

MINUTES OF THE MEETING
FINANCE AND CLAIMS COMMITTEE
MONTANA STATE SENATE

APRIL 19, 1985

The 23rd meeting of the Senate Finance and Claims Committee met on the above date in Room 108 of the State Capitol. Chairman Regan called the meeting to order at 7:00 a.m. Following Roll Call the meeting began.

ROLL CALL: All members were present.

Senator Regan said it had been brought to her attention that HB 909 needed a Statement of Intent.

HOUSE BILL 909, STATEMENT OF INTENT: Motion by Senator Jacobson that we adopt the Statement of Intent. Voted, passed unanimous.

DISPOSITION OF HOUSE BILL 935:

Senator Regan: This is from general fund to SRS, Representative Waldron's bill. It had an accompanying bill that was going to fund this but there were additional monies added to another bill to take care of the funding. It was the bill we passed yesterday. There are some proposed amendments that I have passed around.

MOTION by Senator Gage that HB 935 be amended according to the proposed amendment sheet.

Senator Aklestad: This is a new program?

Senator Regan: The monies have been provided for in another senate bill. It is an increased tax on wine and beer to fund the program. The bill was voted on yesterday during second reading.

Senator Keating: The amount and the part of the section that is left in the bill refers to residential alcohol abuse programs.. Is this to try to get real specific or are we talking about programs in the free standing programs around the state?

Senator Regan: As I read it, it says residential and would not need residential treatment-----they would still get it.

Senator Tom Keating: The others had a 30 day live-in program.

Senator Jacobson: There are three programs for this in the state. The never had state funds to handle it. One is in Shodair. It was a bill that went through Public Health dealing with the indigent youth treatment.

Senator Bengston: I am curious as to why SRS instead of ADYS program.

QUESTION was called on the Amendment to HB 935. Voted and passed, Senator Boylan voting no.

MOTION by Senator Keating that we amend as follows: Page 1, line 17, strike: "Social and Rehabilitative Services" and insert "institutions". This is not moving anything from one place to another. The Department of Institutions has always handled all the alcohol treatment programs, through the training unit. Specified places for treatment, qualifications for counseling, and no unit in SRS for handling this at this time. It does not seem time to have them get into this realm of treatment.

Senator Christiaens: I would oppose this amendment. We are talking about individual youth. Most of the problems come through SRS. If necessary with confinement of youth they would be handled through SRS. If we adopt this we would be mixing two different programs. It is confusing enough without mixing the programs. Some say not involved in the alcohol treatments as they are now, but I think they do.

Senator Jacobson: I oppose it too. I know often times when a child is going through treatment for alcoholism, alcoholism is the only one of the problems, and SRS has all those programs in place. They have never had anything set up to get them into residential programs. They have been handling the out-patient programs along with the other. They will be getting some services in each place.

Senator Stimatz: Whether to pass the amendment----or not the same problem. Three agencies that handle youths, Institutions, SRS, and Juvenile probation officer. Two session ago all from these three groups promised to get together and could not agree with anything. I agree to put it in Institutions. SRS-----not its true function. They have got the most of the money. The Department of Institutions and the probation officer will be doing 80% of the work.

Senator Keating: The tax bill we passed yesterday which gathers this revenue is paid to the Department of Institutions for the program. The amendment for the bill says it will go to the Department of Institutions. The treatment centers are already handled with the dependency programs. Alcohol is a family disease. The one we have under the Institutions is fully capable of handling youth alcoholism. Now it is county money from liquor taxes similar to the courts for the treatment of youth in the chemical programs. The program is still there and the counseling and treating programs are in the AG office, and they funnel their money through the court and counselors, teachers, etc.

Senator Smith: The thing that concerns me we continually put money for these programs and build a bureaucracy to handle the program.

Senator Regan to Rippingale: Where was the money appropriation and do you have the bill?

Judy Rippingale: The beer money is deposited to the general fund. Wine money goes to the Institutions. Whatever money is not appropriated flows out to the counties.

Senator Regan: As I envision the way this would work-----Another adult would recognize your kid as having a problem and they would call SRS. They would refer then to someone for counseling. That person would say Yes, you have a problem and send them to one of the institutions you are talking about. The question is-----how does it work? The Department of Institutions does not have counselors and personnel out there. The case work will fall on the social worker. The money would go to the Institutions, but the initial case would go through SRS.

Senator Keating: It is not like putting someone in the hospital for a broken leg. When you work with chemical dependencies it is primarily on a volunteer basis. Established training programs for teachers in the public school system to identify the problems. It is not possible to go to the state agency and say, I think we had better go to an institution and we put them in. It does not work that way. They can go the parent and say you have a problem. The parent firmly denies it. Treatment from friends, etc., and then in order to get the patient to accept it. A number of people come together and confront the problem. No way a quick treatment by cramming it down a throat. If the patient is willing and places himself under treatment, it is a family program. The Department of Institutions had been handling this. I see no reason to change it. There are a half dozen treatment centers through out the state. I have one in my pocket now that needs treatment. Has been de-toxed several times in Billings.

Senator Jacobson: I agree with everything Senator Keating says. My husband sees this all the time. We are talking about indigent youth and they often have no families. The programs we have are non-profit and private.

Curt Chisholm, deputy director of the Department of Institutions: Most of the programs are private non-profit organizations. We, at one time, handled youth at Galen. We would prefer not under the age of 18 because only 8 beds from prison prior to release and not appropriate for youth. Hill Top Recovery in Havre will set aside 5 beds but little room in the program for youth.

Senator Jacobson: Is this just handled through Institutions or SRS?

Curt Chisholm: With all due respect, Senator Keating ----- I think it would be better left in SRS. It makes them the exchequer for the youth that wind up under their treatment and not under ours.

Senator Norman: Legislative intent that they could handle this. It is the enabling bill that would give them the authority to do this.

QUESTION was called on the Amendment by Senator Keating. Senator Keating said he would withdraw the amendment. Senator Keating said he would withdraw the amendment now.

MOTION by Senator Gage that House Bill 935 as amended be concurred in.

Senator Smith: We are creating another bureaucracy.

Senator Keating: If SRS has another program, I will buy that they set up a single program to the exclusion of another center. We are getting into the problem of another one like Galen, etc. If SRS is merely going to be a funnel, I will buy that. There will be funds going through them and that is not a problem. There doesn't seem to be any legislative direction in that matter. It does not say how it will be spent.

Senator Jacobson: This piece of legislation merely funds the program. The enabling act went through Public Health and the House has it.

QUESTION was called on the motion to concur as amended. Voted, passed, Senator Boylan voting no.

Senator Regan: On HB 270, it was to remove the general fund on HB 270. We looked at the wrong copy and it was already amended.

Judy Rippingale: These are to correct copy and you have requested it. \$8,000 off the general fund and put it as being funded in the Health Insurance Fund.

DISPOSITION OF HOUSE BILL 12: Motion by Senator Christiaens to amend HB 12 with 5 amendments, attached as Senator Manning Amendments # 1 since they were introduced for Senator Manning who could not be present at this particular time.

Judy Rippingale: These were found, they were right on this one and it should be included.

Marvin Eicholtz, Department of Administration: We found another that is a statutory appropriation. It deals with use of insurance where damages and needs to be repaired. Section 2-17-105 MCA, Statutes. We have had to go over this and there is no problem in this bill. # 1,2,and 5, 2-17-105 will put in the proper places in the bill. 3 and 4 are errors that need to be corrected in the bill. The last page is testimony to the bill.

Senator Christiaens: Would this require other kinds of damage like the motor pool?

Marvin Eicholtz: Just buildings.

QUESTION was called on the amendments for House Bill 12. Voted, passed unanimous.

MOTION by Senator Keating to amend HB 12 with 5 amendments, attached on sheet as # 3, Keating Amendments, House Bill 12.

Senator Keating: The money that comes in from the Legislation flows through the Department of Institutions then there is residue that flows to the counties. The distribution is on a particular formula of 85 to 15%. Senator Keating went through the amendments briefly with the committee.

QUESTION was called on the Keating Amentment # 3 exhibit. Voted passed unanimous.

Senator Christiaens: The other day when Mona Jamison addressed us she had a packet of a number of other possible bills that may be under this bill. What happens if we pass this bill and there are 40 or more not address under this bill?

Senator Regan: If we passs this ----- Mona Jamison says 30 or 40 others and someone else says how about this one?

Judy Rippingale: They are not the ones they would have recommended in House Bill 12. Others that perhaps until this bill goes through could be included and should not be included in this. It meant the department considered them to be in the sense of the way Montana Legislature deals out money wuld be statutory.

Senator Christiaens: I think every organization will be in with bills and they will be asked to be amended into this bill.

Judy Rippingale: If you do not pass HB 12, it will be very questionable what you would have any authority over, other than certain parts of the general fund. There will be agencies that desire no scrutiny. They will be trying to be added to this list. I expect that forever more now they know there is such a thing in the law, you will have this. HB 12 is trying to bring it back into some kind of limits.

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Senator Smith: One example when we heard the bill the Department of Agriculture wanted the same for the wheat research and marketing programs in the bill. I think we should have a right to appropriate these funds.

Senator Hims1: I can't believe this is what we are doing. If it is statutory appropriated it is presumed there.

Judy Rippingale: Yes.

Senator Hims1: On # 2 ----- then it is beyond the budget process.

Judy Rippingale: Yes.

Senator Hims1: On # 3, these are not statutory --- they are biennium and only place is in the session laws. I just can't believe we want to put them in statutory funds beyond the committee. I realize they then move into a protective area that voids the reappropriation unless you change the statute.

Senator Regan: The way it is now there will be any number of funds--- a lot we are unaware of. The intent is to limit it. Otherwise they point to the language in the opinion and it seems to suggest they can go ahead and spend the funds.

Senator Hims1: Would it not be possible to have one comprehensive law that says not statutory appropriation? Bill after bill they have come in with the idea that they are statutory. I think the appropriation process demands we control the situation.

Senator Keating: The reason these are in the law in fact, is because we are dealing with unknowns. They deal with anticipated revenue. This tax or that donation and we say whatever money comes in you can spend. If you want to avoid them we would have to go to a pay-as-you-go basis. Garner the money for two years and then pay it.

Senator Hims1: If I understand Senator Keating right, it still relinquishes our control.

