of item 12 relating to a request for a portion of this
 8 appropriation, he may deny such request and such denial
 9 shall constitute final agency action.

10 ~~Item 13 decreases in the amount of \$6,123 the~~
 11 ~~expenditure authority provided in subsection 11 of section~~
 12 ~~21, Chapter 211, Laws of 1981 as it relates to distribution~~
 13 ~~to this agency.~~

14 SECRETARY OF STATE
 15 1. Records Management 573,661
 16 580,152
 17 2. Administrative Code 80,000 81,000
 18 86,072
 19 3. Audit 6,000
 20 53,000
 21 4. Voter information pamphlets
 22 88,500
 23 5. Systems Development 111,500
 24 111,500
 25 Total Secretary of State

1 777,724 80,000 812,962 81,000
 2 A budget amendment increasing the administrative code's
 3 revolving fund spending authority in item 2 may be approved
 4 only for additional printing expenses and related supplies
 5 and postage.
 6 The secretary of state is directed to contract with the
 7 information systems division (ISD) for systems development.
 8 COMMISSIONER OF POLITICAL PRACTICES

9 1. General Operations 120,466 116,992
 10 2. Audit
 11
 12
 13 Total Commissioner of Political Practices 119,992
 14 120,466
 15 STATE AUDITOR
 16 1. State Auditor 1,547,545 1,561,152 150,000
 17 2. Actuarial Fees:
 18 Insurance Division 10,000
 19 3. Audit
 20
 21
 22 12,300 35,300
 23 Total State Auditor
 24 1,569,845 1,606,452 150,000
 25 In addition to the funds appropriated above, the local

1 program or antitrust enforcement efforts shall be deposited
 2 to the general fund.
 3 Item 4 contains \$4,900 for the biennium for severance
 4 pay, to be paid upon request from the county prosecutor
 5 program.
 6 The rate charged by the agency legal services program
 7 may not exceed \$30 per hour in 1982 and \$35 per hour in
 8 1983.
 9 Collections made from hearings conducted by the motor
 10 vehicle division on dealer franchises shall be deposited to
 11 the general fund.
 12 Funds ~~remaining within the 1981-biennium-appropriation~~
 13 ~~for coal tax defense at June 30, 1981 are reappropriated~~
 14 ~~for the 1983-biennium for the same purpose. These funds are~~
 15 ~~approved for target-related costs only.~~
 16 ~~Of the remaining funds within the 1981 biennium~~
 17 ~~appropriation for coal tax defense at June 30, 1981, \$50,000~~
 18 ~~is reappropriated for the 1983 biennium for the same~~
 19 ~~purpose. These funds are approved for coal tax defense~~
 20 ~~legal-related costs only. Funds not reappropriated for coal~~
 21 ~~tax defense during the 1983 biennium shall revert to the~~
 22 ~~general fund upon passage of this bill.~~
 23 Salaries as established for the forensic science
 24 division may not be altered or combined during the 1983
 25 biennium to recreate the position of director of forensic

1 services, which was specifically abolished by the
 2 legislature, or any other position which functions as a
 3 pathologist's assistant.
 4 Amounts in item 12 are contingent upon passage of the
 5 noted bills.
 6 The highway patrol may utilize funds within item 13 to
 7 purchase no more than 509,850 gallons of gasoline in fiscal
 8 1982 and 491,480 gallons in fiscal 1983.
 9 BOARD OF CRIME CONTROL
 10 1. General Operations
 11 218,250 391,250 217,900 404,400
 12 2. Grants
 13 3,100,000 2,100,000
 14 2. Matching Funds
 15 11,517 12,850
 16 3. Audit
 17 1,150 12,850
 18 Total Board of Crime Control
 19 219,400 3,504,100 217,900 2,504,400
 20 230,217 404,100 217,900 404,400
 21 Should federal funds become available for the uniform
 22 crime reporting program or the criminal justice data center,
 23 a like amount of general fund, less the matching
 24 requirement, shall be reverted. The maximum general fund
 25 reversion is \$83,800 in 1982 and \$86,500 in 1983, less

1	matching requirements.			13,341,876	14,518,052
2	<u>For the board of crime controls federal funds received</u>				
3	<u>for action grants may be administratively appropriated</u>			570,072	571,153
4	<u>through the federal and private grant clearance fund.</u>				
5	<u>Item 2 is a biennial appropriation. These funds are</u>			<u>20,625</u>	<u>61,875</u>
6	<u>limited to matching requirements of action grants received</u>				
7	<u>prior to fiscal 1982 but not yet disbursed.</u>			203,134,272	207,556,940
8	DEPARTMENT OF HIGHWAYS				
9	1. General Operations Division	7,545,871	7,591,008		
10					
11	2. Low-Band Radio Equipment	74,000	74,000		
12					
13	3. Construction Division	118,303,305	118,876,162		
14					
15	4. Maintenance Division	36,011,400	37,854,616		
16					
17	5. Preconstruction Division	12,435,358	12,198,196		
18					
19	6. Service Revolving Division	2,426,004	2,537,543		
20					
21	7. Motor Pool Division	1,036,727	1,160,844		
22					
23	8. Equipment Division	11,369,034	12,113,491		
24					
25	9. Stores Inventory				

The department of highways is directed to:

(1) Develop and institute a comprehensive construction project planning system. This system will be operational no later than July 1, 1985, and will be the basis for:

(a) project scheduling;

(b) project monitoring;

(c) manpower planning;

(d) work measurement and evaluation;

(e) cash flow projections;

(f) long- and short-range construction goals; and

(g) budget preparation.

(2) Utilize the partial funding method for construction projects.

(3) Institute a cash forecasting system to minimize cash reserves.

(4) Maintain a surplus of completed construction plans in order to obligate and expend the maximum amount of federal dollars available for construction during the

1 biennium.

2 (5) Submit to the 1983 legislature a construction work

3 plan for the 1985 biennium that is detailed by year, project

4 phase, and fund. This work plan must specify, by road system

5 or project area, proposed projects on which \$1 million or

6 more would be spent during the 1985 biennium and an

7 aggregate cost for projects with anticipated expenditures of

8 less than \$1 million. Costs must be detailed by year, fund,

9 and project phase.

10 (6) Institute a maintenance management system for the

11 maintenance division that incorporates equipment needs and

12 usage. This system will be operational no later than July 1,

13 1985.

14 (7) Conduct a thorough assessment of equipment needs

15 based on maintenance needs by geographic area.

16 (8) Submit to the 1983 legislature a maintenance work

17 plan for all operational systems that ties directly to the

18 maintenance division budget request for the 1985 biennium.

19 (9) Report quarterly to the legislative finance

20 committee regarding the progress of the above-mentioned

21 items.

22 Should additional federal money become available during

23 the 1983 biennium for highway construction, highway

24 earmarked funds shall be budget amended to the extent of

25 matching requirements.

1 Earmarked revenue within the equipment division must be

2 reduced dollar for dollar by revenue collected from the

3 auction of equipment. This is contingent upon passage of SB

4 169.

5 The Helena headquarters van pool project administered

6 by the department of highways may continue in operation and

7 is to be operated on a self-supporting basis.

8 Funds may be transferred between line items 1, 3, 4, 5,

9 6, 7, and 8 to reflect actual personal service expense. No

10 other transfers between line items may be made. This is not

11 to be construed as permitting the transfer of full-time

12 equivalent employees between programs, nor may there be an

13 increase in the total number of appropriated full-time

14 equivalent employees.

15 The conservation education program is funded.

16 The maintenance division is directed to establish a

17 separate revolving account to reflect collections and

18 expenditures related to damaged structures. One million

19 dollars per year in highway earmarked funds will be replaced

20 with revolving authority.

21 Funds within item 2 may be used to purchase low-band

22 radio equipment only in emergency situations and also may be

23 used to purchase high-band radio equipment in pilot project

24 areas determined by the department of administration.

25 DEPARTMENT OF REVENUE

1	1. General Operations				
2		12,340,311	1,325,313	12,490,050	1,359,671
3	2. Audit Costs				
4		16,500	8,500	49,500	25,500
5	3. Legal Fees:				
6	Director's Office			25,000	
7					
8	4. Recovery Services Division				
9		197,718	593,153	199,603	598,807
10	5. SB 50				
11		<u>40,000</u>	<u>-----</u>	<u>10,000</u>	<u>-----</u>
12	Total Department of Revenue				
13		12,619,529	1,926,966	12,774,153	1,983,978
14	Should the recovery services division return \$1.05 in				
15	collections per \$1.00 expended in 1982, the appropriation in				
16	item 4 may be increased a maximum of \$16,000 from the				
17	general fund and \$48,000 in federal funds for fiscal 1983.				
18	Cash within the central supply revolving account at				
19	1981 fiscal year end must be deposited to the general fund.				
20	Collections from liquidation of inventory during the 1983				
21	biennium must also be deposited to the general fund.				
22	In addition to those amounts appropriated above, there				
23	are appropriated to the liquor division funds necessary to				
24	maintain adequate inventories of liquor and wine and to				
25	operate the state liquor monopoly. The division shall				

1 deposit not less than \$13 million of liquor profits to the
2 general fund during the 1981 biennium. During the 1983
3 biennium, profits may not be less than 15% of net liquor
4 sales and not less than \$13 million. Net liquor sales are
5 gross liquor sales less discounts and all taxes collected.
6 The operational expenses of the liquor merchandising
7 system may not exceed 15% of net liquor sales. Operational
8 expenses may not include product or freight costs. The
9 liquor division has full authority to determine store
10 operating hours and the number and location of stores and
11 employees and may raise or lower the liquor pricing formula
12 to achieve the deposit requirement.

