MINUTES OF THE MEETING FINANCE AND CLAIMS COMMITTEE MONTANA STATE SENATE

April 13, 1983

The 22nd meeting of the Senate Finance and Claims Committee met on the above date in Room 108 of the State Capitol. Senator Himsl, Chairman, called the meeting to order at 8:12 a.m.

ROLL CALL: All members were present.

Senator Himsl explained the tight restrictions on the budget since it is not yet in balance, and said I am sure we will have to do many things that you will be unhappy to do and it will be no pleasure to us here. We are going to have to forego even the special interest in the home town to balance the budget when it goes out on the floor. We will start today and go through the bills that will have no amendments first.

DISPOSITION OF HOUSE BILL 317: This is the bill to satisfy the judgment in District Court on the Dr. Glosser vet case. Whatever is needed on this will come out of the self insurance account.

MOTION by Senator Dover. We concur in House Bill 317. Voted, unanimous approval.

DISPOSITION OF HOUSE BILL 526: This was the Conrad Bank judgment. This was in subcommittee and I would ask Senator Etchart to report on the decision of the subcommittee.

SEN. ETCHART: The subcommittee made the decision after meeting twice and finally came up with the decision that the Department of Revenue will have to eat the amount of the judgment. Senator Keating was having an amendment drawn up to take it out of the budget. (Senator Etchart turned over the minutes and the copies of the judgments to be included in the minutes. They are attached.)

SEN. KEATING: The amendment will be made to House Bill 477 from the general appropriation. We pass this and they will do it.

MOTION by Sen. Etchart to be concurred in.

SEN. HIMSL: At the time, I was a member of the bank board. I would have an interest at one time and I will desist from voting. I will abstain from voting on this bill.

SEN. VANVALKENBURG: I would like to express the Department of Revenue maintains they should not have to pay the money. The subcommittee did not agree and it was unanimous. The Department did not come in with a defensible position. When the bill gets to the floor, I intend to offer an amendment that will direct the Department of Revenue to collect the \$50,000 that was spent in Flathead County from Flathead County.

QUESTION was called, House Bill 526 was voted and passed, unanimous except for Senator Himsl who abstained from voting.

DISPOSITION OF HOUSE BILL 901: The appropriation of the Department of Administration for flood damage occurring in May of 1981. It is the state's share. The 25% of the participation in the federal relief program. This bill was \$152,000.

MOTION by Sen. Dover that House Bill 901 be concurred in. Voted, passed, unanimous.

DISCUSSION ON HOUSE BILL 510: This was the proposal to appropriate money to the SRS. \$150,000 as charged to commodity services block grant and the proposal would be changed so that it would let the \$150,000 come from federal monies available as and when made available.

SEN. JACOBSON: There were 3 other sources of funds that would be available. Distribution of commodities, supplemental food for some and etc. and this could be attached rather than the general block grant. I would like to wait for more information on this.

SEN. HIMSL: We will wait until later with this bill.

DISPOSITION OF HOUSE BILL 114: This was the proposal to provide training for family resident physicians. \$65,000 for year ending in 84 and \$6,000 for the following year.

MOTION by Sen. Etchart that House Bill 114 be concurred in. My reason is we are spending quite a lot of money on WAMI and WICHI. The doctors in residency -- if you can show your community off to them, sometimes they will stay. Wherever they are exposed to in the last 2 years, they quite often set up practice.

SEN. THOMAS: The Department of Institutions is also trying to establish a rotation with this program so that we could get some of these at Boulder and Warm Springs, Galen, etc. I think we would benefit in both rural and institutional areas with this program.

SEN. VANVALKENBURG: I would like to make an amendment to this bill. On page 2, line 12 and 13, to strike those two lines. I would so move. The bill would put a limitation on the training of no more than 2 months. They put that part in there because the present contracts require it. It doe not make sense to me to put it in law. If you can get them to stay longer, you would like it.

SEN. SMITH: Would it mean then, that someone would stay for 12 months and use up all the money? The question then--How would this affect the larger turnover so that more people can come to the state?

SEN. VANVALKENBURG: The money is for a coordinator and the salaries are being paid by the hospitals and medical schools. There may be a time they would want to stay in there and they could if we pass this amendment.

QUESTION was called on the amendment by Sen. Van Valkenburg. Voted, passed, unanimous.

SEN. KEATING: This is a replacement appropriation. This group was getting their support from the "Old West Region" and that source dried up and now we are talking about using General Fund money to pick up a program someone else has dropped. It would seem to me that if the program has been in existence and is useful the users or the counties that would enjoy the benefits should be able to fund the 60 or 70,000 dollars. I would resist putting on another state coordinator for this program.

SEN. JACOBSON: I think if I felt that this was an on going thing I would agree not to replace it with a General Fund. Dr. Cook said they can get it started. They will not come back next time. I think it is a small amount of money.

SEN. HAMMOND: The need for doctors in this rural area is not a one-time thing. It will continue that way. The counties--because they live in a small community are going to have to solve it.

MOTION by Sen. Etchart that House Bill 114 Be Concurred In as amended. Upon roll call vote the motion passed.

DISCUSSION OF HOUSE BILL 400: This is the displaced homemaker bill. \$125,000 a year out of the General Fund would be appropriated to be replaced by a divorce fee of \$25 an action.

SEN.STORY: I would ask you to sit on this bill for awhile.

DISPOSITION OF HOUSE BILL 285: This is an appropriation of money to the Department of Justice. This one is the Highway Patrol. \$171,000 to the General Fund. This was a class vacation movement in the pay plan classification.

MOTION by Sen. Haffey that House Bill 285 Be Concurred In.

SEN. VAN VALKENBURG: I would like to ask a question of Dave Lewis. This \$171,000 in the General Fund that has been taken in terms of the total budget balancing, is it better now then when we started out?

DAVE LEWIS: We calculate the total amount at \$9.4 million. I believe this could be passed and we will still be within that field.

SEN. AKLESTAD: Did you have the information--did this go past the Board of Appeals?

SEN SMITH: It was discussed in one of the Legislative Finance Committees. I hope this is the last time we expend this type of thing. Ninety per cent of the time, the salary is asked for by the Department head.

QUESTION was called on Senator Haffey's motion to concur in. Voted and passed, Senators Aklestad, Dover and Boylan voting No. Sen. Haffey to carry the bill.

Senator Himsl reminded the committee they can pass the bills, table the bills or kill the bills, we have those options. There is some advantage in tabling in committees--if some miraculous thing happens they can be brought out. The other advantage is no argument on the floor and it is handled with more dispatch.

DISPOSITION OF HOUSE BILL 405: This was the bill that would set up access state wide to health information centers operated by a non-profit organization under SRS; \$197,000.

MOTION by Sen. Dover that House Bill 405 Be Tabled.

SEN. JACOBSON: Could I ask why table the bill?

SEN. DOVER: It is a good bill and we cannot afford all the bills.

SEN. JACOBSON: I guess I was of the opinion that the bill should Be Not Concurred In. If I understand it, the money that started the program was a Federal Grant and in this instance we would be supplementing an ongoing program with General Fund monies. In our subcommittees approach, we attempted not to do that.

SEN. AKLESTAD: I agree with you. No adverse and if not defeated, no adverse committee reports. It will save time. This will stop them from debating the bill.

QUESTION was call on Sen. Dover's motion to Table House Bill 405. Voted and passed. Senators Thomas, Van Valkenburg, Haffey and Regan voting No.

SEN. REGAN: I would much prefer a cleaner way. Everybody knows how much money and there would be not much fight upstairs.

DISPOSITION OF HOUSE BILL 759: This is appropriating money to the Department of Institutions if they increase 25 personnel. It would provide to offer \$29,000 in that event.

MOTION by Sen. Dover that House Bill 759 Be Tabled.

SEN. ETCHART: I would endorse the motion. We worked the budget and they can get by.

QUESTION was called on Sen. Dover's motion to Be Tabled. Voted and passed Senators Regan, Jacobson, Haffey, Stimatz and Ochsner voting No.

DISPOSITION OF HOUSE BILL 815: A plan for acquisition for rural rightsof-way. It would appropriate to the Department of Commerce \$10,000.

SEN. SMITH: There is an amendment on this on page 2, line 3. It would change the \$10,000 to \$64,682. The money would be used to study the

abandoned rights-of-way. The amount is the remaining out of the "Build Montana Program." They thought it a good idea to go that route. Better use of General Funds and whatever happens to House Bill 1, I don't know. This way if some, we can get it, but no rolling stock. I would move the amendments. This would strike "shall" and put in "may" and change it to \$64,682. A copy of the proposed amendments is attached to the minutes.

SEN. REGAN: As I read the amended bill, Section 2, subcommittee to the Department of Commerce "shall" Senator Smith, are you sure you want that in there? We are asking them to research. It is that mandate that bothers me.

SEN. SMITH: Only to research the right-of-way that may be abandoned. I think we want that direction so that it will be done.

SEN. KEATING: This is a little part of that suggestion like at Geraldine where we have the chance to pick it up for \$1.

SEN. REGAN. That \$1 obligates us to how much track at \$19 million to keep up. We will be starting in the railroad business.

SEN. SMITH: The right-of-way is only acquired and then turned over to a private organization that will keep it maintained.

SEN. HIMSL: Has this been checked out with the Department of Commerce?

SEN. KEATING: There is no provision for a local authority to be found to take over the rails. The way the amendments are being presented the state becomes a transition point on a pipeline for the transfer of it. I am afraid we will wind up with a rail right-of-way and we will have to be responsible for the improvements to make it usable. If no one comes forward to take it over, they we will be stuck with it in the state. The income is not sufficient for the upkeep. If the rail road right-of-way is abandoned by the railroad, someone else picks it up and it is not on the tax rolls of the county. It is still not usable enough to generate enough income to use it. Pipelines just don't look for abandoned rightof-ways to go through. When talking about it, the Northern Tier said at Missoula the titles are not clear, etc. If you want to study it, fine. But to give them the permission to study and buy it will put the state in the railroad business and it will cost a tub of money to try to handle what the railroad realized had to be abandoned.

SEN. SMITH: If you live in Billings and the railroad branch lines that are up for abandonment, you may have a better chance. This would keep them in place and 2 years from now the track is all torn up and then what can we do? It is another thing on a branch line that is 147 miles long. It is a profitable line and there is a main line. I can assure you of one thing--right now it is profitable. If they would hope, we would at least have the state in the position to acquire the right of way.

SEN. ETCHART: As an amendment to Sen. Smith's amendment, Section 2, the middle of page 1. After the Department of Commerce strike the word "shall" and insert before "identify" insert the word "shall". Down at the bottom of the page under all the stricken language insert "shall" before report

periodically before the Legislative Finance committee and before "negotiate' insert "may". On the back page "Section 3" after "commerce" insert the word "may".

MOTION by Sen. Etchart to amend Sen. Smith's amendment as above. Voted and passed, unanimous.

MOTION to adopt Sen. Smith's amendment as amended by Sen. Etchart. Moved by Sen. Smith.

SEN. VAN VALKENBURG: On the bill as amended, is it still within the scope?

SEN. STORY: The railroad is not offering the ties, track, etc. for \$1.

SEN. SMITH: It is all handled within the ICC.

SEN. STORY: If the state accepts it will it be pulled up?

SEN. REGAN: I said if we buy it can we take the tracks up and he said "No". We are expected to bring it up to par, invest \$19 million in it and turn it over to someone else.

SEN. HIMSL: We have Senator Smith's amendment as amended before us, what is your pleasure?

Voted and passed.

SEN. SMITH: I would move the bill as amended.

SEN. KEATING: I would like to address a question to Gary Buchanan for information of the things they promote in this bill. The stretch at the Geraldine area. That is the right-of-way that has been offered to the state for \$1. Is it extended to the state for anyone?

GARY BUCHANAN: I have sent down for information on the legal issues. It would be our intent to not get into direct railroad business but to transfer it to an operation local authority.

SEN. KEATING: Does the state have to be the middle man in this operation? Can't the local authority accept it to buy the strip for \$1?

GARY BUCHANAN: I don't know of anything to preclude that. I think the answer is yes, the state would have to be a middle man, but I am not sure.

SEN. SMITH: We are a competetive market, but to take out the branch linesthey say, why not.

SEN. LANE: If we don't have to do something pretty quick, they are taking out all of it anyway. This might be a start. We can't leave all the rural areas without any means of transporting their wheat and grain crops.

QUESTION was called for Senator Smith's motion to concur in the bill as amended.

Voted and passed.

DISPOSITION OF HOUSE BILL 510: Back to House Bill 510 and Sen. Jacobson's amendment.

SEN. JACOBSON: You will remember in a prior bill talking about commodity distribution. Five per cent for commodity distribution and 5% for other monies. If we leave this in the Community Service Block Grant, it is over and above. It is another amount from the Community Block Service Grant. There are three other federal areas they can tap off the food distribution. This amendment would state "from available specifically for special commodity distribution".

JOHN LaFAVER, Director, SRS: The only question I would have is if the federal government makes commodity distribution grant available as an amount to the Community Service Block Grant, it would be put in great uncertainty as to whether it could be spent. It would be clearer to say \$150,000 made available specifically for this purpose.

SEN. DOVER: John, do you need this bill and that language or could you get along without it?

JOHN LaFAVER: I am not sure what will be in the budget amendments yet.

SEN. VAN VALKENBURG: Judy (Rippingale) have you had a chance to talk to anybody in D. C. as to where the money might be?

JUDY RIPPINGALE: Peggy got a hold of someone in Senator Baucus's office. They had someone working today. He was not able to give us complete information but the money available is brand new money and if there is some available it is separate from the Communtiy Block Grant. He did not know what Montana would get. Also who is to get it, the state or the local people.

SEN. VAN VALKENBURG: Not in the Community Service Block Grant?

JUDY RIPPINGALE: No. Separate.

SEN. HIMSL: The cleanest way is to do it the way Mr. LaFaver has suggested. If the federal money is made available it be used for this specific purpose.

SEN. DOVER: I would move the LaFaver amendment (as above),

SEN. VAN VALKENBURG: I want to be clear this is not the first amendment we talked about.

JOHN LaFAVER: On page 2, line 14, strike "the" and "community service block grant" insert: federal funds made available specifically for this purpose".

SEN. VAN VALKENBURG: The present block grant could be interpreted to allow it for this purpose. This is new money.

JOHN LaFAVER: Yes.

SEN. VAN VALKENBURG: Would it be correct to say you would have no intention to utilize community service block grant money available for this purpose if this amendment passes?

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JOHN LaFAVER: No attempt to make the community block grant people actualize their money for this purpose if this passes.

QUESTION was called on the amendment. Voted and passed.

Sen. Jacobson moved the bill as amended. Voted and passed. Sen. Jacobson to carry the bill.

DISCUSSION ON HOUSE BILL 898: This bill is a supplemental for the \$4 million we are obligated to cover from the appropriation last time.

Sen. Dover moved the bill as is.

SEN. JACOBSON: The amendment has to do with the rental program. The program has been transferred but the money is in SRS. This amendment would put the money with the program in the Department of Health. No more money, but the money that is there goes with the program. This would amend the title on page 2 line 13. This would let them pay the back bills and the people who have been served.

SEN. SMITH: Are there unpaid bills or is this an attempt to make this additional money and put it in the other department.

SEN. JACOBSON: The reason it was changed was SRS set forth new rules. Under the new rules a lot of the people could not qualify. Over 70 some people who are being served, only 12 could qualify. Also there were no forms available until almost December. We had extensive hearings in the Health Committees where the people came in and explained to us the problems. No way we can reasonably take care of the people in the 3 months left. As I stated in March, only \$16,500 out of the \$125,000 to give them. The people just were not getting the money. This will give the Health Department a little more time. They are not going to be able to spend \$125,000 before the end of June in a sensible manner.

SEN. HIMSL: Should that be taken out of the \$4 million?

SEN. JACOBSON: This money is not SRS and was appropriated during the last biennium. The Deaprtment has the money we are just trying to move it out and into the Health Department.

JOHN LaFAVER: This simply tracks with an amendment you put on 447 for 84 and 85. It is the same for 83 and the bill is effective immediately. This has to be on this.

SEN. REGAN: Can we take 187 and come back to this?

CONSIDERATION OF HOUSE BILL 187: Sen. Regan moved the bill be amended.

SEN. The Just as a courtesy to John. Their service is not discussed in terms of line 23. The \$300,000--this tracks with House Bill 187. Do we med the \$300,000 in both places? Are we appropriating the money twice or note

JUDY REFINGALE: There is more than likely twice, but I think there is a very possibility that it will be there for the senior citizens and their refices. The House appropriation did definitely want them to get the \$300,000 but in case it did not materialize, they picked it up with House 187. It cannot be triggered to be spent unless this is not available.

SEN. House Bill 187 was the House appropriation. Was it absolutely martanteed they would get it? It would insure they get it if there was a problem in 898.

SEN. If we pass 187, they have \$187,000. That is it. If we pass this and 1987, there is no question but what they would get it. If we pass the owne and any unspent funds, then a surplus they would get \$300,000 more?

JUDY TINGALE: No.

SEN. REAN: House Bill 187, page 1, line 21. It says no portion of this appropriation may be spent unless, etc. If the appropriation does not--only so much, etc. It looks like this is just the back-up bill. If I were to offer the amendments suggested, it could kick into a contingency fund and the other would be spent.