Senator Hammond: I still think the bill is intended to help mitigate your concerns. The only problem is the question Mona Jamison raised on the notice. My understanding, she had a stack of paper and it could just as reasonably have been a stack of amendments in the state law she thought ought to be identified.

Judy Rippingale: They were not statutory appropriations in their opinion. She would like to see you put every section of the law that is not a statutory appropriation in the bill. We did work on this afterward. They do not feel the argument is valid.

Senator Haffey: If the bill passes as amended with a couple more not identified, they will be out there and say they kill this bill and they are still not subject to the budget procedure and the legislative review. This says which ones they are.

Judy Rippingale: If you do not pass this bill you are losing a lot more control.

Senator Hammond: If I understood Mona Jamison yesterday she would have us list those that would not have statutory appropriation which opens the door wide open. # 2 -- what right do we have to take away the statutory appropriation that we have passed in this bill as we accepted it.

Judy Rippingale: If you decide you want greater control you could change the law.

Senator Regan: I was in briefly to the discussion after the attorney talked to Mona Jamison. Was there any problem with the implication we could repeal by implication?

Judy Rippingale: The lawyer says just fine.

Senator Aklestad: Do you feel, Senator Hims1, that not having the bill----then the A.G. could not be flexible? We could tie it down more or what?

Senator Hims1: I don't know what the background is what led to this. I don't think the other appropriations would go into statutes and no control on how it will go. We could control unless you change the statutes. They can amend the budget or appropriate without going through the budget appropriation process. That gives me real concern.

Senator Hammond: That is what it is now. We would be limiting them in this bill. They have never had to go through it in the past.

Senator Hims1: I have never seen it where statutory appropriation up until this year. Probably because of the A G opinion. We are burning down the barn to get rid of the rats.

Senator Aklestad: If we don't have the bill are we leaving ourselves open during the interim that the department go to the A.G. and ask if this is actually a statutory appropriation? Between them we come back instead of a list that listed those who do have statutory appropriations we will have lost all accounting of any monies.

Senator Jacobson: We did give it to them. If we don't pass the bill it will continue. If we pass it, it will limit it.

Judy Rippingale: The A G did not say these are all statutory. You have never treated it that way. We are attempting to keep them under your control.

Senator Hammond: Acutally we are repealing any inferences in any of the others.

Senator Story: There could be increased grant money for new programs and then when they fall off we would have to be stuck with general fund.

MOTION by Senator Jacobson that House Bill 12 as amended by concurred in. Voted, passed. Senators Boylan, Himsl and Gage voting no.

Senators Manning and Christiaens voting yes, by leaving their ballots with the secretary.

CONSIDERATION OF HOUSE BILL 928: Representatives Thoft and Bardanouve introduced this bill at the request of the Department of Administration. Senators Van Valkenburg, Fuller and Tveit were voting members of the committee for the hearings and executive action on the Long Range Planning bills. They were the Senate members of the committee. The House members being Bardanouve, Thoft, and Earnst.

Representative Thoft said this is our capital projects fund bill. The break down of the appropriations in the subcommittee. He gave a handout which is attached to the minutes. Walking through the bill he mentioned places that the committee might want to question. Military Affairs, page 6. We had to use flexibility. All four of the bills are tied together in some way.

Representative Bardanouve said the proposal we have before us will become part of a partial building and then we will build more another time. A lot of emergencies and no money and a lot of other things and by using some money from different bills we can save by doing it all at once.

Senator Bengston: Will you address other parts of the bill?

Senator Regan: Any interest in hearing about the Anaconda stack?

Senator Story: We got a lot of letters on it. I would like to know what purpose it would serve.

Don Hyypa, Administrator, Parks Division, Fish, Wildlife and Parks: We have addressed it in the argument filed by the county on the company. The State of Montana would not take permanent possession of the stack until they had met the agreements and conditions. If it indeed is a health problem, for example.

Senator Story: What do they think it might cost to maintain it and the visitors center, etc?

Representative Thoft: The stack will be fenced. That will relieve the need for a security person. They will view the stack from the Chamber of Commerce Building and it is about a mile from the stack. Maintenance would be no problem for a long time without any cost. They intend to maintain the lighting, etc. Four or five thousand dollars a year for lighting----I don't know. It will become the obligation of Fish and Game, if they accept the ownership.

Senator Story: Is there enough acreage so that when it does drop it goes on some state land eventually?

Representative Thoft: No discussion on acreage- It really does not matter, it is in the midst of many thousands of acres of polluted land.

Senator Stimatz: Is there an engineering projection of what its life is?

Representative Thoft: Indefinite.

Representative Bardanouve: Minority. I guess I was the lone person on the subcommittee that opposed it. It seems to me that ARCO has given Montana the shaft. They are dumping the liability on us. I got a lot of Anaconda people on the other side that think it is a big boondoggle. They come from all over and they think the biggest tourist attraction. Two years from now that will be the biggest arsnic lake in the Berley Pit!

Senator Bengston: There are other spots that do not do this. I am wondering what the justification of a state agriculture museum is? What was the testimony and the rationale?

Representative Thoft: That question is a little difficult to answer. It is the largest industry in the state. The people have led the way and contributed over \$500,000. It will be let to the Fish and Game for \$1 a year and no ongoing obligation.

Representative Bardanouve: This is a large building which is in bankruptcy and the city has a chance to acquire it for a small amount and the citizens of Fort Benton are very supportive.

Senator Van Valkenburg: On Department of Administration, said as vice chairman of that committee, I would like to take this opportunity to bring a few things to the committee that have not come up as we go along that I think the committee should know something about.

Senator Aklestad: One page 3, line 14, will someone say where and why? We list lines and money going into buildings.

Senator Van Valkenburg: Those two buildings are in Great Falls and Bozeman and is part of the statewide Long Range Building Planning to bring about the upgrading of the regional headquarters. There was one last session in '81 appropriated the money for the headquarters in Missoula and will go on in other session in '87. A real benefit to the state. A long term investment in the kinds of facilities that are very beneficial to the sportsmen.

Senator Aklestad: How old? What uses?

Jim Flynn, Directors of FW & P: When these buildings were built they were all the early quonset hut type. Primarily like a garage facility. The energy deficiencies. Not constructed primarily as office buildings when first constructed. We did investigate the option of converting. The answer was better to building than convert.

Representative Bardanouve: Two years ago these decisions were made and put into the long range plan.

Senator Aklestad: My concern, as to where they are is not my concern. In those areas mentioned there are several businesses going out of business, was it looked into price by the square foot and leasing?

Jim Flynn: We have looked into the possibility of leasing, we have historically looked into building with a one time cash outlay. We would spend a large amount of time at the 17 places going through the budget and talking to the sportsmen and talking about the revenue and fee increase and not much opposition to what was proposed.

Senator Van Valkenburg: One Page 2, the building modifications and the electric improvements, etc., around the state. We had a very serious discussion on the appropriateness of this. You will not see what it is if you just look down there. On page 3, line 5 through 7, the Department of Commerce. Stricken is a preplanning for a central center. There was a request for planning for a central center. The governor proposed that we do some planning on a building that might be authorized in '87 Legislature which would have three functions, display Montana products, promote Montana products, and provide office space for Fish and Game area. Potential source of money for bond that might be issued. The amendment to the bill to strike it out was on the floor of the House, the committee had recommended it. There was about \$100,000 available primarily from BN which we are now passing up. I am not proposing we put it in, but want to know why it is out?

Senator Keating: On page 4. Mr. Flynn could you tell me what the status of Lake Elmo State Park is? Is it going to happen or not?

Jim Flynn: With the purchase, it was to be a two phase purchase. When the purchase was $\frac{1}{2}$ in the presession and received it the authority and did enter into the agreement with the owner to maintain a 4 year option to purchase the other $\frac{1}{2}$ of the property. Since that deal was signed off on and consummated within the past 4 or 5 months. The owner has indicated that he wants his money this session and he said if not he would forsake the agreement. We feel it is a problem, etc., and could be finished off in the '87 session. He since, has indicated that he is breaking the agreement. I think now our attorneys are on the way to Butte to get a restraining order to stop it.

Senator Bengston: Forensic unit and school. How can a building like that become obsolete in this amount of time? It was just finished a few years ago. What assurance do we have that the buildings we are building now will not be obsolete in four years or so?

Representative Thoft: First, it is over \$6 million. It is a little over a \$6 million project and the money that goes in this goes in with the money carried over from last session.

Senator Benston: I would like to ask Senator Van Valkenburg to address this. Have you checked with Washington?

Senator Van Valkenburg: Probably the most significant issue we dealt with. The present building that is there is a fairly new building, structurally sound but structurally inadequate for its purpose. That is the real problem here. We had a decision back in----that was the '69 legislative session. I think one person was involved in deciding what the building should be. Under his recommendations very extensive involvement of the Mental Health Community, low input that the Department of Institutions staff of Warm Springs had in designing the building. My concern was to say that there was some legislative input on this. I think some real value in a legislative oversight committee on this ---- much like the prison. We are putting some of the sickest and most dangerous people in the state into this facility. We need the security there so one can be sure the people will be treated in some fashion. I traveled to Washington and Oregon about a month ago --- they are accredited and they are somewhat similar. They were owner buildings but the subjective differences. Environment-----they lend to treatment. That is what we are trying to do here. Trying to see that the people are not worse than they are. I think the present building can be used as a warehouse for the institutions.

Senator Smith: I have a lot of concern. 1) In the University we have to spend \$2 million to do something that we should have done. That ceiling is only 12 years old and now another one. Remember the room they carved through with spoons at the prison? If you get the contract to the state university, it is the one that just got the prison to do the prison and the university at Missoula? Some of these contractors screw up and we go right ahead and take their bid again. It seems to me we are asking for trouble.

Senator Bengston: The cottage. Are you remodeling that cottage to meet some requirements in SJR 9 or what? Long term goal or what? Just repair?

Curt Nichols: To put some privacy barriers up.

Senator Bengston: Does it fit into the long range plans? Don't want to repair buildings that are not going to be used.

Curt Chisholm: It is one that would have been used. Leave the five cottages and use them.

Representative Thoft: On page 5, Swan Lake Youth Forest Camp. The sewer treatment plant. There was an additional \$68,500. These monies came out of other bills. This happened because of the forensic unit. When we built that we switched to water and then water project went to RIT, etc., and it just flows through that way.

Senator Hammond: Federal contingency fund of \$4 million----what does it mean on line 18? Department of Military Affairs.

