

MINUTES OF THE MEETING OF THE APPROPRIATIONS COMMITTEE
February 20, 1983

The Appropriations Committee met at 1:35 p.m. on February 20, 1983, in Room 140, with Chairman Francis Bardanouve presiding and all members were present. Judy Rippingale, Legislative Fiscal Analyst, was also present. HOUSE BILLS 659, 681, 772, 778, 805, 861 and 862 were heard. EXECUTIVE ACTION was taken on HOUSE BILLS 548, 681, 659, 772, 778, 805 and 862. HOUSE BILLS 237 and 413 were TABLED. Rep. DONALDSON said he would move on the House floor to take HOUSE BILL 105 from committee and move it to the House floor.

(Tape 2: Track 1:405)

HOUSE BILL 659: "A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR STATE USE AND DISTRIBUTION OF FEDERAL COMMUNITY SERVICES BLOCK GRANT FUNDS; DEFINING 'HUMAN RESOURCE DEVELOPMENT COUNCIL'; PROVIDING FOR THE ADMINISTRATION OF FISCAL AND PROGRAM CONTROLS TO COMPLY WITH FEDERAL LAW; AND PROVIDING AN EFFECTIVE DATE." was heard.

Rep. J. JENSEN presented his bill.

Proponents:

JIM SMITH, employed by the Region VIII Unity Action Association, which is a trade association consisting of Community Action agencies in 6 Western states and includes the Human Resource Development Councils in Montana, offered a fact sheet on House Bill 659. (Exhibit 1.) He said, "This block grant is not included in the Administration's original budget package (at the federal level); however, it has achieved support from Congress. For the last two years since 1980, Congress has appropriated approximately 350 million dollars annually for this block grant - to Montana, approximately 1.2 million dollars per year. There are discussions in Washington right now which might lead to a supplemental appropriation for this block grant during the remainder of this year. I feel that continued federal funding for this program is relatively stable at this time."

BOB WALTMIRE, Columbia Falls, and Senior Citizens' representative, supported the bill.

GERTRUDE DOWNY, HRDC XII, Butte, read a letter from Don Peoples supporting the bill. (Exhibit 2.)

CARL J. DONOVAL, Great Falls, representing Montana's Coalition Against Poverty (MCAP), presented a large stack of petitions containing 1,640 signatures, supporting the bill.

MARY NOONAN, St. Regis, representing the Mineral County Commissioners, read a prepared statement supporting the bill. (Exhibit 3.)

ROSE GOSS, representing Ravalli County Commissioners, read a prepared statement supporting the bill. (Exhibit 4.)

EDGAR LANGSTON, HRDC, Harlowton, read a prepared statement supporting the bill. (Exhibit 5.)

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HOWARD SCHWARTZ, representing Missoula County Commissioners, supported the bill with no amendments.

MILLIE TIEDERMANN, representing the senior citizens of Great Falls, supported the bill.

HEDRICK SMIT, representing the Smit Construction of Helena, supported the bill.

JOHN LA FAVER, Director of SRS, supported the bill and submitted some proposed amendments. (Exhibit 6.) He said they have used the 5% allocation to run the cheese program, as a special program, which the federal law allows. Rep. BARDANOUVE asked if in the past there has been any objection for using this money for the distribution of cheese? Mr. LaFaver said, "No."

MIKE STEVENS, representing the Montana Association of Counties, supported the bill and the proposed amendments.

DARRYL MEYER, Great Falls, representing Cascade County Commissioners, supported the bill and the proposed amendments.

SHIRLEY ISBELL, Executive Director of District IV Human Resources, supported the bill.

WADE WILKISON, Executive Director of LISCA, read a letter from Richard Hart, Executive Director of Bank of Montana, supporting the bill. (Exhibit 7.)

ZARE ZELL, representing MCAP, Shelby, supported the bill.

Opponents: None.

Rep. JENSEN closed on his bill and discussed the proposed amendments. He said he was concerned about the second amendment because it seems to mitigate the local control.

Discussion:

Rep. BARDANOUVE asked Mr. Smith, "If there were no money at headquarters here in Helena for distribution of the cheese, could the local HRDC take some of their funds to help?" Mr. SMITH said, "Yes."

Rep. QUILICI asked John LaFaver, "If there were any excess funds, could that be allocated to the HRDC for the weatherization program?" Mr. LA FAVER said the 5% we are talking about would go to the HRDC... we aren't trying to retain that to hire extra staff."

The hearing closed at 2:35 p.m.

(Tape 2: Track 1:824)

HOUSE BILL 772: "A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE

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THE REIMBURSEMENT RATE FOR SCHOOL BUS TRANSPORTATION; TO CLARIFY THAT A SCHOOL DISTRICT MAY APPROVE BUS MILES IN ADDITION TO APPROVED BUS ROUTES BUT MAY NOT CLAIM REIMBURSEMENT FOR THE ADDITIONAL MILEAGE; AMENDING SECTION 20-10-141, MCA." was heard.

Rep. BENGTON introduced her bill. She said, "For the biennium, the fiscal impact is about 1 1/2 million additional dollars, but it is a direct reduction in local property taxes. This bill contains the Governor's budget recommendation."

Proponents:

BOB STOCKTON, Office of Public Instruction, supported the bill.

Opponents: None.

Rep. BENGTON closed on her bill

Discussion:

Rep. THOFT, Mr. STOCKTON, Rep. SHONTZ, Rep. MENAHAN and Rep. BENGTON had a discussion on who could ride the busses, the size of busses and costs of operating busses.

The hearing closed at 2:47 p.m.

(Tape 2: Track 1:801 to 820; and Tape 2: Track 1:911 to 1145)

HOUSE BILL 681: "A BILL FOR AN ACT ENTITLED: "AN ACT TO PREVENT THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES FROM REFUSING MEDICAL PAYMENTS FOR ELIGIBLE INDIVIDUALS TREATED IN HOSPITAL BEDS THAT CAN ALSO SERVE AS NURSING HOME BEDS; AMENDING SECTION 53-6-102, MCA." was heard.

Rep. DEVLIN, the bill's chief sponsor, explained his bill. He said a "swing bed" is a licensed hospital bed which has been authorized through the Montana Certificate of Need process to be used by long-term care patients. Currently there are 7 hospitals in Montana authorized to use swing beds... Choteau, Conrad, Ft. Benton, Phillipsburg, Plentywood, Poplar and Terry. He said the purpose of his bill to require SRS to recognize swing beds as long-term care beds which are available for use by Medicaid beneficiaries.

Proponents:

KEN RUTLEDGE, Montana Hospital Association, took exception to the accuracy of the fiscal note, but supported the bill. He made some suggestions on "provisions for swing beds". (Exhibit 8.) He also submitted a letter he had written to John Larson, Chief of Medicaid Finance Bureau, SRS, regarding swing beds. (Exhibit 9.)

Opponents:

JOHN LA FAVER opposed the bill because it would shift costs from the federal government to the state... from Medicare to Medicaid.

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Rep. DEVLIN closed on his bill.

Discussion:

Rep. BENGTON and JOHN LA FAVER had a discussion on how the care of a patient shifts from Medicare to Medicaid, nursing home availability and alternative types of care.