JOHN LAPAVER: What the amendment does that we have asked for would--you use 187 as the figures to fund the seniors for \$300,000 then allocate any excess in this bill to the contingency fund. We give you a full run down. The contingency is some \$300,000 short. To the extent we can pull any excess in this bill into the contingency fund, it will help us from cutting back. \$300,000 can become \$1 million with the federal money.

Substitute motion by Sen. Story that House Bill 187 Be Concurred In. It appropriates a contingency fund for \$300,000 for the Home Service Program.

QUESTION was called on the substitute motion. Voted and passed, unanimous.

DISPOSITION OF HOUSE BILL 898: Senator Himsl said we are back to 898 again.

SEN. REGAN: I would ask Mrs. Rippingale. Now, is this bill necessary?

JUDY RIPPINGALE: House Bill 898 is necessary and you can pass it as is with no amendments and you will not have spent any more money. If amend-ments, as suggested, you will have probably spent \$600,000.

SEN, HIMSL: Spent it twice?

JUDY RIPPINGALE: Yes.

SEN. VAN VALKENBURG: There is another amendment that has to be on this bill. One was Jacobson's and the other is the eligibility as a result of the court issued balance. 447 allows us to pay the court settlement that was arrived at 3 weeks ago. No General Fund. Authority to spend federal and county funds this year.

SEN. VAN VALKENBURG: I would move that amendment. Voted and passed.

SEN. ETCHART: Does LaFaver's amendment need to be offered?

JOHN LaFAVER: This is the required amendment.

SEN. REGAN: I have an amendment if someone wants to offer it. I do not want to offer it, but I feel it should be looked at.

SEN. DOVER: I would move the bill as amended, Be Concurred In.

Voted and passed. Senators Ochsner and Boylan voting No.

DISPOSITION OF HOUSE BILL 260: This is a bill to clarity that the RIT be used for mitigating mining impacts.

MOTION by Senator Dover that House Bill 260 Be Tabled. Voted and passed, Senators Jacobson, Haffey and Stimatz voting No.

DISPOSITION OF HOUSE BILL 724: Motion by Senator Dover that this bill Be Tabled. This would allocate 30% of the interest income from RIT into hard rock mining account.

SUBSTITUTE MOTION by Sen. Stimatz to amend the bill before tabling it. This amendment would limit it to 10% in 84, 20% in 85 and 30% in 86.

<u>SUBSTITUTE</u> to the substitute motion by Sen. Thomas that House Bill 724 Be Concurred In. Voted, lost.

SUBSTITUTE MOTION to amendment by Sen. Stimatz, voted and passed.

Original motion to Table amended to Be Tabled as amended, voted and passed. Senators Lane, Jacobson and Thomas voting No.

DISPOSITION OF HOUSE BILL 640: Motion by Sen. Dover To Table.

SUBSTITUTE MOTION by Sen. Jacobson Do Pass. This would appropriate \$300,000 of metal mines tax to Butte-Silver Bow and Anaconda-Deer Lodge to help the schools and local governments.

SEN. JACOBSON: The money is this years General Fund money. I am not so sure it is truly in the Foundation Program. It is not the General Fund. This money we identified a particular fund because we have no mining impact money. This is a little money spent between Butte and Deer Lodge to take up some of the money. We have a lot of problems since we thought we had a different tax base. This will give us a little bit of cushion.

SEN. AKLESTAD: I can appreciate the situation they are in. I guess we have to look at the whole picture. The economy in other areas that have had a large drop in employment. There are 2,500 jobs lost in the oil areas. In other areas, people are in the same situation and need to be taken into our consideration also.

SEN. HIMSL: The people in Butte and Anaconda--they are a resilient people. Just a short time ago, you actually raised \$70,000 for a YMCA. They raised over \$100,000. They are people who are going to make it. Troy relies heavily on the timber industry that is shut down. Columbia Falls, 200 people--they will tough it out. I think the people of Butte will do it too. We have to look at this from a state-wide area.

SEN. JACOBSON: We are not coming in here for \$300,000 as a begging. We are only asking to get a little bit back of the money we have been paying into the General Fund for years. We are not asking you to come in and take care of our problems. We have people-one person in mind--and another school teacher that both were layed off. A tax base eroding by \$7 million in the next 2 years. Last time when Anaconda had their huge lay off, we gave them a little.

SEN. SMITH: I saw on television where they struck and got a healthy increase. They should have started it at a modest increase.

SEN. TVEIT: Senate Bill 94 will take a lot of money out of my district. I have people on selling equipment. Ten cents or so on the dollar.

QUESTION was called on the substitute motion, voted and lost.

QUESTION on original motion to Table, voted, passed. Senators Regan and Jacobson voting No.

DISPOSITION OF HOUSE BILL 785: Motion by Senator Dover Do Not Pass. This would have the DNR establish a heritage program.

SEN. VAN VALKENBURG: This is a program and was one the environmentalists agreed on. A real potential for long-term savings to the state. I would hope if a matter of appropriation we take the \$500,000 out but that the advantage of the rare instances when these two get together and agree on something should be left.

SEN. KEATING: I would like to make a comment: The data, there is a great deal of base data in various files of the state lands and the DNR and if put on a computer, it would be more easily retrievable and useful to industry and siting purposes if they are requiring base line studies. The savings to them would be worth a fee. The sponsor of the bill stated they would set it up so that the users would pay the fees for the use of the material and it would charge them for using it. If they would do this, I would be in favor of paying the \$500,000 appropriation to get it started. It would have to be understood it was only done if private users pay the fee to have it done and it would be useful that way. I could not vote for it if state expenditures.

SEN. AKLESTAD: The problem with Sen. Keating's idea is the job will not be done in 2 years. Industry will decide not to participate and they will be back in to continue the program.

SEN. SMITH: Are we going to get all the departments of the state government, give them General Fund money and they will be obligated to collect and put into alternate process? I am wondering. This has not had support in the legislation.

SEN. HIMSL: I would refer you to the fiscal note. This appears to be one of the cases where merit in the idea but someone projects this would not be just a library file. They came in with two programs that had something different in mind.

SEN. VAN VALKENBURG: They backed off in the House and their potential savings involved that they would be identified. That is the problems of working it with private money from industry and environmental groups. The Nature Conservationists will do it at our expense. I agree with Senator Aklestad. It takes a lot to get it started up. It should not blind us to theing with everything and we should not be afraid of a little change.

SEN. VAN VALKENBURG: I would move as a substitute motion that House Bill 785 Be Concurred In. Voted and passed with a roll call vote. Sen. Van Valkenburg to carry the bill.

DISPOSITION OF HOUSE BILL 400: This is the displaced homemaker bill. Motion by Senator Aklestad to Table the bill.

SEN. KEATING: There is no guarantee of a wash here. It is not earmarked funds. The \$25 assessment on a divorce application goes to the General Fund. No earmarking this appropriation is for a specific amount. There is a certain amount of risk here by a reduction of divorces. This is for more than just divorced persons. This includes anybody who has become eligible for various reasons for this transition program. It is a duplication for a small area that is not covered. There are federal programs and volunteer programs that will handle it.

SEN. REGAN: I will not advocate that we encourage the divorce rate to fund the bill. That is not the intention. The bill is fiscally sound. There is a track record as to numbers of divorces filed each year in the state. To attempt is to have a wash. We heard a great deal of testimony for having this bill. It may cost the state a great deal more for not having this program in place for someone without support. They do not know how to present themselves on the job market. This bill provides the means for them to receive the counseling, training, etc. We heard a lot of testimony from the pediatricians, from the people who deal with the program to the ones who are involved. For a person who falls between the cracks or outside the safety net, this program would pick them up. It is a program that is needed and will pay for itself and before you pass it, I would like to offer an amendment on page 8, line 15 the word "state" should be inserted following "in the". I would move the amendment.

SEN. HIMSL: Do you think this amendment is necessary?

SEN. REGAN: Yes. It might go into the county general fund rather than the state general fund.

SEN. SMITH: I am not going to vote for the bill. There are so many things in this bill. What little bit of good could we do? Comments made that those who create the problem will pay for it. What about all those that don't get married and still have families and also benefit by this program?

SEN. STORY: I have a different set of reasons. I am not concerned that it might blow up marriages, etc. but is simply not a state function. It is a human service for some people, but we are telling divorcees all over the state to shuck out \$25 when divorced and about 1 out of 10 get the benefit. Those who have put up with abuse and they finally divorce the man, we send some one in for 25 miles to get some help and the office is closed. The people are out! I called this morning to be sure and that is exactly what happened.

SEN. JACOBSON: You can't judge a whole program by a single incident. We do pay alcoholics for those programs. Not everybody who buys a bottle of booze is an alcoholic, but they pay into it anyway. We are talking about women who are in the home, not eligible for federal or social security retirement or any benefits. No employment. We need to pick up the slack. They don't qualify for any of the things we have set up.

QUESTION was called on Senator Regan's substitute motion of Do Pass. Voted and failed. Sen. Regan said she would file a minority report.

QUESTION called on Sen. Aklestad's motion to Table the bill.

SEN. JACOBSON made a substitute motion that the bill Be Not Concurred In. Voted and failed.

Back to original motion to Table, voted and passed. The bill is Tabled.

There was a 10 minute recess and the meeting reconvened at 10:36 a.m.

DISPOSITION OF HOUSE BILL 613: This is the bill on subdivision laws which require a deposit in the General Fund and gives an appropriation to stabilize it hopefully and get it on a self-sustaining basis.

JUDY RIPPINGALE: These amendments are passed as Rep. Lory wanted them to be. He is depositing part of the fees into an earmarked fund and it would pass out to local government. There a few areas where you may want to be aware of. The law is written so that how much money passed out is discretionary with the Health Department and could wind up with very little in the General Fund.

SEN. THOMAS: Fees will not be determined here. In good times, it would be money but difficult in bad times and not have the mechanism to reduce it.

<u>MOTION</u> by Sen. Boylan that House Bill 613 Be Not Concurred In. It was a good lesson to the agency that the people there faced when they gave their highs and lows. I think it showed them to be more cognizant of what purpose the people there have. They bet on the "come" and it didn't come. There is plenty of money there now if they raise the fees. They had a 60 day limit on it to get it back to the subdivision people but the day before that they sent more excuses. I have had people come to me and say they are having problems and I had to intervene to get them to get it done on time when they were going good.

SEN. DOVER: I appreciate what Sen. Boylan is saying. I think the Department has learned their lesson and has one to learn, but I feel the ones you will be handling will be the contractors or developers. They are now all in the same place and I like to remember, this is not the full funding it was indicated it should be and would provide about 1/2 the money but gives them a cash flow. There are periods of time when nearly have doubled with cash flow. At the end of the biennium, they will be totally dependent on the assessed premium.

SEN. AKLESTAD: I would oppose Sen. Boylan's motion. The primary purpose is to guarantee the local government their money. The department could have money and ongoing programs. The department is not getting anything. The Water Quality Bureau handles the vast majority of the services in the subdivision bureau. Water quality is done and in the past subdivision and water quality was a duplication of services.

SEN. DOVER: I guess I need to get this straightened out. If this is going to water quality then I am for it. If not, I have problems.

SEN. VAN VALKENBURG: The subdivision bureau is disbanded. The only thing there is the water quality.

SEN. AKLESTAD: Right, but off to the side there are separate fees.

SEN. THOMAS: Where will the money flow to in peak periods of time?

JUDY RIPPINGALE: As the bill originally defined, all fees would have been in the General Fund and the General Fund would have funded all subdivision type activities. Now more research and Dr. Lorry would like to give part to an agency fund so that the Health Department gets it to the local government. If all is in the General Fund, it will fund more in good times and less in bad times. Now an additional problem, the Health Department determines how much of the fees charged go to local government and how much remaining to go in the General Fund. The Health Department is to not pay less than \$15 per review but you could pay them more.

QUESTION was called on Senator Boylan's motion that House Bill 613 Do Not Pass. Voted and lost.

SEN. HIMSL: The amendment would set up a separate fund so that some of the money would be earmarked to pay the counties.

SEN. REGAN: I would move the amendments.

RAY HOFFMAN said he would hope the committee would separate the amendments since this was not what the department was proposing. If the subdivision was totally general funded, there would be a lot to return to the counties and we do not want to come in for a supplemental. That was the only reason for the revenue fund in the counties.

JUDY RIPPINGALE: Right now there is a \$30 fee. If a local government review, then the Health Department pays the local people the (at least) \$15. It is not a specified amount in the law. Fifteen dollars or the Health Department could pay them more. Out of the fee collected, whether \$30 or \$50, it allows the Health Department how much to put into the agency fund and how much in the General Fund. Money should go to the local entities, but the amendments are set up in such a way it allows the Health Department quite a bit of lee way if short, the short end would go into the General Fund.

RAY HOFFMAN: I have one comment. Within the Administration Procedures Act is put up for law. The fees are set. You don't want to totally fund the amounts.

MOTION by Sen. Dover to adopt the amendments. Voted and passed with Sen. Boylan voting No.

MOTION by Sen. Dover that House Bill 613 As Amended, Be Concurred In.

SEN. DOVER: The department said they need his money. This bill is funding them for the portion with the guarantee of almost \$50 per case they investigate.

SUBSTITUTE MOTION by Sen. Aklestad. In 1984, \$75,000 and in 1985, \$100,000.

SEN. HIMSL: I think this does not need a lot of discussion. That department has not been able to do the job to review the subdivision proposals. Whether administered right or not, I cannot say. They had no end of trouble and could not get the work done. They switched the reviews over to the water people. They had to get these things out.

SEN. DOVER: You are started at zero at the end of this biennium. In the year ahead, they need some time.

SEN. AKLESTAD: We can turn it around; it is all right with me.

SEN. VAN VALKENBURG: Their only source of funding is the General Fund. It does not matter what the fees are, they go into the General Fund and the agency is funded by the General Fund. If you cut down the agency, you wipe out their ability to do the job.

JUDY RIPPINGALE: The operation is funded with the General Fund and according to this bill, if you cut the General Fund you will be cutting the subdivision review activities the department is undertaking. None of the fees go to the state level operation.

SEN. AKLESTAD: I would withdraw my motion.

SEN. KEATING: As we have adopted the amendments that are here, does that not set the appropriation at \$150,648 or \$153,537 for the 2 years?

JUDY RIPPINGALE: That is the limit they will spend at the state level.

MOTION by Sen. Regan. I would move the bill as amended.

SEN. KEATING: One more question I would ask Mr. Hoffman. Is there any consideration of reestablishing the subdivision bureau as separate from the water quality or do you plan to leave them merged?

RAY HOFFMAN: At the present time, they stay in the Water Quality Bureau.

QUESTION was called on the motion To Concur In House Bill 613 as amended. Voted and passed with Senators Boylan, Keating, Aklestad, Hammond and Tveit voting No. Sen. Regan will carry the bill.

DISPOSITION OF HOUSE BILL 108: This bill uses RIT funds for a flood control and irrigation project on Muddy Creek.

MOTION by Sen. Dover to Table House Bill 108.

SEN. THOMAS: I think we need the authorization.

SEN. HIMSL: The money is not available. The request was originally for \$475,000. The House approved the bill at \$100,000. It looks like that program should be submitted through DNRC another time. There is no way to fund it.

QUESTION was called, voted, passed. House Bill 108 was Tabled.

DISPOSITION OF HOUSE BILL 153: This is the senior citizen legacy.

MOTION by Sen. Regan Do Pass. Voted and passed with Sen. Regan to carry the bill.

DISPOSITION OF HOUSE BILL 800: This is the bill to establish a Youth Conservation Corps within the Department of Labor. The sponsor of the bill indicated the legislation should be in place and might be a federal program and it would allow the Department of Labor to have this Youth Conservation Corps. It is just an enabling legislation.

SEN. DOVER: I appreciate the idea of having it on the books. Does it sunset in 2 years?

SEN. REGAN: Page 10, line 15 and 16. It automatically sunsets if not picked up by the feds.

SEN. AKLESTAD: I have a question. On page 9, line 23, it looks like the governor still may have to appoint this director. Also on page 8, line 9, 10 and 11. I hate to get the little local counties into the federal wage rate. On page 7, line 15 and 16 it is dictating who will be eligible for employment.

MOTION by Sen. Regan that House Bill 800 Be Concurred In. Voted and defeated.

MOTION by Sen. Dover that House Bill 800 Be Tabled. Voted and passed with Senators Boylan, Regan, Lane and Haffey voting No. House Bill 800 was Tabled.

DISPOSITION OF HOUSE BILL 864: This would give \$20,000 to the Department of State Lands for the Forest Advisory Program.

MOTION by Sen. Dover that House Bill 864 Be Tabled. This was a federal program and we ran out of money.

QUESTION was called, voted and passed with Senators Boylan, Stimatz and Lane voting No. House Bill 864 was Tabled.

DISPOSITION OF HOUSE BILL 909: This was the select committee of the legislature to study the DDD program.

MOTION by Sen. Dover to Table 909.

Voted and passed with Senators Jacobson, Haffey and Lane voting No. House Bill 909 was Tabled.

DISPOSITION OF HOUSE BILL 692: This is the Flathead Basin Commmission and the money is from the General Fund.

MOTION by Sen. Dover that House Bill 692 Be Concurred In.

Voted and passed with Senators Boylan, Aklestad, Ochsner, and Hammond voting No. Sen. Himsl to carry the bill.

It was decided to hold back on House Bill 919 for a while to see what they did with the commission. Senator Himsl said there was a whole series of attacks on the RIT and RRD funds.

DISCUSSION ON HOUSE BILL 876: This bill is RIT money to evaluate the Missouri ancestral river channel and adjacent 6 counties.