Representative Bardanouve: Renovate in Helena last session and the department has received some additional monies to renovate and enlarge the Armory Building and it will be the emergency building in Montana.

Senator Aklestad: Line 7, Firing Range. Where is it, etc? \$1.2 million.

Ralph DeCunzo, Director of Facilities Maintenance, Department of Military Affairs: Model ranges for tanks and for lazar fire on a screen.

Senator Regan: Johnson Hall, line 22. Did you investigate this one? Obviously you cannot hold the contractor to this. Is the contractor being disciplines in any way?

Representative Thoft: An attorney from A&E (Architect & Engineering Division) spent a lot of time going over this with the committee. The amount of money that it would cost would not seem a good investment. The subcontractor, he went broke. The bricks are faulty. The prime contractor is still in

business. I guess the time is 10 years and beyond the statute of limitations. We spent a lot of time on this issue.

Senator Aklestad: Along those lines, did the contractor build the building up to specs or a problem with the architect?

Representative Thoft: The job inspectors left the state and took the records along. I am sure there had to be full knowledge of the prime contractor. The inspectors should have got it.

Senator Aklestad: Is the architect still in business?

Phil Hauck, Director, Architect and Engineering Division, Department of Administration: Yes.

Senator Aklestad: Is the architect or the person under him----- does he check and is he on the job a lot of the time? Shouldn't there be some liability on this?

Phil Hauck: We discussed this with the legal department and they are reluctant to pursue it. The subcontractor is out of business. The statute of limitation is over. Ironically, we had more inspection on this job than on others. One out of our office and ½ on university and one other.

Senator Aklestad: When was the first knowledge there was a problem with the building.

Phil Hauck: You have to understand that this happened over a period of time. Probably came to our attention about two years ago. We then became aware of the problem. The bricks were moving but that is not too unusual.

Senator Aklestad: Was that not before the statute of limitations expired?

Phil Hauck: The building is 14 years old and the statute of limitations is 10 years.

Senator Smith: If the subcontractor has not done the job right, doesn't the prime contractor have to be responsible?

Phil Hauck: I think the Senator is probably right.

Senator Smith: Did you look into this agreement----is the same contractor doing any other state jobs? Was this general fund?

Phil Hauck: The same contract relationship would be in as it was there. On page 7, line 6, other than general fund. Does it indicate general funds somewhere in this?

Representative Thoft: Essentially, this is a hunting license--- those fees. They want the opportunity to try to raise the funds and plan and consider construction of these facilities.

Senator Gage: No general funds?

Representative Thoft:No.

Senator Bengston: I have not been satisfied with a museum of irrigated land. We have a historical museum. There are other state museums that address other sectors of our economy.

Representative Thoft: The buildings are there to house this.

Senator Bengston: I am thinking of the museums we have supported through the coal tax money. Jordon, etc. A lot of detail with agriculture. I wonder about the propriety of this.

Senator Tveit: Why against the stack for some reason? They are going to give us the stack and no land. The contamination problem in regard to the stack, etc. Altogether too many loose ends. I also voted against the stack.

Senator Fuller: I think it might be helpful to the committee if Mr. Flynn could tell you a little of this-----it is a wildlife habitat acquisition.

Jim Flynn: This would be a Fish, Wildlife, and Parks acquisition. Money we got to look at for purchasing a key wildlife habitat area during the biennium. A combination of dollars and other dollars. We had one and are in the process of doing another one, on the Rocky Mountain Front. If we get this we are looking at one in the Red Lodge area and one in the Gardner area. Winter range for the elk herds in the state. The fishing acquisition money is \$1 put aside from every license sold in the state. 50% goes to the maintenance and 50% for acquisition.

Senator Stimatz: Representative Keenan of Anaconda would like to say a few words, I think.

Representative Keenan: It seems odd to me that you are concerned about contamination of the stack. It is so contaminated that what is running into the creek, etc is far more serious and will have to be addressed at some time. McDunna has told us the bricks are very clean. If anything in the stack it will not be blown. In HB 947 you will be dealing with a serious aspect..

Senator Jacobson: We have several comments on how the people in Anaconda feel. Would you have a brief comment?

Representative Keenan: Probably two people that have worked very hard at getting you a lot of letters. You talk to the Chamber of Commerce or the other organizations there. The majority of the people say if we can get some people to come and look

it would help. They came and took the land and left us a lot of garbage.

Senator Himsl: Heard their projects in Butte and Anaconda where they were checking houses. I think with geiger counters, etc. Isn't there some scientific information available, etc., from that?

Representative Keenan: There is probably data. When it was operating----nothing there but what is on the ground now.

Senator Himsl: We don't know what you have there?

Representative Keenan: The whole valley is there and it is there on the ground. The stack is less dangerous. The record of testing is when it was in operation and the smoke was coming out of the stack.

Senator Boylan: I think the chairperson should ask for opponents.

Senator Regan: I am not trying to have a full blown hearing. If you have a question I would like to ask you to bring it in.

Senator Boylan: Is there any people here who are opponents of the stack?

No one raised their hands or came forward.

Representative Thoft: One page 8, the big issue on pages 8 and 9, is the request from the department for demolition and removal for the buildings. No money there. If someone will do it for salvage and prison labor in some cases and for cleaning and repair of the bricks. I think it is a good part of the bill. Hopefully, they can get rid of the eyesores.

Senator Smith: When the 909 DD study was in Boulder and we got some sort of print out. \$1½ million for demolition for these buildings. I hope it will be done in some manner where it will not cost us that much money.

Representative Bardanoue: I was surprised we had a lighthouse at Warm Springs.

Representative Thoft: Another issue in the bill I thought is important. One page 10. Department of Institutions has asked for the authority to dispose of those. The money will go back into the capital projects fund. One page 11, line 19-21, we are asked to administer a bill dealing with the Mike Mansfield Center dealing with the sites in Lake County and not just Polson.

Senator Regan: Senator Hims1, I know you had some interest in the location. Do you have any question of Representative Thoft?

Senator Hims1: I have an amendment to this.

Senator Regan: We will take amendments later in executive session.

Senator Stimatz: On line 13, page 11, we are asked to amend HB 833. In 1983, it was apparently a \$1 million appropriation -- it is a bill that does not go into the statutes. It was signed and passed by the governor. How can we amend it? How can we amend a 1983 appropriation bill?

Senator Van Valkenburg: There is probably someone that can provide a better answer --- appropriation bills don't get codified but do remain the law. It is no different than to amend the law. Here we would be amending a session law.

Senator Story: Provide \$6 million in private donations we would provide this \$1 million in support. Is there a time limit on the response or just take forever?

Senator Van Valkenburg: It was never discussed in committee.

Pam Joehler: No time limit. I think the money was intended to come from the federal government and I think the appropriation has been received.

Senator Hims1: When we get to the bill, the chairman of the committee is here.

Senator Regan: We will do it in executive action.

Representative Thoft: It is only fair to bring up the preplan centennial center bill. There will be enough money to fund the project. Page 3, line 6, #1, HB 928.

DISPOSITION OF HOUSE BILL 928: MOTION by Senator Haffey to amend page 3, line 6 to insert preplan centennial center, \$100,000 - private.

Senator Haffey: There is a page of explanation (Attached to the minutes as amendment # 1, HB 928, Haffey) The amendment proposes to reinsert on line 6 the preplan for the Centennial Center and to reinsert the \$100,000 private under the funding column and you would remove the stricken part on 25,000 and insert 100,000 private. Mr. Colbo is here if you want questions answered about this. I think it is wise to put this back in.

Senator Regan: Are there any questions on the amendment?

Senator Smith: Saving \$25,000 on this program but down the road we are obligating ourselves to \$4 million and we are already taking \$4 million to just sign the building bond obligation. The other item on the bottom of the page FW & P will make a contribution of \$100,000. If they take that one floor of the building, will they be able to rent? It will come out of the holdings and license fees.

Senator Tveit: I have some concerns --- as we struggle with the building. We are looking on one that was in Missoula. We are looking at the areas in other places. This \$4 million project at this time, I don't think we have the money to start the process for another building in Helena.

Representative Thoft: The funding. As I understand it, \$1.9 million private is a one time contribution. Then come up with Long Range Building next time of \$½ million the next session. Bonds for \$2.4 million and that would be supported by the \$158,514 Capital Land Grant and the FW & P \$100,000 in 1995 or so and showing a deficit and etc.

QUESTION was called on the Haffey Amendment # 1, voted, failed, roll call vote.

Senator Smith: Since this is Finance and Claims, do you have a rule that these people can vote?

Senator Regan: Yes, it is in the rules that on these bills the LRP committee can participate and vote.

MOTION by Senator Jacobson on page 3, line 2 to insert \$168,877 (other appropriated funds).

Senator Jacobson: This is an amendment for Senator Thoft. It was left out inadvertently.

Representative Thoft: It is federal funds.

QUESTION was called on the Jacobson amendment # 2, HB 928, Voted and passed.

Senator Bengston: The agriculture museum at Fort Benton. I feel uncomfortable in starting another museum. These grants will get them from the state fund. They have made application for grants to support the museum. In a state with so many museums we do not need another museum to support agriculture. There is a mining museum in Butte, it is not state---it is private.

MOTION by Senator Bengston to amend page 7, following line 22. Strike lines 23 and 24 in their entirety.

Senator Keating: Page 8, line 2. Private money dangling, why? Where does this leave it?

Representative Thoft: That is the money that would go to match the cultural and aesthetic bill.

Senator Bengston: I would have to delete it.

Senator Tveit: I would resist the amendment. They came in to us with the proposal. It is not an irrigated museum. It is unique since Fort Benton was the original start of agriculture in the state. The problem that I had there is willingness to commit to the project. When they were here in the subcommittee and we felt the project for a museum there in the central part of the state and thought it worthwhile. We felt it was a good project. A lot of history there. The beginning of Montana was really there for agriculture.

Senator Keating: Will the F W & P handle this?

Senator Regan: There is further information on page 11, section 11, which deals with the way in which the state appropriates money for it. It reads: "Property acquisition for agricultural museum at Fort Benton -- lease to city of Fort Benton. (1) The appropriation in section 7 for real property acquisition for an agricultural museum at Fort Benton is for the purchase of real property located in or near the city of Fort Benton to be developed as the Montana Agricultural Center and Museum of the Northern Great Plains. The state purchases this and leases it back to the city for \$1 a year. They would lease it for as long as the city provides the maintenance, etc., without cost to the state of Montana." It would seem to me that the original purchase is the only state commitment to the project. If a roof leaks and needs to be repaired, who pays for it?