13 Nonprofitable state stores should be closed or
14 converted to agency stores in an orderly manner. A
15 nonprofitable store is one that shows a net loss or is less
16 profitable than if run at agency store status after reducing
17 gross revenues by all state excise and license taxes and by
18 deducting therefrom all normal operating expenses, which
19 include a pro rata share, based on gross sales, of central
20 administrative office expenses.

21 The county commissioners of the various counties and
22 the governing bodies of local government units shall provide
23 office space in county courthouses or government office
24 buildings to the department of revenue of the state for its
25 use at no cost to the state. The department is not liable

1 architecture and engineering division for the 1983 biennium
2 only.

3 The architecture and engineering program is funded
4 solely from the long-range building account. Any fund
5 balance at the end of a fiscal year shall be reverted to the
6 long-range building account. This program shall assess a 1%
7 charge on the cost of construction funded from accounts
8 other than the long-range building account at the time a
9 contract is let and this revenue shall be deposited to the
10 long-range building account.

11 The intent of the legislature is that all office space
12 rentals in Helena be based on competitive bid.

13 The maximum length of a purchasing contract is extended
14 to 5 years for the purchase of a new computer by the
15 computer services division.

16 The state may continue to use its own printing
17 facilities.

18 The graphic arts bureau of the publications and
19 graphics division shall establish a separate revolving fund
20 and shall become a self-supporting operation.

21 The office of budget and program planning shall assure
22 reimbursement to the general fund for all management studies
23 or systems support needs assessments provided by the
24 consulting services bureau to nongeneral funded agencies if
25 those agencies have sufficient funding available.

1 The board of investments shall operate under an
2 earmarked fund.

3 As of July 1, 1981, interest generated on the \$2.5
4 million loan to the self-insurance fund shall be deposited
5 to the sinking fund that loaned the funds. Repayment of the
6 loan shall occur at such time as the invested funds reach
7 par.

8 All employees working under the direction of the
9 workers' compensation judge shall be classified.

10 In the local government services division, general fund
11 money is provided only for administrative support, which
12 includes 6.7 full-time employees, and related support costs.
13 Auditing services are expected to be self-supporting.

14 The budgeting, accounting, and reporting system (BARS),
15 which is being implemented statewide into local governmental
16 entities, is expected to be completed no later than June 30,
17 1984.

18 Item 9 provides for emergency funding of the district
19 courts in those instances when a court incurs extraordinary
20 expenses due to an extended criminal case or state
21 government-related suits in Lewis and Clark County. These
22 funds shall not be used for usual court operations or
23 additional social service programs.

24 Emergency funds to Lewis and Clark County for state
25 government-related suits will not exceed 10% above the

1 revenue collected through the 6-mill levy.
 2 No more than \$9,000 may be spent during the biennium on
 3 a consumer health education program. All funds expended must
 4 be matched by a like amount from the health insurance
 5 carrier.

6 Item 10 is contingent upon passage of HB 372.
 7 Item 11 is contingent upon passage of HB 674.

8 Item 12 is contingent upon the purchase of additional
 9 buildings, as referred to in HB 666, and the assumption of
 10 related maintenance duties by the department. The amount of
 11 funds spent shall be prorated based on the remaining portion
 12 of the fiscal year.

13 Item 13 contains the spending authority necessary to
 14 fund the lease agreement and other related costs for those
 15 divisions located in the building at 1424 Ninth Avenue. When
 16 this building is purchased by the state and maintenance
 17 responsibilities are assumed, all of the remaining funds in
 18 item 13, except for the prorated remaining portion of the
 19 annual charge of \$3.02 per square foot in fiscal 1982 and
 20 \$3.09 per square foot in fiscal 1983 that the department of
 21 administration shall charge for rent and repair expenses,
 22 shall revert.

23 The accountant added in item 11 is for this biennium
 24 only.
 25 DEPARTMENT OF MILITARY AFFAIRS

1 1. Adjutant General 828,740 688,435 902,865 753,687
 2 2. Disaster and Emergency Services 174,075 290,992 175,747 297,008
 3 3. Audit
 4
 5
 6 -6,150 -3,850 -----
 7 Total Military Affairs 1,008,965 983,277 1,078,612 1,050,695

8 All departments within section A may purchase low-band
 9 radio equipment on an emergency basis only. The department
 10 director shall certify on the purchase order the nature of
 11 the emergency.
 12
 13 TOTAL LEGISLATIVE, JUDICIAL, AND ADMINISTRATIVE
 14 40,125,692 237,529,929 307,729,282 243,007,989
 15 40,108,857 236,174,231 38,662,282 248,489,859
 16 240,526,053

17 8. HUMAN SERVICES
 18 Fiscal Year 1982 Fiscal Year 1983
 19 Other
 20 General Appropriated General Appropriated
 21 Fund Funds Fund Funds
 22 DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES
 23 1. Operations
 24 3,104,046 17,333,700 3,116,300 10,069,510
 25 3,111,283 17,627,602 3,159,888 11,435,118

1 1,716,584 217474900 1,699,734 227575772
 2 12,648,888 20,633,185
 3 In item 2, upon receipt of the federal veterans' administration contract general fund of \$1,254 in fiscal 1982 and \$2,762 in fiscal 1983 shall be reverted.
 4 In item 5, general funds shall revert in the amount that other appropriated funds exceed the amounts shown for each fiscal year.
 5 No funds may be used for a women's bureau.
 6 The division of workers' compensation shall study performance factors that measure the division's operational effectiveness. The intent is to determine if the workers' compensation division budget should be based on performance measurements rather than expenditure limitations. This study shall be presented to the governor and the legislative finance committee by August 1, 1982.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

1. General Operations

217251903 2372637217 2376597030 2471727714
 23,050,557 22,711,675 22,881,755 24,169,166
 2. Medicaid State Institutional Reimbursements
 371347021 373697523
 3,277,327 3,612,174
 3. Medicaid
 537590911

1 27,738,475 22,288,976
 2 47-Medicaid-Accrual 477057000
 3 473507000
 4 54. Department of Community Affairs -- Community Services 171267474 172067004
 5 365,471 437,537
 6 23,000 123,000
 7 65. Audit
 8 74. HB 258
 9 53,865 100,035 53,865 100,035
 10 71-Community Services-Block Grant 1,083,262

13 Total Department of Social and Rehabilitation Services
 14 8273437700 2476127726 3170677410 2574797633
 15 24,143,224 23,300,181 55,836,770 25,790,900
 16 Within other appropriated funds in item 1 is no more than \$175,000 for the biennium for the operation of the developmental disabilities policy advisory council. Any federal money received above this amount may be spent only to improve direct client services as recommended by the council and approved by the SRS director.

22 The department is encouraged to utilize medicaid funds to support community services for the developmentally disabled where the use of such funds is cost-effective in providing services in the least restrictive environment.

1 The department may use any savings generated from the budget
 2 for the developmentally disabled to develop additional
 3 community services.
 4 The department of social and rehabilitation services
 5 shall assure that the community developmental disabilities
 6 group homes are reporting all financial transactions through
 7 a uniform accounting system including a single chart of
 8 accounts and accounting manual.
 9 No money may be disbursed to the homes after July 1,
 10 1982, unless the director of the department of social and
 11 rehabilitation services certifies to the legislative finance
 12 committee that the group homes are recording and reporting
 13 financial information uniformly.
 14 The director shall reorganize the vocational
 15 rehabilitation and visual service programs to effect
 16 administrative economies and maintain direct benefits to
 17 clients within the appropriations herein provided. At least
 18 15% of federal funds available for vocational rehabilitation
 19 shall be expended for the blind.
 20 The governing body of any area agency on aging that
 21 contracts with SRS shall conduct its business in open
 22 meetings as required by Title 2, chapter 3, MCA.
 23 The department shall monitor and assess the activities
 24 of the area agencies on aging for implementation of the
 25 department-approved area plans for aging services and shall

1 report to the legislative finance committee, no later than
 2 60 days prior to the beginning of the 48th legislative
 3 session, the extent to which the area agencies have complied
 4 with the area plans and the extent to which the area
 5 agencies have cooperated with the local government funding
 6 sources.
 7 When federal funds for health underserved rural areas,
 8 Indian health services or certification surveys by the
 9 department of health and environmental sciences decrease or
 10 end, there is to be no state funding of these services
 11 during the biennium.
 12 The department may use general fund money appropriated
 13 in item 3 together with matching federal funds to augment
 14 item 2. The department shall fully match the appropriation
 15 in item 2 at the maximum allowable federal rate with federal
 16 medicaid funds.
 17 ~~item---3---is---e---biennial---appropriation---for---cash~~
 18 ~~expenditures---made---from---duty---i---to---june---30---of---each---fiscal~~
 19 ~~year---there---may---not---be---an---accrual---made---at---fiscal---year-end~~
 20 ~~under---item---3e~~
 21 ~~item---4---is---only---for---medicaid---eccruals---there---may---not---be~~
 22 ~~any---cash---expenditures---made---against---this---appropriation---during~~
 23 ~~fiscal---1982y---1983y---or---1984y---A---unique---responsibility---center~~
 24 ~~and---appropriation---number---shall---be---established---in---the~~
 25 ~~statewide---budgeting---and---accounting---system---to---account---for~~

1 ~~this appropriation~~

2 By August 1, 1982, the department shall identify all
3 optional services by specific type provided under the
4 medicaid program. The identification must include the number
5 of recipients, cost per optional service, and the impact of
6 not funding each option.