MOTION by Sen. Smith to adopt amendments. This would strike "\$1,000" on page 3, line 2 and insert following "conservation" "the remainder of the interest in the account after any allocations made under House Bill 447, 334,108 and up to \$250,000". I would move the amendment.

SEN. OCHSNER: Won't that cut out 897? We can't fund them all and there are more projects in line for funding if any money is available.

SEN. SMITH: It would have no effect up to the point we are at now, anyway.

SEN. ETCHART. I would like to look at the dollar amounts.

SEN. HIMSL: The dollars required have no relation to what is in the bill now. They originally requested \$400,000 and they would come in for the

other, etc. No way we can sit around here and make an analysis or distribution on it. We are not in any position to go in and invade it or correct it now.

SEN. SMITH: We are not talking about breaking in. This is the over 30% in the statute of the law. We are talking about income over that amount.

SEN. DOVER: Do you have a list of the bills? We have a motion on the floor.

SEN. HIMSL: I think we have to be very careful on what we are doing on a motion of this sort.

SEN. SMITH: I would like to point out it has no effect on 897. That is out of the 30% given for resource development. Water development. This is any amount of anticipated revenue. I would ask Leo Berry, would it affect 897?

LEO BERRY, Director of the Department of Natural Resources: Sen. Smith is correct. This is in the 70% left over after the water development. The money in 897, 447, etc. uses the 30%. The remainder has been allocated to the Department of State Lands and the DNR budget. He is saying if any revenues are left over, he would like to prioritize them. If you pass them all, we would like to have you prioritize them. His whole amendment is based on the thought that there might be more money available.

SEN. SMITH: Everybody has had that opportunity. That is basically where the revenue is coming from-oil and the problems are related and the water problem is necessary.

SEN. REGAN: Why not in the big bill? Why not the department just move the money down into the next on the list that are prioritized?

SEN. HIMSL: The proposal is that we give priority to 876.

SEN. SMITH: Unless the language the money would lay there and not be used.

SEN. ETCHART: Could I suggest that we amend all the bills to where they were before and look at them all at one time. Maybe there is one project that would be able to make good use out of it.

SEN. HIMSL: The problem that hangs heavy on me is the question of time.

SEN. ETCHART: The Legislative Fiscal Analyist could prepare the amendments to the bill and then bring them all up.

SEN. HIMSL: We should vote on Senator Smith's motion.

SEN. SMITH: If it passes, I have one more amendment.

QUESTION was called on Sen. Smith's motion to amend House Bill 876.

Voted and defeated.

SEN. OCHSNER: I am willing to work over the noon hour and prioritize the bills and I will make a motion to put the money back in as at the beginning.

SEN. SMITH: If we can come up with an agreement, we can do it on the floor.

DISPOSITION OF HOUSE BILL 914: This would analyze the potential for a joint water development project on the Clarks Fork of the Yellowstone between Montana and Wyoming.

MOTION by Sen. Hammond to Table House Bill 914.

SUBSTITUTE MOTION by Sen. Ochsner Do Pass. Voted and failed with Senators Regan and Ochsner voting for the motion.

QUESTION called on the original motion by Sen. Hammond to Table the bill. Voted and passed with Senator Regan voting No. House Bill 914 was Tabled.

DISPOSITION OF HOUSE BILL 819: This is the bill that would use Federal Abandoned Mines Reclamation Funds to monitor water.

MOTION by Sen. Jacobson to change the source of funding and make this \$60,000 from the Renewable Resource Development Account. The \$60,000 is for water in the Butte area. The only people monitoring the water at the moment is the Anaconda Company sharing data with State Lands. This would allow the bureau to do some water monitoring and seismic monitoring in this area. We can pay this now or come back for disaster if we don't. You cannot get the money from the federal funds on abandoned mines, and you cannot take money from the Coal Board but you can get it from RIT or take \$60,000 of the \$85,000 left there.

SEN. HIMSL: What about the federally abandoned mines?

SEN. KEATING: There was testimony that it was not proper. The money for coal mine reclamation could not be legally used for this operation, either.

QUESTION was called on the amendment to take this from RIT funds. Voted and passed with Senator Keating voting No.

MOTION by Sen. Jacobson that House Bill 819, As Amended, Do Pass.

SEN. KEATING: Some of that money is being used for hydroelectric studies in the eastern part of the state. Already, 70 water wells are being monitored for water study and water monitoring in that area. I don't see any reason for having a duplication.

SEN. STIMATZ read some of the language in the bill.

SEN. JACOBSON: Sen. Keating, the \$60,000 is the amount of money needed to do the monitoring of the mine flooding in Butte. Any work would have to go for Bureau of Reclamation money. There is no money in this for that.

QUESTION was called on Sen. Jacobson's motion To Concur in House Bill

819 as amended. Voted and passed with Senators Etchart and Aklestad voting No.

DISPOSITION OF HOUSE BILL 1: Sen. Dover said he would like to amend the bill. Page 2, line 13 strike "106,400" and insert \$75,000 Page 2, line 19 strike the 197,414 and insert 100,000 Page 3, line 5 strike the 446,441 and insert 400,000. Page 3, line 9 strike out 448,532 and insert 400,000 Page 3, line 11 restore this to 100,000. Page 3, line 20 restore this to 100,000. Page 3, line 24, restore this to 100,000. Page 4, line 2 strike 227,522 and insert 150,000. Page 4, line 7, leave in the \$1,200,000 but take it out of House Bill 447. Page 4, line 11 take out the 470,000 and insert 400,000. Page 4, line 11 take out the \$1 million

I would move the amendment and adjust the totals.

SEN. THOMAS: On page 4 you reestablish all the stricken material.

SEN. DOVER: You would put in Business Location Promotion and also the forecasting system.

SEN. HAFFEY: I think just going down and looking through--all these are good steps in areas where the House eliminated programs. I have a couple of concerns about not getting up to full funding on some of the programs. I have some major concerns in tourism and your suggestion in the training area. Would it be all right to ask Mr. Buchanan on the tourism what are the ramifications of our vote if we keep the \$1.2 million in but suggest removing it from your base appropriation?

GARY BUCHANAN, Director, Department of Commerce: From a dollar stand point, it would be a wash. You don't have much left of the current \$1.6 million if you take the \$1.2 million away. That is what happens if you leave it here and take it out of 447.

SEN. HAFFEY: We all know if we leave it here and take it out of 447 we are merely reaffirming what we did in 447.

GARY BUCHANAN: Yes.

SEN. HAFFEY: Where will this leave you in 84? What per cent increase will you get for 1984?

GARY BUCHANAN: I can't give you that figure, but it would be current level but not adding any new dollars.

SEN. SMITH: This was discussed at length by a pretty substantial amount and it allowed them the latitude to go out and collect \$1.4 million from private industry. The other argument for it, the department still will have better than \$3 million.

GARY BUCHANAN: We had a significant increase in private funds last biennium.

SEN. STORY: If left in, the Department would have more than doubled?

GARY BUCHANAN: Yes.

SEN. HAFFEY: I have a question on a different subject. It is the question of if no money in this appropriation for this job training, can we have any training and retraining or help new businesses out?

DAVE HUNTER, Commissioner of the Department of Labor and Industry: Three things. We took away some \$1 million of federal dollars to match. We would really have \$2 million less. We would not be able to serve displaced workers until they would be ineligible and not a program to create new jobs with new and expanding businesses.

SEN. HAFFEY: Will the absence of this money have an effect on the number of unemployment pay outs?

DAVE HUNTER: Yes.

SEN. THOMAS: Would you mind if we vote on the separate ones?

SEN. DOVER: We can separate it and act on all the others.

SEN. THOMAS: I would move to separate the last of Sen. Dover's amendments.

This motion was voted and passed.

MOTION on Sen. Dover's amendments excluding labor training.

SEN. HAFFEY: Before we vote, I want to make sure these programs can move forward meaningfully. I would like to ask Maxine--Could we still produce some statistics?

MAXINE JOHNSON: We would drop the data from the county and regions for the state. We do state-wide data only.

SEN. SMITH: A new program. A new concept. I think we need something and to give the various departments, agencies, etc. to see if we can do something about it. We are having a problem of balancing the budget and contributing something to the foundation program.

SEN. DOVER: I would call for the question.

Voted and passed unanimously.

The second part of the amendment to reinstate the labor program.

MOTION by Sen. Thomas. We are changing from smoke-stack industry to small technical industries.

SUBSTITUTE MOTION by Sen. Thomas that we Do Not Concur In Sen. Dover's motion to take out the \$1 million from the Labor Department.

SEN. KEATING: I have a question of Mr. Hunter. Do you have a frame work for a labor training program? Do you have any experience in the state?

DAVE HUNTER: We do. We have been operating one since 1974 under the CETA. The federal statute allowed us to train under the old language. The new phase, unless a 50-50 match, it will not be there.

SEN. KEATING: How much money did you spend on the program in the past few years?

DAVE HUNTER: Our budget this year is about \$11 million. It has ranged from that to \$30 million in 1976.

SEN. KEATING: So, even for 1984 and 1985 you would have federal funds for CETA but you need a match for displaced persons match. How much federal for CETA?

DAVE HUNTER: A little over \$11 million per year. It would include the \$1 million of displaced workers money.

SEN. KEATING: I have a substitute motion for the Labor Training Program that we appropriate \$500,000.

SEN. THOMAS: I would concur with that.

Roll call vote, voted, passed, \$500,000 in the program.

QUESTION was called on House Bill 1 as amended. Motion by Haffey. Voted and passed. Sen. Haffey to carry the bill.

DISPOSITION OF HOUSE BILL 23: This bill increases the state's share of the public employees retirement.

MOTION by Sen. Dover to Table the bill.

SUBSTITUTE MOTION by Sen. Regan that House Bill 23 Be Concurred In. There is inflation, no increase, and the people need it.

SEN. STORY: The point is, all we are doing is helping one class of people on retirement. There is a much larger group on fixed incomes. We are putting public employees on a favored status. They can keep coming and get General Fund dollars. Private ones cannot do it.

SEN.HAFFEY: Private are not static either. They do from time to time raise their benefits.

SEN. AKLESTAD: Some people do not have a pension to help them.

QUESTION called on the substitute motion to pass the bill. Voted and failed.

MOTION to Table the bill. Voted and passed with Senators Lane, Boylan, Regan and Jacobson voting No.

DISPOSITION OF HOUSE BILL 407: This would be \$25,000 to SRS to support the network of food banks.

MOTION by Sen. Jacobson, Do Pass.

ROLL CALL VOTE, passed with Sen. Regan to carry the bill.

DISPOSITION OF HOUSE BILL 112: This is the disaster emergency fund.

MOTION by Sen. Dover that House Bill 112 Do Pass.

SUBSTITUTE MOTION by Sen. Aklestad to amend from \$1.5 million to \$1 million. Voted and passed with Senators Regan and Jacobson voting No.

QUESTION called on the bill as amended. Voted and passed, unanimous. Sen. Dover to carry the bill.

DISPOSITION OF HOUSE BILL 820: This bill provides the mechanism for the airport improvements. Instead of a one-year basis, it sets up a possibility of a cycle. It would take some of the money and loan it.

MOTION by Sen. Haffey to move the amendments. (Amendments attached) Voted and passed with Sen. Regan voting No.

SEN. DOVER moved House Bill 820 As Amended, Do Pass. Voted and passed, unanimous with Sen. Haffey to carry the bill.

DISPOSITION OF HOUSE BILL 885: This is the bonding program.

SEN. AKLESTAD: There were projects eliminated before because not enough revenue. All the projects have an amount. In light of the review then--

MOTION: I would move the projects deleted in the House be put back in. (He listed the projects) With those projects in, the department would review the projects.

SEN. DOVER: Does this give you many problems?

SEN. LANE: Put them in but before the bonds are reviewed they should be cleared by the DNRC. ARP is not amended.

SEN. DOVER: Does it create a problem?

LEO BERRY: There were 4 projects on page 3 and 4 that were in the bill in the House. They are the only ones knocked out. The others were proposed as amendments in the bill but were never included. The only concern is we know how much these 4 projects would cost but have no idea what any of the others would be. Noxon was the only one stuck into the bill after written because it was in the process of being reviewed and is completed now.

SEN. HIMSL: In your amendment they have the flexibility?

SEN. AKLESTAD. They should be reviewed separately.

SEN. SMITH: Prior to approval?

LEO BERRY: Not only stuck them in but some limitation?

SEN. HIMSL: You are putting back into the bill some of the projects but if they don't fall within the bonding ability, they would be moved over or out.

SEN. LANE: The ones on the bill first were first?

LEO BERRY: If you took the 4 projects that were in the bill and taken out, I would suggest on page 15, subsection 5 we add some language prior to the issuance of the bonds. The Department of Revenue should also take a good look at them.

QUESTION was called on Sen. Aklestad's amendment. Voted and passed.

SEN. SMITH: I have another amendment, page 10, line 19.

SEN. HIMSL: He is changing the interest rate on the different projects. On page 10, line 19, reducing it from 6 1/2% to 5%.

LEO BERRY: All the projects in the bill now. If the interest rates are approved and fall at 8%, we would have to pick up a subsidy on all of them. The effect to reduce it would mean the district would pick up the 1 1/2% difference. It is a 1 1/2% General Fund subsidy.

SEN. HIMSL: That was not in the House Bill.

SEN. LANE: We have to get 2/3 of the House to change this.

SEN. SMITH: If the tie fails it jeopardizes the rest of the bill. I would suggest they vote no.

MOTION by Sen. Smith was voted and defeated.

MOTION by Sen. Aklestad that House Bill 885, As Amended, Be Concurred In. Voted and passed. Unanimous. Sen. Aklestad to carry the bill.

DISPOSITION OF HOUSE BILL 897: This is the prioritized list of district water resources.

MOTION by Sen. Dover that House Bill 897 Be Killed.

SEN. OCHSNER: I have some amendments (attached) and I would move these amendments.

SEN. VAN VALKENBURG: The first amendment wipes out Whitefish, etc.

SEN. OCHSNER: We agreed to do this back in October and the money left over will fall in line as before. It doesn't wipe out anything. It will give us more money than before.

SEN. VAN VALKENBURG: Mr. Berry, if we go with Sen. Mannings and put it at the top of the list doesn't it have the effect of wiping out other

projects all the way down? Or does it give us more money in as Sen. Ochsner says?

SEN. BARRY: If I understand, you would reduce from \$125,000 to \$100,000 and about 10 or 12. That would free up more money. You would cut out 1 1/2 projects on page 6, the Culbertson water and a portion of the Wolf Point water system.

SEN. VAN VALKENBURG: The amendment I got on Senator Mannings was for Page 9, line 16 under water development projects. It is a whole different area. The cut off line was on page 11, line 10 through

LEO BERRY: Sen. Manning was different then. Sen. Ochsner's could lose 3.

SEN. VAN VALKENBURG: I can't be too favorable to offering this. This way we can't be cutting anybody out.

SEN. THOMAS: In reducing some of these programs, you are not giving them enough money to complete the task.

SEN. OCHSNER: When we read them, it was for \$100,000 maximum and we are only taking it back to the original \$100,000.

SEN. DOVER: You round up everything to page 11. Why not 9 and 10?

SEN. OCHSNER: Most of these are duplications. Quite a few in both projects

LEO BERRY: The ones on page 9 and 10 are not actually funded in that portion but picked up in the first part.

SEN. DOVER: No chance of being picked up twice? Would you suggest the rest be rounded off.

SEN. OCHSNER: I would like that, yes. Round all of them off to \$100,000.

SEN. SMITH: This could create a real problem as these are loans and grants.

SEN. OCHSNER: If we don't put the amendments through, they don't have anything.

SEN. SMITH: Why pick it up?

SEN. ETCHART: I move we segregate #1, Senator Manning's amendment.

ROLL CALL VOTE. Voted and passed.

MOTION by Sen. Etchart that we adopt the last of the amendments. Number 2 through 15. Roll Call Vote, passed.

LEO BERRY: A number of the programs in the bill are for loans. The motion is to round the projects granted down to \$100,000.

SEN. HAMMOND: Were they told to begin with \$100,000?

SEN. ETCHART: Yes.

SEN. OCHSNER: Yes.

LEO BERRY: Yes.

SEN. HIMSL: On pages 9 and 10. The maximum of claims to be \$100,000.

LEO BERRY: Yes.

SEN. HIMSL: What about South Sand Stone, etc. When they come out of the different funds. The LRB would be changed to be consistent.

SEN. SMITH: We have one other problem. On page 5, line 1 Roosevelt \$125,00 and a loan for \$100,000. We are not changing the interest rate and the feasibility?

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SEN. HIMSL: Would we have to change the LRB to correspond to it? Would it be \$125,000 or \$100,000? We appropriated that from the Fish and Game and not from this money.

QUESTION was called, voted and carried.

SEN. BOYLAN: Senator Manning is not in here at all. I think his \$100,000 should be put back in. He does not want a study. He wants it as resources, etc. in the Yellowstone Basin. I think it should be in there. A lot of this has been done on his own time and money.

SEN. OCHSNER: I would move we put in the Manning amendment on page 5 after line 25, No matter where we put it in it will hurt someone somewhere. I agree with Sen. Boylan. The only problem with Senator Manning's amendment is he is 30 to 50 years ahead of all the people in this room. I think we owe it to him to go ahead and see that we get something started.

SEN. STORY: I have the highest regard for Sen. Manning too, but nobody who lives on that river wants them.