Senator Van Valkenburg: The owner pays unless some specific requirements that the lessee will pay for it. I don't know if we have ever seen a lease. It was a way to get around that it was a purchase for private purposes.

Jim Flynn: In our discussion it was indicated that we would stipulate in the lease that those kind of repairs would be taken care of by the city of Fort Benton and the state would not be involved with repairing the roofs, etc.

Senator Regan: If the city is unwilling to sign according to the terms of the bill then what happens? Are you going to go ahead with the project anyway or limit what you would do?

Jim Flynn: It says shall purchase and shall lease. It would be a legislative mandate that we do it. We don't anticipate any problems.

Senator Regan: I agree.

Senator Hammond: I would resist the amendment. The town of Fort Benton has done a great deal with this for many years. I think there is a reason for having that museum there. I think it is real appropriate, because the agriculture in the state of Montana has its beginnings in a building under bankruptcy. That is significant.

Senator Keating: Are we buying more land or a building or what?

Jim Flynn: It is my understanding that it is a substantial building and the property it resides on. It can be purchased and turned over and they would turn it over into a museum.

Senator Keating: A building and land so the potential for resale is there----you are not suffering a loss for the resale----that would be good.

Jim Flynn: The potential is there. It was a farm implement manufacturing building and the potential should be there.

Senator Keating: That is the total cost? Answer: Yes.

Senator Smith: In regard to the additional cost to the state it looks like on page 11, line 8 that once purchased, the operation and maintenance must be without cost.

QUESTION was called on Senator Bengston's Amendment # 3. Voted, failed, with Senators Bengston, Himsl and Boylan voting yes.

MOTION by Senator Fuller, Amendment # 4. Amend page 7, line 22 to insert following line 22, "Kleffner Ranch Acquisition Down Payment, \$100,000 Coal Tax Park Acquisition."

Senator Fuller: This would put in \$100,000 down payment on the potential purchase of the Kleffner Ranch. We tied in LRB on this. We lost it in the Appropriations committee. We have a statewide committee fund. We have set up a statewide committee to raise money. This is just to get us in the ball game to give us the option. We started a year ago. Some of the members of the committee have seen this. We have support from the Chamber of Commerce. The trust fund. We have a grant in to the BN and

feel relatively confident in that.

We feel 175,000 people go to the museum. We are talking about a cultural museum. We hope we can tie it into our center here. We are talking about a project that was built in the 1860's as a land mark in the west by a very wealthy landowner that discovered mining outside of Helena. It then went to the first state Senator from Montana. You have a three story 23,000 square foot barn. It was built by 40 stone masons imported from Italy. The home is octagonal and has a dance floor. The problem----the press called and said, you have any any EPA problem out there? We will know the result of that. We can write that in. I think it is just a smoke screen. The money comes from the coal tax park acquisition fund. We have caused a problem with the park system and there are too many parks and not enough money to take care of it. We need the \$2.5 million in the park acquisition for existing projects. I think we can phase into that issue.

Senator Keating: Is this the only money you want for this project? This will become a state park acquisition and you will end up spending a lot of money for upkeep, etc.

Senator Fuller: This is to tie it down.

Senator Keating: If it goes through do you come back to the legislature to ask for \$1 million to get it and then more to pay and more to repair etc? I heard that there may be a problem that this is in the middle of a stream bed and there are buildings that are private property, etc. If we buy it and put it into the state it becomes non-taxable to the county.

Senator Fuller: The city of Helena, East Helena on the hand-out given by Representative Thoft, page 3 headed "Long Range Planning Subcommittee" Coal Tax Park Acquisition Trust Interest Earnings, the balance at the bottom of the page is \$9,583 in the hole. The ending balance of 1985 with estimated revenue from the projects, under all divisions, etc. We are looking at a \$9,000 deficit. Is this from the '87 biennium?

Senator Fuller: Yes. When we discussed HB 500 those were the proposals. There was an amendment to move this over from Fish and Game to the Acquisition budget.

Senator Keating: That money you propose to move is Fish and Game License fees?

Senator Fuller: No, from coal tax maintenance from existing ones. We would take \$100,000 and flip it back into the parks.

Senator Tveit: When Jim Flynn came in he said low on acquisition and the money should be put into maintenance and building up the ones we had. We felt with the money crunch the committee did not feel we could move that way at this time.

Jim Flynn: (In response to a question from Senator Regan if he would like to make a comment.) If I have been alluded to throughout the discussion, the Department did come in with a proposal to the session which was on three fronts. One in space, one in capital and one in law change which was primarily to take the state park system and get it up to standards that the public deserves and expects. There are park programs which have been very heavy to the acquisition side. We have a good park system and a result, but the feeling of the committee was it was time to get up to condition the ones that we have. In attempting this we have not tried to oppose any projects, but I had spoke in opposition to the taking over of this ranch. 1). We are as Senator Fuller indicated, taking \$100,000 out of operation and putting it into acquisition. 2). We are cutting back on building up the existing parks and handling our maintenance, and 3). It is ongoing. I can't tell you what it could be at this time. Bannack and etc., were maintenance. Came to about \$100,000 this session, and on down the line. I am not speaking to the quality of the project. We are not operating or maintaining that no development at Spring Meadow project which the 1981 Legislature purchased. We are acquiring more sites in the state. I would like to get Sping Meadow finished.

Senator Regan: In fairness to Senator Fuller, I will ask if Mr. Kleffner is here.

Paul Kleffner: I think you have heard the presentation. My heart is in the project. After spending 42 years of your lives on the ranch, we feel if the state will not accept it we are going to have to go to a private sale. I thank you for you attention and for listening to the project.

Senator Christiaens: With what we are being asked to do here. \$100,000 for an acquisition down payment. While a committment has been made, most of the time you will not get the grant. If you were to get this particular down payment, do you feel that through grants and down payments you may be able to raise the rest?

Senator Fuller: We would set up a trust fund to deal with the maintenance. I would not preculde any other projects to raise the money and tie it to the central project. \$3500 planning grant on just what he has seen so far. We would make every effort to raise this money.

Senator Boylan: I think sure, we are in a real crunch. I think we would really be remiss not to take advantage of this now. They are getting older and if it goes to an estate we will lose it.

QUESTION was called on the Fuller amendment, voted, failed. Roll call vote.

MOTION by Senator Hims1 to amend HB 928 on page 11, lines 19 and 21 by striking "Lake County" and on line 19 to insert "in proximity and with access to or on the shore of Flatehead Lake."

Senator Hims1: I do have an interest in this as one of the sponsors. A couple of years ago in having the state put up \$1 million to be matched with \$6 million for a Mansfield Center. At that time it was to be in Polson. A committee has been set up and they indicated the language "at Polson" is somewhat restrictive. They have had legal experts and would like to include the proximity. I would suggest that they have the latitude to go further. I have a copy to the minutes of the board of directors. (referring to page 6, in the marked area.) They passed a motion that the site search area be expanded. That is the purpose of this amendment. We are really concerned that it be the best site that they could exercise. I have checked with the chairman and ones on the board. This is in response to the request for the minutes. I have also talked with the chief justice who was the first sponsor of the bill. We recognize the practicality of this. It is my concern if we do not give the board the latitude, I think we should show some cooperation to make certain that we get this on Flathead Lake area. If we should run into real difficulty there is a possibility that this might not develop in the way we want. I would like Mr. Hodge to comment on this.

Mr. Hodge: At Polson, it is too constrictive for the type of operation, we would like to do. At the board meeting on February 8, the board did move a resolution to put the site-----or to consider it on or near Flathead Lake. We had discussed with Representative Bardanouve and Chief Justice Turnage. That was the genesis of the language. The most important now for us is to be able to expand this.

Senator Christiaens: I would draw your attention to page 5, second paragraph, an opinion of Mr. Sievers. The site selection. I wonder if Senator Hims1 would like to comment on this. Is that your intention, Senator Hims1? Would it be southern Flathead Lake?

Senator Hims1: Not necessarily. We don't care on what shore, but if you read the rest of the minutes, like on the top of page 6. The envision something like the Aspen, Colorado site. We don't want to restrict it so much that we may lose the thing.

Senator Smith: Is there a reason it should be here?

Senator Keating: I was called by a member of the Committee and they thought a place on the west side of the lake not too far out of Polson. He would like to negotiate for this and the owners of the property had been there a long long time and had finally offered their land which would be available for option on this site. It is in the Polson area. Have you heard to what extent those negotiations have come to and how serious the site is?

Mr. Hodge: We have 20 or 30 potential sites that have filed application. This is one of the 20 or so.

Senator Lybeck, Senate District 4, Kalispell, said he would like to speak in support of Senator Himsl's amendment. I checked with Senator Himsl if, in expanding this, there may be possible other sites. There are 19 possibilities around the lake.

Representative Bardanoue: Senator Turnage has written this language and the committee thought the language was too mellow and I had negotiated with Justice Turnage and some very firm feeling it should be in the general area. If we enlarge the language to Lake County he will be satisfied. He said I don't want it in Missoula or in Kalispell, if that means anything. It might produce a controversy if you enlarge it too much.

Representative Bradewie, House District 59, said Lake County goes within $3\frac{1}{2}$ miles of Big Fork. The state park is on the west shore.

Senator Haffey: What you are saying----it included most of the lake. Almost all of the lake side is within $3\frac{1}{2}$ miles of Big Fork on the other side. Lakeside is how far from Kalispell.

Representative Bradewie: About 20 miles south of Kalispell.

Senator Haffey: Big Fork is about 17 miles from Kalispell.

Senator Himsl turned in a map, a copy of the minutes of the board meeting, and a sheet listing state land by Flathead Lake. These are attached to the minutes as exhibits on this amendment.

QUESTION was called, voted, passed, Senators Haffey, Regan and Smith voting no.

MOTION # 6, Senator Van Valkenburg, on page 8, \$98,009 for a classroom renovation at UM.

Senator Van Valkenburg: This is a proposal to put in page 8 a sort of contingency of \$98,000 for a classroom renovation at U of M. This particular project involved renovation of the Journalism Building. The particular benefit is that building just got a very

modern elevator in it. The third floor will be used for hand-icapped accessibility. The LRB talked about this project in the course of our work. The members feel it is a worthwhile project. It is not taking money from somewhere else. Serving on this sub-committee has set, I think, a position of trust in the Legislature in giving us the responsibility there. Representative Ernst made the proposal to put this in. It is too specific to my area so I did not mention it in subcommittee.