7 If appropriated funds are not sufficient to provide
8 medical care for all eligible persons, the department shall
9 use the following priorities in keeping expenditures within
10 appropriations:

11 (1) limit the increases in reimbursement paid per
12 service for medical care to no more than 10% for each fiscal
13 year of the 1983 biennium to the maximum extent feasible;
14 and

15 (2) limit eligibility and amount, scope, and duration
16 of medical services provided.

17 The payment standard for families under the aid to
18 families with dependent children program (AFDC) shall be an
19 equal percentage of the poverty index according to family
20 size. The payment standard for a family of two may not
21 exceed \$258 in fiscal 1982 and \$280 in fiscal 1983.

22 Item 5 may be merged into the department of social and
23 rehabilitation services' organizational structure or
24 transferred to another state agency by approval of the
25 governor's office. The legislative finance committee must be

1 informed of any interagency transfers. The appropriation
2 authority must be accounted for by a unique appropriation
3 number in the statewide budgeting and accounting system.

4 The funding of item 7 is contingent upon passage and
5 approval of HB 258.

6 The day-care rate per day for homes is not to exceed
7 \$6.00 in fiscal 1982 and \$6.50 in fiscal 1983. The rate per
8 day is not to exceed \$7.00 in fiscal 1982 and \$7.50 in
9 fiscal 1983 for day-care centers.

10 All medicaid expenses shall be accrued in the
11 appropriate fiscal year as required by the state modified
12 accrual system of accounting. The legislative auditor shall
13 audit the medicaid accrual by October 1 of each year to test
14 for compliance with this requirement.

15 The legislature has determined that the requirements
16 set forth in section 5, House Bill 94, Laws of 1981,
17 restricting the use of appropriations to the department of
18 social and rehabilitation services in regards to medicaid
19 accruals are no longer necessary therefore, except as
20 expressly provided within this act, there are not
21 restrictions relating to accrual procedures for any
22 appropriation denominated "medicaid accrual" in any
23 appropriations measure passed by the 47th legislature, thus
24 the department may have cash outlays against medicaid
25 accrual appropriations.

1 In the amount the social services block grant funds
 2 exceed \$6,206,500 in fiscal 1982, SRS shall revert a like
 3 amount of general funds.
 4 For the 1983 biennium SRS shall transfer 10% of the
 5 amount received from the low income home energy assistance
 6 block grant not to exceed \$1,668,724 to the social services
 7 block grants.
 8 Because of the uncertainty in federal funding, the
 9 department should anticipate receiving the level of federal
 10 funding for AFDC, Medicaid, and Title XX calculated in the
 11 appropriations until funds at the federal level are
 12 allocated.
 13 Item 7 is Montana's share of the Community Services
 14 Block Grants. The funds are to be distributed by SRS to the
 15 counties. A county may use such funds in any manner that is
 16 in conformance with the requirements set forth in Section
 17 675, P.L. 97-35 (42 U.S.C. 9904). Fifty percent of the funds
 18 shall be distributed to counties based upon population
 19 excluding Indian populations receiving such funds as
 20 provided in Section 674(c), P.L. 97-35 (42 U.S.C. 28081).
 21 After public hearings SRS shall develop a formula based upon
 22 county needs for distribution of the remaining 50% of such
 23 funds. SRS may consider such factors as numbers of public
 24 assistance recipients in each county, unemployment, per
 25 capita income, and age distribution in developing the needs

1	formula	Other	Other
2	TOTAL HUMAN SERVICES		
3		87,167,203	63,509,639
4		58,973,264	60,664,904
5	C. NATURAL RESOURCES AND BUSINESS REGULATION		
6	Fiscal Year 1982		Fiscal Year 1983
7		Other	Other
8	General Appropriated	General Appropriated	General Appropriated
9	Fund	Fund	Fund
10	DEPARTMENT OF AGRICULTURE		
11	1. Centralized Services		
12		106,606	590,149
13			407,220
14	2. Legislative Audit Fee		
15		10,102	4,898
16	3. Rural Development Program		
17		33,553	
18	4. Hail Insurance Unit		
19		1,650	934,112
20			1,660
21	5. Crop and Livestock Unit		
22		47,500	13,900
23	6. Transportation Unit		
24		73,916	50,000
25	7. Wheat Research and Marketing		
			73,383
			50,000

1	550,259	578,457	27,399	86,808	19,194	104,558
2	8. Environmental Management Division		5. Business Assistance Bureau			
3	246,703	604,368	85,579	130,000	89,504	136,000
4	268,825	440,346	92,622	184,193	134,461	121,213
5	9. Plant Industry Division		6. Economic-Development-Grants			
6	420,577	466,043	59,000	235,000		
7	426,886	506,053	76. Board of Housing	470,496		490,281
8	Total Department of Agriculture		97. Travel Promotion Program			
9	906,454	852,829	600,000	100,000	700,000	200,000
10	222,176	3,142,662	98. Coal Board			
11	All indirect cost assessments received from Old West		9. Hard Rock Mining Board	9,314,904		11,306,975
12	Regional Commission grants must be deposited in the general fund.		10. Rail Planning Program			
13			125,000			
14	DEPARTMENT OF COMMERCE		60,119	5,794,929	39,056	3,540,502
15	1. Director's Office		31,941,726			1,262,875
16	121,432	126,249	11. Community Development Program			
17	270,105	274,427	229,415	3,893,801	236,180	4,043,553
18	2. Centralized Services		118,979			623,551
19	a. Legislative Audit					
20	50,000					
21	b. Moving Expenses					
22	39,900					
23	3. Aeronautics Division					
24	798,363	861,883				
25	4. Administrative Support - Economic Development					

1	361,229	344,183	1	27. Board of Medical Examiners	
2	15. Financial Program		2		72,367
3	537,070	554,076	3	28. Board of Morticians	77,488
4	16. Milk Control Program		4		13,886
5	224,856	234,127	5	29. Board of Nursing	14,975
6	17. Consumer Protection Program		6		141,249
7	83,684	84,879	7	30. Board of Nursing Home Administrators	145,922
8	18. Board of Architects		8		18,375
9	23,796	24,870	9	31. Board of Optometrists	19,171
10	19. Board of Barbers		10		12,245
11	21,979	23,420	11	32. Board of Osteopathic Physicians	13,006
12	20. Board of Chiropractors		12		801
13	13,220	13,895	13	33. Board of Pharmacists	869
14	21. Board of Cosmetologists		14		83,173
15	97,550	101,536	15	34. Board of Plumbers	86,659
16	22. Board of Dentistry		16		62,565
17	31,231	33,284	17	35. Board of Professional Engineers and Land Surveyors	64,501
18	23. Electrical Board		18		98,548
19	59,623	62,942	19		103,682
20	24. Board of Hearing Aid Dispensers		20	36. Board of Public Accountants	
21	5,238	5,524	21		114,538
22	25. Board of Horseracing		22	37. Board of Realty Regulation	
23	212,848	224,455	23		269,579
24	26. Board of Massage Therapists		24	38. Board of Veterinarians	
25	5,321	5,633	25		18,667

1	39. Board of Water Well Contractors	18,333	19,381	1	loan from one of the accounts under the department's
2				2	supervision and operated on a full accrual basis and in
3	40. Board of Psychologists			3	accordance with generally accepted accounting principles.
4				4	
5	41. Board of Sanitarians	11,301	12,677	5	The department is authorized to reorganize its current
6				6	organizational structure only after receiving approval from
7	42. Private Investigators Program	4,646	5,004	7	the office of budget and program planning and review by the
8				8	legislative finance committee.
9	43. Board of Landscape Architects	3,897	4,022	9	Included in the weights and measures program
10				10	appropriation for fiscal 1982 is \$5,000 to be available for
11	44. Board of Speech Pathologists and Audiologists	6,791	7,304	11	expenditure only if the cost of a new truck and trailer
12				12	exceeds \$30,000.
13	45. Board of Radiologic Technologists	7,342	7,881	13	Coal impact grants may be granted to local government
14				14	units only to remedy a situation resulting from coal
15	46. Board of Podiatry Examiners	8,901	9,385	15	development. The local government unit must be making a bona
16				16	fide local effort to provide for its own needs through
17	47. Board of Physical Therapy Examiners	1,098	1,161	17	normal financing channels (taxes, service fees, or bonds).
18				18	Those divisions and bureaus of the department of
19	Total Department of Commerce	4,273	5,278	19	commerce that are moved from private to state-owned office
20				20	space shall revert the resulting savings in rent, utilities,
21		2,257,598 29,176,216 2,291,242 23,137,043		21	taxes, and other expenses.
22		2,337,641 17,267,914 2,336,192 18,206,407		22	Item 2 is a biennial appropriation.
23				23	The department of commerce is authorized to administer
24				24	the community development block grant.
25				25	DEPARTMENT OF FISH, WILDLIFE, AND PARKS