SEN. AKLESTAD: With the amendment, we would go to page 6, line 5. We are putting this ahead of those projects.

ROLL CALL VOTE. Voted and motion Passed.

SEN. VAN VALKENBURG: This does not include page 12, line 15. Page 12, line 17 strike \$157,000 and insert \$100,000. The purpose is to get it back into the original recommendations of the department. They were in there for a \$100,000 grant. It was amended and the effect is some money will be available for the Lubrecht Forest Project. Page 113 of the Yellow Book. That is a very successful project so far. I think there is a real benefit to the forest industry in the state. It does not mean the other projects will get any less. They are first in line.

I would move the amendment to strike \$157,000 and insert \$100,000. You talk about cut-off lines. The cut-off lines will be just above the Lubrecht Forest if it stays as it is. This allows money to be spent if there is any.

QUESTION was called on Sen. Van Valkenburg's amendment. Voted and passed, unanimous.

SEN. SMITH: Leo (Barry) The two projects Roosevelt and Culbertson, are in conjunction. Page 5, line 1, Roosevelt will be \$100,000 and \$100,000 from the loan. On page 6, line 5 because of that water system to \$100,000 and the \$100,000. I think you have eliminated both projects.

LEO BERRY: I don't know if you eliminate both projects. We don't know what the effect will be.

QUESTION was called on House Bill 897, as amended. Voted and passed, unanimous.

DISPOSITION OF HOUSE BILL 418: This is the local block grant.

MOTION by Sen. Dover that House Bill 418 Be Concurred In. Voted and passed by roll call vote.

DISPOSITION OF HOUSE BILL 600: Local Government Block Grant.

MOTION by Sen. Story to amend page 9, line 3 to strike \$6 million and insert \$3 million. The reason: When these block grants were proposed, we had not done several things now done. We reduced from 18% to 12% the local government share of the financial pension plan and passed it on the General Fund \$1.3 million approximately \$1.3 million for monies we pick up from state for district courts. Then the gas tax we just recently passed gave them \$7 1/2 million. All together, we gave them what they had not expected \$10.1 million. When we reduce the block grants from 6 to 3, it still leaves them \$7 million over what they expected.

SEN. VAN VALKENBURG: I beg to disagree. They were expecting to get about \$17.8 million in block grants. Money that was taken away by the vehicle and the business inventory tax. They will still be less than they were before. They will not get more than they expected.

SEN. AKLESTAD: I believe it is not $$7 \ 1/2$ million but $$14 \ million$. One and one half cent generates $$7 \ 1/2 \ million$ a year. It is 14 plus the 3 plus the other things it comes to about $$20 \ million$.

QUESTION was called on the Story amendment. Voted and passed.

MOTION by Sen. Dover that House Bill 600 As Amended, Be Concurred In. Voted and passed, unanimous with Sen. Dover to carry.

DISPOSITION OF HOUSE BILL 793: This is the Bertelsen Bill to levy 55 mills all-purpose levy for counties, etc.

MOTION by Sen. Etchart to Table the bill.

SEN. REGAN: The local governments come in and ask for help and we put them through a wringer. They say-give us something to help ourselves. We do not help them, we should pass it and trust the people back home to take the chance.

SEN. THOMAS: This is a bad bill. It is setting up a selective sales tax, etc.

SEN. HIMSL: The primary weakness is the local population.

QUESTION was called for the motion to Table the bill. Voted and passed. House Bill 793 was Tabled.

DISPOSITION OF HOUSE BILL 902: This is the pay plan bill.

SEN. DOVER: I would move on page 15, line 6 delete \$12,720,000 and insert \$6,200,000.

SEN. REGAN: Your amendment would provide for funding by taking vacancy savings by every agency and institution and just replace the monies taken out for operating expenses. This will mean you are taking all vacancy savings from the University System also. I would like to address a question to the budget office. Mr. Lewis, Sen. Dover indicated this was the Governor's program and his intention that vacancy savings be taken from half of it.

DAVE LEWIS, Office of Budget and Program Planning, the \$6.2 million puts us back and does take vacancy savings in the University.

SEN. VAN VALKENBURG: I have a substitute motion. This would: 1. Provide for the flexibility to move unspent FY 84 monies into FY 85 to offset it. 2. Separates out pay raises for legislative branch. \$75,000 in the first year and \$85,000 in the second year. 3. It provides for an appropria tion of \$9.7 million for the pay plan. This appropriation will enable them to utilize the vacancy savings that exist across the government of It will enable them to move money from 84% to 85% where necessary 3.5%. and will ensure vacancy savings in the one faculty area of the University System. On the testimony we had, there was a real difference in the instruction contractual faculty of the University. This is not the time to test that. This amendment, the Fiscal Analyst said, would fund the pay plan of \$15 million. This, I think, will do the job and do it right. I would so move.

SEN. SMITH: You talk about enough money for that purpose. Do you think we have enough money in anticipated revenue to bear it out?

SEN. VAN VALKENBURG: Yes. I have worked on it with a lot of different people and we can do it.

QUESTION was called on Sen. Van Valkenburg's amendment. Voted and lost.

SEN. ETCHART: What is your recovery?

SEN. DOVER: Another amendment that Senator Aklestad is working out. It is more in keeping with the present situation.

SEN. AKLESTAD: Mine is \$6.2 million work it out.

QUESTION was called on Sen. Dover's original amendment.

Voted and passed. The \$12 million was reduced to \$6.2 million.

SEN. THOMAS: I have an amendment here that would allow the agencies to transfer this, it reinstates the language as it came out of the House committee.

SEN. DOVER: Can they take cuts etc, to absorb the pay raises?

SEN. THOMAS: Instead of spending the budget down at the end of the year they can hold it over into the second year.

QUESTION was called on Sen. Thomas's amendment. Voted and passed with Sen. Aklestad voting No.

MOTION by Sen. Dover to move the House Bill 902 As Amended. Voted and passed, unanimous.

DISPOSITION OF HOUSE BILL 919: This to appropriate funds to the OPI for funds other than Special Ed.

MOTION by Sen. Keating, page 2, line 1. Delete \$24,737,000 and insert \$11,500,000. This would be a 4% and 3% funding of the foundation program.

SEN. REGAN: The Education program was voted 4 and 4. It would cost \$14 million. \$13 million some is a carry over. Senate Bill 94 is \$9 million and the other House Bill. It seems to me that the OPI--Mr. Argenbright had been advocating 12 and 12. We saw figures of 9 and 9. 4 and 4 is something we can afford and it is being recommended by the Education Committee. It seems silly to me to upset the whole thing with a 4 and 3.

SEN. SMITH: I had a bill for 4 and 3 and we would have sewed up this revenue which just had more than in 1984.

SEN. KEATING: The 11.5% is divided by \$4 million at the first year and by \$7.5 million in the next year.

QUESTION was called, voted and carried.

SEN. KEATING: I would move House Bill 919 As Amended, Be Concurred In. Voted and passed.

SEN. HIMSL: That includes all the bills except the water bills that you will have to act upon.

House Bill 446 by Rep. Brown--he has not shown up. We will simply hold that one. We have another one of Rep. Faggs, and we will hold that one also since he is not here.

SEN. ETCHART: The water bills that are left. Could you put them in a subcommittee and we could may be meet off in the lobby while we are working the session on the big bill. There is enough money to fund 2 or 3 projects.

SEN. HIMSL appointed a committee of Senators Aklestad, Ochsner, Smith, Lane and Stimatz to the subcommittee on the water bills.

Sen. Himsl said we would meet at 8 a.m. in the morning to continue executive action.

The meeting adjourned.

Senator Chairman

ROLL CALL

48th LEGISLATIVE SESSION - - 1983 Date $\frac{4 - 13 \cdot 83}{2}$

NAME	PRESENT	ABSENT	EXCUSED
Senator Etchart, VC	V		
Senator Dover	~		
Senator Keating			
Senator Smith			
Senator Thomas	V		
Senator Van Valkenburg	i		
Senator Stimatz			
Senator Story	1		
Senator Ochsner	V	······································	
Senator Haffey	V		
Senator Jacobson	~		
Senator Regan	-	•	
Senator Lane	i	,	
Senator Aklestad	~		
Senator Hammond	V		
Senator Tveit			
Senator Boylan			
Senator Himsl, Chairman			

TABLE 3 Renewable Resources Development Fund

	<u>1983 Biennium</u>	<u>1985 Biennium</u>
Beginning Balance Revenue Total Available	\$2,662,802 2,107,511 \$4,770,313	\$ 656,712 <u>1,450,797</u> \$2,107,509
Expenditures: DNRC HB 486 - Rangeland Resources Bill -	\$4,113,601	\$ 335,518 *
Total Expenditures	\$4,113,601	\$ 492,518
Balance	\$ 656,712 =======	\$1 ,614,991 =======

*DNRC general operations not including grants for projects.

<u>HB 897</u> - The Department of Natural Resources is requesting that all RRD revenue be utilized in the Water Development Program for grants and loans.

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HB 914 - Clarks Fork of Yellowstone - 1,000

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Proposed Amendments to HB 334

1. Page 2, line 9.
Strike: "\$1,000"
Insert: "the remainder of the interest in the account after any
allocations made under HB 447 up to \$74,600"

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2. Page 2, line 10. Following: "administration" Insert: "in cooperation with the Triangle Conservation District and the North East Montana Saline Seep Association" The Subcommittee on H. B. 526 met at the State Capitol, Room 108 at 8:05 a.m. Saturday morning. Senator Etchart, Chairman, Senators Stimatz, Van Valkenburg, Lane and Keating met with Ellen Feaver, Dept. Revenue, Gene Phillips, Atty, Conrad Bank of Kalispell; John McMasters, Atty, Legislative Council; and Representative Smith sponsor of the bill.

Material available: Copies of the court decisions, and 2 briefs, the Appelants brief and the appelants supply brief in the supreme Court. Mr. Phillips said he would have the other briefs available by Monday. Senator Van Valkenburg said these generally supply a good factual history.

Issues Involved:

1. Should the Department of Revenue pay the judgment 29099 for \$53,764.

2. Since the taxes were paid to Flathead County, is the state liable inspite of the judgment, if so, to what extent, and can they recover from the county.

3. Would it be setting a precedent for the state to pay a judgment for money given to a county.

Consensus of opinion:

1. The state will probably have to pay, since they did not appeal.

2. More information is needed to make a decision.

3. The bank will have to be paid.

Conclusion:

More information needed.

Feaver to get breakdown of money allocated to the state on this assessment.

McMasters to check on possibility of precedent setting.

Phillips to bring briefs.

Meeting to be held on adjournment Monday, March 11, 1983.

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MARK ETCHART, Chairman

The Subcommittee on H.B. 526 met at the State Capitol, Room 402, at 5:30 P.M., April 11, 1983. Senator Etchart, Chairman, Senators Stimatz, Van Valkenburg, Lane and Keating again met with Ellen Feaver, Department of Revenue, Gene Phillips, Attorney, Conrad Bank of Kalispell, and John McMasters, Attorney, Legislative Council.

The subcommittee reviewed the briefs furnished by Gene Phillips. Attached is a copy of Order No. 82-161 in relation to this case.

John McMasterspointed out to the committee that his copy of the Order dated March 16, 1981, which was signed by the Judge, does provide for interest to be paid at the rate of 10% per annum. He noted the bill drafter used this copy to draft the bill and that is why the bill provided for interest.

Senator Van Valkenburg asked Ellen Feaver if she had obtained a second opinion.

Ellen Feaver said no she had not. She stated that her copy also provided for interest due.

Senator Van Valkenburg asked Ellen Feaver if they had a defense.

Ellen Feaver said she had talked it over with their legal counsel and they have the same position that they had in the Supreme Court findings.

Senator Van Valkenburg asked if the Department has appeared in the Supreme Court case.

Ellen Feaver said we have made findings.

Gene Phillips said there is no provisions from Ellen Feaver. The Department has never appeared in the case.

Senator Etchart asked Mr. McMasters if we would be setting a precedent.

John McMasters said he has had very little time to work on this bill but he does not see where it would set a precedent.

Senator Van Valkenburg said you might be able to do that by a legislative act where we could not do it by judicial proceedings.

Ellen Feaver said we would pay it if we had gotten the 46 mills in the first place from Flathead County.

Senator Keating does not feel they should get away with that.

Ellen Feaver said it is difficult to go after another government entity.

Senator Etchart asked if the money was appropriated could the Department of Revenue go after Flathead County to try to recover.

Senator Van Valkenburg said yes.

Subcommittee Meeting HB 526 - Page Two April 12, 1983

Ellen Feaver said she does not think they can unless they require it so.

Senator Van Valkenburg said we can take it out of this budget and will send money from the general fund.

Ellen Feaver said you are accepting that as a state debt.

Senator Van Valkenburg said it is a state debt, a judgement against the Department of Revenue. The time to appeal has expired. The Conrad National Bank is seeking an appropriation in the legislature for the money they should be getting from Flathead County. They are right. They do have a judgement against the Department of Revenue. Whether they planned it or not they do have a right to execute on that judgement.

Ellen Feaver said the Department's case is before the Supreme Court and that is the way they are looking at it.

Senator Van Valkenburg said they are not a party to that case. You are named in the title. You haven't appeared in the case and you don't have a standing in that particular case.

Gene Phillips said you have not filed any briefs or anything. The Flathead County has but not the Department of Revenue.

Senator Stimatz said the Department is in the wrong and innocent people have to pay your bills.

Ellen Feaver said the judgement did not make any sense in the first place. The state never got the property taxes in the first place. She stated the decision you have to make is are you going to accept the county's liability and pay this judgement. Are you looking at this as a valid judgement and will you pay it out of the general fund or not. If you want to pay it out of the general fund that is your prerogative.

Senator Van Valkenburg said if we end up paying it out of the General Fund we will also take money out of the Department of Revenue's budget.

Senator Keating would move that. The motion being to direct the Department of Revenue to pay the tab and that they not appropriate any money for it but make it up out of the current budget.

Ellen Feaver would be more comfortable if they would just reduce the budget in the Senate and pass this appropriation bill. She does not think they are supposed to pay judgements without an appropriation.

Senator Keating is agreeable to that if she would get an amendment to the Department of Revenue for \$65,000.

Gene Phillips said that amount of money would be close enough.
Subcommittee Meeting HB 526 - Page Three April 12, 1983

Senator Etchart said we would get Senator Keating's amendment and put it on the bill.

Senator Stimatz said he is not sure if it is right or legal but we would probably spent a half million dollars and a lot of time trying to figure out justice. Flathead County has taken the original money and spent it and somebody should go after them. The interest accrued is the liability of both Flathead County and the state department.

Senator Lane asked Senator Van Valkenburg or Senator Stimatz if there could be something written up to tie Flathead County into this. They should be responsible.

Senator Etchart said it has to go through the courts.

Senator Keating's motion on the amendment passed unanimously.

The meeting adjourned at 6:05 P.M.

MARK ETCHART, Chairman

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. 82-161

FIRST INTERSTATE BANK OF KALISPELL, N.A., formerly known as THE CONRAD NATIONAL BANK OF KALISPELL, a National Banking Corporation of Kalispell, Montana,

Plaintiff and Appellant,

vs.

THE MONTANA DEPARTMENT OF REVENUE, FLATHEAD COUNTY COMMISSIONERS, JOAN DEIST, MEL WOLLAN and HENRY OLDENBURG and FLATHEAD COUNTY TREASUREP, ROBERTA WOLFE,

Defendants and Respondents.

ORDER

PER CURIAM:

Pursuant to the Internal Operating Rules of this Court, this cause is classified no. 3 for oral argument before a panel of five justices. The date and time of the argument will be set at a later date, after the parties have supplemented their briefs which this Court has found deficient.

IT IS HEREBY ORDERED:

Within twenty days of receiving this Order, the appellant shall prepare a supplemental brief on the following issues, file it with the Court, and serve a copy on the respondents.

> FILED FEB 3 - 1983 Ethel M. Harrison CLERK OF GURANA

ISSUE: Whether the trial court erroneously granted summary judgment against plaintiff on the grounds plaintiff had not paid it's 1977 taxes under protest, and had not filed a civil action in District Court, against Flathead County, within ninety days of paying it's 1978 taxes under protest?

Subissue (A): Assuming, <u>arguendo</u>, this Court determines that section 15-16-601, MCA (1979) granted discretion to county commissioners to refund any unlawful or erroneous tax (irrespective of any statutes allowing taxes to be paid or refunded under protest), what circumstances and legal analysis, under the facts of this case, would constitute a denial of plaintiff's rights to equal protection, given the Flathead County commissioners' denial of a refund to plaintiff?

Subissue (B): If a taxpayer pays an erroneous or unlawful tax, without complying with the provisions of Part 4, Chapter 1, Title 15, MCA (1979), may a district court grant summary judgment in favor of the taxing entity, without conducting a trial or hearing regarding the past practices of the taxing entity, where those past practices show that the entity has granted refunds of erroneous or unlawful taxes to other claimants?

Subissue (C): If a taxpaver pays an erroneous or unlawful tax, under protest, in compliance with section 15-1-402, MCA (1979), while contesting the tax under the provisions of section 15-2-301, MCA (1979), and, the county has notice of the proceedings contesting the tax because of a notice of appeal filed with the county tax board, does the proceeding under section 15-2-301, MCA (1979), constitute an "action instituted to recover" the tax paid under protest, as contemplated by section 15-1-402, MCA (1979).

Within twenty days after appellant serves its brief on respondents, respondents shall file and serve a reply brief on these issues.