Rep. BARDANOUVE asked if there is a shortage of nursing home beds in Montana? Mr. LA FAVER said, "No." Rep. BARDANOUVE then asked, "Is there a shortage in any given area?" Mr. LA FAVER said, "Depending on whose view you are listening to, there is a shortage in some areas. There are some areas where there is a waiting period for a bed." Rep. WINSLOW, Dr. DRYNAN, Rep. PECK, Rep. MENAHAN, Rep. SHONTZ and Mr. RUTLEDGE had a further discussion on regional availability of beds.

The hearing closed at 3:20 p.m.

(Tape 2: Track 1:1150)

HOUSE BILL 862: "A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE LAWS RELATING TO LICENSING AND REGISTRATION OF RADIOACTIVE MATERIALS AND DEVICES; AMENDING SECTIONS 75-3-202 AND 75-3-404, MCA; REPEALING SECTION 75-3-401, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." was heard.

Rep. SHONTZ introduced his bill.

Proponents:

LARRY LLOYD, Chief of the Occupational Bureau, Department of Health and Environmental Science, introduced a proposed amendment to the bill. (Exhibit 10.) He said the Department supports the bill with the proposed amendments.

Opponents:

ROBERT PERRIER, representing the Montana Environmental Information Center, read a prepared statement opposing the bill, but with conditions. (Exhibit 11.)

Rep. SHONTZ closed on his bill.

Discussion:

Rep. BARDANOUVE said he would prefer the amendments to an outright repeal of the law cited in the bill.

The hearing closed at 3:37 p.m.

(Tape 2: Track 1:1262)

HOUSE BILL 805: "A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT A STATE AGENCY FROM MAKING AN EXPENDITURE FROM AN ACCOUNT UNLESS THE ACCOUNT CONTAINS A CASH BALANCE; AND PROVIDING AN EFFECTIVE DATE." was heard.

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Rep. WALDRON opened on his bill. He said, "Currently the law says you cannot exceed your appropriation and under this bill an agency would not be able to exceed the cash balance."

Proponents: None.

Opponents:

RICK MORGAN, representing the Department of Administration, opposed the bill because he said it would create a very awkward accounting problem. The Department operates 14 proprietary funds and under the criteria of this bill, 6 of those would have been technically in violation at the end of this fiscal year while all the funds were financially solvent. The proprietary funds would accumulate larger than necessary cash balances to assure bills were paid in an expeditious manner. The Department has some fears this law would affect the treasury operation in that each warrant issued by the state has a valid obligation to be paid by the Treasurer. He said, "If we are required to have a cash balance equal to our outstanding obligations, we estimate the invested funds would decline by 35 million dollars, thereby creating a revenue loss of 4.5 million dollars of interest earnings for the General Fund."

Rep. WALDRON closed on his bill.

Discussion:

There were no amendments offered on the bill.

JUDY RIPPINGALE explained how this bill came to be offered.

Reps. WALDRON, PECK, MENAHAN, BARDANOUVE and Mr. NOBLE had a brief discussion on the merits of the bill, if amended.

The hearing closed at 3:50 p.m.

(Tape 2: Track 1:1379)

HOUSE BILL 778: "A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING PRISONERS TO REIMBURSE THE STATE FOR THE COST OF THEIR IMPRISONMENT; AND PROVIDING AN EFFECTIVE DATE." was heard.

Rep. WALDRON introduced his bill by saying the prison is the only institution that is not charged for care and that other states do charge prisoners for their care.

Proponents:

CURT CHISHOLM, Deputy Director of the Department of Institutions, presented an amendment to the bill. (Exhibit 12.)

Opponents: None.

Rep. WALDRON closed on his bill.

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Discussion:

Reps. STOBIE, WALDRON, QUILICI, WINSLOW, MENAHAN and CURT CHISHOLM discussed the nuances of the bill on prisoners, their ability to pay, implementation problems and what other states are doing in implementing similar legislation.

The hearing closed at 4:02 p.m.

(Tape 2: Track 1:1508)

HOUSE BILL 861: "A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT CERTAIN PAYMENTS FROM THE GASOLINE AND VEHICLE FUELS TAX AND THE PUBLIC TRANSPORTATION PROGRAM BE PAID BY THE DEPARTMENT OF HIGHWAYS RATHER THAN THE STATE TREASURER; AMENDING SECTIONS 7-14-102 AND 15-70-101, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." was heard.

Rep. QUILICI introduced his bill. This is a bill requested by the Committee on Appropriations. He said there would be no more administrative money involved.

Proponents: None.

Opponents: None

Rep. QUILICI closed on his bill.

Discussion: None.

The hearing closed at 4:05 p.m.

(Tape 2: Track 1:1531)

***EXECUTIVE ACTION:

HOUSE BILL 548: "A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE, EXPAND, AND CLARIFY THE LAW PERTAINING TO BUDGET AMENDMENTS; AMENDING SECTIONS 5-12-401, 5-12-402, 17-8-103, AND 17-8-104, MCA: AND PROVIDING AN EFFECTIVE DATE."

Rep. MARKS had Rep. DONALDSON present proposed amendments to the bill. (Exhibit 13.) (Note: Also see Standing Committee Report in the Minute Book.)

Rep. DONALDSON made a motion to approve the #1 amendment on Exhibit 13. The motion was seconded and passed unanimously.

Rep. DONALDSON made a motion to approve the #2 and #3 amendments on Exhibit 13. The motion was seconded and passed unanimously.

Rep. DONALDSON then presented some further amendments to the bill. (Exhibit 14.) (Note: Also see Standing Committee Report in the Minute Book.)

Rep. DONALDSON made a motion that amendment #1 on Exhibit 14 be approved. The motion was seconded and passed unanimously.

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Rep. DONALDSON made a motion that the #2, #3 and #4 amendments on Exhibit 14 be approved. The motion was seconded and passed, with Rep. MENAHAN voting "No" and saying he thought the whole bill was not a good bill.

Rep. DONALDSON made a motion that amendment #5 on Exhibit 14 be approved.

There was considerable discussion on the various funds, where they originate, which ones are appropriated and which are not, House Bill 500 boiler plate language, and the budget amendment process.

Rep. DONALDSON made a substitute motion that amendment #5 on Exhibit 14 be changed as follows: "Strike everything after 'unrestricted subfund'. The motion was seconded and passed unanimously.

Rep. WALDRON made a motion that on Page 5, line 16 of the bill, after the word "other", insert the word "reasonable". The motion was seconded and passed, with Reps. MENAHAN and LORY voting "No".

Rep. BENGTON made a motion that House Bill 548 as amended do pass. Rep. SHONTZ seconded the motion and the motion passed, with Reps. MENAHAN and LORY voting "No".

(Tape 2: Track 1:1836)

HOUSE BILL 861: "A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT CERTAIN PAYMENTS FROM THE GASOLINE AND VEHICLE FUELS TAX AND THE PUBLIC TRANSPORTATION PROGRAM BE PAID BY THE DEPARTMENT OF HIGHWAYS RATHER THAN THE STATE TREASURER; AMENDING SECTIONS 7-14-102 AND 15-70-101, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

Rep. QUILICI made a motion that the bill do pass. The motion was seconded and passed unanimously.