1. Centralized Services Division

1	3,345,294	3,469,096	1	None of the funds appropriated to the department may be
2			2	used for the purchase or study of the purchase of any type
3	45,000		3	of abandoned right-of-way.
4			4	Included in the centralized services appropriation is
5	54,210		5	revolving account authority of \$1,075,833 in fiscal 1982 and
6			6	\$1,183,417 in fiscal 1983. The revolving accounts must be
7	744,740	759,203	7	operated on a full accrual basis and in accordance with
8			8	generally accepted accounting principles.
9	2,222,268	2,227,389	9	An additional \$500,000 a year is authorized in
10	2,273,417	2,202,377	10	centralized services for the purpose of providing
11			11	expenditure authority for federal and private funds that
12	2,924,202	2,935,004	12	previously required budget amendments. Funds spent under
13			13	this authorization must be accounted for separately from
14	65,000	65,000	14	regular operations.
15			15	The Helena-based pilots shall be delegated enforcement
16	3,018,696	3,107,075	16	responsibilities whenever they are not required for air
17			17	transportation purposes.
18	587,349	627,177	18	The administration division appropriation includes:
19			19	(a) \$80,000 a year for transfer to the department of
20			20	livestock for predator control;
21			21	(b) \$25,000 a year for the department to begin
22	463,167	467,167	22	training to initiate the conservation officer concept within
23			23	the department. A progress report on this effort must be
24	587,349	627,177	24	made to the 1983 legislature.
25	15,319,682	15,486,104	25	(c) \$24,000 a year for uniforms or distinctive

1 clothing for all field personnel outside of the enforcement
2 division.
3 Items 1, 4, 5, 6, 8, 9, 10, and 11 contain a total of
4 \$456,298 in fiscal 1982 and \$11,607 in fiscal 1983 to be
5 spent only for gasoline.
6 DEPARTMENT OF STATE LANDS
7 1. Central Management Program 722,169 250,464 717,917 246,317
8
9 2. Legislative Audit 15,000
10
11 3. Reclamation Program 7,368,739 7,894,841
12
13 4. Land Administration Program 176,000 60,259 175,000 47,991
14
15 5. Resource Development Program ----- 574,934 ----- 468,053
16
17 Total Department of State Lands 913,169 8,254,396 892,917 8,657,192
18
19 The other funds appropriations for the central
20 management program provide for salary and expenses of the
21 Northern Powder River Environmental Impact Statement Team.
22 The eight FTE approved for the team may continue only as
23 long as federal funds are available to provide support.
24 DEPARTMENT OF LIVESTOCK
25 1. Centralized Services 18,400 21,600

1 73,320 219,962 75,820 227,460
2 242,362 257,460
3 2. Legislative Audit 3,250 9,750
4
5 3. Diagnostic Laboratory Program 294,894 306,839 304,754 316,700
6
7 4. Disease Control Program 636,605 635,757
8
9 5. Milk and Egg Program 176,096 11,500 183,023 12,000
10
11 6. Inspection and Control Program 1,576,968 1,611,730
12
13 7. Predator Control Program 278,863 295,881
14
15 8. Rabies and Rodent Control Program 70,482 71,018 71,018 71,000
16
17 Total Department of Livestock 618,049 3,055,407 634,615 3,114,520
18
19 3,085,487 3,144,528
20 DEPARTMENT OF NATURAL RESOURCES
21 1. Centralized Services Division 1,059,202 758,243 1,051,051 802,552
22
23 636,138 468,663
24 2. Legislative Audit 18,400 21,600
25

1	3. Oil and Gas Regulation Division			1	acquire and upgrade firefighting vehicles and equipment for
2	689,798		693,932	2	distribution to nine county cooperative fire districts. The
3	4. Conservation District Supervision Division			3	districts shall operate and maintain the equipment.
4	441,953		477,377	4	Included in the general fund appropriation in item 5
5	5. Water Resources Division			5	for fiscal year 1983 is \$186,000 for either a grant to an
6	1,632,061	2,767,124	1,782,524	6	irrigation district formed to operate the Daly ditch water
7	2,357,028		2,114,307	7	project for the purpose of operating and maintaining the
8	6. Forestry Division			8	project for 1 year or, if an irrigation district is not
9	3,149,988	2,767,281	2,943,379	9	formed, for use by the department in administering the
10	7. Energy Division			10	abandonment of the project, including the removal of
11	329,975	3,242,757	350,105	11	structures.
12	8. Facility Siting Division			12	Included in the oil and gas regulation division
13	208,705	1,500,000	213,182	13	appropriation each year is \$65,000 of resource indemnity
14	Total Department of Natural Resources			14	trust fund interest for the purpose of repairing and
15	6,398,331	12,718,756	6,340,248	15	plugging abandoned oil and gas wells.
16	11,646,625		11,074,294	16	All federal Clark-McNary (CH-2) funds received by the
17	Included in the facility siting division appropriation			17	department in excess of \$250,000 per year will be deposited
18	of other funds for fiscal 1982 is \$500,000 resource			18	in the general fund.
19	indemnity trust fund interest to continue the appropriation			19	any federal funds received for the HIPLEX project may
20	of HB 908 of the 1979 legislature. The appropriation allows			20	be added through the budget amendment process.
21	continuation of studies for the possible construction of a			21	PUBLIC SERVICE COMMISSION
22	MHD engineering test facility in Montana. Expenditure of			22	1. General Operations
23	these funds is limited to the original appropriation.			23	1,184,442
24	The forestry division general fund appropriation for			24	2. Legislative Audit
25	fiscal 1982 includes a \$180,000 biennial appropriation to			25	7,000

1	3. Special Audit				3,292,211	3,346,282
2		-50,000				
3	Total Public Service Commission				797,596	800,690
4	1,241,442	19,310	1,195,975	19,310	732,502	791,281
5	The appropriation in item 3 will continue the audit and					
6	any litigation related to commission docket no. 80.8.55. The					
7	appropriation may be spent only for determining the original					
8	cost of Montana Power Company's hydroelectric properties or					
9	litigation related thereto.					
10	TOTAL NATURAL RESOURCES AND BUSINESS REGULATION					
11		32,922,992	65,345,376	32,035,003	21,754	77,318
12		13,025,157	52,391,206	13,030,145	76,713	21,926
13	D. DEPARTMENT OF INSTITUTIONS					
14	Fiscal Year 1982		Fiscal Year 1983			
15	Other		Other		840,000	16,145
16	General Appropriated General Appropriated					
17	Fund	Fund	Funds			
18	CENTRAL OFFICE					
19	1. Director's Office	237,041	28,994	235,510	15,120	22,030
20						
21	2. Alcohol & Drug Abuse Division	194,239	1,340,522	203,871	143,827	400,042
22						
23		1,481,312		1,551,787		
24	3. Corrections Division					
25		3,297,327	3,423,996			
26						
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1 to community mental health programs may not exceed
 2 \$3,756,453 in fiscal 1982 and \$4,147,272 in fiscal 1983.
 3 These amounts include pay raises. Sixty thousand dollars of
 4 funds appropriated for community mental health programs may
 5 be used to support programs provided by the current friends
 6 to youth program for emotionally disturbed children.
 7 No general fund money may be used to support the
 8 manpower or community support programs.
 9 Funds authorized in item 8 may not be used to establish
 10 a women's unit at Mountain View School.
 11 Item 7 contains spending authority necessary to fund
 12 the lease agreement and other related costs for the central
 13 offices of the department of institutions. When this
 14 building is purchased by the state, all appropriated funds
 15 in item 7 except \$3.02 per square foot in fiscal 1982 and
 16 \$3.09 per square foot in fiscal 1983 in proportion to the
 17 time period remaining each fiscal year shall revert.
 18 Item 8c and the amount appropriated in HB 666 for
 19 Spruce cottage is for the purpose of obtaining through use
 20 of a remodeling and renovation of the women's correctional
 21 facility state facility or lease or purchase of a private
 22 facility and the necessary renovation of such facility to
 23 house 20 female offenders. This appropriation also includes
 24 the operating budget for such facility.
 25 The director of the department of institutions shall

1 attempt to find a suitable facility for the housing of
 2 female offenders prior to the special session of the
 3 legislature or February 1982 whichever comes first. If such
 4 facility is found, the office of budget and program planning
 5 and the legislative finance committee shall approve of the
 6 site and the facility.
 7 The department shall give an estimate of the biennium
 8 cost for the operation of such facility to the legislative
 9 finance committee and the office of budget and program
 10 planning if the operational costs will exceed the
 11 appropriation in item 8 plus any pay plan funds allocated
 12 for the biennium. The department with concurrence of the
 13 legislative finance committee shall request an
 14 appropriation to cover the excess cost from the special
 15 session of the legislature or the 1983 legislative session
 16 in the event there is no special session.
 17 If a facility cannot be secured by the beginning of the
 18 special session, the department of institutions shall
 19 present to the special session of the legislature for its
 20 consideration a complete detailed proposal for the site
 21 facility and total cost of housing 20 female offenders for
 22 the remainder of the 1983 biennium.
 23 It is the intent of the legislature that the department
 24 of institutions apply for the full amount of federal funds
 25 available through the Omnibus Reconciliation Act of 1981 for

1 mental health programs during federal fiscal years 1982 and
 2 1983. Any funds received by the department of institutions
 3 may be budget amended under the provisions of House Bill
 4 500, section 3, to maintain current level community mental
 5 health programs. It is also the intent of the legislature
 6 that expenditures for community mental health programs not
 7 exceed available revenues. The department of institutions
 8 may not spend more than 75% of the federal fiscal 1983
 9 mental health block grant funds in state fiscal year 1983.
 10 The department must carry forward 25% of the federal fiscal
 11 1983 block grant into state fiscal year 1984.
 12 Excess alcohol and drug abuse block grant funds not
 13 appropriated by the special session of the legislature
 14 cannot be budget amended into current level alcohol or drug
 15 abuse programs. Any excess funds shall be available for
 16 appropriation by the 48th legislature.