In preparing briefs on these issues, the parties shall comply with the following guidelines. Both parties shall carefully research the code provisions relevant to the years in which this tax dispute arose. In addition, the parties will support all of their legal assertions with relevant Montana case law, including Montana cases on statutory construction. Where no Montana cases exist on a particular point, the parties shall cite cases from other jurisdictions and, where necessary, include citations to law review articles or treatises relevant to the assertions being made. Further, the parties shall support assertions regarding the intent of the legislature, where possible, with excerpts from legislative history, including minutes from legislative committee meetings.

Within ten days after respondent serves its reply brief on the appellant, the appellant may file a response brief. The Rules of Appellate Civil Procedure shall apply to the form, content and length of the supplemental briefs.

DATED this Ind day of February, 1983.

FOR THE COURT,

Frank the Harmell

FILED FEB 2- 1983 OF SUPREME COURT STATE OF MONTANA



1 ORDERED that Summary Judgment be, and the same is, hereby granted to Defendants Flathead County Commissioners, Joan 2 Deist, Mel Wollan and Henry Oldenburg, and Flathead County Treasurer, Roberta Wolfe, and against Plaintiff on both 3 counts. 4 DATED this 12th day of March, 1982. 5 6 1. 2. Allon Judge 7 District 8 9 MEMO: The Court feels that all statutory requirements 10 must be complied with to insure that the protested taxes are placed in the protest fund to be available for proper 11 disposition at the conclusion of litigation. The statues insure that the same will be accomplished when the requisite 12 procedures are taken by the taxpayer. Here the Court feels the taxpayer has not followed the statutory mandates. 13 JMS 14 cc: John B. Dudis 15 R. B. McGinnis Jonathan B. Smith 16 17 18 reby certify that I have mailed a true of this document to: 19 Simmint Strathan by depositing some in the U.S. Mail this 12 day of ______ 20 12 day of _ 19_32-21 MUNVAN Slock of the District Cou 22 Franch 4/ Clark 23 24 25 26 27 28 29 30

IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF THE STATE OF MONTANA, IN AND FOR THE COUNTY OF FLATHEAD

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THE CONRAD NATIONAL BANK OF KALISPELL, No. 29,099 Kalispell, Montana, 5 Petitioner, 6 7 -vs-JUDGMENT THE DEPARTMENT OF REVENUE 8 OF THE STATE OF MONTANA, 9 Respondent.

Hearing and oral argument upon Petitioner's Petition for Judicial Review of the decision of the State Tax Appeal Board having been heard by the Court on February 11, 1980, and the Court having made certain findings of fact and having ordered the cause remanded to the State Tax Appeal Board for further proceedings in accordance with said findings of fact and the State Tax Appeal Board having again made findings of fact and conclusions of law inconsistent with the findings of the District Court, the District Court did, on January 23, 1981, onter its Order reversing the decision of the State Tax Appeal Board.

NOW THEREFORE;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that the Petitioner shall have and recover from the Respondent those taxes for the year 1977, assessed by the Respondent and paid under protest by the Petitioner on April 5, 1978, in the principal amount of SIXTEEN THOUSAND TWO HUNDRED TWENTY-FOUR AND 42/100 DOLLARS (\$16,224.42) together with interest thereon at the rate of 13.661% as prescribed by Section 15-1-402, MCA, in the amount of SIX THOUSAND FOUR HUNDRED TWENTY-EIGHT AND 13/100 DOLLARS (\$6,428.13).

RPHY, ROBINSON. HECKATHORN PHILLIPS

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that pursuant to that certain stay order dated November 30, 1978 issued by the State Tax Appeal Board of the State of Montana in Docket No. PT-1973-557, the Petitioner shall have and recover from the Respondent those taxes for the year 1978, assessed by the Respondent and paid under protest by the Petitioner on July 31, 1978, in the principal amount of TWENTY TWO THOUSAND NINE HUNDRED EIGHTYAND 66/100 DOLLARS (\$22,980.66) together with interest thereon at the rate of 13.6613 per annum as provided by Section 15-1-402, MCA, in the amount of EIGHT THOUSAND ONE HUNDRED ONE AND 20/100 DOLLARS (\$8,101.20).

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IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Petitioner shall have and recover from the Respondent its costs of suit in the amount of THIRTY AND NO/100 DOLLARS (\$30.00) for judgment in favor of Petitioner and against Respondent in the total amount of FIFTY THREE THOUSAND SEVEN HUNDRED SIXTY-FOUR AND 41/100 DOLLARS (\$53,764.41). DATED this <u>MUR</u> day of March, 1981.

> J. M. SALANSKY DISTRICT JUDGE

District Judge

-2-

April 12, 1983

TO: Representative Earl Lory

FROM: Norm Rostocki, Associate Analyst

SUBJECT: Amendment to House Bill 613

These amendments revise House Bill 613 as you requested.

PROPOSED AMENDMENT TO HOUSE BILL 613 (Blue Copy)

Page 2, line 15.
 Following: "department"

Strike: "for deposit in the"

Insert: "of which an amount sufficient to reimburse local governments shall be deposited in the agency fund provided for in 17-2-102, and the remainder shall be deposited in the"

2. Page 3, line 18. Following: "fund" Insert: "except that an amount sufficient to reimburse local governments shall be deposited in the agency fund"

3. Page 4, line 4. Following: "fund" Insert: "except that an amount sufficient to reimburse local governments shall be deposited in the agency fund"

4. Page 4, line 9. Strike: "10" Insert: "150,648"

5. Page 4, line 10. Strike "10" Insert: "153,537"

iligan pourvel (blue copy) be amended as follows: bill April 12, 1983

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FROM: Norm Rostocki, Associate Analyst

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NR:cm:jt:o



SUGGESTED AMENDMENTS TO HB 724

Section 1, page 2, lines 5 through 9 - Strike part (3)
and insert:

*(3) provided the amount in the resource indemnity trust account is greater than \$10 million, interest income of the resource indemnity trust account must be allocated to the hard-rock mining mitigation account created in 90-6-304(2) in accordance with the following schedule:

10% of the interest income in fiscal year 1984,

20% of the interest income in fiscal year 1985,

30% of the interest income in fiscal year 1986 and in all subsequent fiscal years."

48th Legislature

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HB 0815/02

HOUSE BILL NO. 815

INTRODUCED BY FABREGA, METCALF, PAVLOVICH, HART, KADAS, S. HANSEN, SCHULTZ, LYBECK, NISBET, ELLISON, R. JENSEN, KITSELMAN, SAUNDERS, HOWE, ELLERD, BACHINI

BY REQUEST OF THE HOUSE COMMITTEE ON BUSINESS AND INDUSTRY

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING IDENTIFICATION OF AND PREPARATION-OF-A-PLAN-FOR ACQUISITION OF ABANDONED RAILROAD RIGHTS-OF-WAY THAT MAY BE ABANDONED; APPROPRIATING \$78,500-\$10,000-FROM-THE-GENERAL-FUND FUNDS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

SECTION 1. PURPOSE. IDENTIFICATION OF THOSE RAILROAD LINES PROPOSED FOR ABANDONMENT IN THE STATE OF MONTANA THAT MAY HAVE POTENTIAL FOR LOCAL TRANSPORTATION SERVICE IS NECESSARY TO DETERMINE THE FEASIBILITY OF ACQUISITION BY THE STATE AND TO ALLOW THE STATE TO NEGOTIATE FOR ACQUISITION OF THOSE RAILROAD LINES.

Section 12. Authorization. The department of commerce the state that may be abandoned and research the feasibility of acquisition by the state of Montana of those rights-of-way that may be abandoned;

(2) study-the-feasibility-and--desirability-of--state acquisition--of--the--abandoned--railroad-rights-of-way identified-pursuant-to-subsection-(1);-and -----(3)--submit-to-the-49th-legislature-a-plan-for-and--the estimated--cost-of-acquisition-of-those-identified-abandoned railroad-rights-of-way-for-which-acquisition-is-found-to--be feasible-and-desirabfe⁴ REPORT PERIODICALLY TO THE LEGISLATIVE FINANCE COMMITTEE, CREATED IN 5-12-201, ON THE PROGRESS OF THE DUTIES IMPOSED UPON IT PURSUANT TO SUBSECTION (1);

(2) NEGOTIATE FOR AND ACQUIRE THE RAILROAD RIGHTS-OF-WAY AND ATTENDANT FACILITIES IDENTIFIED PURSUANT TO SUBSECTION (1) AND HOLD ALL SUCH ACQUIRED LANDS IN TRUST FOR TRANSPORTATION PURPOSES; AND PRCPOSED AMENDMENTS TO HOUSE BILL 820 - (Blue Copy)

 Page 2, line 3.
 Following: "fund to the credit of the" Strike: remainder of line 3
 Insert: "department of administration, to be used, upon recommendation of the Department of Commerce, to provide"

2. Page 2, line 9.
Following: "portion,
Strike: "as established by law"
Insert: "as provided in HB 900 of the 48th Legislature"

3. Page 2, line 13. Strike: "subsection" Insert: "subsections" Following: "(3)" Insert: "and (4)"

4. Page 2.

Following: line 13

Insert: "(4) All loans must (a) bear an interest rate that fully retires the long range building bonds issued under the authorization provided by the 48th Legislature, (b) mature not later than such bonds; and (c) include reimbursement of administrative costs as required by subsection (5).

Renumber: subsequent subsections

5. Page 3, line 4. Following: "date" Insert: "termination"

6. Page 3, line 5. Following: "approval." Insert: "This act terminates on June 30, 1985, except that a loan made prior to June 30, 1985 is subject to the provisions of this act notwithstanding the duration of such loan. AMENDMENT TO HES20 (BLUE Copy)

1. Page 2, line 10.

. .

Following: "bonds"

INSERT: "upon the authorization and sale of the bonds by the state and netwithstanding the provisions of title 17, chapter 7, part 2"

JUSTIFICATION FOR AMENDMENT OF HB 820

This amendment is necessary because existing statute defines long-range building projects in a manner that precludes local ownership of such facilities.

Section 17-7-201, MCA defines long-range building as:

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- 17-7-201 (2) "Building" does not include a:
 - (a) building, facility, or structure owned or to be owned by a county, city, town, school district, or special improvement district;

This amendment allows for the Long-Range Building Program bond proceeds to be used for airport projects owned by entities other than the state. This amendment removes the question of whether the loan program is incompatible with existing law.

17-7-20) building, facility, or structure owned or to be owned by a state agency. ...) ncluding the department of highways.

"Building" dues not include at (2)

7.7 202

hallding, facility, or structure owned or to be owned by a county, city, ...) hown, school district, or special improvement district;

tardity or structure used as a component part of a highway or water dat conservation project.

 (\mathbb{C}) "Construction" includes construction, repair alteration, and equipping and turnishing during construction, repair, or alteration.

History: En. Sec. 14, Ch. 271, L. 1963; and Sec. 1, Ch. 24, L. 1973; and Sec. 81, Ch. 326, L. 1974; R.C.M. 1947, 82-3314.

17-7-202. Preparation of building programs and submission to department of administration. (1) Before July 1 of each even-numbered lear, each state agency and institution shall submit to the department of administration, on torms furnished by the department, a proposed long-range building program, if any, for the agency or institution. Each agency and institution shall furnish any additional information requested by the department Frelating to the utilization of or need for buildings.

(2)The department shall examine the information furnished by each Sency and institution and shall gather whatever additional information is necessary and conduct whatever surveys are necessary in order to provide a tactual basis for determining the need for and the feasibility of the construction of buildings. The information compiled by the department shall be submitted to the governor before December 1 of each even-numbered year.

History: En. Sec. 15, Ch. 271, L. 1963; and. Sec. 82, Ch. 326, L. 1974; R.C.M. 1947, 82-3315(1). 21.

17-7-203. Submission to legislature. During the first week of each regular legislative session, the governor shall submit to the legislature:

(1)the requests of all state agencies and institutions compiled in the form of a comprehensive, long-range proposed building program, including:

(a) the purpose for which each building would be used:

(b)the estimated cost of each building, including necessary land acquisition:

(c)the reasons given by the institution or agency for needing each building;

(d) a priority order recommended by the agency or institution for each building:

(e) the recommendation of the institution or agency as to when each building is needed;

(f) any comments of the governor:

a building program proposed by the governor for the forthcoming (2)biennium in the form of a capital construction budget, including:

the purpose for which each building would be used; (a)

(b) the estimated cost of each building and necessary land acquisition;

🛩 (c) the reasons for the governor's recommendation to construct each building during the forthcoming biennium;

(d)the proposed method of financing for each building;

(e) any long-range building plans;

876 412 Proposed Amendments to HB 876

1. Page 3, line 2.
Strike: "\$1,000"

÷.,

2. Page 3, line 4.
Following: "Conservation"
Insert: "the remainder of the interest in the account after any
allocations made under HB 447, HB 334, and HB 108 up to \$250,000"
ind

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United States Department of the Interior

BUREAU OF RECLAMATION WASHINGTON, D.C. 20240

IN REPLY 734

MAR 29 1993

Honorable Dave Manning Montana Senate Helena, Montana 59620

Dear Mr. Manning:

We enjoyed visiting with you on February 23 concerning water and energy development in Montana. Your concept for water development is a creative one and by copy of this letter I am directing our Regional Director in Billings to offer his assistance to the State in furthering the development of that concept.

Sincerely yours. ma

For Robert N. Broadbent Commissioner

cc: Regional Director, Billings, Montana



MONTANA STATE SENATE

SENATOR DAVE MANNING

HYSHAM, MONTANA 59038

April 9, 1983

TO: SENATE FINANCE & CLAIMS COMMITTEE

In reference to the attached letter by Robert Broadbent, United States Commissioner of the Bureau of Reclamation and particularly the opening word of his letter "we", I list top level federal officials called into conference with me in my recent trips to Washington, D. C. and regional federal offices.

GARRY CARRUTHERS, Assistant Interior Secretary of Land and Water Resources, Washington, D. C.

ROBERT BROADBENT, United States Commissioner of the Bureau of Reclamation, Washington, D. C.

JOSEPH MARCOTT, Department of the Interior Bureau of Reclamation, Upper Missouri Region, Billings, Montana.

JAMES C. WILEY, Chief of Planning Policy Staff, Bureau of Reclamation, Washington, D. C.

B. BLAIR, Planning Policy Staff Bureau of Reclamation, Washington, D.C.

DR. JIM FLANNERY, Senior Advisor to Dept. of the Interior, Office of Commissioner Carruthers.

TOM CAVANAUGH, Majority Consultant to the House Interior Sub-Committee on Water Power, Washington, D. C.

TOM NEVILLE, Minority Consultant to the House Interior Subcommittee on Water Power, Washington, D. C.

GEORGE VAN CLIVE, Consultant to the House Interior Subcommittee on Water Power, Washington, D. C.

JOHN MELCHER, Montana Senator House Member, RON MARLENEE, Eastern Congressional District MAX BAUCUS, Montana Senator PAT WILLIAMS, Western Congressional District

Dave Manny

DAVE MANNING, Senator

12:10

Amendments HB 897 - There are ing but Senator Ochsner's Amendments to HB 897 1. Page 1 line 1. Forlowing: page 3 line 25 Ingert: "DNRC; Completion Yellowstone Offstream \$100,000" Hydropower Study G ¿1. Page 4, line 3. Strike: "\$125,000" Insert: "#100,000" 3.2. Page 4, line 5. Strike: "125,000" Insert: "100,000" **E.3**. Page 4, line 7. "125,000" Strike: "100,000" Insert: 5.4. Page 4, line 8. Strike: "125,000" "100,000" Insert: 6.5 Page 4, line 14. "125,000" Strike: "100,000" Insert: 26 Page 4, line 17. "125,000" Strike: Insert: "100,000" **#7** Page 4, line 22. Strike: "125,000" "100,000" Insert: 8. Page 4, line 24. Strike: "125,000" "100,000" Insert: 149. Page 4, line 25. "125,000" Strike: Insert: "100,000" **E**N. Page 5, line 1. "125,000" Strike: Insert: "100,000" 12.11. Page 5, line 5. "125,000" Strike: "100,000" Insert: 12. Vage 6, line 1 Tollowing: page 5. 100125 Insert: "

PROPOSED AMENDMENT TO HOUSE BILL 897 - (Yellow Copy)

1. Page 9. Following: line 16

Insert: "Yellowstone River Basin Off-stream Water Development Study" "G 100,000"

This amendment appropriates \$100,000 of renewable resource and development funds to study off-stream water development in the Yellowstone River Basin.

hedy of

PROPOSED AMENDMENT TO HOUSE BILL 898 - (Third Reading Copy)

1. Title: line 12.

Following: "CHILDREN;"

Insert: "TO TRANSFER THE FISCAL 1983 APPROPRIATION FOR THE CHRONIC RENAL DISEASE PROGRAM FROM THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES; TO REAPPROPRIATE UNEXPENDED FUNDS FOR THE RENAL PROGRAM FOR EXPENDI-TURES IN FISCAL 1984;"

2. Page 2.

Following: line 13

Insert: "The unexpended portion of \$125,000 general fund appropriated for fiscal 1983 in House Bill 2 of Special Session I of the 47th Legislature, to the Department of Social and Rehabilitation Services for the Chronic Renal Disease Program is transferred to the Department of Health and Environmental Sciences. The unexpended balance of the transferred amount remaining on June 30, 1983 is reappropriated to the Department of Health and Environmental Sciences for the fiscal year ending June 30, 1984." 4112 Proposed Amendment to HB 885 1. Page 3, following line 15. Insert: "(c) Three Forks water system improvement; (d) Manhattan wastewater treatment system improvement; (e) Manhattan water system capital improvement;" Renumber: subsequent subsections 2. Page 4, line 5. Following: "IMPROVEMENT" Insert: "; (o) Belgrade water system improvement" 3. Page 9, line 1. Strike: "\$11,524,281" Adjust total according to any amendments adopted. 4. Page 10, following line 9. Insert: "(a) (i) Bonds to a maximum amount of \$1,100,000 may be issued for a loan to the city of Three Forks for the purpose of financing improvements in the city's water system. project, which will rehabilitate existing (ii)The components of the city water system and change the source of the water supply from the Madison River drainage to the Jefferson River drainage, is needed to resolve the health hazard in the city's existing water supply caused by excessive levels of arsenic. (iii) The loan must be repaid at a 6 1/2% interest rate. (b) (i) Bonds to a maximum amount of \$130,000 may be issued for a loan to the city of Manhattan for the purpose of financing improvements in the city's wastewater treatment system.
 (ii) The project is needed because the existing city wastewater stabilization ponds provide inadequate treatment to meet future effluent limitations. (iii) The loan must be repaid at a 6 1/2% interest rate. (c) (i) Bonds to a maximum amount of \$170,000 may be used for a loan to the city of Manhattan for the purpose of financing capital improvements in the city's water system. (ii) The project is needed for promotion of conservation of water by encouraging city water customers to use less water and for rehabilitation of the water system. (iii) The loan must be repaid at a $6 \ 1/2$ % interest rate. Renumber: subsequent subsections 5. Page 14, following line 18. Insert: "(m)(i) Bonds to a maximum amount of \$1,235,000 may be issued for a loan to the city of Belgrade for the purpose of financing improvements in the city's water system. The project, which will rehabilitate existing (ii) components of the city water system, construct an additional well to supply the water system, and install residence meters, is needed to meet the demands of the city's growing population and to conserve the available water for future use. (iii) The loan must be repaid at a 6 1/2% interest rate."