Senator Smith: If this is put in and if the money not available, this falls out?

Senator Van Valkenburg: Right. If not enough money you just don't do it. On page 8, line 3 through 5. This language gives the direction.

QUESTION was called, voted, passed.

MOTION by Senator Haffey that HOUSE BILL 928 as amended be concurred in. Voted, passed. Senator Van Valkenburg to carry the bill on the floor.

CONSIDERATION OF HOUSE BILL 952: Representative Dennis Iverson, Chief Sponsor of the bill, explained it to the committee as a bill that implements the recommendations of the select committee on water marketing to further the development of a comprehensive water policy for the state of Montana. This is an appropriation bill to carry out part of what was established in HB 680. It would maximize control of Montana water and put as much aside as possible for future use. One of the better things we can do is to go through the reservation process. We drafted this with much more in it but cut it down to a manageable figure to deal with. Only the essential RIT money established the water oversight committee.

Proponents for House Bill 952:

Dennis Hemmer, Director, Department of State Lands, told some of the money sources and of the importance of reserving our water. He said he would urge the support of the committee for this bill.

Jim Flynn, Director of Department of Fish, Wildlife, and Parks, said they also support this bill.

There were no further proponents and no opponents, therefore, Senator Regan asked if there were questions from the Committee.

Senator Bengston: On page 3, Environmental Quality Council, EQC for a Legislative Water Policy Committee. Is not within the EQC a subcommittee already?

Representative Iverson: This is from the Legislature.

Senator Bengston: How many of it?

Representative Iverson: Eight

Senator Regan: Just continuing the one appointed before?

Representative Iverson: Essentially, yes. There has to be some discussion for equitable proportionment suits. Everything is changing rapidly.

Senator Lane: On page 3, line 12, section 2. What-----are they just going to make a study?

Representative Iverson: No, that is to allow the 5 nonpartisans.

DISPOSITION OF HOUSE BILL 952: MOTION by Senator Jacobson that HB 952 be concurred in.

Senator Boylan: Everytime you get into the water Montana Power comes in and says they own it all.

Representative Iverson: There will probably be a suit on Canyon Ferry.

Senator Keating: This is an expenditure. There is \$167,999 in the Upper Missouri River Basin bills, \$30,000 in state lands and somewhat more there somewhere else.

QUESTION was called on the motion to concur in House Bill 952. Voted, passed. Senator Blaylock will carry the bill since he is a co-sponsor.

CONSIDERATION OF HOUSE BILL 224: Representative Tom Asay explained the bill. He said this is the bonding authority. We had the same situation when \$13 million was available and 1.3 bonding authority.

Representative Asay walked through the bill explaining where and how the funds were used.

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

Senator Himsl: Can you tell us, is there any delinquency in those loans?

Representative Asay: None, that I know of. It is not enough to pay the money, but it was sufficient to repay the loans.

Senator Himsl: Two years ago this was to be a revolving thing. The interest to come back.

Representative Asay: Two years ago we were going to fund it with other money. Now the interest is going to pay off the bonds. It was changed. For the reason no chance to sell further. Repayment is paying off the bonds and interest.

There were no further questions and Representative Asay closed by saying he would urge the committee to continue their help with this project. It has been approved, backed by FAA and the federal government.

DISPOSITION OF HOUSE BILL 224: MOTION by Senator Bengston that House Bill 224 be concurred in. Voted, passed unanimous. Senator Hammond to carry this bill.

CONSIDERATION OF HOUSE BILL 861: Representative Francis Bardanouve explained this bill as the bill that authorizes issuance and sale of Long Range Building Program general obligation bonds. The main bonding in this bill is the Fish and Game Project and will be on the hatchery at Miles City is a warm springs hatchery for warm water fish, and this is just under \$5 million. It is actually \$4.9 million. The Washoe Park Trout Hatchery at Anaconda needs some repairs and it would be \$250,000. The Lewistown one, Big Springs Trout, needs to be upgraded and the improvements there will be \$300,000. These bonds will be paid off by revenues from the Fish and Game. He reviewed the authorization paragraph on page 4, Section 8 and referred to line 21, and said we are now making no long range general obligation bonds. If someday down the road that we should be very careful how many general obligation bonds we issue. We are safe yet, but we should have a cautious warning when offered.

PROPOSERS to House Bill 861:

Jim Flynn: Speaking on behalf of the department said, we support this bill. Our licenses over the term of the bill, will take care of this.

Senator Smith: I go in full support of this. It was fully discussed in Natural Resources subcommittee. We felt it would also benefit the people who sold the equipment. There is no general fund. The Dingle Johnson funds from fishing rods, etc., through Fish and Game.

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

Senator Gage: If we strike the \$7+ million and insert the \$5 million where does it go. Does not authorize money from bonds just the LRB. I would request to put this in. This amendment is necessary to get the requirements of the law and requires that the purpose of the bond by statute in the act.

DISPOSITION OF HOUSE BILL 861: MOTION by Senator Gage, line 21, page 4 to strike the \$7,150,000 and insert the \$5,450,000 and whatever language has to go with it.

QUESTION was called, voted, and passed.

Senator Hims1: In Senator Gage's amendment it just gave authorization to come from the account, but not to issuing.

Representative Bardanouve: This is the enabling legislation for the money that is in Representative Asay's bill. This is the authorization.

Senator Regan: This authorizes the coverages.

Senator Gage: And for the purpose of 224. That is where you have the airport.

MOTION by Senator Christiaens: (He passed out some sheets which included the proposed amendments and explanation of those amendments which he asked Glen Leavitt to explain the motion.

Glen Leavitt: He went through the exhibit sheet of explanation for the proposed amendment reading various portions. Amendment and explanation are both attached to the minutes. He said this would be less-----the cost of the bond sale will be less, reserves will be less. There was a question from revenue, this was a discussed with the Department of Administration and the bond council.

Senator Christiaens: The language on page 3 being struck and the totals corrected with the passage of the first amendment.

Pam Joehler: Right. The totals would have to be adjusted if the amendment passes.

Senator Van Valkenburg: Why no discussion in the subcommittee? Could the gentleman from the Department of Administration answer it?

Glen Leavitt, Director Fiscal Affairs, West Montana College, said it was one college.

Representative Bardanouve: I have questions when we spend weeks and months in LRB and then you take an end run around it. A bond issue for a swimming pool-----. It is potentially a municipal swimming pool for Dillon. I raise a question on this. It think it makes a real serious question about the LRB when you go through all the requests and then get the attack.

Senator Christiaens: What does this mean to the fisheries and the Fish and Game? Does it mean some of the projects will be cut back or what?

Senator Keating: I would address this to Mr. Leavitt. What authority to building the project was given two years ago and did it specify the type of bond?

Glen Leavitt: The question is whether to do it with regents bonds and this would save us about \$200,000.

Senator Keating: Would you please respond to Representative Bardanouve's comments on this?

Glen Leavitt: We are suggesting we sell general obligation bonds for the city. The city would build basically, an end on the building.

Seantor Keating: No fees to assist? They will just build right next to us or what?

Glen Leavitt: We will charge the city for using the swimming pool.

Senator Regan: What is the total cost including the city's share?

Glen Leavitt: I think about \$1.8 million if the city comes along.

Senator Van Valkenburg: I would address this to Ellen Feaver. Is this a recommendation from the DOA?

Ellen Feaver, director of the Department of Administration, said I agree. This did not get prioritized along with the rest of the program. I object to having it added on to a bond issue. It is not that it will be used up. Only so much reserve capacity for the next few years. This proposal has not gotten the approval and gone through the channels that the others have.

Senator Hims1: \$98 million general obligation per capita is \$136 million. We would have a debt that is over our average for bonding.

QUESTION was called on Amendment # 2, HB 861. Motion was voted and failed. Senator Jacobson voting yes.

Senator Keating: This would give the board of regents the ability to ask to issue bonds if they come up with the assurances of paying for them. The one I am concerned about is the engineering complex.

The problem is finding the money. We would have found it if Senator Van Valkenburg's bill had gone through the House. It is still extremely essential. The building now and was \$1,000 engineer and architect makes \$3,000 for the engineer and architect. They did go down and looked at it. In the middle of the afternoon on Sunday, students were lined up to use the facilities. This, if we can find a way to pay for the bonds is a very important project.

MOTION by Senator Keating that this amendment be made on page 1, line 10 and Sections 5, 8 and 10. Amendments attached followed by an explanation.

Senator Regan: They will just walk in and say we are going to do it.

Senator Van Valkenburg: We heard a bill in the subcommittee that Representative Moore brought in that would have done a similar thing. I complained the legislature had no say as to how the debt was to be serviced. This did come before the Legislative Finance Committee if they find it unacceptable, we will be in a position to request a special session.

Senator Smith: How would this affect our bonding? Representative Bardanouve?

Senator Regan: I will ask you to briefly state your position.

Representative Bardanouve: Early in the session I looked at the internal monies in the university system. Eastern would not have potential to, Northern would not and might be some in the University and MSU and U of M. I called the Montana Bond Council and talked to Mr. Borne. They sat down with the University system and worked for 4 or 5 weeks reviewing the potential of the University to pay off bonds of this magnitude. So, I question that we should at this time pass through this kind of amendments. No cost figures are given. If issued, they should come and prove they can generate enough money. They could not generate enough money.

Senator Van Valkenburg: I don't think Representative Bardanouve is responding to the question. I heard in the subcommittee testimony that the state finance adviser and not the Finance Committee on the interim. It is fairly clear the state can expand their general bond liability. My bill that has come through the Senate and is still in the House might provide that. There are potential sources there but we do not know yet. The ability of the state to assume that is good provided we have an adequate revenue to cover it.

Senator Story: My information was the state could probably do another \$100 million without affecting the bond rating. We searched these last 90 days for ways to do this. Federal dollars are a possibility. We are not asking for this unless we do find the way. We are asking the ability to find the ways. I am sure the governor is not going to commit to something he is not sure of. The Regents can only recommend the part that had the potential and the Department would want to be sure of it.

Senator Christiaens: If we adopt this amendment will we prioritize those projects?

Senator Story: I don't think so.