17 If the women's correctional facility is not operational
 18 by April 1, 1982, any excess funds authorized in item "8a"
 19 for fiscal 1982 may be used to fund costs associated with
 20 keeping women offenders out-of-state beyond April 1, 1982.
 21 The appropriations contained in item "8b" for fiscal
 22 1983 contain \$45,948 \$46,948 for an in-state contingency
 23 fund which may be used only if the women's correctional
 24 facility exceeds 20 women inmates in fiscal 1983, the
 25 Billings life skills center is at 80% capacity and the

1 specific nature and need for additional funding has been
 2 approved by the office of budget and program planning. Also
 3 contained in item b for fiscal 1983 is \$45,082 for an
 4 out-of-state contingency fund which may be used if all
 5 budgeted out-of-state slots are filled, the state of Montana
 6 does not have adequate security facilities to house the
 7 inmates and the specific reasons for the inmate to be
 8 transferred out-of-state has been approved by the office of
 9 budget and program planning.

10 BOULDER RIVER SCHOOL AND HOSPITAL

11	1. General Operations	9,308,901	106,700	9,364,280	107,501
12			90,724		59,052
13	2. Audit				
14		15,000			
15					
16	Total Boulder River School and Hospital	9,323,901	106,700	9,364,280	107,501
17			90,724		59,052
18	CENTER FOR THE AGED				
19	1. General Operations	1,939,921	9,458	1,965,887	9,729
20	2. Audit				
21					
22					
23					
24	Total Center for the Aged	1,939,921	9,458	1,972,887	9,729
25					

1	519,940	460,466	VETERANS' HOME	1	470,033	727,500
2	MONTANA STATE PRISON		1. General Operations	2	714,000	470,033
3	6,854,480	73,980	2. Audit	3	486,575	470,033
4	73,041	7,015,342	Total Veterans' Home	4	486,575	470,033
5	1,384,106	1,398,723	BOARD OF PARDONS	5	---	6,000
6	143,500	193,342	1. General Operations	6	714,000	470,033
7	250,469	295,671	2. Audit	7	486,575	470,033
8	491,242	529,593	Total Board of Pardons	8	100,242	102,106
9	---	11,261	Personal services expenditures may not exceed the following level plus pay plan appropriations or budget amendments from unanticipated funds for each institution or program listed.	9	---	---
10	6,997,980	2,392,200	Director's Office	10	102,242	102,106
11	2,392,200	7,105,309	Alcohol and Drug Abuse Division	11	---	---
12	---	---	Corrections Division	12	---	---
13	---	---	Management Services Division	13	---	---
14	---	---	Mental Health and Residential Services	14	---	---
15	639,110	95,773	SWAN RIVER YOUTH FOREST CAMP	15	---	---
16	631,902	96,281	1. General Operations	16	---	---
17	---	---	2. Audit	17	---	---
18	---	---	Total Swan River Youth Forest Camp	18	---	---
19	639,110	95,773	631,902	19	---	---
20	631,902	96,281	---	20	---	---
21	---	---	---	21	---	---
22	---	---	---	22	---	---
23	639,110	95,773	---	23	---	---
24	631,902	96,281	---	24	---	---
25	---	---	---	25	---	---

1	Boulder River School and Hospital	7,666,835	7,666,835	1	Veterans' Home	91,286	102,241
2	Center for the Aged	1,491,662	1,491,662	2	Warm Springs State Hospital	724,971	811,968
3	Eastmont Training Center	1,311,589	1,311,589	3	Corrections Division	22,401	25,090
4	Galen State Hospital	4,694,991	4,694,991	4	TOTAL DEPARTMENT OF INSTITUTIONS		
5	Mountain View School	1,155,261	1,155,498	5		49,317,589	7,667,687
6	Pine Hills School	2,019,866	1,975,381	6		48,658,758	1,592,610
7	Montana State Prison	5,062,818	5,076,689	7	E. OTHER EDUCATION		
8	Swan River Youth Forest Camp	479,892	479,989	8	Fiscal Year 1982	Fiscal Year 1983	
9	Veterans' Home	882,356	882,538	9	Other	Other	
10	Warm Springs State Hospital	9,266,217	9,266,217	10	General Appropriated	General Appropriated	
11	Board of Pardons	80,004	80,004	11	Fund	Fund	
12	If utilities expenditures exceed the amounts listed			12	Funds	Funds	
13	below, the institution may ask for a supplemental			13	BOARD OF PUBLIC EDUCATION		
14	appropriation. If utilities do not exceed the anticipated			14	1. Administration	79,104	79,020
15	amounts, the difference will be reverted to the general			15	2. Fire Services Training School		
16	fund.			16		178,678	173,406
17				17	Total Board of Education	257,582	252,426
18	Boulder River School and Hospital	484,045	542,130	18			
19	Center for the Aged	85,125	95,340	19			
20	Eastmont Training Center	47,989	53,748	20			
21	Galen State Hospital	326,794	366,010	21			
22	Mountain View School	47,911	53,660	22			
23	Pine Hills School	114,992	126,422	23			
24	Montana State Prison	239,486	267,766	24			
25	Swan River Youth Forest Camp	45,253	50,683	25			

1	PUBLIC SCHOOL SUPPORT		1	superintendent	may	not	approve	a
2	1. Special Education		2	maximum-budget-without-a-vote for special education which,				
3	23,254,921	25,347,864	3	in the aggregate, exceeds \$51,041,988 in the 1983 biennium.				
4	2. Special Education Emergency Contingency		4	Federal funds to support special education programs in				
5	500,000	500,000	5	excess of \$5,110,000 during the 1983 biennium shall be				
6	3. Audiological Services		6	placed in a reserve fund and not spent until appropriated by				
7	-688,614	-750,582	7	the 1983 legislature.				
8	Total Public School Support		8	SUPERINTENDENT OF PUBLIC INSTRUCTION.				
9	24,443,535	26,598,453	9	VOCATIONAL-TECHNICAL CENTERS				
10	Item 1 is for foundation and permissive support of the		10	1. Billings Center				
11	maximum-budget-without-a-vote for special education.		11	a. Personal Services	434,969	490,694	487,031	521,942
12	Item 2 is for emergencies that may arise in special		12	b. Operating Expenses	133,475	166,368	194,230	208,152
13	education programs at local districts. A district's board of		13	c. Equipment				
14	trustees may apply for an allocation from these funds by		14	d. Audit Costs	6,288	7,196	6,454	7,030
15	presenting to the superintendent of public instruction a		15					
16	child-study team report and an individual educational plan		16	2. Butte Center				
17	for each child relating to this unforeseen expense and a		17	a. Personal Services	588,475	304,643	663,762	327,519
18	current listing of programs, case loads, and related costs.		18	b. Operating Expenses	76,437	46,300	119,901	59,162
19	The appropriation in item 2 is for the biennium and the		19	c. Equipment				
20	specific amounts may be transferred between fiscal years.		20					
21	Item 3 is for purchase of audiological services by the		21					
22	office of public instruction. These amounts may not be		22					
23	transferred between fiscal years. Any unused amounts revert		23					
24	at the end of the fiscal year.		24					
25	Notwithstanding other provisions of law, the		25					

1 Item 6 is to be distributed to the Billings center if
2 CETA funds are not available to the center in fiscal 1982.
3 Item 7 is to replace anticipated reductions in federal
4 funds appropriated to the vocational technical centers. If
5 in state fiscal 1983, federal funds available for use at the
6 center is less than \$1,078,592, each dollar reduction below
7 this level shall be replaced from this contingency funds. No
8 center is eligible to receive contingency funds unless
9 resident tuition for a full-time student is \$150 per quarter
10 in fiscal 1983.
11 If the total federal vocational education funds granted
12 to Montana for fiscal 1983 exceed \$2,086,590, the office of
13 public instruction shall, to the maximum extent allowable by
14 federal law, make the additional funds available, not to
15 exceed \$1,308,000, to the vocational technical centers. The
16 additional funds shall first be used to reduce contingency
17 amounts in item 7 and secondarily used to reduce tuition.
18 OFFICE OF PUBLIC INSTRUCTION
19 1. Office of Public Instruction 1,566,750 3,209,704 1,577,005 3,206,040
20 2. Audit Costs 1,682,543 2,687,643
21 3. School Transportation 50,000
22 4,724,445 5,019,250
23
24
25

1 4. School Lunch 731,494 807,449
2
3 5. Adult Education 121,881 132,851
4
5 6. Secondary Vocational Education 1,500,000
6
7 7. Building Space 116,897 130,662 7,911
8
9 Total Office of Public Instruction 8,761,467 3,220,444 7,716,017 3,293,951
10
11 7,830,155 2,625,554
12 Other appropriated funds in item 1 contain \$369,182 in
13 fiscal 1982 and \$374,795 \$302,327 in fiscal 1983 for
14 internal transfers of indirect costs. General fund money
15 shall revert in the amount indirect costs in excess of these
16 amounts are recovered.
17 The office of public instruction shall revert general
18 fund to the extent that the education block grant allocation
19 for state administration plus available carry-over funds
20 exceed \$655,641 in fiscal 1983.
21 Item 6 is for the biennium.
22 Item 7 contains the spending authority necessary to
23 fund the lease agreement and other related costs of the
24 office of public instruction building at 1300 Eleventh
25 Avenue. When this building is purchased by the state, all