(Tape 2:Track 1:1844)

HOUSE BILL 681: "A BILL FOR AN ACT ENTITLED: "AN ACT TO PREVENT THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES FROM REFUSING MEDICAL PAYMENTS FOR ELIGIBLE INDIVIDUALS TREATED IN HOSPITAL BEDS THAT CAN ALSO SERVE AS NURSING HOME BEDS; AMENDING SECTION 53-6-102, MCA."

Rep. STOBIE made a motion that the bill do pass.

Rep. WALDRON made a substitute motion that the bill do not pass. A roll call vote was taken. There were 11 members who voted "No" and 6 who voted "Yes". The motion failed.

The votes were reversed and the motion was that the bill do pass. A roll call vote was taken and there were 11 who voted "Yes" and 6 who voted "No". House Bill 681 passed.

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(Note: From this point to the end of the meeting there is no tape, as something went wrong with the tape recorder.)

HOUSE BILL 862: "A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE LAWS RELATING TO LICENSING AND REGISTRATION OF RADIOACTIVE MATERIALS AND DEVICES; AMENDING SECTIONS 75-3-202 AND 75-3-404, MCA; REPEALING SECTION 75-3-401, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

Rep. BENGTON made a motion that the amendments be approved. (See Exhibit 10.) The motion was seconded by Rep. QUILICI and a roll call vote was taken. The motion passed, with Rep. SHONTZ voting "No".

Rep. LORY made a motion that the bill do pass as amended. The motion was seconded by Rep. QUILICI and passed unanimously.

HOUSE BILL 778: "A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING PRISONERS TO REIMBURSE THE STATE FOR THE COST OF THEIR IMPRISONMENT; AND PROVIDING AN EFFECTIVE DATE."

Rep. WALDRON made a motion that the amendments be approved. (See Exhibit 12.)

There was a brief discussion on the merits of the bill and the consensus was that the bill should be studied further for some possible future date which would also include some input in regard to "sick call" costs being charged to prisoners.

Rep. WALDRON removed his motion to move the amendments.

Rep. QUILICI made a motion that the bill be tabled. The motion was seconded by Rep. SHONTZ. The motion passed, with Rep. BARDANOUVE voting "No" saying he had rather the bill be killed rather than tabled so bills wouldn't stack up in the Appropriations Committee.

HOUSE BILL 805: "A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT A STATE AGENCY FROM MAKING AN EXPENDITURE FROM AN ACCOUNT UNLESS THE ACCOUNT CONTAINS A CASH BALANCE; AND PROVIDING AN EFFECTIVE DATE."

Rep. WALDRON was excused to attend another meeting.

Rep. LORY made a motion that the bill do not pass. A roll call vote was taken, with 8 members voting "Yes" and 9 members voting "No". The motion failed.

The votes were reversed and on the consideration that the bill do pass, 8 members voted "No" and 9 members votes "Yes". House Bill 805 passed.

HOUSE BILL 659: "A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR STATE USE AND DISTRIBUTION OF FEDERAL COMMUNITY SERVICES BLOCK GRANT FUNDS; DEFINING 'HUMAN RESOURCE DEVELOPMENT COUNCIL'; PROVIDING FOR THE ADMINISTRATION OF FISCAL AND PROGRAM CONTROLS TO COMPLY WITH

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FEDERAL LAW; AND PROVIDING AN EFFECTIVE DATE."

Rep. DONALDSON made a motion that proposed amendment #1 be approved. The motion was seconded and passed, with Reps. BENGTON, QUILICI, PECK and STOBIE voting "No".

Rep. STOBIE made a motion that proposed amendment #2 do pass. The motion was seconded by Rep. DONALDSON. A roll call vote was taken, with 11 members voting "No" and 5 members voting "Yes". The motion failed.

The votes were reversed and on the consideration that the proposed amendment #2 do not pass, there were 11 members voting "Yes" and 5 members voting "No". Amendment #2 did not pass.

Rep. BENGTON made a motion that proposed amendment #3 do pass. The motion was seconded and passed unanimously.

Rep. STOBIE introduced another amendment to the bill. (Exhibit 15.) The committee members briefly discussed the proposed amendment. Rep. STOBIE made a motion that proposed amendment #4 (See Exhibit 15) do pass. A roll call vote was taken, with 11 members voting "No" and 5 members voting "Yes". The motion failed.

Rep. DONALDSON made a motion that House Bill 659 as amended do pass. The motion was seconded and a roll call vote was taken. The motion passed, with Rep. STOBIE voting "No".

HOUSE BILL 772: "A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE REIMBURSEMENT RATE FOR SCHOOL BUS TRANSPORTATION; TO CLARIFY THAT A SCHOOL DISTRICT MAY APPROVE BUS MILES IN ADDITION TO APPROVED BUS ROUTES BUT MAY NOT CLAIM REIMBURSEMENT FOR THE ADDITIONAL MILEAGE; AMENDING SECTION 20-10-141, MCA."

Rep. BENGTON made a motion that the bill do pass. The motion was seconded and passed unanimously.

HOUSE BILLS 237 & 413: These bills, relating to the Federal Mineral Lands Leasing Act, were heard in a prior committee meeting and are now being considered for Executive Action.

Rep. SHONTZ made a motion that House Bill 237 do pass.

A substitute motion was made that House Bill 413 do not pass. A roll call vote was taken, with 16 members voting "No". House Bill 413 is still alive.

Rep. DONALDSON made a substitute motion to table House Bills 237 and 413. The motion was seconded and carried without a roll call vote. House Bills 237 and 413 are tabled.

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HOUSE BILL 105: Rep. DONALDSON said he would move on the House floor to take this bill from committee and move it to the floor.

The meeting adjourned at 6:05 p.m.

Original Minutes signed
FRANCIS BARDANOUVE

jc

HB 659 FACT SHEET

THE COMMUNITY SERVICES BLOCK GRANT ACT, 1983

QUESTION: WHAT IS THE COMMUNITY SERVICES BLOCK GRANT (CSBG)?

ANSWER: A program of federal aid to the state of Montana for certain activities. One of nine block grants to states established with the passage of the Omnibus Budget Reconciliation Act, 1981 (OBRA), in November of 1981.

QUESTION: IS THIS PROGRAM FUNDED BY THE STATE OF MONTANA?

ANSWER: No. This program is funded by the federal government.

QUESTION: WHAT STATE AGENCY ADMINISTERS CSBG?

ANSWER: CSBG is administered by Montana Department of Social and Rehabilitation Services (SRS).

QUESTION: HOW IS CSBG ADMINISTERED LOCALLY?

ANSWER: Historically, the program has been administered locally by the ten Human Resource Development Councils (HRDCs). The HRDCs are presently the local administering agencies for CSBG funds in all Montana counties.

QUESTION: DOES THE CSBG HAVE ANY LEGISLATIVE HISTORY OR PRECEDENTS?