BCDIII/ HB885

SAGE CREEK

750,000 =

Gyd Proposed Amendments to HB 885

1. Page 4, line 3.
Following: "measure"
Insert: "; (o) Sage Creek water district"

2. Page 8, line 23. Strike: "\$12,982,281" Adjust total according to any amendments adopted

3. Page 14, line 1.

Insert: "(m)(i) Bonds to a maximum amount of \$750,000 may be issued for a loan to the Sage Creek water district, if that district is formed prior to the sale of bonds pursuant to this act for the purpose of financing construction of a rural water supply system for northern Liberty and Hill Counties.

(ii) The project is needed because residents of the area now must haul domestic water due to the scarcity and poor quality of ground water and it is probable that they will have to haul stock water in the future.

(iii) The loan must be repaid at a 2% interest rate."



BCDIV/ HB 885 Sage Creek

AMEND HOUSE BILL 885

2

Page 6, following line 5

Insert: "(3) The maximum amount of bond revenue for each project approved in this section shall also include all and any relocation, reconstruction, remuneration or other costs that effect existing irrigation systems, fences, private lands, utility lines, mines, roads, highways and railroads that are subsequently affected by the development of a respective hydroelectric project."

Moril 6, 1983

Renumber subsequent subsections.

PROPOSED AMENDMENT TO HOUSE BILL 885 - (Blue Copy)

1. Page 10, line 19. Strike: "6.5" Insert: "5"

This amendment reduces the interest rate for the Roosevelt County rural water system project from 6.5 percent to 5 percent.

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Senator Ochsner's Amendments to HB 897 1. Page 4, line 1. Following: page 3, line 25 Insert: "DNRC; Completion Yellowstone Offstream Hydropower Study \$100,000" G 2. Page 4, line 3. Strike: "\$125,000" Insert: "100,000" 3. Page 4, line 5. Strike: "125,000" Insert: "100,000" 4. Page 4, line 7. Strike: "125,000" Insert: "100,000" 5. Page 4, line 8. Strike: "125,000" Insert: "100,000" 6. Page 4, line 14. Strike: "125,000" Insert: "100,000" 7. Page 4, line 17. Strike: "125,000" Insert: "100,000" 8. Page 4, line 22. "125,000" Strike: Insert: "100,000" 9. Page 4, line 24. Strike: "125,000" Insert: "100,000" 10. Page 4, line 25. Strike: "125,000" Insert: "100,000" 11. Page 5, line 1. Strike: "125,000" Insert: "100,000" 12. Page 5, line 5. Strike: "125,000" Insert: "100,000"

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13. Page 6, line 5. Strike: "125,000" Insert: "100,000" 14. Page 6, line 7. Strike: "125,000" Insert: "100,000" 15. Page 11, line 5. Strike: "125,000" Insert: "100,000"

13. Page 6, line 5. "125,000" Strike: "100,000" Insert: 14. Page 6, line 7. "125,000" Strike: "100,000" Insert: 45,22.Page 11, line 5. "125,000" Strike: "100,000" Insert: 15. Page 9, Line 13 Strike: "#125,000" Ansent: "#100,000" 1. Page 1, line 20 Strike: "125,000" Supert: "100,000" 17, Page 10, live 1 Strike: "125,000" Aunt: "100,000" 18. Page 10, in 3 Brike: "125,000) Insut: "100,000" 19. Page 10, leve 7 Strike: "125,000" Insect: "100,000" 20. Page 10, line 3 Strike: "125,000" Insert: "100.000" 21. Page 10, line 12 Itike: "125,000" Insut: "100,000" HM/ HB-23. Page 11, line 6 Strike: "125,000

HB 897

A to what and "

43 397

24. Page 11, line 11 Strike: "125,000 " Swert: "100,000"

26 Page 11, Sin 15 Strike : "125,000 - Ansert: "100,000"

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25 Pere 11, 2ine 22 Starker "125, 200" Sunt: "100,000"

20. Page 12, Line 3 Atriper "125,000" Genert: "100,000"

37, Pege 12, Sere 17 Atruke: "<u>157,000</u>" Great: "100,000" PROPOSED AMENDMENT TO HOUSE BILL 902 (Third Reading Copy)

1 p N

1. Page 9.

Following: line 18

Insert: "Unexpended fiscal 1984 appropriations in [House Bill 447] may be transferred to fiscal 1985 within the same line-item to offset the cost of pay increases.

2. Page 15, line 5.

Following: "Appropriation"

Strike: the remainder of line 5 and line 6 and 7 in their entirety

Insert: "(1) There is appropriated to the various state agencies listed in this section the money necessary to carry out the provisions of this act. The appropriations listed in this section are subject to the limitations, definitions, and provisions contained in House Bill 447 of the 48th Legislature.

(2) The following money is appropriated from the general fund to the listed agencies:

	Fiscal 1984	Fiscal 1985
Legislative Auditor Legislative Council Legislative Fiscal Analyst Environmental Quality Council	\$ 940 1,164 -0- 5,458	\$ -0- 55,962 17,111 <u>11,802</u>
Totals	\$7,562 ======	\$84,875 ======

(3) There is appropriated to the office of budget and program planning \$9,697,563 for the biennium ending June 30, 1985, from the general fund to carry out the provisions of this act as it pertains to judicial and executive branch agencies. In distributing funds necessary to implement this act among the various state agencies no reduction shall be made on account of vacancy savings in instructional contract faculty within the Montana University System."

lower amend

2.

AMENDMENTS TO HOUSE BILL 902

THIRD READING COPY

1. Page 9, line 15 Following: "funds." Insert: "(1)"

approved

Page 9, line # 19 Following: "appropriations." line 18

Insert: "(2) Unexpended agency appropriation balances in the first year of the biennium may be transferred to the second year of the biennium to offset the costs of pay increases."

3. Page 15, line 6 Struke: "#12, 720,000" Insent: "\$6,200,000"

1.

2.

AMENDMENTS TO HOUSE BILL 902

THIRD READING COPY

Page 9, line 15 Following: "funds." Insert: "(1)"

Page 9, line 18

Following: "appropriations."

Insert: "(2) Unexpended agency appropriation balances in the first year of the biennium may be transferred to the second year of the biennium to offset the costs of pay increases.

STANDING COMMITTEE REPORT

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				•	April		93
)							
e I	MR. Pres.	ident					
	We, your d	committee on		Finance	and Claims		
I	having had unc	ler consideration			House	Bill	No 1
fey) Vince	ent					
	D				!* a u a a	Dill	No. 7
		ading bill,			<u>Youse</u>	BIII	NO <u>‡</u>
	1. Page	2, line 13					
	Strike: Insert:	" <u>106,400"</u> "75,000"					
	2. Page	2, line 19					
:	Strike:	"197,414" "100,000"					
		3, line 5					
9	Strike:	"446,441" "400,000"					
		3, line 9					
\$	Strike: Insert:	*443,532*					
		·					
	callowing	3, line 12 J: line 11					
1	Insert:	"University	Business	Management	Development	Program	100,000"
				••••••••••••••••			Chairman.
	STATE P	- CO			enator Himsl		

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Senate Finance and Claims House Bill No. 1 Page 2

April 19 83

6. Page 3, line 20. Strike: "208,830" "100,000" Insert: 7. Page 3, line 25. Following: line 25 Insert: "Montana Economic Reporting and ForecastingSSystem, as authorized by subsections (2) and (4) of 90-1-102 and 90-1-107 (1) 100,000" 8. Page 4, line 3. Following: line 2 Insert: "Business Location Promotion, as authorized by subsections (2), (3), and (6) of 90-1-105150.000" 9. Page 4, line 11. Strike: "470,000" Insert: "400,000" 10. Page 4, line 14. Strike: "\$1,000,000" Insert: "500,000" 11. Page 4, line 24. Strike: \$\$4,077,617* "\$3,525,000" Insert:

And, as so amended, BE CONCURRED IN

HIMSL

Chairman. 4/0

SENATE COMMITTEE

Bill No. / Time // 58

Date <u>4-17</u>

Name		YES	NO	ABSENT	EXCUSED
Senator	Etchart, VC	~			
Senator	Dover	6			
Senator	Keating				
Senator	Smith				
Senator	Thomas	~			
Senator	Van Valkenburg	~			
Senator	Stimatz				
Senator	Story				
Senator	Ochsner				
Senator	Haffey				
Senator	Jacobson	~			
Senator	Regan		V		
Senator	Lane				_
Senator	Aklestad		~		· · · · · · · · · · · · · · · · · · ·
Senator	Hammond		~		
Senator	Tveit				
Senator	Boylan		~		
	Himsl, Chairman				

Sylvia Kinsey Secretary

Senator Himsl Chairman

Motion: re. Con 5
SENATE COMMITTEE FINANCE AND CLAIMS _____Bill No. 23 Time 12/02

Date 4-13

Name	YES	NO	ABSENT	EXCUSED
Senator Etchart, VC		V		
Senator Dover				
Senator Keating	·	V		
Senator Smith				
Senator Thomas				
Senator Van Valkenburg	V			
Senator Stimatz				······
Senator Story				
Senator Ochsner				
Senator Haffey				
Senator Jacobson				
Senator Regan	<i>w</i> .			
Senator Lane				
Senator Aklestad				·····
Senator Hammond		~		
Senator Tveit		~		
Senator Boylan				
Senator Himsl, Chairman		V		
Sylvia Kinsey Secretary	8 -		enator Him hairman	<u>usl</u>
Motion:				
Key A	6			
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11/-

	April	13. 19 83
PRESIDENT MR.		
We your committee on	FINANCE & CLAIMS	
having had under consideration	House Bill	Bill No.
Donaldson (Dover)		

House Bill 112

third reading (blue copy) be amended as follows:

1. Line 14 "\$1,500,000" "\$1,000,000" Strike: Insert:

ind, as amended BE CONCURRED IN

,10

April 13, 19 83

MR. President

Manuel (ETCHART)

third reading copy, be amended as follows:

Page 2, following line 11. 1. Strike: lines 12 and 13 in their entirety.

And, as so amended, BE CONCURRED IN

DOMBASS

FINANCE AND CLAIMS

Date <u>4-13</u>

Bill No. 14 Time D. 32

YES NO ABSENT EXCUSED Name Senator Etchart, VC Senator Dover V Senator Keating Senator Smith Senator Thomas Senator Van Valkenburg V Senator Stimatz Senator Story V Senator Ochsner Senator Haffey Senator Jacobson v Senator Regan V Senator Lane Senator Aklestad Senator Hammond Senator Tveit Senator Boylan Senator Himsl, Chairman

Sylvia Kinsey Secretary Senator Himsl Chairman

9-5 Motion:

Apirl 13, 19 83

MR. Fresident We, your committee on Finance and Claims having had under consideration Bill No. 153 Kitselman (Regan)

BE CONCURRED IN

Chairman. · Y.C.

	April 13	8 3
MR. President		
We, your committee on	and Claims	
having had under consideration	House	Bill No

(Story) Menahan

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BE CONCURRED IN REASER

April 13, 19. 33

MR. President

1476

We, your committee on	Finance and	Claims			
having had under consideration			House		85
QUILICI (HAFFE)					

	House	285
Respectfully report as follows:	That	Bill No

......

BE CONCURRED IN

DOCRASSX

Senator Himsl

110

April 13, 19.33

President

MR.

We, your committee on	Pinance an	nd Claims	
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DEVLIN (HAMMOND)

BE CONCURRED IN

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...... Chairman.

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FINANCE AND CLAIMS

Bill No. 400 Time 10 / 11

Date <u>4-13</u>

YES NO ABSENT EXCUSED Name Senator Etchart, VC 1) Senator Dover Senator Keating Senator Smith Senator Thomas 1 Senator Van Valkenburg V Senator Stimatz Senator Story V Senator Ochsner Senator Haffey Senator Jacobson Senator Regan Senator Lane Senator Aklestad 1 Senator Hammond V Senator Tveit مر ا Senator Boylan Senator Himsl, Chairman 11 10 Sylvia Kinsey Senator Himsl Secretary Chairman Motion: 7 400

FINANCE AND CLAIMS

Bill No. 400 Time 10153

Date <u>01-13</u>

YES ABSENT EXCUSED NO Name Senator Etchart, VC V Senator Dover $\overline{\nu}$ V Senator Keating Senator Smith Senator Thomas Senator Van Valkenburg v Senator Stimatz 0 V Senator Story Senator Ochsner V Senator Haffey 1 Senator Jacobson Senator Regan $\overline{\mathcal{V}}$ Senator Lane Senator Aklestad Senator Hammond Senator Tveit Senator Boylan V Senator Himsl, Chairman V Sylvia Kinsey Senator Himsl Secretary Chairman Motion: then

FINANCE AND CLAIMS

400) Bill No. Time 10:16

Date <u>4-13</u>

YES Name NO ABSENT EXCUSED \mathcal{I} Senator Etchart, VC Senator Dover Senator Keating Senator Smith $\overline{\mathcal{V}}$ Senator Thomas 11 Senator Van Valkenburg 1 Senator Stimatz V Senator Story 11 Senator Ochsner $\overline{\nu}$ Senator Haffey v Senator Jacobson V Senator Regan ~ Senator Lane ~ Senator Aklestad V Senator Hammond Senator Tveit Senator Boylan V Senator Himsl, Chairman 1 Sylvia Kinsey Senator Himsl Chairman Secretary ARA Ċ Motion:

1

April 13. 19 83

President

MR.....

We, your committee on	Finance	and	Claims		
having had under consideration		Ξ	louse	Bill No.	407

J. Brown (Regan)

DO PASS

BE CONCURRED IN

STATE PUB. CO. Heiena, Mont.

Senator Himsl

Chairman. .

1/0

FINANCE AND CLAIMS Bill No. 407 Time 2:05

Date ______

Name	YES	NO	ABSENT	EXCUSED	
Senator Etchart, VC	V				
Senator Dover	· V		<u> </u>		
Senator Keating		V			
Senator Smith					
Senator Thomas	V				
Senator Van Valkenburg	1				
Senator Stimatz					
Senator Story					
Senator Ochsner	V				
Senator Haffey					
Senator Jacobson					
Senator Regan					
Senator Lane					
Senator Aklestad		1			
Senator Hammond					
Senator Tveit					
Senator Boylan					
Senator Himsl, Chairman		1			
Sylvia Kinsey Secretary Chairman					
Motion:					

April 13, 19 83

MR.2resident

We, your committee on	Finance and Claims	
having had under consideration	ilouse	Bill No418

Yardley (Regan)

Respectfully report as follows: That......Bill No...418.....

DOKRASS

BE CONCURRED IN

FINANCE AND CLAIMS

Date ____3

Name		YES	NO	ABSENT	EXCUSED
Senator	Etchart, VC	V			
Senator	Dover				
Senator	Keating		L		
Senator	Smith		~		
Senator	Thomas				
Senator	Van Valkenburg				
Senator	Stimatz				
Senator	Story				
Senator	Ochsner				_
Senator	Haffey	1			
Senator	Jacobson				
Senator	Regan				
Senator	Lane	V			
Senator	Aklestad		V		
Senator	Hammond	sim.			
Senator	Tveit		V		
Senator	Boylan	1			
Senator	Himsl, Chairman				

Sylvia Kinsey Secretary

Senator Himsl Chairman

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	April 13	
MR. President		
Finance & Claims We, your committee on	House	
having had under consideration	Коцзе	Bill No
Jones (Jacobson)		

House

510

third reading copy, be amended as follows:

1. Page 2, Line 14. "from" Pollowing: 'the COMMUNITY SERVICES BLOCK GRANT" Strike: "FEDERAL FUNDS MADE AVAILABLE SPECIFICALLY FOR Insert: SPECIAL COMMCDITY DISTRIBUTION"

And, as so amended, BE CONCURRED IN

DO DAXA

Chairman.