Senator Regan: Wouldn't it be better to come in in two years from now with the ability to say we have found the way?

QUESTION was called on the Story Amendment # 3 on HB 861.
Voted and failed.

MOTION by Senator Himsel to add on page 6, line 20 that if HB 224 is not passed and approved it will be reflected in the bill and the language is out. Voted and passed.

MOTION by Senator Smith that House Bill 861 as amended be concurred in. Voted and passed, unanimous of those present. Senator Smith to carry.

CONSIDERATION OF HOUSE BILL 938: Representative Thoft explained the bill as the cultural and aesthetic grants program by the Montana Arts Council. All the projects were screened by a screening committee. The work was not this difficult to the committee. We had heard the projects. We were asked to accomodate a couple of things in the bill. We made some cuts we had a question about and sent it back to the review committee to accomodate the history of school life, etc. Representative Waldron did not have the general fund and gave them to LRB for funding. There should not be any controversey over the projects. As I told Senator Bengston, the \$35,000 was matching money for the Fort Benton Museum. In my estimation there is no point in going through the projects.

Senator Regan: There was some language amended in the bill. Is there anything significant there we should know about?

Representative Thoft: A couple changes regarding revenue of projects which is good and some about challenge grants.

Dave Nelson, Montana Arts Council, explained the stricken and added language in the bill.

Senator Hammond: We had these two years ago. Was there any consideration as to whether these groups received money the last time?

Dave Nelson: Yes, that is all taken into consideration all through the project review. Each year a clean slate and each goes on his own.

Representative Thoft: There has to be a statement of intent attached to this bill.

Senator Regan: I have a statement of intent that was given to the committee.

DISPOSITION OF HOUSE BILL 938: MOTION by Senator Van Valkenburg that we adopt the statement of intent for HB 938. Voted, passed.

MOTION by Senator Van Valkenburg to amend page 8, line 23 to insert Powell County Museum and Arts Foundation, \$32,000.

Senator Van Valkenburg: This would add \$32,000 to the bill for the Powell County Museum and Arts Foundation. The subcommittee discussed it at great length. The Arts Council-----that had contained a grant for the '83 legislature. They reverted the money. Now they are asking to get no more than from the '83 session but were not able to spend. There is that much still available within that particular fund. It indicated a little over what is available.

Senator Daniels: The building involved is an old building built in 1932. It has been without heat. Natural gas is to it and the telephone wires are to it. The roof is leaking, internal downspout drains that flex and cause damage in the building. To let it go for another two years would seem to fly in the face of good maintenance. We expect the law enforcement museum which is in there would be ready to go into it but because of the present situation it is being held in suspense.

Senator Keating: Any other proposed amendments? Senator Daniels indicated Representatives Bardanouve and Thoft had indicated they had funded 59 out of 89 projects in priority on the list. Where was this? When you are dealing with the capital projects building the local community should give it a lot of support in someway. They do not levy any support for the museum. They can levy 2 mills. The state gave them the building. The committee felt that until some local support for the project the state should grant this.

Senator Van Valkenburg: How much last time?

Dave Nelson: \$39,000 was returned last time.

Senator Keating: What happened to it?

Dave Nelson: The attorney general said it could not be used without legislative authority.

Senator Keating: This money would be used for repair of the building. On the other project there seemed to be other things. Is there any other repaid in this? Is this consistent with the others?

Senator Regan: Other projects-----are they the same?

Representative Thoft: I think when the committee got involved in it-----it was a lot because in contributing in community sort of things-----this had a lot of local support. 28% of the projects were repair.

QUESTION was called on Senator Van Valkenburg's amendment, voted, passed unanimous.

MOTION by Senator Bengston that House Bill 938 as amended be concurred in.

Senator Fuller: The only one was \$35,000 that goes to the Fort Benton project. It was approved for the Kleffner Ranch. That did not go through the process. We are adding a bad precedent. I just want the record to show that I object to the process.

Senator Bengston: The bond money too. \$35,000 would have gone a long way to fund other projects throughout the state.

VOTED, passed, unanimous. Senator Fuller to carry the bill.

Senator Haffey said people have come to testify on HB 922 and he would appreciate it if we could hear the testimony before we adjourn. There are some questions in regard to Environmental Protection Agency.

CONSIDERATION OF HOUSE BILL 922: Senator Haffey said he would like to pass out some amendments and said from just looking at them it was a little complicated. There is a waste sewer treatment project and problem in Anaconda. Dr. Drynan, the Governor's staff, and the Governor have been involved in it. It started when Anaconda Company closed. They have before handled and taken care of the sewer disposal in the area. The project has stopped. What I will be proposing and Mr. Fasbender will be proposing in HB 947--- there is money left in RIT under Legacy Programs in 922. I am

Senate Finance and Claims

April 19, 1985

Page 33

going to submit the amendment for \$70,000 for there. A letter that I have will be read later when it comes up in executive action. I would ask that we can have support in HB 947 to get a loan to not exceed \$500,000 that they can borrow to proceed with the project. This amendment would go after line 13, we would insert 22. Anaconda/Deer Lodge County \$70,000 and on line 15 we would insert Sewage Facilities.

Proponents for House Bill 922:

Don Worsdel, Anadona/Deer Lodge, worked on this for 3½ years and getting into the construction phase. The last three weeks we ran into an analysis of the ground as to whether it would be filtered into the ground. Because of that the majority of the ground is not eligible. We find ourselves not able to continue the funding. EPA said if surface discharge they could match. \$450,000 initially is to ask for this money. \$4½ million. We spent \$1.2 million and have obligated \$3 million. If we stop it would be very difficult to get the project going again.

Dr. John Drynan, Director of the Department of Health: This was somewhat lengthy. This was because with construction grant money and a very inovative funding scheme what was worked out fell under a very inovative method. I think that the federal grant allows 85% grant with 15% match. We used money from the Anaconda Company. People trained, local appropriations, etc. The data that was used to evaluate was supplied by the Anaconda Company, and it was felt removal of the top soil and then would be able to percolate through the remainder. (There is arsnic in the topsoil) Some thought there were problems, etc. and EPA then did a reappraisal of the ground. EPA then said not suitable. They felt it would leach out the arsnic and increase the level in the ground water in excess of 1300. That shut the project down. As a result the project was stopped at that time. Up to that time they had finished some. We paid \$2500 a day when shut down. Now if we don't get the monies we will be looking at a horrendous payback by Anaconda/Deer Lodge. The new proposal is to construct a ~~sewer~~ aeration pond and then prepare two effluent ponds which are on Anaconda property. Anaconda has given them permission to use it to run it there for three years. After that there are two or three sources as Anaconda is doing now to the Opportunity Ponds. This is a super fund site. If we do nothing further to contaminate we are looking at millions of dollars when we do that. If we go with an aeration pond, it could be a little while. Out of 942 and 947, we would have a funding of \$547,000 or \$100,000 more that the Anaconda/Deer Lodge County and the state would be resonsible for. The community program grants and the federal. There is a \$2 million price tag just for termination of this.

Senator Regan: She stated that she would not take questions from the committee at this time. We will consider the bill later in the day.

Senator Van Valkenburg: With respect to the Powell County Museum, it is my intention that it be the low priority on that.

Senator Regan said we will stand at recess. We will try one more bill on adjournment of the Senate.

The meeting was recessed.

Meeting reconvened at 6:10 p.m.

FURTHER CONSIDERATION OF HOUSE BILL 922: Representative Hal Harper chief sponsor of the bill, said it went around the state that the legacy program is dead. Representative Brown's bill is dead, it was killed in the Senate; 277 is on the table. Looking at this bill--- $\frac{1}{2}$ % of the gross value of natural resources---this bill will maintain about \$5 million of the \$8.65 million everywhere for RIT in this proposal. I believe there are about \$9.8 million available but was reversion from last time. This bill originally had 51 projects, has been amended to 21 projects and you can see some of the projects rearranged and suffered. It was prioritized by the DNRC (Department of Natural Resources) and worked on by the subcommittee. 5% contingency fund on the bill and I think is a very good idea. I have a problem with the program and I believe the whole state may have one. This bill designed along some sort of constitutional guidelines. Only in the statutes and the problem we have now is trying to hold the money for what it is for, because the legacy programs have, in effect, died this session. I did tie down the intent in this bill. The House adopted an amendment I put on it that we will recapture the money for the original purpose. In my opinion what we have done is left it basically in the hands of the governor to see what programs and what grants will be supported. People came in in good faith with projects and all of a sudden were cut in half. Many of these projects are worthy.

Senator Regan asked if there were questions from the committee which Representative Harper could answer.

Senator Van Valkenburg: The project #9 on page 5 of the bill. I wonder if we could ask Mr. Hayden from the Governor's Office on sufficiency of funding.

Mr. Brace Hayden: The project is the Clark Fork River Basin project with all the work going on on the Clark Fork. The purpose of the project is to try to pull together all the data and come up with a way to clean up the basin. The initial grant was from the Anaconda Company. It has never been in the state to fund any portion of this with general fund money. One was a project to help the projects instream monitoring and \$2,000 for a sedentary study #30 or \$40,000. An attempt was made to try to conserve the legacy monies. If available it had been suggested to add some into this project.

Senator Van Valkenburg: There was some discussion in the House Appropriations committee and the floor of the House that that river was an industrial sewer and the department would take millions of dollars to clean it up. I wonder if Brace could answer this on the clean up.

Brace Hayden: To clean it up, we tried to prioritize what can be done. Obviously, this will identify other projects that can clean up the river. I think we will have to come back into the lower part of the river.

DISPOSITION OF HOUSE BILL 922: MOTION by Senator Haffey (Listed on exhibit as Haffey Amendment # 1, HB 922.) Amend line 14 and 15, page 9, by putting \$70,000 in for sewer facilities for Anaconda/Deer Lodge County.

Senator Haffey: I have discussed with Representative Thoft that it was coming and the senators on the LRP Committee. Dr. Drynan summarized it. Mr. Fasbender has worked on it. These people are here and can speak on it.

Senator Smith: Was there an attempt to get this in there and possibly try to reduce the other amount?

Senator Regan: As I understand the testimony the whole project is for about \$4½ million. You have already spent \$1.2 million on the project. What funds were those that were spent?

Brace Hayden: Part EPA and part local. Construction fund grant, 1-3 Local Community Development Grant Program. It was a grant from the land and EPA monies.