ANSWER: The CSBG is successor legislation to the Community Services Act, 1975, and to the Economic Opportunity Act, 1964. It was this early federal legislation that enabled the creation of the HRDCs, and that has funded them since that time.

QUESTION: WHAT IS THE INTENDED PURPOSE OF THE CSBG?

ANSWER: Originally, these were "anti poverty" funds. The OBRA, 1981 describes CSBG in the following way:

"to provide a range of services and activities having a measurable and potentially major impact upon the causes of poverty in the community or those areas of the community where poverty is a particularly acute problem."

QUESTION: HOW ARE THESE "SERVICES AND ACTIVITIES" CARRIED OUT AT THE STATE AND LOCAL LEVELS?

ANSWER: This program (CSBG) is a block grant to states, and SRS does have the final responsibility for the administration of these funds, including fiscal and program compliance with federal and state laws and regulations. At the local level these funds are administered by the Boards of Directors of the HRDCs. In addition, program priorities are determined locally, by these Boards of Directors, in response to particular community conditions, on an ongoing basis.

QUESTION: WHAT ARE THE HRDCs?

ANSWER: HRDCs are non-profit community organizations representing one or more of the Governor's substate planning districts. The HRDCs are either "public agencies" created by interlocal agreement, or "private, non-profit corporations." In either case, HRDCs are eligible to receive certain federal, state, and local funds. Finally, HRDC Board of Directors are structured to include County Commissioners from all of the Counties in each of the Governor's sub-state planning districts, so as to assure local control.

QUESTION: HOW ARE HRDC BOARD OF DIRECTORS STRUCTURED?

ANSWER: They are structured so that 1/3 of the total Board membership is composed of local elected officials (county commissioners or their representatives); 1/3 of the total are representatives of low income people themselves; and 1/3 of the total is composed of representatives of the private sector of the community (business, labor, church and civic groups, and other community leaders).

QUESTION: WHY ARE HRDC BOARDS STRUCTURED ALONG THESE 1/3, 1/3, 1/3 LINES?

ANSWER: This is the "three part" Board. It is so structured for several reasons: to ensure local government control of these funds and involvement in their local use; to ensure that a broad based community effort is directed at poverty related problems; to ensure the involvement of low income people in the community in decisions affecting them; to focus available resources within the community at poverty related problems; to avoid duplication of services and effort; and to encourage the involvement of the private sector.

QUESTION: DO THE HRDCs ACTUALLY DO ALL OF THIS?

ANSWER: Well, they are the only community based organizations actively engaged in these activities. Typically, the HRDCs administer a number of programs at the local level, including CSBG. All of these programs are designed to comply with the overall purposes spelled out in the CSBG Act. Examples follow:

Eligible Activities
in CSBG Act

HRDC Programs

"Agencies will provide activities designed to assist low income participants, including the elderly poor:

to secure & retain
meaningful employment

- county workfare
- job counselling &
placement (CETA)
- youth employment &
training programs.

to attain an
adequate education

- Head Start
- scholarships to Vo Tech

to obtain &
maintain adequate &
suitable living environment

- home weatherization
- Low Income Energy
Assistance
- Farm Home Administration
- housing counselling
- HUD housing placement

to make better use
of available income

- volunteer income tax
assistance
- consumer education
counselling

to obtain emergency
assistance

- Low Income Energy
Assistance
- Energy Share of
Montana (MPC,MDU,
PPL, Great Falls Gas;
a public/private sector
partnership)
- crisis assistance &
relocation
- temporary housing
- battered spouse
shelter
- emergency food

to remove obstacles that
block the achievement of
self-sufficiency

- Head Start
- Big Brother/Big Sister
- displaced homemakers

to achieve greater
participation in the
affairs of the community

- Senior Companion
- Foster Grandparents
- Retired Senior Volunteers
- service on HRDC Boards of
Directors and Advisory
Councils

to make more effective
use of other programs

- information & referral
- outreach counselling
- inter-agency program
referrals

provision of such
supplies & services,
nutritious foodstuffs &
related services as may be
necessary to counteract
conditions of starvation &
malnutrition among the poor."

- special commodities
distribution (cheese
and butter)
- local issuance of
food stamps
- community gardens.

QUESTION: ARE THERE ANY OTHER FEDERAL REQUIREMENTS
ATTACHED TO CSBG?

ANSWER: Yes. Federal law for the last two years
has required that 90% of CSBG funds go to
local, community based non profit organizations
having "three part" Board of Directors. These
organizations are the HRDCs in Montana.

QUESTION: DO THE HRDCs SERVE ALL OF MONTANA'S COUNTIES?

ANSWER: Yes. The Governor's substate planning districts
are also the HRDC service areas. All 56 of
Montana's counties are served by HRDCs.

QUESTION: WHAT IS THE PURPOSE OF HB 659?

ANSWER: The purpose of HB 659 is to underwrite the
existing federal law with state law; to provide
that HRDCs continue to receive CSBG funds and
use them for the services and activities
outlined in the federal CSBG Act; to provide
an allocation formula for the distribution of
these funds. Generally, to stabilize a service
delivery system and to provide for the ongoing
local administration of a number of programs
designed to meet the requirements and purpose
of the CSBG Act.



BUTTE-SILVER BOW
OFFICE OF CHIEF EXECUTIVE
COURTHOUSE
BUTTE, MONTANA 59701

EXHIBIT 2
HB 659
2/20/83
J. Jensen

AREA CODE 406
PHONE 723-8262

To: Legislative Members

From: Don Peoples, Chief Executive Butte-Silver Bow

Re: Administration of Community Services Block Grant

I am writing in support of the Human Resources Development Councils administration of the Community Services Block Grant.

These are difficult times for all units of local government, and especially for Butte-Silver Bow. For several years we have been caught up in a dilemma that has seen a steady decline in our revenue sources, while inflation and demands for service have been on the increase. This combination of factors has forced us to seek out the most effective and efficient methods of delivering all government services.

Perhaps the most perplexing and difficult delivery system that any government must deal with is that of human services. Diminishing resources in a time of serious economic decline demand that we utilize the most efficient and sensitive community agency in delivering human services. We have found through the years that the Human Resources Development Council has been the most capable community agency for the administration of a wide range of human service programs. This agency has a proven track record that has been carefully and efficiently developed.

In November 1981, during a special session of the Montana Legislature, Butte Silver Bow provided testimony to maintain the administration of the Community Services Block Grant with the local Human Resources Development Councils. This testimony was based on our evaluation of the Human Resources Development Council. At that time we concluded that the HRDC's were in a stronger position than any other local government agency, or department, to administer low-income programs. The programs they administer are not traditionally welfare programs. The participants they serve are not all welfare recipients. They include senior citizens, handicapped, working poor, pre-schoolers, high school youths, etc.

We continue to maintain our support for the Human Resources Development Councils. Beyond economy and efficiency of operation, the most significant element of the HRDC is their ability to deal with human service clients with a high degree of dignity. This factor alone justifies our unqualified support.