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a stand	April 13,	
MR. <u>President</u>		
We, your committee on	<u>Es</u>	
having had under consideration	Louse	Bill No. 526
SMITH (VAN VALKE)		

BE CONCURRED IN

DO PASS

April 13, 19 83

President

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MR.

***	FINANCE		
We, your committee on	•••••••	•••••	

House Bill

McBride (Thomas)

third reading (blue Copy) be amended as follows:

Page 9, line 3 1. Strike: "\$6 million" Insert: "\$3 million"

And, as so amended BE CONCURRED IN

MARXSX

...... Senator Himsl

Chairman,

SIC

FINANCE AND CLAIMS

Date	<u></u>	E	3ill N	0.600 Ti	meSe
Name		YES	NO	ABSENT	EXCUSED
Senator Senator	Etchart, VC Dover				
	Keating				
Senator Senator					
and the second s	Van Valkenburg				
	Stimatz				
Senator Senator	Ochsner				
	Jacobson				
Senator			1		
Senator	Lane	_			
Senator	Aklestad	~			
Senator	Hammond				
Senator	Tveit	V			
Senator			~		
Senator	Himsl, Chairman				

Sylvia Kinsey Secretary

Senator Himsl Chairman

Motion:	<u> </u>	<u>l</u>	
	Į.		
(NAVA		
	M V J	forit	
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	April 13	<u>19</u> 33
MRPresident		
We, your committee on	aims	
having had under consideration	House	Bill No
Lory (Regan)		
-		
3		
Respectfully report as follows: That	House	Bill No513
third reading bill (blue copy) be am	ended as follows:	
<pre>1. Page 2, line 15. Following: "department" Strike: "for deposit" Insert: "of which an amount suffici shall be deposited in the agency f the remainder shall be deposited"</pre>		
<pre>2. Page 3, line 13. Following: "fund" Insert: "except that an amount suff shall be deposited in the agency f</pre>		local governments
3. Page 4, line 4. Following: "fund" Insert: "except that an amount suff shall be deposited in the agency f		local governments
de xass		
	(Contin	
STATE PUB. CO. Helena, Mont.	Sonator Himal	CONTRACT A/C

1.1

1.00 Million

Finance and Claims House Bill 613 Page 2

April 13 19 83

4. Page 4, line 9. Strike: "\$10" Insert: "\$150,648"

5. Page 4, line 10. Strike: "\$10" Insert: "\$153,537"

And, as so amended, BE CONCURRED IN

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Chairman.

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AC.

FINANCE AND CLAIMS

Date d-13

_____Bill No. 6/3 Time 10: K6

Name		YES	NO	ABSENT	EXCUSED
Senator	Etchart, VC	V			
Senator	Dover		1		
Senator	Keating	17			
Senator	Smith	V			
Senator	Thomas		V		
Senator	Van Valkenburg		V		
Senator	Stimatz		6		
Senator	Story	6.1			
Senator	Ochsner		V		
Senator	Haffey		1		
Senator	Jacobson		1		
Senator	Regan		~		
Senator			V		
Senator	Aklestad	<i>v</i> .			
Senator	Hammond	i.			
Senator	Tveit	U,			
Senator	Boylan	V			
Senator	Himsl, Chairman		1-		
	2	3 -	10		

Sylvia Kinsey Secretary

Senator Himsl Chairman

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Motion:	
ban 2	
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FINANCE AND CLAIMS

Date <u>4-13</u>

YES NO ABSENT EXCUSED Name 1 Senator Etchart, VC Senator Dover V Senator Keating J Senator Smith ¥ Senator Thomas \checkmark \mathcal{I} Senator Van Valkenburg Senator Stimatz V Senator Story 1 Senator Ochsner Senator Haffey Senator Jacobson Senator Regan 1 Senator Lane Senator Aklestad 1. Senator Hammond Senator Tveit 1 Senator Boylan V Senator Himsl, Chairman

<u>Sylvia Kinsey</u> Secretary Senator Himsl Chairman

Bill No. 6/3 Time 10:52

Motion: -----A

FINANCE AND CLAIMS

Date <u>4-13</u>

YES Name NO ABSENT EXCUSED Senator Etchart, VC 1 Senator Dover V Senator Keating 1 Senator Smith Senator Thomas $\overline{\mathcal{V}}$ Senator Van Valkenburg V V Senator Stimatz Senator Story V Senator Ochsner 1 Senator Haffey V Senator Jacobson ~ Senator Regan Senator Lane Senator Aklestad \checkmark Senator Hammond Senator Tveit Senator Boylan 1 Senator Himsl, Chairman

Sylvia Kinsey Secretary

Motion:

Senator Himsl Chairman

Bill No. 640 Time 9: 57

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April	œ	13,	10 83

MR President

We, your committee on	Finance	and	Claims	
having had under consideration			Ноизе	Bill No. 692

Bardanouve (Himsl)

DO PASS BE CONCURRED IN

Chairman.

Ac.

MR. President

į.

(Van Valkenburg) D. Brown

ZZACKIGO BE CONCURRED IN

Chairman.

Bill No. 785

Date <u>9-13</u>

Name		YES	NO	ABSENT	EXCUSED
Senator	Etchart, VC	V			
Senator	Dover ·	·	V		
Senator	Keating	V	1		
Senator	Smith				
Senator	Thomas	1			
Senator	Van Valkenburg				
Senator	Stimatz				
Senator	Story				
Senator	Ochsner		i		
Senator	Haffey				
Senator	Jacobson				
Senator	Regan				
Senator	Lane			·	
Senator	Aklestad		V		
Senator	Hammond		V		
Senator	Tveit				
Senator	Boylan				
Senator	Himsl, Chairman		V		

Sylvia Kinsey Secretary

Motion:

Senator Himsl Chairman

) Time 9:58

Sub mat

FINANCE AND CLAIMS

Date <u>9-13</u>

Name		YES	NO	ABSENT	EXCUSED
Senator	Etchart, VC	1			
Senator	Dover				
Senator	Keating				
Senator	Smith				
Senator	Thomas	V			
Senator	Van Valkenburg		V		
Senator	Stimatz	V			
Senator	Story				
Senator	Ochsner	1	,		
Senator	Haffey		4		
Senator	Jacobson				
Senator	Regan		V		
Senator	Lane	1			
Senator	Aklestad				
Senator	Hammond				
Senator	Tveit				
Senator	Boylan				
Senator	Himsl, Chairman				

Sylvia Kinsey Secretary

Senator Himsl Chairman

Motion:	Λ Λ Λ	
	N 142	

_Bill No. 783 Time / 000

FINANCE AND CLAIMS

Date <u>4-13</u>

Bill No. 800 Time // / 08

YES NO ABSENT EXCUSED Name Senator Etchart, VC 0 Senator Dover Senator Keating ~ Senator Smith V Senator Thomas \checkmark Senator Van Valkenburg ~ Senator Stimatz 1 Senator Story \checkmark Senator Ochsner 1 Senator Haffey 1 Senator Jacobson Senator Regan Ń Senator Lane 1 Senator Aklestad 2 Senator Hammond 1 7 Senator Tveit Senator Boylan 7 Senator Himsl, Chairman

Sylvia Kinsey Secretary Senator Himsl Chairman

Motion:				
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Aaril 13. 19 93.

MR PRESIDENT:		
VII.		
We, your committee on	CE AND CLAIMS	
having had under consideration	HOUSE	Bill No
Fabrega (Smith)		
Respectfully report as follows: That the third reading bill (b.	lue copy) be amende	ouseBill No315, ed as follows:
1. Title, line 10. Strike: "PREPARATION OF)	A PLAN FOR"	
2. Title, line ll.		
Strike: "ABANDONED" Following: "RIGHTS-OF-WA		
Insert: "THAT MAN BE ABA	NDONED"	
3. Title, line 12. Strike: " <u>\$10,000</u> FROM TH Insert: "FUNDS"	E GENERAL FUND"	
proposed for abandonmen	t in the State of 3	
the feasibility of acquire for	isition by the statition of those rai	e is necessary to determine te and to allow the state lroad lines."
Renumber: subsequent sec	tions	
	(continued)	
STATE PUB. CO. Helena, Mont.		Chairman.
		· · · · · · · · · · · · · · · · · · ·

Senate Finance & Claims Committee. H.B. 815 April 13, Page 2 5. Page 1, line 17 Strike: "shall" 6. Page 1, line 18 Following: "(1)" Insert: "shall" 7. Page 1, line 18 Strike: "abandoned" 8. Page 1, line 19 Following: "state" Insert: "that may be abandoned and research the feasibility of acquisition by the state of Montana of those rights-of-way that may be abandoned" 9. Page 1, line 20 Following: "(2)" Strike: remainder of line 20 through line 1 on page 2 Insert: "shall report periodically to the legislative finance committee, created in 5-12-201, on the progress of the duties imposed upon it punsuant to subsection (1), (3) may negotiate for and acquire the railroad rights-of-way and attendant facilities identified pursuant to subsection (1) and hold all such acquired lands in trust for transportation pumposes, and (4) upon creation of an appropriate local authority, other than an agency of state government, shall transfer to such local authority all attendant facilities and all rights and responsibility to operate and maintain transportation services over the lands acquired in subsection (1)." 10. Section 3. Report to Legislature. The Department of Commerce may research the feasibility and desirability of state acquisition of abandoned railroad rights-of-way and shall submit to the 49th legislature a plan for and the estimated cost of acquisition of those identified abandoned railroad rights-of-way for which acquisition is found to be feasible and desirable. 11. Page 2, line 3 Strike: "\$10,000" Insert: \$64,682* 12. Page 2, line 5 Strike: "1" Insert: "2" Renumber subsequent sections.

And, as so amended, BE CONCURRED IN

10

FINANCE AND CLAIMS

Date <u>4-13</u>

YES Name NO ABSENT EXCUSED Senator Etchart, VC \mathcal{V} Senator Dover 1 Senator Keating V . Senator Smith V Senator Thomas V Senator Van Valkenburg 1 7 Senator Stimatz Senator Story 1 Senator Ochsner 1 2 Senator Haffey Senator Jacobson 1 7 Senator Regan Senator Lane 7 Senator Aklestad \checkmark Senator Hammond 1 7 Senator Tveit Senator Boylan 1 Senator Himsl, Chairman 11

Sylvia Kinsey Secretary

Senator Himsl Chairman

Bill No. 8/5 Time 8:07

Motion:

FINANCE AND CLAIMS

Date 413

Bill No. 8/5 Time 9:06 YES NO EXCUSED Name ABSENT Senator Etchart, VC Senator Dover V Senator Keating Ì Senator Smith Senator Thomas Senator Van Valkenburg Senator Stimatz V Senator Story 7 Senator Ochsner Senator Haffey Senator Jacobson Senator Regan 11 Senator Lane Senator Aklestad Senator Hammond Senator Tveit Senator Boylan

Sylvia Kinsey Secretary

Senator Himsl, Chairman

Senator Himsl Chairman

Motion: 9 -220

President MR.

z,

We, your committee on	Finance	and	Claims		

Asay (Senter) Jacolson

third reading bill, be amended as follows: 1. Title, line 3 Following: "ACCOUNT" Strike: remainder of line 3 through "FUNDS" on line 9 Insert: "RENEWABLE RESOURCES DEVELOPMENT ACCOUNT" 2. Page 2, line 1 Following: "30-" Strike: remainder of line 1 and line 2 in its entirety, and through "LANDS" on line 3 Insert: "renewable resources development account" And, as so amended,

MARKS

STATE PUB. CO. Helena, Mont.

. Na na na manana katalan katalan

BE CONCURRED IN

HIMSL

Sector Sector

Chairman,

HC.

MR PRESIDENT:	
We, your committee onFINANCE&.	CLAIMS
having had under consideration	
Asay (Haffey)	
Respectfully report as follows: That	HOUSE Bill No. 320, e amended as follows:
1. Page 2, line 3. Following: "department" Insert: "of administration" Following: "used"	ion of the department of commerce,"
2. Page 2, line 9. Following: "portion," Strike: "as established by 1 Insert: "as provided in [How	law"
	tion and sale of the bonds by the state and ions of Title 17, chapter 7, part 2"
XXXXX	

(continued)

XXXXXXX

· J/C.

Finance & Claims Committee House Bill 820 Page 2

April 13. 19.83

4. Page 2, line 13. Strike: "subsection" Insert: "subsections" Pollowing: "(3)" Insert: "and (4)" 5. Page 2, line 14. Following: line 13 Insert: "(4) All loans must: (a) bear an interest rate that fully retires the long range building bonds issued under the authorization provided by the 48th Legislature; (b) mature not later than such bonds; and (c) include reimbursement of administrative costs as required by subsection (5)." Renumber: subsequent subsections 5. Page 3, line 4. Following: "date" Insert: "- termination date" 7. Page 3, line 5. Following: "approval." Insert: "This act terminates on June 30, 1985, except that a loan made prior to June 30, 1985, is subject to the provisions of this act

notwithstanding the duration of such loan."

And, as so amended, BE CONCURRED IN

MATT HIMSL,

Chairman.

A.C.
Bill No. 876 Time // 27

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Date 4-13

Name		YES	NO	ABSENT	EXCUSED
Senator	Etchart, VC		~		
Senator	Dover		i/	· · · · · · · · · · · · · · · · · · ·	
Senator	Keating		1		
Senator	Smith	1			
Senator	Thomas				
Senator	Van Valkenburg		V		
Senator	Stimatz				
Senator	Story	1			
Senator	Ochsner		V		
Senator	Haffey		V		
Senator	Jacobson				
Senator	Regan		V		
Senator		1			
Senator	Aklestad		~		
Senator	Hammond				
Senator	Tveit				
Senator	Boylan	1			
Senator	Himsl, Chairman				

Sylvia Kinsey Secretary

Motion:



)	April 13,	83 19
AR. President				
We, your committee o	nFinanceand(Claims		
naving had under consider	ation		House	Bill No
Jacobsen	(Aklestad)			
			X	· · · · · · · · · · · · · · · · · · ·
			ι,	
	lows: That			Bill No
l. Page 3, li Following: li Insert: "(c) (d) A (e) M	ne 16.	system : :er treat stem capi	improvement; tment system imp	
			nstruction;"	
(4) W (r) C <u>방법 4355</u> (3) C		stem impo er and se n improve	rovements; ewer system impr	ovements;
			(continued)

Senator Himsl

		April 13,	83 19
President			
	~.		
We, your committee on	and Claims		<u>.</u>
ring had under consideration		House	
Jacobsen (Aklestad)			
			385
			Bill No. 385
espectfully report as follows: That hird reading copy, be amend			Bill No385
hird reading copy, be amend . Page 3, line 15.			Bill No385
hird reading copy, be amend . Page 3, line 15. ollowing: line 15. nsert: "(c) Three Porks Wa	ded as follow ater system :	ws: improvement;	
hird reading copy, be amend . Page 3, line 15. ollowing: line 15. nsert: "(c) Three Porks wa (d) Hanhattan waste (e) Manhattan water	ded as follow ater systom : a water treat r system cap:	vs: improvement; tment system imp	provement,
hird reading copy, be amend . Page 3, line 15. ollowing: line 15. nsert: "(c) Three Porks wa (d) Hanhattan waste	ded as follow ater systom : a water treat r system cap:	vs: improvement; tment system imp	provement,
hird reading copy, be amend . Page 3, line 15. ollowing: line 15. nsert: "(c) Three Porks wa (d) Hanhattan wasta (e) Manhattan water enumber: subsequent subsec . Page 4, line 2.	ded as follow ater systom : a water treat r system cap:	vs: improvement; tment system imp	provement,
<pre>hird reading copy, be amend . Page 3, line 15. ollowing: line 15. nsert: "(c) Three Porks wa</pre>	ded as follow ater system : a water treat r system cap: ctions. treatment con	vs: improvement; tment system imp ital improvement	provement,
hird reading copy, be amend . Page 3, line 15. ollowing: line 15. nsert: "(c) Three Porks wa (d) Manhattan wasta (e) Manhattan water enumber: subsequent subsec . Page 4, line 2. ollowing: line 1. nsert: "(l) Ennis sewage to enumber: subsequest subsec	ded as follow ater system : a water treat r system cap: ctions. treatment con	vs: improvement; tment system imp ital improvement	provement,
<pre>hird reading copy, be amend . Page 3, line 15. ollowing: line 15. nsert: "(c) Three Porks wa (d) Hanhattan wasta (e) Manhattan wasta (e) Manhattan wasta (e) Manhattan wasta (e) Manhattan wasta (e) Manhattan wasta (e) Manhattan wasta (l) Hanhattan wasta subsequent subsec . Page 4, line 1. nsert: "(l) Ennis sewage to enumber: subsequest subsec . Page 4, line 6. ollowing: line 5</pre>	ded as follow ater system : e water treat r system cap: ctions. treatment con ctions.	ws: improvement; tment system imp ital improvement nstruction;"	provement,
<pre>hird reading copy, be amend . Page 3, line 15. ollowing: line 15. nsert: "(c) Three Porks wa (d) Hanhattan wasta (e) Manhattan wasta (e) Manhattan wasta (e) Manhattan wasta (e) Manhattan wasta (e) Manhattan wasta (e) Manhattan wasta (l) Hanhattan wasta subsequent subsec . Page 4, line 1. nsert: "(l) Ennis sewage to enumber: subsequest subsec . Page 4, line 6. ollowing: line 5</pre>	ded as follow ater system : a water treat r system cap: ctions. treatment con ctions.	ws: improvement; tment system imp ital improvement nstruction; "	provement,
<pre>hird reading copy, be amend . Page 3, line 15. ollowing: line 15. nsert: "(c) Three Porks wa (d) Hanhattan waster (e) Manhattan waster enumber: subsequent subsec . Page 4, line 2. ollowing: line 1. nsert: "(l) Ennis sewage to enumber: subsequest subsec . Page 4, line 6. ollowing: line 5 nsert: "(p) Eelgrade water</pre>	ded as follow ater system : a water treat r system cap: ctions. treatment con ctions. r system import water and so ystem improve	ws: improvement; tment system imp ital improvement nstruction;" novements; rovements; ewer system impr	erovement, S; "
hird reading copy, be amend . Page 3, line 15. ollowing: line 15. nsert: "(c) Three Porks wa (d) Hanhattan waste (e) Manhattan waste (e) Manhattan water enumber: Subsequent Subsec . Page 4, line 2. ollowing: line 1. nsert: "(l) Ennis sewage to enumber: Subsequest Subsec . Page 4, line 6. ollowing: line 5 nsert: "(p) Eelgrade water (q) Whitefish sewer (r) Columbia Falls WARKEX (a) Conrad water sy	ded as follow ater system : a water treat r system cap: ctions. treatment con ctions. r system import water and so ystem improve	ws: improvement; tment system imp ital improvement nstruction;" novements; rovements; ewer system impr	orovement, s; "
hird reading copy, be amend . Page 3, line 15. ollowing: line 15. nsert: "(c) Three Porks wa (d) Hanhattan waste (e) Manhattan waste (e) Manhattan water enumber: Subsequent Subsec . Page 4, line 2. ollowing: line 1. nsert: "(l) Ennis sewage to enumber: Subsequest Subsec . Page 4, line 6. ollowing: line 5 nsert: "(p) Eelgrade water (q) Whitefish sewer (r) Columbia Falls WARKEX (a) Conrad water sy	ded as follow ater system : a water treat r system cap: ctions. treatment con ctions. r system improve water and se ystem improve ar district;	ws: improvement; tment system imp ital improvement nstruction;" novements; rovements; ewer system impr ements;	orovement, s; "