1	2. Local Community Grants						1	Appropriated Funds* are from funds within current
2	20,275		20,275				2	unrestricted funds unless otherwise indicated.
3	3. Audit						3	All funds, other than plant funds and those
4	3,500	3,500					4	specifically appropriated herein, may be spent and are
5	Total Montana Arts Council						5	appropriated contingent upon approval by the board of
6	99,997	225,770	101,994	230,628			6	regents by July 1 of each year of a comprehensive program
7	SCHOOL FOR THE DEAF AND BLIND						7	budget containing a detail of revenues and expenditures and
8	1. General Operations						8	anticipated fund balances of current funds, loan funds, and
9	3,486,843	518,988	3,548,947	514,247			9	endowment funds. All movement of funds between the current
10	1,391,483	564,439	1,482,165	522,929			10	unrestricted subfund and the designated subfund accounting
11	2. Audit						11	entities shall be clearly identified in the state budgeting
12	15,000						12	and accounting system.
13	Total School for the Deaf and Blind						13	Programs for the university budgets include
14	3,501,843	518,988	3,548,947	514,247			14	instruction, organized research, public service, academic
15	1,406,483	564,439	1,482,165	522,929			15	support, student services, institutional support, and
16	Expenditures of interest and income revenue may not						16	operation and maintenance of plant.
17	exceed \$158,531 \$223,931 in fiscal 1982 and \$158,635						17	Included within other appropriated funds to the six
18	\$226,035 in fiscal 1983.						18	institutions is the sum of \$12,488,450 in fiscal year 1982
19	TOTAL OTHER EDUCATION						19	and \$13,579,452 in fiscal year 1983 from revenues generated
20	487,543,669	87,286,425	42,373,341	87,649,658			20	under the provisions of House Bill 191, 46th legislature.
21	50,448,302	8,259,816	52,656,305	8,059,235			21	The amounts shown for critical area faculty salary
22	F. HIGHER EDUCATION						22	adjustments are appropriated to the colleges and
23	For units of the university system other than the						23	universities contingent upon approval by the board of
24	office of the commissioner of higher education, the						24	regents of a salary distribution plan or negotiated
25	appropriations made under the column heading "Other						25	agreement for each campus. It is the legislature's intent

420.131.541

- 1
- 2 Section 20. Effective date. This act is effective July
- 3 1, 1981.*
- 4 Section 2. Effective date. This act is effective on
- 5 passage and approval.

-End-

House BILL NO. 4 (SSI) Special S.

[Signature]

1 uncle, aunt, nephew, niece, or first cousin in a place of
 2 residence maintained by one or more of such relatives as his
 3 or their own home.

4 (2) The term "aid to dependent children" means money
 5 payments with respect to or payments made for medical care
 6 in behalf of a dependent child or dependent children,
 7 including money payments or payments made for medical care
 8 for any month to meet the needs of a relative with whom a
 9 dependent child is living if money payments have been made
 10 with respect to such child for such month. The term shall
 11 also include emergency assistance to families with children
 12 as provided by the federal Social Security Act.

13 (3) "Department" means the department of social and
 14 rehabilitation services provided for in Title 2, chapter 15,
 15 part 22.

16 (4) "Public assistance" or "assistance" means any type
 17 of monetary or other assistance furnished under this title
 18 to a person by a state or county agency, regardless of the
 19 original source of the assistance."

20 Section 2. Repealer. Sections 53-4-234, 53-4-235, and
 21 53-4-236, MCA, are repealed.

22 Section 3. Effective date. This act is effective on
 23 January 1, 1982.

-End-

1 BY REQUEST OF THE DEPARTMENT OF
 2 SOCIAL AND REHABILITATION SERVICES

3
 4
 5
 6 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING THE DEFINITION
 7 OF A DEPENDENT CHILD AND ELIMINATING THE UNEMPLOYMENT OF A
 8 PARENT AS AN ELIGIBILITY CRITERION FOR AID TO DEPENDENT
 9 CHILDREN; AMENDING SECTION 53-4-201, MCA; REPEALING SECTIONS
 10 53-4-234, 53-4-235, AND 53-4-236, MCA; AND PROVIDING AN
 11 EFFECTIVE DATE."

12
 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 14 Section 1. Section 53-4-201, MCA, is amended to read:
 15 "53-4-201. Definitions. (1) (a) The term "dependent
 16 child", for public assistance purposes, means:
 17 (i) a child under the age of 18; or
 18 (ii) a person under the age of 21 who is a student
 19 under the regulations prescribed by the department.
 20 (b) The child ((a)(i) or (a)(ii) above) must be
 21 deprived of parental support or care by reason of the death,
 22 continued absence from the home, continued-unemployment or
 23 physical or mental incapacity of a parent and be living with
 24 his father, mother, grandfather, grandmother, brother,
 25 sister, stepfather, stepmother, stepbrother, stepsister,

1 HOUSE BILL NO. 5 (1st SS)

2 INTRODUCED BY KEYSER

3 BY REQUEST OF THE DEPARTMENT OF

4 SOCIAL AND REHABILITATION SERVICES

5

6 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING AID TO
7 DEPENDENT CHILDREN ASSISTANCE PAYMENTS TO NEEDY PREGNANT
8 WOMEN IN ACCORDANCE WITH RULES OF THE DEPARTMENT OF SOCIAL
9 AND REHABILITATION SERVICES; AMENDING SECTION 53-4-231, MCA;
10 AND PROVIDING AN EFFECTIVE DATE."

11

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 Section 1. Section 53-4-231, MCA, is amended to read:
14 §53-4-231. Eligibility. (1) Assistance shall be
15 granted under this part to any dependent child, as defined
16 in 53-4-201, who is in need of such assistance.

17 (2) ~~According to rates established by the departments~~
18 ~~aid to dependent children assistance payments may be made to~~
19 ~~a needy pregnant woman aid to dependent children assistance~~
20 ~~payments may be made to a needy pregnant woman with no other~~
21 ~~children receiving such payments. Payments may begin no~~
22 ~~earlier than the third month prior to the month in which the~~
23 ~~child is expected to be born."~~

24 Section 2. Effective date. This act is effective on
25 January 1, 1982.

House BILL NO. *6* (*SST*) *Social Services*

INTRODUCED BY KEYSER
BY REQUEST OF THE DEPARTMENT OF
SOCIAL AND REHABILITATION SERVICES

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO CONSIDER THE INCOME AND RESOURCES OF STEPPARENTS AND OTHER INDIVIDUALS LIVING IN THE HOME FOR THE PURPOSE OF ADMINISTERING AID TO DEPENDENT CHILDREN; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Stepparent resources and income. Notwithstanding the provisions of 40-6-217, in the administration of this part the department may consider the income and resources of stepparents and other individuals who reside in the home as resources and income available to the household.

Section 2. Codification instruction. Section 1 is intended to be codified as an integral part of Title 53, chapter 4, part 2, and the provisions of Title 53, chapter 4, part 2, apply to section 1.

Section 3. Effective date. This act is effective on January 1, 1982.

-End-

House BILL NO. 7 (SST) *[Signature]*

1 welfare department finds that a recipient is in the habit of
 2 dissipating general relief allowances instead of using them
 3 for the purposes intended or that for any other reason it is
 4 better for the recipient and his family to receive the
 5 allowance through disbursing orders than disbursing orders
 6 shall be used instead of cash payments. All such disbursing
 7 general assistance needs may be met through disbursing
 8 orders that must subsequently be reimbursed through county
 9 payment procedures. Disbursing orders must be written in
 10 such form that the goods and merchandise services to be
 11 provided may be furnished by any regular dealer in such
 12 goods and merchandise within the county services."

13 Section 3. Effective date. This act is effective on
 14 January 1, 1982.

-End-

3 BY REQUEST OF THE DEPARTMENT OF
 4 SOCIAL AND REHABILITATION SERVICES

6 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR
 7 ESTABLISHMENT OF RULES AND STANDARDS FOR GENERAL RELIEF
 8 ASSISTANCE BY COUNTY BOARDS OF PUBLIC WELFARE WITH THE
 9 APPROVAL OF THE DEPARTMENT OF SOCIAL AND REHABILITATION
 10 SERVICES; PROVIDING THAT GENERAL RELIEF ASSISTANCE MAY BE
 11 PROVIDED BY DISBURSING ORDERS; AMENDING SECTIONS 53-3-301
 12 AND 53-3-302, MCA; AND PROVIDING AN EFFECTIVE DATE."

14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 15 Section 1. Section 53-3-301, MCA, is amended to read:
 16 "53-3-301. Amount of general relief assistance to be
 17 determined by county board. The amount of general relief
 18 assistance granted any person or family shall be determined
 19 by the county board of public welfare according to the
 20 rules and standards of assistance established by the board
 21 and approved by the department."

22 Section 2. Section 53-3-302, MCA, is amended to read:
 23 "53-3-302. Payment by check or disbursing order. All
 24 general relief disbursements by county departments of public
 25 welfare shall be by warrant or check. However, if the county

House BILL NO. 8 (*SSJ*) Special Session

1 INTRODUCED BY *Winters*
2
3 BY REQUEST OF THE DEPARTMENT OF
4 HEALTH AND ENVIRONMENTAL SERVICES

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE INTERVALS
7 BETWEEN INSPECTION OF LICENSED HEALTH CARE FACILITIES FROM 1
8 TO 3 YEARS; TO REQUIRE REPORTS FROM FACILITIES APPLYING FOR
9 LICENSE RENEWAL IN ORDER TO DOCUMENT THAT THEY MET MINIMUM
10 STANDARDS; AMENDING SECTION 50-5-204, MCA; AND PROVIDING AN
11 EFFECTIVE DATE."