EXHIBIT 3
HB 659
2/20/83
J. Jensen

Chairman Bardarson, — members of the Appropriation Committee
I am Mary Noonan from St. Regis - Mineral County Commissioner. I also chair the Board of District #1 Human Resources (Missoula, Ravalli & Mineral Counties)

I ~~was~~ Mineral County Treasurer for 15 years, a Member of the Human Resource Council and First Director of the Senior Citizen Center in Mineral County organized under the Human Resource Council and I am an active member of three Senior Citizen Centers - therefore I feel that I understand all phases of financing, co-ordinating and planning through the Human Resource Councils - the local councils provide invaluable assistance & information for the Commission

With an unemployment rate of 29.8% in Mineral County at the present time we need local input & involvement

District #1 Human Resources has presented their plan & budget to the Mineral County Commission and we have unanimously approved. To a small County like Mineral the Human Resource Development plan is the most feasible, economical, efficient & most fiscally responsible method of distributing these Block Grant funds.

By combining the 3 Counties - Missoula, Ravalli & Mineral we have access to staff in financial organization & still retain local control.

Mineral County Commissioners urge the passage of HB 659 without amendments - I will be happy to answer any questions.

Feb. 20, 1983

EXHIBIT 4
HB 659
2/20/83
J. Jensen

Chairman Berdanove:
Ladies and Gentlemen:

I am Rose Hoss. I represent the Ravalli Co. Commissioners on the Dist. Human Resource Council Board of Directors.

I am: a member of the Darby Town Council -

chairperson of the Ravalli Co. Planning Board.

Vice chairperson of the Ravalli Co. Council in Agway.

Chairperson of the Darby Sr. Citizens

Being involved in the variety of activities in a county of approximately 29,000 people of which approximately $\frac{1}{4}$ are retirees. We are one of the fastest growing counties in the State.

Our subdivisions are reviewed by the County Planning Board, a citizens advisory group to the Co. Commissioners, and further reviewed by the Commission.

We have a Co. Human Resource program Council that advises the Dist. Board both successful operations providing community understanding.

We hear so much about duplication of services by various agencies. Ravalli Co. HRDC Program Council is made up of heads of Welfare & Head Start, members of local government; ministerial ass.; Srs; and low income persons. ~~This is representing~~ all with programs.

I mention these activities I'm involved with because as a public official I am

very supportive of local control - so
often the local officials have no local
control action.

We have found it very beneficial
to operate as a multi-county organization
for an exchange of ideas. We are
not the Missoula Co. HRDC but a
district of three very different counties
and through the input of local
officials and other citizens we can
tailor the operation of programs for
each County.

As representative of the Ravalli Co.
Commissioners - I urge you to pass
HB 659 - without amendments.

I'll endeavor to answer any questions
you have.

Thank you for
your consideration,

House Bill 659
Community Services Block Grant Testimony
Edgar Langston - Harlowton, Montana

My name is Edgar Langston and I am a county commissioner from Wheatland County. I have resided in that county for 55 years and have been a county commissioner for the past 12 years. I am here to testify in favor of House Bill No. 659.

I have been a representative of the county on the Board of Directors of the District Six Human Resources Development Council since its incorporation in May of 1978.

The rural counties that the H.R.D.C. serves in my area derive a great deal from a multi-county association which administers social service programs. In 1982, under the Sales Amendment, all of the counties in District Six (and 37 counties statewide) chose to continue to remain a part of the H.R.D.C. network. This is because in a united fashion, each of these rural counties receive all of the services the H.R.D.C. provides without any additional expense to an already overburdened county budget. These counties receive a substantially greater quality and quantity of services than they could ever provide individually. For example, under a county-by-county allocation formula in Fiscal Year 1983, the counties in District Six would receive a collective total of \$44,511.00. But with funds being allocated to the H.R.D.C., these same six counties will receive \$70,392, an increase of \$25,841 or 36 percent more.

I favor passage of House Bill No. 659 because it provides for the future of the H.R.D.C. network while ensuring that the counties are involved in the development of a work program most responsive to the needs of the people in the communities it serves.

I, as a county commissioner, support this legislation because it means that the Community Services Block Grant will be used, as it should be, for needs identified on a local level. In a state as diverse, both geographically and philosophically, as Montana, local needs identification is essential. For example, the high unemployment problems which plague the western portion of the state are undeniably different from the problems of agriculture and rural isolation in Central Montana.

In each H.R.D.C. throughout the state, the Community Services Block Grant is used differently. Because other funding sources do not ensure the maintenance of overall administrative costs, the C.S.B.G. is used to provide an umbrella agency for the administration of these anti-poverty programs. Without this administrative umbrella, a fractured, inefficient method of service delivery would result. This would mean that these services would be less likely to reach the people they were designed to help. Also, administrative costs would undoubtedly be high without the agency's experience developed from a successful background of positive administration of anti-poverty programs.

However, it is a myth that H.R.D.C.'s are using C.S.B.G. funds solely for administrative purposes. In District Six, C.S.B.G. funds are being used to provide all counties with assistance in planning and community development and the preparation of grants to increase the amount of resources available to these communities. Because of the district's sparse population, these communities would not be able to afford the cost of this service if it were not provided through the H.R.D.C.

Currently, projects in District Six include preparation of a Community Development Block Grant for Judith Gap's water system and a county road mapping and naming project to improve emergency services to rural areas. Also, the H.R.D.C. continues to use D.S.B.G. to generate additional funds for projects of worth in the communities it serves. Its potential is unlimited only if we secure, as this legislation does, a future more than a few months in length.

For these reasons I urge you to support House Bill No. 659.

Amendments to HB 659
(Community Services Block Grant)

1. Page 3 line 4 after "retain"
strike the remainder of the line
PASS line 5 strike the entire line
insert: "5% for administrative costs
and 5% for special projects"

2. ~~Page 4 line 13~~
~~after: "grant"~~
~~insert: "including goals identified~~
~~by the department which are~~
~~consistent with federal law"~~
Fail

3. Page 4 line 16 strike: "or"
line 17 strike: "disapprove"
insert: ", disapprove or offer
amendments to"
line 17 after: "If"
PASS strike: the remainder of the line
line 18 strike: "governing body"
insert: "the County, governing body
and the human resource development
council cannot agree as to the
plan's components"

RICHARD HART STATEMENT

HB 659

Richard Hart, Chief Executive Officer, Bank of Montana,
Helena, Montana.

I have worked with Wade Wilkison, Executive Director of LISCA, on a number of local community projects. It has been clear in the conversations that we two have had with other community leaders that the way that our HRDC functions in our community is very beneficial, both in meeting the needs of the less fortunate in our community, and in encouraging real local economic cooperation and economic development.

I strongly support the HRDCs for the positive leadership they offer to our communities.



Montana Hospital Association

(406) 442-1911 • P.O. BOX 5119 • HELENA, MONTANA 59604

PROVISIONS FOR SWING-BEDS

1. Swing-bed facilities would have to have a written agreement with SRS and local long-term care facilities (local to be defined) that when a nonswing-bed long-term care bed became available, the patient occupying the swing-bed would have to be transferred to the licensed long-term care bed.
2. In order for a swing-bed facility to receive Medicaid reimbursement for patients occupying swing-beds, the swing-beds would have to be certified by Medicaid. Such certification by SRS would be contingent upon the swing-bed facility being able to demonstrate to SRS that there is a local shortage of long-term care beds. (Documentation of such a need could include proof of local long-term care patients being retained in a hospital bed because of lack of availability of long-term care beds, documentation that all local long-term care beds were 100% occupied over a given period of time, waiting lists, etc.)