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House Bill 385 Page two

(u) Shelby sewer system improvements;
(v) Hot Springs sewer system improvements;
(w) Fower-Teton County sewer system improvements;
(x) Libby sewer system improvements;
(Y) Sigfork sewer system improvements;

4. Page 9, line 1.
Strike: 4\$11,524,231*
Insert: *\$18,981,731*

5. Page 10, line 10. Following: line 9. Insert: "(a) (1) bonds to a maximum amount of \$1,100,000 may be issued for a loan to the city of Three Forks for the purpose of financing improvements in the city's water system.

(ii) The project, which will rehabilitate existing components of the city water system and change the source of the Water supply from the Madison River drainage to the Jefferson River drainage, is needed to resolve the health hazard in the city's existing water supply caused by excessive levels of argenic.

(iii) The loan must be repaid at a 6% interest rate.
(b) (i) Bonds to a maximum amount of \$139,000 may be issued for a loan to the city of Manhattan for the purpose of financing improvements in the city's wastewater treatment system.

(ii) The project is needed because the existing city wastewater stabilization ponds provide inadequate treatment to meet future effluent limitations.

(iii) The loan must be repaid at a 5% interest rate.

(c) (i) Bonds to a maximum amount of \$170,000 may be used for a loan to the city of Manhattan for the purpose of financing capital improvements in the city's water system.

(ii) The project is needed for promotion of conservation of water by encouraging city water customers to use less water and for rehabilitation of the water system.

(iii) The loan must be repaid at a 6% interest rate." Renumber: subjections.

6. Page 13, line 3. Following: line 2. Insert: "(j) (i) Bonds to a maximum amount of \$180,000 may be issued for a loan to the city of Ennis for the purpose of financing, in part, sewage treatment construction.

Ne

April 13, 19.

Nouse Eill 885 Page three

(ii) The project is needed to build an additional sewage settling cell in the city of finit because the present sewage treatment system is inadequate to meet the demands of the city's rising population and is not in compliance with federal standards.

(iii) The loan must be repyid at a 6% interest rate." Renumber: subsequent subsections.

7. Page 14, line 19. Following: line 13. Insert: "(n) (i) Bonds to a maximum amount of \$1,235,000 may be issued for a loan to the city of Belgrade for the purpose of financing improvements in the city's water system.

(ii) The project, which will rehabilitate existing components of the city water system, construct an additional well to supply the water system, and install residence meters, is needed to meet the demands of the city's growing population and to conserve the available water for future use.

(iii) The loan must be repaid at a 6% interest rate.

(c) (i) Sonds to a maximum amount of \$1,500,000 may be issued for a loan to the Whitefish county water and sewer district for the purpose of engineering design and construction of sewage main collectors and interceptors in the Whitefish Basin, the design to follow feasibility studies which are part of a water guality management plan in progress. Design and construction may start by July 1, 1984.

(ii) The loan must be repaid at a 6% interest rate.

(p) (i) Bonds to a maximum amount of \$200,000 may be issued for a loan to the City of Columbia Falls for the purpose of partially financing improvements to city water and sever lines.

(ii) The project is needed to replace existing water and sever lines with new larger lines and because of the reconstruction of highway 2 in the area where the lines are located.

(ili) The loan must be repaid at a 5% interest rate.

(4) (i) Bonds to a maximum amount of \$500,000 may be issued for a loan to the city of Conrad for the purpose of financing improvements in the city's water system.

(ii) The project, which will replace a transmission line from the existing treatment plant to the distribution system, is needed because the existing steel gipe transmission has numerous breaks and has deteriorated to the extent that it cannot provide a reliable supply of water to the city.

STATE PUB. CO. Helena, Mont.

April 13, 19 33

House Bill 885 Page four

(iii) The loan must be repaid at a 63 interest rate.

(r) (i) Bonds to a maximum amount of \$750,000 may be issued for a loan to the Sage Creek water district, if that district is formed prior to the sale of bonds pursuant to this (act), for the purpose of financing construction of a rural water supply system for northern Liberty and Hill counties.

(ii) The project is needed because residents of the area now must naul domestic water because of the scarcity and poor quality of ground water, and it is probable that they will have to haul stock water in the future.

(iii) The loan must be repaid at a 5% interest rate.

(3) (i) Bonds to a maximum amount of \$592,000 may be issued for a loan to the city of Shelby for the purpose of partially financing ranabilitation of the city's sever system.

(ii) The project is needed to replace pipes that have deteriorated because of age and that are inadequate in size to serve the population of Snelby.

(111) The Loan must be repaid at a 6% interest rate.

(t) (i) Bonds to a maximum amount of \$182,000 may be issued for a loan to the town of Not Springs for the purpose of sever system improvements.

(ii) The loan must be repaid at a 6% interest rate.

(u) (i) Londs to a maximum amount of \$200,000 may be issued for a loan to the Power-Teton water and sever district for the purpose of partially financing improvements to the town of Power's sever system.

(ii) The project is needed to install a collection and treatment facility to address the present health hazard and pollution problem.

(iii) The loan must be repaid at a 23 interest rate.

(v) (i) Bonds to a maximum amount of 9590,500 may be issued for a loan to the city of Libby for the purpose of partially financing construction of a secondary sewage treatment plant for the city.

(ii) The project is needed because the city's present sewage treatment system is not in compliance with public health standards.

(iii) The loan must be repaid at a 5% interest rate.

(7) (i) Sonds to a maximum amount of \$250,000 may be issued for 1 loan to the city of Sigfork for the purpose of partially financing renabilitation of the city's sewage treatment plant.

(continued) Chairman.

83

House Bill 385 Paga Etve

(ii) The project is needed because the existing treatment plan is inadequate to meet the needs of the city and, as a result, poor quality effluent is being discharged by the system.

(iii) The loan must be repaid at a 6% interest rate."

3. Page 15, line 23. Following: "met." on line 22 Insert: "Prior to the issuance of the bonds, the department of natural resources and conservation shall review the projects to determine their technical and financial feasibility and report to the board of examiners."

And, as so amended, BE CONCURRED IN

April 13, 33

MR. President We, your committee on Finance and Claims House Bill No. 397

Neuman (OCHSNER)

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third reading (blue copy), be amended as follows: 1. Page 4, line 3. *125,000* Strike: Insert: "100,000" Page 4, line 5. 2. Strika: "125,000" Insert: "100,000" Page 4, line 7. 3. Strike: *125,000* Insert: *100,000* 4. Page 4, line 3. Strike: "125,000" Insert: "100,000" (cont.) DOMPASA

STATE PUB. CO. Helena, Mont. Senator Himsl

Chairman.

Ne

HB 897 Page Two

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5. Page 4, line 14. Strike: "125,000" Insert: "100,000" 6. Page 4, line 17.
Strike: "125,000"
Insert: "100,000" 7. Page 4, line 22. Strike: "125,000" Insert: "100,000" 8. Page 4, line 24. Strike: "125,000" Insert: "100,000" 9. Page 4, line 25. Strike: "125,000" Insert: *100,000* 10. Page 5, line 1. Strike: "125,000" *100,000* Insert: 11. Page 5, line 5. Strike: "125,000" Insert: "100,000" 12. Page 6, line 1. Following: Page 5, line 25. Insert: "DNRC; Completion Yellowstone Offstream Hydropower Study G \$100.000" 13. Page 6, line 5. Strike: "125,000" Insert: "100,000" 14. Page 6, line 7. Strike: "125,000" Insert: "100,000" 15. Page 9, line 18. Strike: *125,000* Insert: "100,000" 16. Page 9, line 20. Strike: "125,000" Insert: "100,000" 17. Page 10, line 1. Strike: "125,000" Insert: *100,000* (cont.) Chairman. STATE PUB. CO. Helena, Mont.

BB 897 Page Three

18. Page 10, line 3. Strike: *125,000* Insert: "100,000" 19. Page 10, line 7. Strike: "125,000" Insert: "100,000" 20. Page 10, line 8. Strike: "125,000" Insert: "100,000" 21. Page 10, line 12. Strike: "125,000" Insert: "100,000" 22. Page 11, line 5. Strike: "125,000" Insert: "100,000" 23. Page 11, line 6. Strike: "125,000" Insert: "100,000" 24. Page 11, line 11. Strike: "125,000" Insert: "100,000" 25. Page 11, line 15. Strike: *125,000* Insert: "100,000" 26. Page 11, line 22. Strike: "125,000" "100,000" Insert: 27. Page 12, line 3. Strike: "125,000" Insert: "100,000"

28. Page 12, line 17. Strike: "157,000" Insert: "100,000"

And, as so amended, BE CONCURRED IN

Chairman.

40

SENATE COMMITTEE FINANCE AND CLAIMS

Time / 2 : 30

Bill No. 897

Date 4-13

YES EXCUSED Name NO ABSENT Senator Etchart, VC \checkmark Senator Dover V Senator Keating V Senator Smith 1 Senator Thomas 1 Senator Van Valkenburg Senator Stimatz V Senator Story Senator Ochsner Senator Haffey \mathcal{V} Senator Jacobson ν Senator Regan V Senator Lane ~ Senator Aklestad 0 Senator Hammond 1 V Senator Tveit $\overline{\nu}$ Senator Boylan Senator Himsl, Chairman V Senator Himsl Sylvia Kinsey Chairman Secretary

ever of I tak Motion: Jen 9

FINANCE AND CLAIMS

Date <u>4-13</u>

Name		YES	NO	ABSENT	EXCUSED
Senator	Etchart, VC		V		
Senator		i/			
Senator	Keating				
Senator	Smith		V		
Senator	Thomas		V		
Senator	Van Valkenburg				
Senator	Stimatz				
Senator	Story		V		
Senator	Ochsner				
Senator	Haffey				
Senator	Jacobson	V			
Senator	Regan	1			
Senator	Lane				
Senator	Aklestad		V		
Senator	Hammond	~			
Senator	Tveit		\mathcal{V}		
Senator	Boylan				
Senator	Himsl, Chairman				

Sylvia Kinsey Secretary

Motion:

Senator Himsl Chairman

c1. - (ت)

_____Bill No.897 Time 12:44

MR. President

We, your committee on	and Claims		
,,			
having had under consideration	House	Bill No	898
having had under consideration		D	

Bardanouve (JACOBSON)

Respectfully report as follows: That	House	. Bill No	898
third reading copy, be amended as follows			
<pre>1. Title: line 12. Following: "CHILDREN;" Insert: "TO TRANSFER THE FISCAL 1983 APP CHRONIC REMAL DISEASE PROGRAM FROM T SOCIAL AND REHABILITATION SERVICES T HEALTH AND ENVIRONMENTAL SCIENCES; T UNEXPENDED FUNDS FOR THE REMAL PROGR TURES IN FISCAL 1984; TO PROVIDE SPE ELIGIBILITY DETERMINATION PROGRAM;"</pre>	HE DEPARTMENT OF O THE DEPARTMENT O O REAPPROPRIATE AM FOR EXPENDI-)F	
<pre>2. Page 2, line 13. Following: "46.9.310." Insert: "The unexpended portion of \$125, for fiscal 1983 in House Bill 2 of S 47th Legislature, to the Department Services for the Chronic Renal Disea to the Department of Health and Envi WYYYY</pre>	pecial Session 1 c of Social and Reha se Program is tran	of the abilitansferre a. The	ation ad

..... Chairman.

HB 398 Page Two

> unexpended balance of the transferred amount remaining on June 30, 1983 is reappropriated to the Department of Health and Environmental Sciences for the fiscal year ending June 30, 1984

3. Page 2, line 20. Followingg line 19.

Insert: "Section 4. Appropriation. There is appropriated \$295,020 from the federal special revenue fund to the department of social and rehabilitation services for the fiscal year ending June 30, 1983, for the purpose of paying costs resulting from settlement of a law suit involving eligibility determination personnel."

Renumber: subsequent section.

And, 25 30 amended, BE COMCURRED IN

April	13.	83
		 19

President

÷ .

MR.

We, your committee on	Finance and Claims	

House Bill No. 901 having had under consideration

DONALDSON (HIMSL)

BE CONCURRED IN

-

Chairman.

April 13 19.33

President MR. Finance and Claims We, your committee on Bardanouve (Himsl)

third reading bill (blue copy) be amended as follows: 1. Page 9, line 15. Following: "funds" Insert: "(1)" 2. Page 9, line 19. Following: line 18 Insert: "(2) Unexpended agency appropriation balances in the first year of the biennium may be transferred to the second year of the biennium to offset the costs of pay increases."

3. Page 15, line 6. Strike: "\$12,720,000" Insert: "\$6,200,000"

MAAAAA

And, as so amended, BE CONCURRED IN

Senator Himsl

Chairman.

Щ.C.

FINANCE AND CLAIMS

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Date <u>9-13</u>

Bill No. 90 Time / 08

Name YES NO ABSENT EXCUSED / Senator Etchart, VC Senator Dover V Senator Keating 1 Senator Smith 1 Senator Thomas 1 Senator Van Valkenburg V Senator Stimatz 1 Senator Story 1 Senator Ochsner V Senator Haffey 1/ Senator Jacobson V Senator Regan 1 Senator Lane 11 Senator Aklestad \checkmark Senator Hammond V Senator Tveit V Senator Boylan 11 Senator Himsl, Chairman V

Sylvia Kinsey Secretary

Motion:	<u> </u>	
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Vord

	April 13,	
MR. President		·**##\$7.**
We, your committee on Finance and Claim	5	
having had under consideration	House	Bill No
Peck (Smith)		and the second s

Respectfully report as follows: That	Bill No	919
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third reading (blue copy) be amended as follows:

1. Page 2, line 1. Strike: *\$24,737,000" Insert: "\$11,500,000"

And, as so amended

BE CONCURRED IN

40· Chairman.

FINANCE AND CLAIMS

Date 4-13

_Bill No. 9/9 Time / 219____

YES NO ABSENT EXCUSED Name $\sqrt{}$ Senator Etchart, VC Senator Dover V Senator Keating 1 $\overline{\mathcal{V}}$ Senator Smith Senator Thomas \checkmark Senator Van Valkenburg 1 Senator Stimatz V Senator Story 1 Senator Ochsner V Senator Haffey V Senator Jacobson V Senator Regan Senator Lane V Senator Aklestad \checkmark Senator Hammond $\overline{\nu}$ Senator Tveit ~ Senator Boylan Senator Himsl, Chairman

Sylvia Kinsey Secretary



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FINANCE AND CLAIMS

Date 1-13

_____Bill No. 212 Time /12/4

YES NO ABSENT EXCUSED Name \checkmark Senator Etchart, VC Senator Dover \overline{V} Senator Keating 7 Senator Smith 1/ Senator Thomas 1 Senator Van Valkenburg 1 Senator Stimatz 1 Senator Story 1 V Senator Ochsner Senator Haffey V Senator Jacobson V Senator Regan V Senator Lane 1 Senator Aklestad Senator Hammond V Senator Tveit \mathcal{V} Senator Boylan \checkmark Senator Himsl, Chairman ise .

Sylvia Kinsey Secretary