12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 Section 1. Section 50-5-204, MCA, is amended to read:
15 "50-5-204. Issuance and renewal of licenses ==
16 inspections. (1) On After receipt of a new or renewal
17 application and a determination by the department or its
18 authorized agent shall inspect the facility, if that the
19 facility meets minimum standards are met and the proposed or
20 existing staff is qualified, the department shall issue a
21 license for 1 year. If minimum standards are not met, the
22 department may issue a provisional license for less than 1
23 year if operation will not result in undue hazard to
24 patients or residents or if the demand for accommodations
25 offered is not met in the community. The minimum standards

1 which home health agencies must meet in order to be licensed
2 shall be as outlined in 42 U.S.C. 1395 x(0), as amended, and
3 in rules implementing it which add minimum standards.
4 (2) The department must inspect a new facility before
5 an initial license is granted.
6 (3) An application for renewal of a license must be
7 accompanied by a report, on forms provided by the
8 department, containing such information as the department
9 considers necessary to determine whether minimum standards
10 are being met.
11 (4) The department may inspect a licensed health care
12 facility whenever it considers it necessary and shall
13 inspect each licensed facility at least once within the 3
14 years following the date of its last inspection.
15 (5) The department may inspect the entire premises of a licensed
16 facility shall be open to inspection, and access to all
17 records shall be granted at all reasonable times."
18 Section 2. Saving clause. This act does not affect
19 rights and duties that matured, penalties that were
20 incurred, or proceedings that were begun before the
21 effective date of this act.
22 Section 3. Severability. If a part of this act is
23 invalid, all valid parts that are severable from the invalid
24 part remain in effect. If a part of this act is invalid in
25 one or more of its applications, the part remains in effect

- 1 in all valid applications that are severable from the
- 2 invalid applications.
- 3 Section 4. Effective date. This act is effective on
- 4 January 1, 1982.

-End-

STATE OF MONTANA

REQUEST NO. 4-SP-81

FISCAL NOTE

Form BD-15

In compliance with a written request received November 20, 19 81, there is hereby submitted a Fiscal Note for House Bill 13 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:

To provide state grants-in-aid to those counties with a county work program and have reached a 6 mill poor fund levy for assistance to the needy.

ASSUMPTIONS:

1. Costs of county operated medical facilities are not eligible for grants-in-aid.
2. 1,650 cases will lose AFDC/Medicaid eligibility due to federal or state action.
3. 240 cases will not be eligible for county GA/county medical because of excess income. Therefore 1,410 cases are potentially eligible for county benefits.
4. 50% of the 1,410 cases (705 cases) will actually receive county general assistance. 635 cases will be eligible for county medical assistance.
5. Operational costs of the county work projects are not reimbursable by grants-in-aid under this proposal.

FISCAL IMPACT:

	<u>FY 83</u>
Expenditures under proposed law	\$5,100,000
Expenditures under current law	<u>2,200,000</u>
Increased expenditures under proposed law	<u>\$2,900,000</u>

David M. Lewis

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 11/21/81

1 HOUSE BILL NO. 13 (1st SS)

2 INTRODUCED BY MCBRIDE, BERTELSEN, REGAN, J. JACOBSEN

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT A

5 COUNTY MAY LEVY ~~NB--MORE-THAN-0~~ MILL RECEIVE A 50 PERCENT

6 STATE MATCHING GRANT-IN-AID IF IT HAS A WORK PROGRAM AETER

7 EXPENDING 4 1/2 MILLS OF THE 13.5 MILL COUNTY POOR FUND FOR

8 ASSISTANCE TO THE NEEDY; AMENDING SECTION 53-2-321, MCA;

9 PROVIDING AN EFFECTIVE DATE."

1 are made on property, as provided by law."

2 NEW SECTION. SECTION 2. MATCHING GRANTS FROM STATE

3 FUNDS TO COUNTIES. (1) A COUNTY MAY APPLY TO THE DEPARTMENT

4 FOR A MATCHING GRANT-IN-AID. THE MATCHING GRANT-IN-AID IS A

5 STATE CONTRIBUTION OF 50% OF THE COUNTY COST OF PROVIDING

6 ASSISTANCE TO THE NEEDY FOR ALL LAMEUL POOR FUND PURPOSES,

7 EXCEPT SUBSIDY TO A MEDICAL FACILITY.

8 (2) THE GRANT SHALL BE AWARDED IF THE BOARD OF COUNTY

9 COMMISSIONERS OR AN EXECUTIVE OFFICER OF A COUNTY MAKES

10 WRITTEN APPLICATION TO THE DEPARTMENT CERTIFYING:

11 (A) THAT THE COUNTY HAS BUDGETED FOR A MILL LEVY IN

12 EXCESS OF 4 1/2 MILLS FOR THE COUNTY POOR FUNDS

13 (B) THAT THE COUNTY HAS, OR WITHIN A REASONABLE TIME

14 WILL HAVE, EXPENDED FROM THE POOR FUND AN AMOUNT RAISED BY 4

15 1/2 MILLS;

16 (C) THAT SUCH EXPENDITURES WERE REASONABLE AND

17 NECESSARY ACCORDING TO CRITERIA SET BY THE DEPARTMENT IN

18 ITS RULES ADOPTED FOR SUCH PURPOSES, FOR THE COUNTY TO MEET

19 ITS OBLIGATIONS UNDER LAW TO PROVIDE ASSISTANCE TO THE

20 NEEDY; AND

21 (D) THAT THE COUNTY PARTICIPATES IN OR OPERATES A WORK

22 PROGRAM, AS AUTHORIZED BY 53-3-304, THAT HAS BEEN APPROVED

23 BY THE DEPARTMENT.

24 (3) UPON DETERMINATION THAT A COUNTY HAS MET THE

25 CONDITIONS FOR A MATCHING GRANT-IN-AID, THE STATE SHALL

12 Section 1. Section 53-2-321, MCA, is amended to read:

13 "53-2-321. County authorized to care for indigent and

14 levy taxes therefor. The board of county commissioners has

15 jurisdiction and power under such limitations and

16 restrictions as are prescribed by law to provide for the

17 care and maintenance of the indigent sick, except as

18 otherwise provided in other parts of this title, or the

19 otherwise dependent poor of the county; erect and maintain

20 hospitals therefor or otherwise provide for the same; and

21 for said purposes to levy and collect annually a tax on

22 property not exceeding 1 1/2 mills, which levy of which not

23 more than 0 mills may be levied to provide assistance to the

24 need under Title 53, Chapter 2, EXCEPT AS PROVIDED IN

25 [SECTION 2]. THAT shall be made at the time other tax levies

1 FINANCIALLY PARTICIPATE IN 50% OF ALL FURTHER LAUREL POOR
 2 FUND EXPENDITURES, EXCEPT THOSE FOR A MEDICAL FACILITY
 3 SUBSIDY, UNTIL SUCH TIME THAT A COUNTY QUALIFIES FOR AN
 4 EMERGENCY GRANT-IN-AID. THE DEPARTMENT MAY AT ITS DISCRETION
 5 ADVANCE FUNDS TO A COUNTY FOR THE STATE'S MATCHING
 6 CONTRIBUTION FOR POOR FUND EXPENDITURES, OR IT MAY REIMBURSE
 7 A COUNTY FOR SUCH EXPENDITURES.

8 (4) (A) A COUNTY RECEIVING A MATCHING GRANT-IN-AID MAY
 9 NOT LEVY MORE THAN 1/2 MILL FOR EACH 1-MILL EXPENDITURE
 10 EQUIVALENT OVER 6 AND 8 MILLS FOR POOR FUND PURPOSES EXCEPT
 11 TO SUBSIDIZE A MEDICAL FACILITY.

12 (B) FOR THE PURPOSES OF 53-2-323, A COUNTY HAS
 13 EXHAUSTED ALL SOURCES OF REVENUE WHENEVER ITS LAUREL POOR
 14 FUND EXPENDITURES (OTHER THAN A SUBSIDY FOR A MEDICAL
 15 FACILITY) PLUS THE STATE MATCHING CONTRIBUTION HAS REACHED
 16 AN AMOUNT EQUIVALENT TO THE REVENUES THAT COULD HAVE BEEN
 17 RAISED BY THE MAXIMUM MILL LEVY AUTHORIZED BY 53-2-321.

18 (5) THE DEPARTMENT MAY ADOPT RULES TO IMPLEMENT THIS

19 SECTION.

20 Section 3. Effective date. This act is effective July
 21 1, 1982.

-End-

STATE OF MONTANA

REQUEST NO. 5-SP-81

FISCAL NOTE

Form BD-15

In compliance with a written request received November 20, 19 81, there is hereby submitted a Fiscal Note for House Bill 14 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

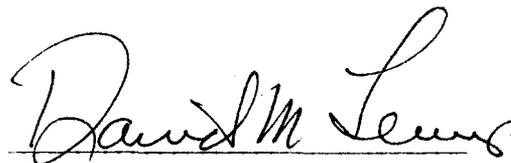
Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

Provides that payment of interest on registered poor fund warrants used for purposes reimbursable under a grant-in-aid is included as a proper expenditure for grant-in-aid reimbursement.

COMMENTS:

No dollar estimate can be made for House Bill 14. At the present time there are \$9,500,000 of county registered warrants, however, we are unable to determine which warrants are for county poor fund expenditures.