November 23, 1982

Mr. John Larson, Chief
Medicaid Finance Bureau
Dept. of Social & Rehabilitation Services
SRS Building, 111 Sanders
Helena, MT 59620

Dear John:

I would like to respond to your inquiries regarding the need for and desirability of Medicaid participating in a swing-bed program.

As you know, with the recently adopted Medicaid nursing home reimbursement methodology, Medicaid budgeting needs for nursing home reimbursement can be accurately projected with respect to the cost of nursing home care as measured by cost of care per diem. What cannot be accurately projected or controlled by SRS is the cost of increased utilization and increased capacity in nursing homes.

There are clearly areas in the state where a shortage of nursing home beds exists, and as the elderly population grows, those shortages will become more pronounced. While SRS has been relatively successful in preventing the growth of nursing home beds in the past few years, it is doubtful that the department will be able to continue to resist new nursing home beds as the pressure for them grows. While SRS' proposed community based service waiver may be one method of relieving some of the pressure for new nursing home beds, the department should also be examining other potential solutions to this problem.

The Montana Hospital Association believes that the use of swing-beds by the Medicaid program can be a cost effective alternative to the construction of new nursing home beds. Since the eventual impact of your community based service waiver is still unknown, and since it will take some time before it has any meaningful impact on utilization of nursing home beds or the need for new beds, it makes sense for SRS to take advantage of swing-beds which can be available in a very short period of time, which are less costly than newly constructed beds and which need not create permanent new capacity should the need for nursing home beds eventually stabilize or decline.

The state Department of Health and Environmental Sciences (SDHES) requires that hospitals which apply for swing-beds under the CON statute make guarantees that the swing-bed hospital will transfer patients to a certified SNF/ICF bed as soon as one becomes available. Thus, there should be no problem with swing-beds being used to compete with existing long-term care beds.

Mr. John Larson

-2-

November 23, 1982

I realize that there are a number of details which would have to be addressed should the Medicaid program choose to utilize swing-beds. For this reason I would like to suggest that we get together and discuss this subject in more detail. I will give you a call after the Thanksgiving holiday and hopefully we can set up a meeting.

Sincerely,

Ken Rutledge
Senior Vice President

KR:jp

Department of Health and Environmental Sciences

Proposed Amendment to H.B. 862

Section 1: Reinstate in full.

Page 1, Line 14: Change "shall" to "may".

Section 2: Reinstate in full.

Page 3, Line 25: Delete "any device designed to produce x-radiation".

Page 4, Line 1: Change to read: ". . . such person is licensed by or registered with the department and is in compliance with the provisions of this chapter and rules issued hereunder."

Section 3: Delete.

Rationale:

Needs change in title.

Section 1:

By changing "shall" to "may" on page 1, line 14, the intent of the Human Services Joint Finance Subcommittee will be carried out. The mandated licensing program will become discretionary.

It is the position of DHES that this amendment is in the interest of the protection of public health. DHES would retain discretionary authority to license and regulate naturally-occurring and accelerator-produced radionuclides in the event that an emergency should arise which necessitates this action.

Section 2:

By reinstating Section 2 in full, the wording "any device designed to produce x-radiation" on page 3, line 25, is no longer necessary. The authority to continue to regulate X-ray equipment is retained by reinstating the words, "any source of ionizing radiation" (page 3, lines 24 & 25).

If Sections 1 and 2 are not reinstated in full, it will be necessary to retain the wording, "any device designed to produce x-radiation". The regulation of X-ray equipment is an ongoing program and has been funded by the Human Services Joint Finance Subcommittee.

Page 4, line 1: This change is necessary to clarify the legal requirement for compliance with regulations adopted pursuant to this act.

Section 3:

Section 75-3-401 MCA should be retained for clarification of administrative hearing procedures.



EXHIBIT 11
HB 862
2/20/83
Shontz

The Montana Environmental Information Center

- P.O. Box 1184, Helena, Montana 59624
- Flathead Office 433 S. Main, Kalispell 59901

(406) 443-2520
(406) 755-7763

TESTIMONY IN OPPOSITION TO HB 862

MEIC opposes HB 862 in its present form. Our concerns fall into three categories.

HB 862 disregards the concerns the voters of Montana have with regard to radiation that have been expressed in the last three general elections.

HB 862 disregards a potentially serious public health problem. HB 862 raises the question of what the legislature should do to the state's environmental laws if they haven't been or won't receive the proper funding to carry out their functions.

To address these concerns one by one:

In 1978 voters approved an initiative calling for stringent criteria and public approval for the siting of a nuclear facility within the state; In 1980 voters approved a comprehensive ban on the disposal of most forms of radioactive wastes within the state; and this past November voters overwhelmingly rejected a referendum excepting uranium mill tailings from this ban.

Montanans have clearly shown that they are concerned about radioactive materials within ^{their} state, yet a licensing program that would protect persons handling or operating equipment using radioactive material not regulated by the Nuclear Regulatory Commission remains unfunded. The program would also help protect the public health from the improper storage, disposal, or leakage of this material. The unchecked use of these materials

will only increase, therefore increasing the potential for even greater problems.

MEIC is also concerned about another question this bill raises. Should any of the state's environmental programs not be funded or not receive adequate funding to carry out the provisions of the law, should the program simply be done away with by repealing the law?

MEIC would like to see this law kept in place and the program it creates adequately funded, but until such time as the legislature chooses to do so, we will support the department's amendments to preserve the law but make it discretionary.

Amendments requested before the House Committee on Appropriations by the Department of Institutions.

That HB 778, Introduced Bill Copy, be amended as follows:

1. Title, line 5
Following: "Requiring"
Strike: "Prisoners"
Insert: "Persons committed to any adult correctional facility"
2. Title, line 6.
Following: "For"
Strike: "The cost of their Imprisonment"
Insert: "Room and Board"
Following: ";"
Insert: "Amending Section 53-1-501, MCA;"
3. Page 1, lines 10 through 20
Strike: Section 1 in its entirety
Insert: "Section 1. Section 53-1-501 is amended to read:
53-1-501. RATES FOR BOARD AND ROOM CHARGED BY THE DEPARTMENT.
The department of institutions shall establish and charge
reasonable rates, based on ability to pay, for board and room for
persons committed to any adult correctional facility, including any
community-based facility, operated by or under contract with the
department. The department is directed to establish policies and
rules to implement the charging of reasonable rates of board and
room for such facilities."
4. Page 1, Following line 20
Insert: "Section 2. SEVERABILITY. If a part of this act is
invalid, all valid parts that are severable from the invalid part
remain in effect. If a part of this act is invalid in one or more
of its applications, the part remains in effect in all valid
applications that are severable from the invalid applications.
Renumber: Subsequent section."

PROPOSED AMENDMENT TO HOUSE BILL 548

House Bill 548 be amended as follows:

1. Page 3.

Following: line 6

Strike: Subsection (10) in its entirety.