Senator Regan: Maximum dollars about \$30,000?

Brace Hayden: Out of the \$30,000 about-----.

Senator Regan: How much money has Anaconda in dollars for what was put into this? The people---the taxpayers-----how much invested?

Brace Hayden: On the basis of actual dollars raised by the city, tax dollars that is. None. To date it has been the bonds of the community development program grants that was spent.

Senator Boylan: Have they raised any of the sewer fees?

Brace Hayden: They have agreed to triple the sewer rates to pay for maintenance.

Senator Boylan: But in capital?

Senator Fuller: Isn't this a rate tabulation arrangement in terms of local?

Brace Hayden: It is, in the sense they get in-kind.

Senator Bengston: The local communities have to make some plus the user fees.

Senator Haffey: The inferences were to the suggestion that the Anaconda/Deer Lodge County government are honoring due to making that review which should have been available for requesting the general fund. There is a commitment and the package was together and the condition of the soils would not allow it to go further. The condition of the soil was caused it to be brought here this way.

Senator Aklestad: There was never an effort to float a bond issue or anything?

Dr. Drynan: There were dollars that Anaconda put in from revenue sharing.

Senator Aklestad: I am not interested in that. Was there a bond issue?

Brace Hayden: The community has applied and you are hearing it. The amount they would agree to raise additional revenue. That would be a 20 year payback period. \$54,000 a year annual payback. That is part of the package.

Senator Aklestad: Why not a bond issue to start with before they got into this problem?

Senator Haffey: I guess, by restating it is unfortunate we have to be here. The sources fit together by trying to get \$70,000 of what is left in this program to reduce the amount that will have to be borrowed and paid back in the next few years. Coming through Mr. Fasbender and the company, unfortunately at the end but would have been okay except for the necessary soil review.

QUESTION was called on Senator Haffey's motion. Voted, passed, 10-8 roll call vote attached.

MOTION by Senator Hammond (#2). Page 9, line 11. This would put it under the advisory committee, and therefore, under the legislature. It gives the legislature a little better control. It puts it under the auspices of the Montana-Western Canadian Provinces Boundary Advisory Committee.

Senator Van Valkenburg: Would you repeat again what it does?

Senator Hammond: He repeated his information then said this would put it under this committee this session.

Senator Van Valkenburg: I would like to ask, is this the McKenzie one?

Senator Hammond: Seeing the Legislature has endorsed legislation as well as other members, we thought to put this under the legislature. It is not the same project.

QUESTION was called on the Hammond Amendment, voted, passed.

Senator Van Valkenburg: There is another project----In HB 947, and it is on the same subject. In the irrigation district they are wanting to replace a leak, I think, a syphon. A loan---it would be subsidized, it would be on page 5, line 2 and on line 7 of page 9. Under this program \$100,000 here and only \$32,000 under the other one. Why did the advisory council recommend \$32,000?

Caralee Cheney, Water Development Bureau Chief, DNRC: It puts a cap on it. A limit of \$25,000 also for any construction project.

Senator Van Valkenburg: If this grant were reduced to \$32,000 what would be the cost of water to the water users?

Caralee Cheney: They are paying \$20 per acre at this time. \$155 for different project for a loan and it would add between \$3 and \$5 an acre by users.

Senator Van Valkenburg: If they get the grant how does it compare?

Caralee Cheney: In the last couple of years in this, we have had them take on projects to put them over \$30 an acre.

Senator Van Valkenburg: I would ask Representative Thoft if he would explain the subcommittee rationale here as to required \$100,000 instead of the \$32,000 on the Glen Lake Irrigation Project.

Representative Thoft: Only 3,000 acres. They could lose their entire supply of water. Installation of a syphon. They are paying \$20 an acre which is high. The committee granted it and I think they should stay at that in the bill.

MOTION by Senator Van Valkenburg on page 9, line 7 that \$100,000 be stricken and \$32,000 be inserted. There will be loan money for the program in 947 and get the rest in the loan. I think they should not get more than recommended by the citizen advisory committee and the department. They have been moved up from # 38 on the list to #19. I think this is a fair treatment of the Glen Lake project which is up in the northwest corner of the state.

Senator Aklestad: Were they recommended down?

Representative Thoft: They have already been down from \$155,000 to \$100,000. They have lost 1/3 of it.

Senator Aklestad: Not in our general project. Some are getting up to \$30. The normal would be probably in the \$20 range in the state. That is a pretty high figure. I guess if the project had any merit and already at \$20 this would be feasible.

Senator Van Valkenburg: Page 7 and ----these other projects got treated by going to "0". Here in the water development program there is a recommendation for the same project here and in RIT water and in Legacy. #38. The reason this is at this level of funding, did not reach the level set, but reached in the other bill.

Senator Smith: I am kind of concerned. Is this now an attempt to appropriate money for the Anaconda/Deer Lodge project? The way this has been maneuvered-----

Senator Regan: I believe the testimony of Representative Hal Harper said there is money there in a contingency fund.

Senator Van Valkenburg: I think the subcommittee and the staffer can tell us. That is where the money would come from in the bill. Even with the \$32,000.

Madelyn Quinlan, Legislative Fiscal Analyst, said I don't know just how much. There is \$171,000 in it.

Senator Keating: The dam project money we did not touch. In HB 947 the water conservation program, Glen Lake Irrigation project is someplace on the list. They are in for \$32,000 grant and \$123,000 loan. Are all those in 947 going to be covered? The top of the list gets the money or what?

Representative Thoft: It is below the funding level in 947. They did not get the money. There is some criticism in this. We went through this and picked out the projects we thought were really needed. I would ask this committee to support our committee.

Senator Himsel: Where is the Glen Lake Project?

Representative Thoft: Somewhere around Eureka.

Senator Lane: How many ranches?

Representative Thoft: About 3,000 acres.

Caralee Cheney: I can't answer that question, as to how many ranches.

Senator Aklestad: My recollection when Representative Curtis was in last time----how much last time?

Representative Bardanoue: We did this 2 years ago. \$150,000 for a syphon. A similar repair.

QUESTION was called on Senator Van Vanlkenburg's Amendment on the Glen Lake Irrigation Project. Voted, passed roll call vote.

Testimony was given to the secretary from Senator Stan Stephens on the Milk River Assessment and was added to the minutes.

MOTION by Senator Gage (#4) to amend page 14, line 16.

Senator Gage: These amendments can through the Natural Resources Committee that made a request they go in the record on the Legacy Program. It is consideration we would ask for in the future.

Senator Smith: If no more success than they had in 447 last time, we are just wasting our time and paper.

Senator Fuller: What is 15-38-203?

Senator Dorothy Eck: I would like to make a short statement. The money shall be used for programs that enhance the environment or mitigate damage caused by mining. That is the amendment Representative Harper said was left as wide open as a barn door.

Senator Fuller: Then why now the RIT amendment # 4. We are putting things that have not been previously funded ahead of those that were.

Senator Regan: Are they meant to rank in order of priority?

Dorothy Eck: It looks like any legacy program. Part of the intent was to provide a vehicle where every legislator could get in the appropriation bill pool with a number of types of projects that could be in next year's funding. It would give the Governor a bit of direction. I think it would have been much better if we had one of the bills.

Senator Keating: Under (1) projects on universities. Are we talking about impact to the environment or economic impact or what?

Senator Eck: In this bill we are always talking about environmental impacts. State lands have been interested in working with some smaller lands.

Representative Thoft: 15-38-203. I have a question under # 2.
They would receive natural resource data.

Senator Eck: A number of state data systems and not enough funding in any part of them. It has been on the agenda for about 15 years. It is the heritage part. The water marketing account for a water information data center. Ground water in Montana Tech.

Senator Himsl: Is that data duplicated and for how long?

Senator Eck: It is just for 2 years. If we come back in 2 years and some new problem to address, it can be written in for the next two years.

Senator Keating: I would amend the amendment (1) second line after "the" and before "impacts" to insert "environmental".

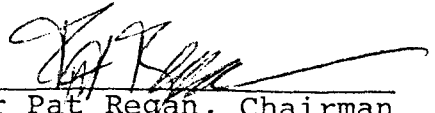
QUESTION was called on Senator Keating's Amendment to Gage's Amendment. Voted and passed.

MOTION by Senator Keating on Page 5, line 2 to strike \$100,000 and insert \$130,000. I was on the subcommittee and we heard the budget for the Clark Fork River project. It was limited to provide contributions. They need \$130,000 on that project. If we have anything left I would suggest we plug in a little more to help them.

QUESTION was called on Senator Keating's Amendment. Voted, passed, Senator Gage voting no.

MOTION by Senator Haffey that House Bill 922 as amended, be concurred in. Voted and passed. Senator Van Valkenburg to carry the bill.

The meeting was adjourned, the committee will return at 7:00 a.m. tomorrow morning.



Senator Pat Regan, Chairman

ROLL CALLSENATE FINANCE AND CLAIMSCOMMITTEE

49th LEGISLATIVE SESSION - - 185

Date

4-19-85

NAME	PRESENT	ABSENT	EXCUSED
SENATOR REGAN	✓		
SENATOR HAFLEY	✓		
SENATOR JACOBSON	✓		
SENATOR AKLESTAD	✓		
SENATOR HAMMOND	✓		
SENATOR LANE	✓		
SENATOR CHRISTIAENS	✓		
SENATOR GAGE	✓		
SENATOR HIMSL	✓		
SENATOR STIMATZ	✓		
SENATOR BOYLAN	✓		
SENATOR STORY	✓		
SENATOR SMITH	✓		
SENATOR MANNING (Dick)	✓		
SENATOR BENGTON	✓		
SENATOR KEATING	✓		
FULLER	✓		
VAN DER KAMPE	✓		
TYEIT	✓		

SENATE AND HOUSE COMMITTEE

DATE _____

SPONSOR

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

2 *Failed
With Brown*

Amend House Bill 935, third reading copy, as follows:
Senator Keating

1. Page 1, line 16.

Strike: "Social and"

Insert: "Institutions"

2. Page 1, line 17.

Strike: "Rehabilitation Services"

- Foot #3*
1. Title, page 1, line 10
Following: "PARKS"
Insert: "AND THE BOARD OF REGENTS"

2. Page 3
Following: Line 19
Insert: "There is appropriated from the capital projects fund to the Board of Regents an amount not to exceed:

Montana State University
Engineering/Physical Science Complex \$13,000,000

University of Montana
Business Administration Building \$11,960,000

Eastern Montana College
Classroom/Office Tower Planning \$300,000

Northern Montana College
Multi-use Tech Building Planning \$200,000

This appropriation is contingent upon the authorization and sale of general obligation bonds for the projects by the Board of Examiners as authorized by section 8 hereof" However, no general obligation bonds may be sold pursuant to this authorization until 60 days after notice of such proposed sale has been given to the Legislative Finance Committee.