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 11-21-81

HOUSE BILL NO. 14 (1st SS)

INTRODUCED BY FABREGA

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT PAYMENT OF INTEREST ON REGISTERED POOR FUND WARRANTS USED FOR PURPOSES REIMBURSABLE UNDER A GRANT-IN-AID IS INCLUDED AS A PROPER EXPENDITURE FOR GRANT-IN-AID REIMBURSEMENT; AMENDING SECTION 53-2-323, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-2-323, MCA, is amended to read: "53-2-323. Grants from state funds to counties. A county may apply to the department for an emergency grant-in-aid, and the grant shall be made to the county upon the following conditions:

(1) The board of county commissioners or a duly elected or appointed executive officer of the county shall make written application to the department for emergency assistance and shall show by written report and sworn affidavit of the county clerk and recorder and chairman of the board of county commissioners or other duly elected or appointed executive officer of the county the following:

(a) that the county will not be able to meet its obligations under law to provide assistance to the needy of

the county or meet its proportionate share of any public assistance activity carried on jointly with the department;

(b) that all lawful sources of revenue and other income to the county poor fund will be exhausted;

(c) that all expenditures from the county poor fund have been lawfully made; and

(d) that all expenditures from the county poor fund have been reasonable and necessary, according to criteria set by the department in rules adopted for that purpose, for the county to meet its obligations under law to provide assistance to the needy.

(2) Within 10 days of receipt of the application and affidavit, the department shall determine whether the county poor fund will be depleted and shall give notice to the county of the department's intention to deny or allow the grant-in-aid. Before a grant-in-aid for any fiscal year may be made to a county under this section, any money credited during that fiscal year to the depletion allowance reserve fund from the sources provided by 7-34-2402(2) shall be transferred to the county poor fund to be used for lawful poor fund expenditures. The amount of the grant-in-aid shall be determined after all sources of income available to the poor fund, including the depletion allowance reserve fund transfers, have been exhausted.

(3) Within 10 days of receiving notice from the

1 department that a grant-in-aid will be made to the county,
 2 the board of county commissioners or other duly elected or
 3 appointed executive officer of the county shall adopt an
 4 emergency budget. There is no requirement of notice and
 5 hearing for that emergency budget. The emergency budget
 6 shall state the amount required to meet the obligation of
 7 the county and shall allocate that whole amount among the
 8 various classes of expenditures for which the grant was
 9 made.

10 (4) Upon receipt and approval of the county emergency
 11 budget, the department shall issue a warrant to the county
 12 treasurer of the county for the total amount stated in the
 13 approved emergency budget.

14 (5) The grant-in-aid received by the county shall be
 15 placed in an emergency fund account to be kept separate and
 16 distinct from the poor fund account. All expenditures from
 17 the emergency fund account shall be made by a separate
 18 series of warrants or checks marked as emergency warrants or
 19 checks.

20 (6) The grants-in-aid from the department may be used
 21 only for public assistance activities lawfully conducted by
 22 the county, including but not limited to medical aid,
 23 hospitalization, and institutional care, and the payment of
 24 interest on warrants used for such purposes. No part of a
 25 grant-in-aid may be used, directly or indirectly, to pay for

1 the erection or improvement of any county building or for
 2 furniture, fixtures, appliances, or equipment for a county
 3 building.

4 (7) In the event the county poor fund is replenished
 5 by other lawful sources of revenue, the county shall issue
 6 warrants to meet its obligations from the county poor fund
 7 until such time as that fund is again so depleted that
 8 warrants can no longer lawfully be drawn on that account.
 9 Upon depletion of the county poor fund, the county may again
 10 make disbursements from the emergency fund account as
 11 provided in subsection (5). At the close of the count
 12 fiscal year, the county shall return to the department an
 13 amount remaining in the county poor fund and the emergency
 14 fund account, but the remaining amount to be returned may
 15 not exceed the total amount of the emergency grant-in-aid
 16 for that fiscal year.

17 (8) Any amount which is unlawfully disbursed or
 18 transferred from the emergency fund account or used for
 19 purpose other than that specified in the grant-in-aid shall
 20 be returned by the county to the department."

21 Section 2. Effective date. This act is effective on
 22 passage and approval.

-End-

Special Session
Special BILL NO. *4*

1 INTRODUCED BY REGAN

2 BY REQUEST OF THE DEPARTMENT OF
3 SOCIAL AND REHABILITATION SERVICES

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REAPPORTION THE
5 FINANCIAL RESPONSIBILITY FOR GENERAL ASSISTANCE, COUNTY
6 MEDICAL ASSISTANCE, AND MEDICAID BETWEEN THE COUNTIES AND
7 THE STATE; AMENDING SECTIONS 53-3-306 AND 53-3-307, MCA; AND
8 PROVIDING AN EFFECTIVE DATE."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 53-3-306, MCA, is amended to read:
11 "53-3-306. County liability for general relief. (1)
12 General relief assistance shall be paid from the poor fund
13 of the county where the eligible person resides.

14 (2) ~~Within legislative appropriations the department~~
15 ~~shall reimburse to the county 50% of the allowable general~~
16 ~~relief paid by the county.~~

17 (2)(3) A person who leaves Montana with the intent to
18 reside in another state and later returns to reside in
19 Montana is considered a new resident for the purposes of
20 this chapter and 53-2-610(3).

21 (3)(4) When a person who receives general relief
22 assistance moves to reside in another county, he becomes the

1 financial responsibility of the new county from the date he
2 begins to reside in that new county."

3 Section 2. Section 53-3-307, MCA, is amended to read:
4 "53-3-307. County portion of county medical assistance
5 not to be paid from state funds ---exception. (1) County
6 medical assistance under 53-3-303 shall not be entitled to
7 be paid from state funds within legislative appropriations
8 the department shall pay the county 50% of the allowable
9 county medical assistance costs under 53-3-102.

10 (2) Medical expenses arising from accidental injury to
11 interstate transients shall be paid from county funds and
12 reimbursed by the state upon submission of a proper claim."

13 ~~NEW SECTION.~~ Section 3. County share of
14 participation. The county where a recipient of medical
15 assistance resides shall reimburse the department of social
16 and rehabilitation services in the amount of 5% of the
17 recipient's approved medical assistance grant, exclusive of
18 the federal share.

19 Section 4. Codification instruction. Section 3 is
20 intended to be codified as an integral part of Title 53,
21 chapter 6, part 1, and the provisions of Title 53, chapter
22 6, part 1, apply to section 3.

23 Section 5. Effective date. This act is effective on
24 January 1, 1982.

-End-

Special Session
Senate BILL NO. 5

INTRODUCED BY REGAN
BY REQUEST OF THE DEPARTMENT OF
SOCIAL AND REHABILITATION SERVICES

A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE
REQUIREMENT THAT A COUNTY REIMBURSE THE DEPARTMENT OF SOCIAL
AND REHABILITATION SERVICES FOR PAYMENTS OF SUPPORT OF YOUTH
IN NEED OF CARE; ELIMINATING THE DIVISION BETWEEN THE STATE
AND COUNTY OF AMOUNTS COLLECTED FROM PARENTS AND
GUARDIANSHIP ASSETS; AMENDING SECTIONS 41-3-104 AND
41-3-105, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 41-3-104, MCA, is amended to read:
"41-3-104. Payment for support of youth in need of
care ---reimbursement-by-county. (1) Whenever agreements are
entered into by the department of social and rehabilitation
services for placing a youth in need of care in a licensed
family foster home, child care agency, group home, or
treatment facility, the department shall pay by its check or
draft each month from any funds appropriated for that
purpose the entire amount agreed upon for board, clothing,
personal needs, and room of the children.

{2}--8n-or-before-the-20th-of-each-month-the-department

shall present--e--state--to--the-county-of-residence-of-the
children-for-no-more-than-one-half--the--payments--so--made
during--the--month--The-county-must-make-reimbursement-to-the
department-within-20-days-after-the-state-is-presented,
{3}{2} The department shall conduct or arrange for the
review required under 41-5-807 of a child placed in a
licensed family foster home, child care agency, group home,
or treatment facility if the child is placed under the
supervision of the department or placed by the department or
the department pays for the care of the child as set forth
in this section."

Section 2. Section 41-3-105, MCA, is amended to read:

"41-3-105. Recovery from parents or guardianship
assets ---division-between-state--and--county. {4}--in--the
event--any--recovery--is--made--from--the--parent--or--parents--or
guardianship--assets--of--children--for--whom--boardy--clothing
personal--needs--and--room--have--been--paid--by--the--state--and
county--any--amount--so--recovered--shall--be--divided--equally
between--the--department--and--the-county--of--residence--of--such
child--or--children

{2} Any amount collected from the parents or
guardianship assets when a child is placed in a foster home,
child care agency, group home, or private treatment facility
shall be transmitted to the department of social and
rehabilitation services. The department shall--then--pay--to

1 the-county-one-half-of-the-amount-so-collected"

2 Section 3. Effective date. This act is effective on

3 January 1, 1982.

-End-

House BILL NO. 6 (SSZ) *Special Session*

INTRODUCED BY KEYSER

BY REQUEST OF THE DEPARTMENT OF
SOCIAL AND REHABILITATION SERVICES

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO CONSIDER THE INCOME AND RESOURCES OF STEPPARENTS AND OTHER INDIVIDUALS LIVING IN THE HOME FOR THE PURPOSE OF ADMINISTERING AID TO DEPENDENT CHILDREN; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
Section 1. Stepparent resources and income.
Notwithstanding the provisions of 40-6-217, in the administration of this part the department may consider the income and resources of stepparents and other individuals who reside in the home as resources and income available to the household.
Section 2. Codification instruction. Section 1 is intended to be codified as an integral part of Title 53, chapter 4, part 2, and the provisions of Title 53, chapter 4, part 2, apply to section 1.
Section 3. Effective date. This act is effective on January 1, 1982.