Renumber: subsequent subsections

2. Page 11, line 19.

Following: "expended"

Strike: ", "

Insert: ". An action under this subsection (b) may be brought"

3. Page 12, line 3.

Following: "employment"

Strike: ", "

Insert: ". An action under this subsection (c) may be brought"

H B 548

Amendments:

1. page 2, line 7

~~following~~ "other"

STRIKE "equally"

2. page 2, line 20

STRIKE "line 20 through page 3 line 4"

3. page 4, line 14

STRIKE "line 14 through line 17"

Restructure subsequent sections

4. page 6, line 1

STRIKE "line 1 through line 3"

Restructure subsequent sections

5. page 2, line 4

following ~~the~~ "revenue"

~~STRIKE~~ "as"

Insert "fund,"

following "appropriated"

Insert: ", unrestricted subfund, designated subfund, or university grant funds"

AMEND HOUSE BILL 659 AS FOLLOWS:

1. Page 3, line 9.

Following: "councils"

Insert: "or counties, if permitted by federal law,"

2. Page 3, line 14.

Following: "councils"

Insert: "and, if permitted by federal law, each disapproving county, as provided in [section 4(2)], shall receive an amount based on its per capita share of the amount allocated to the human resource development council in which it is located"

3. Page 4, line 4.

Following: "2(2)(b)]"

Insert: "and, if permitted by federal law, shall allocate the amount of money that the human resource development council would have received to the county. A county using such money must comply with the provisions of [section 3(2)], must prepare a plan pursuant to subsection (3), and must comply with any other provisions of federal law necessary for the receipt of block grant funds."

VISITORS' REGISTER

HOUSE _____ APPROPRIATIONS _____ COMMITTEE _____

BILL HOUSE BILL 659

SPONSOR J. JENSEN

Note: _____ Date FEBRUARY 20, 1983
 PROVIDING FOR STATE USE & DISTRIBUTION OF
 FEDERAL COMMUNITY SERVICES BLOCK GRANT
 FUNDS; DEFINING "HUMAN RESOURCE DEVELOPMENT
 COUNCIL, ETC.)

NAME	RESIDENCE	REPRESENTING	SUP- PORT	OP- POSE
Paul H. W. Watmore	Columbia Falls ^{Butte}	LISCA	✓	
Edgar Longton	Wheatland ^{Harbort}	N. B. & J. C.	✓	
Melvin Tiedeman	St. Falls	M. P. P. MSCA	✓	
Shirley Baker	Harve	Dist 4 HRDC	✓	
Gregg Sansom	Lewistown	Dist 6 HRDC	✓	
Joe Gelf	Shelby	MCAP	✓	
Myron J. J. J.	St. Falls	MCAP	✓	
Howard Schmitt	Missoula	Missoula County	✓	
Debra Debra	Butte	HRDC #11	✓	
Theresa Claggett	St. Falls	MPP	✓	
Karlene Shea	Butte	HRDC #11	✓	
Patricia Coleman	Glendora	Admission to Eastern MT	✓	
Darryl Meyer	St. Falls	Cascade County	✓	
Mary Gladue	St. Falls	" "	✓	
Carl Gladue	St. Falls	Opportunity	✓	
Hendrik Smit	HELENA, MT	SMIT CONST. CO. HELENA	✓	
Carl Donovan	St. Falls, MT	MCAP- MPP	✓	
Mary Norman	St. Regis, MT	Mineral Commission	✓	
Rose Goss	Darby, MT	Revalli Commission	✓	
Nadelyn Quilan	Missla, MT	Citizen	✓	

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

HOUSE APPROPRIATIONS COMMITTEE

BILL HOUSE BILL 681

SPONSOR DEVLIN

Note:

Date FEBRUARY 20, 1983

PREVENT DEPARTMENT OF SOCIAL & REHABILITATION SERVICES FROM REFUSING MEDICAL PAYMENTS FOR ELIGIBLE INDIVIDUALS TREATED IN HOSPITAL BEDS THAT CAN ALSO SERVE AS NURSING HOME BEDS.			
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[illegible]

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

HOUSE APPROPRIATIONS COMMITTEE

BILL HOUSE BILL 772

SPONSOR BENGTSON

Note: Date FEBRUARY 20, 1983
INCREASE REIMBURSEMENT RATE FOR SCHOOL BUS
TRANSPORTATION; CLARIFY THAT A SCHOOL DIS-
TRICT MAY APPROVE BUS MILES IN ADDITION TO
APPROVED BUS ROUTES BUT NOT CLAIM REIM-
BURSEMENT FOR ADDITIONAL MILEAGE.

[illegible]

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

HOUSE APPROPRIATIONS COMMITTEE

BILL HOUSE BILL 778

SPONSOR WALDRON

Note: Date FEBRUARY 20, 1983
REQUIRING PRISONERS TO REIMBURSE STATE
FOR COST OF THEIR IMPRISONMENT.

[illegible]

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

HOUSE APPROPRIATIONS COMMITTEE

BILL HOUSE BILL 805

SPONSOR WALDRON

Note:

Date FEBRUARY 20, 1983

PROHIBIT A STATE AGENCY FROM MAKING AN EXPENDITURE FROM AN ACCOUNT UNLESS THE ACCOUNT CONTAINS A CASH BALANCE.

[illegible]

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

APPROPRIATIONS

COMMITTEE

SPONSOR QUILICI

Date FEBRUARY 20, 1983

[illegible]

Form CS-33

VISITORS' REGISTER

HOUSE APPROPRIATIONS COMMITTEE

BILL HOUSE BILL 862

SPONSOR SHONTZ

Note: \checkmark

Date FEBRUARY 20, 1983

AMEND LAWS RELATING TO LICENSING & REGIS-
TRATION OF RADIOACTIVE MATERIALS AND
DEVICES.

[illegible]

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

WITNESS STATEMENT

Name HENDRIK SMIT Committee On APPRO
Address 904 BROADWAY, HELENA Date 2/29/1983
Representing SMIT CONST. CO. Support ✓
Bill No. HB 659 Oppose _____
Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. CREATES JOBS

2. SAVES MONEY

3. HELP PEOPLE

4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

WITNESS STATEMENT

Name Ken Rutledge Committee On Appro.
Address Helena Date 2/20/83
Representing Montana Hospital Assoc Support ✓
Bill No. 681 Oppose _____
Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1.

2.

3.

4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

WITNESS STATEMENT

Name ROBERT PERRIER Committee On APPROPRIATIONS
Address 913 WAUKESHA, HELENA Date 2-20-83
Representing MONTANA ENVIRONMENTAL INFORMATION Support _____
Bill No. HB 862 CENTER Oppose —

Amend will support DHES AMENDMENTS

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. SEE PREPARED STATEMENT.
2. WE WOULD LIKE TO SEE THE PROGRAM INTACT AND FUNDED,
BUT IF THE ALTERNATIVE IS, AS THE BILL DOES, REPEAL THE
LAW, WE WILL SUPPORT THE DHES AMENDMENTS TO KEEP
3. THE LAW INTACT BUT DISCRETIONARY.
- 4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

STANDING COMMITTEE REPORT

1 of 2

FEBRUARY 20

83

19.....

SPEAKER

MR.

APPROPRIATIONS

We, your committee on

HOUSE

having had under consideration Bill No. **659**

FIRST

reading copy (**WHITE**)
color

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR STATE USE AND DISTRIBUTION OF FEDERAL COMMUNITY SERVICES BLOCK GRANT FUNDS; DEFINING "HUMAN RESOURCE DEVELOPMENT COUNCIL"; PROVIDING FOR THE ADMINISTRATION OF FISCAL AND PROGRAM CONTROLS TO COMPLY WITH FEDERAL LAW; AND PROVIDING AN EFFECTIVE DATE."

HOUSE

Respectfully report as follows: That Bill No. **659**

BE AMENDED AS FOLLOWS:

1. Page 3, line 4.

Following: "retain"

Strike: line 4 and through "retention" on line 6"

Insert: "5% for administrative costs and 5% for special projects"

2. Page 4, line 16.

Strike: "or"

Insert: ", "

XXXXXX
DO PASS

February 20, 1983

3. Page 4, line 17.

Following: "disapprove"

Insert: ", or offer amendments to"

Following: "If"

Strike: "a plan is disapproved by a"

Insert: "the"

4. Page 18, line 18.

Following: "body"

Insert: "and the human resources development councils cannot agree as to the plan's components"

**AND AS AMENDED
DO PASS**

STANDING COMMITTEE REPORT

FEBRUARY 20,

33

19.....

MR. **SPEAKER**.....

APPROPRIATIONS

We, your committee on.....

having had under consideration **HOUSE** **681**
Bill No.

FIRST

WHITE

reading copy (.....)

A BILL FOR AN ACT ENTITLED: ^{color} "AN ACT TO PREVENT THE DEPARTMENT OF
SOCIAL AND REHABILITATION SERVICES FROM REFUSING MEDICAL PAYMENTS FOR
ELIGIBLE INDIVIDUALS TREATED IN HOSPITAL BEDS THAT CAN ALSO SERVE AS
NURSING HOME BEDS; AMENDING SECTION 53-6-102, MCA."

Respectfully report as follows: That..... **HOUSE** **681**
Bill No.

DO PASS

STANDING COMMITTEE REPORT

FEBRUARY 20,

19 83

SPEAKER

MR.

APPROPRIATIONS

We, your committee on

HOUSE

having had under consideration Bill No. **772**

FIRST

WHITE

reading copy (.....)
color

A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE REIMBURSEMENT RATE FOR SCHOOL BUS TRANSPORTATION; TO CLARIFY THAT A SCHOOL DISTRICT MAY APPROVE BUS MILES IN ADDITION TO APPROVED BUS ROUTES BUT MAY NOT CLAIM REIMBURSEMENT FOR THE ADDITIONAL MILEAGE; AMENDING SECTION 20-10-141, MCA."

HOUSE

Respectfully report as follows: That Bill No. **772**

DO PASS

STANDING COMMITTEE REPORT

FEBRUARY 20,

19 83

SPEAKER

MR.

APPROPRIATIONS

We, your committee on

HOUSE

805

having had under consideration Bill No.

FIRST

reading now (**WHITE**)
Color

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT A STATE AGENCY FROM
MAKING AN EXPENDITURE FROM AN ACCOUNT UNLESS THE ACCOUNT CONTAINS A
CASH BALANCE; AND PROVIDING AN EFFECTIVE DATE."

HOUSE

805

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

DO PASS

STANDING COMMITTEE REPORT

FEBRUARY 20,

19 83

SPEAKER

MR.

APPROPRIATIONS

We, your committee on

HOUSE

having had under consideration Bill No. **961**

FIRST

reading copy (**WHITE**)
Color

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT CERTAIN PAYMENTS FROM THE GASOLINE AND VEHICLE FUELS TAX AND THE PUBLIC TRANSPORTATION PROGRAM BE PAID BY THE DEPARTMENT OF HIGHWAYS RATHER THAN THE STATE TREASURER; AMENDING SECTIONS 7-14-102 AND 15-70-101, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE

Respectfully report as follows: That Bill No. **861**

DO PASS

STANDING COMMITTEE REPORT

FEBRUARY 20,

83

19.....

MR. SPEAKER.....

APPROPRIATIONS

We, your committee on.....

having had under consideration HOUSE..... Bill No. 862.....

FIRST reading copy (WHITE)
Color

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE LAWS RELATING TO
LICENSING AND REGISTRATION OF RADIOACTIVE MATERIALS AND DEVICES;
AMENDING SECTIONS 75-3-202 AND 75-3-404, MCA; REPEALING SECTION
75-3-401, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

Respectfully report as follows: That..... HOUSE..... Bill No. 862.....

AND AMEND AS FOLLOWS:

1. Title, line 7.

Strike: "SECTIONS"

Insert: "SECTION"

Strike: "AND"

2. Title, line 8.

Strike: "75-3-404"

Strike: "REPEALING SECTION 75-3-401, MCA;"

~~DOLEASSX~~

FEBRUARY 20,

83

19.....

3. Page 1, line 12 through line 7 of page 4.

Strike: all of the bill following the enacting clause

Insert: "Section 1. Section 75-3-202, MCA, is amended to read:

"75-3-202. Licensing and registration. (1) The department shall ~~may~~ provide by rule for general or specific licensing of persons to receive, possess, or transfer radioactive materials and devices or equipment utilizing such materials. The rules shall provide for amendment, suspension, or revocation of licenses pursuant to 75-3-401 and 75-3-403.

(2) Each application for a specific license shall be in writing and shall state such information as the department by rule may determine to be necessary to decide the technical, insurance, and financial qualifications or any other qualification of the applicant as the department considers reasonable and necessary to protect the occupational and public health and safety. The department may, at any time after the filing of the application and before the expiration of the license, require further written statements and may make such inspections as the department considers necessary in order to determine whether the license should be granted, denied, modified, suspended, or revoked. All applications and statements shall be signed by the applicant or licensee. The department may require an application or statement to be made under oath or affirmation.

(3) Each license shall be in such form and contain such terms and conditions as the department may by rule prescribe.

(4) No license issued pursuant to the provisions of this chapter and no right to possess or utilize sources of ionizing radiation granted by any license may be assigned or in any manner disposed of.

(5) The terms and conditions of all licenses shall be subject to amendment, revision, or modification by rules or orders issued in accordance with the provisions of this chapter.

(6) The department may require registration and inspection of persons dealing with sources of ionizing radiation which do not require a specific license and may require compliance with specific safety standards to be promulgated by the department.

(7) The department is authorized to exempt certain users from the licensing or registration requirements set forth in this section when the department makes a finding that the exemption of the users will not constitute a significant risk to the health and safety of the public.

(8) Rules promulgated pursuant to this chapter may provide for recognition of such other state or federal

FEBRUARY 20,

83

19

licenses as the department considers desirable, subject to such registration requirements as the department prescribes."

Section 3. Effective date. This act is effective on passage and approval.

-END-

AND AS AMENDED
DO PASS