3. Page 4, line 21
following: "exceeding"
Strike: \$7,150,000
Insert: \$5,450,000 for the Department of Fish, Wildlife, Parks projects described in section 5, and \$25,460,000 for the Board of Regents projects described in section 5."
4. Page 5
Following: Line 22
Insert: "Section 10. Agreement with the Board of Regents." "For the proceeds of bonds or notes authorized and appropriated by this act for the projects of the Board of Regents, the Board of Examiners and the Board of Regents may enter into an agreement under the terms of which the Regents shall pay the State Treasurer an amount when combined with other funds specifically dedicated to University System debt service, that will be sufficient to pay the principal and interest as due on the bonds or notes and to accumulate and maintain reserves required under such bonds. Such amount, as determined by the State Treasurer, shall be deposited in accordance with 17-2-101 through 17-2-107 M.C.A. The agreement must further provide that income from the investment on bond proceeds and the reserves not required for construction or renovation costs must be credited against the Regent's payment obligation. The agreement must also allow for the accumulation of reserves.

*Testimony
sheet #18928*

LONG-RANGE PLANNING SUBCOMMITTEE

Capital Projects Fund

March 22, 1985

Cash Available for appropriation \$10,597,278

Appropriations approved by subcommittee:

Department of Military Affairs	\$ 709,255
University System	3,643,350
Department of Administration	604,278
School for the Deaf and Blind	67,700
Department of Institutions	5,358,083
Department of Fish, Wildlife & Parks	55,000
Department of Agriculture	80,000

10,517,666

Cash remaining for appropriation:

\$ 79,612

Language has been written into the LRB bill that, should funds become available, the following projects shall be funded.

1. Fire Protection, Capitol Complex	\$ 60,500
2. Land Acquisition and Parking Improvements, Capitol Complex	\$ 248,680
3. Asbestos Survey and Abatement, Statewide	\$ 66,000
4. Department of State Lands, Fire Crew Quarters	\$ 44,000

Long-Range Building Program
Cash Program
1987 Biennium

Total Cash Balance at FYE 1985:		\$ 38,412,130
Less Authorized Expenditures:		<u>(34,752,045)</u>
Fund Balance July 1, 1985:		\$ 3,660,085
Revenues		
20.25% of Cigarette Tax	\$5,285,698	
Interest Earnings	2,110,167	
Supervisory Fees	120,000	
Project Reversions	<u>450,000</u>	
Total Revenues		<u>7,965,865</u>
Funds Available		\$ 11,625,950
Less Architecture and Engineering Operating Expenses		<u>(1,028,672)</u>
Total Available for Building Projects - 1987 Biennium		<u><u>\$ 10,597,278</u></u>

LONG-RANGE PLANNING SUBCOMMITTEE

Coal Tax Park Acquisition Trust
Interest Earnings

Ending balance FYE 85: \$ (95,195)

Revenue(LFA estimate)

Interest earning on Park Acquisition Trust: 2,583,930

Expenditures

Carry-over projects from 1985 biennium: (603,455)

FWP Operations (All Divisions) (1,460,363)

Cash Available for Appropriation: \$ 424,917

Agency Requests

Spring Mcadow Improvements	\$ 62,500
Les Mason Improvements	180,000
Glen Lake Improvements	45,000
Lake Elmo Improvements	12,000
Relocation of Sign Shop	10,000
Fort Benton Agricultural Museum	<u>125,000</u>

\$ (434,500)

Balance: \$ (9,583)

Water Development Account
1987 Biennium

Beginning Balance July 1, 1985:		\$ 505,139
Revenues:		
30% RIT Interest Earnings	\$3,894,750	
Coal Tax Renewable Resource Development	379,753	
Coal Tax Water Development	1,220,283	
Less Debt Service on WD bonds	(978,525)	
Loan Repayments	574,534	
Project Revenues	422,210	
Interest on Bond Proceeds	<u>192,000</u>	
Total Revenues		<u>5,705,005</u>
Funds Available		<u>\$6,210,144</u>
Expenditures:		
Water Courts	\$1,129,494	
Centralized Services Division	220,013	
Water Resources Division		
- Operations	1,621,863	
- State Water Projects	<u>800,000</u>	
Total Expenditures		<u>(3,771,370)</u>
Total Available for Water Development Grants		<u>\$2,438,774</u>
Emergency Grants	125,000	
Projects	<u>2,113,774</u>	
Ending Balance July 1, 1987:		<u>\$ 200,000</u>

Renewable Resource Development Account
1987 Biennium

Beginning Balance July 1, 1985:	\$ -0-
Revenue from Coal Tax	<u>1,220,283</u>
Total Available	<u><u>\$1,220,283</u></u>
Expenditures:	
DNRC	<u><u>\$ 270,900</u></u>
Ending Balance:	<u><u>\$ 949,383</u></u>

Statutory Allocation of 1987 Biennium Revenues

Timber Stand Improvement	(15%)	\$142,407
Water Development Projects	(40%)	379,753
Water Reservations	(10%)	94,938
Rangeland Resources	(15%)	142,407
Agricultural Land	(15%)	142,407
DNRC Designated Projects	(5%)	47,469

LONG-RANGE PLANNING SUBCOMMITTEE

Funds Available for Appropriation by the
1985 Legislature
under the Cultural and Aesthetic Grants Program

Ending Balance June 30, 1985:	\$ 35,000
<u>Revenue(LFA estimate)</u>	
Interest earning on Park Acquisition Trust:	1,291,965
<u>Expenditures</u>	
Art Council's Administration of Grant Program	<u>(33,300)</u>
Total Available for Appropriation	<u><u>\$ 1,293,665</u></u>
 Projects recommended by the Long-Range Planning Subcommittee	 <u>\$(1,261,211)</u>
Balance:	<u><u>\$ 32,454</u></u>

RIT Interest Account
1987 Biennium

Income

Carry-over FYE 85	\$ 1,590,117
RIT Interest Earnings (64%)	<u>8,308,808</u>

Funds Available: \$ 9,898,925

Transfer to general fund: (4,800,000)

Remaining balance in legacy account: \$ 5,098,925

Expenditures

Grant Administration--DNRC	277,000
5% Emergency Grants	250,000
House Bill 952	<u>233,700</u>

\$ 760,700

Funds Available for Legacy Projects: \$ 4,338,225

Projects approved by House Appropriations 4,166,476

Unappropriated Balance: \$ 171,749

4401
HB 935
4-19-85

PROPOSED AMENDMENTS TO HB 935:

1. Title, line 4.
Following: "MONEY FOR"
Insert: "RESIDENTIAL"
2. Title, lines 5 and 6.
Following: "ABUSE" on line 5
Strike: "PROGRAMS" through "BONDS" on line 6
Insert: "TREATMENT FOR INDIGENT YOUTH"
3. Page 1, lines 10 through 16.
Strike: ":" on line 10 through "(2)" on line 16
4. Page 1, line 19.
Strike: "\$250,000"
Insert: "~~\$25,000~~" "225,000"
5. Page 1, line 20.
Strike: "\$250,000"
Insert: "~~\$25,000~~" "225,000"
6. Page 1, line 21 through line 1, page 2.
Strike: subsection (3) in its entirety

7761.
make

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Insert: "RESIDENTIAL"

2. Title, lines 5 and 6.

Following: "ABUSE" on line 5

Strike: "PROGRAMS" through "BONDS" on line 6

Insert: "TREATMENT FOR INDIGENT YOUTH"

3. Page 1, lines 10 through 16.

Strike: ":" on line 10 through "(2)" on line 16

4. Page 1, line 19.

Strike: "\$250,000"

Insert: "\$~~25,000~~" *225,000*

5. Page 1, line 20.

Strike: "\$250,000"

Insert: "\$~~25,000~~" *225,000*

6. Page 1, line 21 through line 1, page 2.

Strike: subsection (3) in its entirety

*Amended
ext 1
#1* *Pass*

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Strike: ":" on line 10 through "(2)" on line 16

4. Page 1, line 19.

Strike: "\$250,000"

Insert: "~~\$25,000~~" *\$250,000*

5. Page 1, line 20.

Strike: "~~\$250,000~~" *OK*

Insert: "~~\$25,000~~" *\$250,000*

6. Page 1, line 21 through line 1, page 2.

Strike: subsection (3) in its entirety

*Amending
Amendments #1*

PROPOSED AMENDMENTS TO HB12

1. Title, line 8
Following: "2-9-202,"
Insert: "2-17-105,"
2. Page 2
Following: line 19
Insert: "(b) 2-17-105;"
Renummer: subsequent subsections
3. Page 3
Following: line 7
Insert: "(N) 17-5-404;"
Renummer: subsequent subsections
4. Page 3, line 8
Following "(N)"
Delete: "17-5-894;"
Insert: "17-5-804;"
5. Page 5
Following: line 15
Insert: "Section 4. Section 2-17-105, MCA, is amended to read:

"2-17-105. Insurance on state buildings - use of proceeds - building replacement. (1) Moneys received by the state as indemnification for damage to state buildings, except buildings procured by the department of highways by purchase or condemnation for right-of-way purposes, shall be deposited in the state special revenue fund.

(2) These moneys are statutorily appropriated as provided in [section 2] and may only be:

(a) used to repair the damaged property;

(b) used to replace the damaged property, subject to the limitations in subsection (3) of this section; or

(c) transferred to the fund and account from which the premiums were paid on the policy covering the building. Moneys transferred in this manner may not be spent by the institution or agency having custody of the damaged property but shall be available for future legislative appropriation. If the moneys are not spent or committed within 2 years from the time they are received, they shall automatically revert to the fund and account from which the premiums were paid.

Manning
Am
2

TESTIMONY
HB12

We would like to amend HB12 for the following:

Amendments 1, 2, and 5.

2-17-105 needs to be included as a statutory appropriation to repair or replace damaged property with moneys received by the state as indemnification for property damage. For example, the 1982 hailstorm caused considerable damage to windows throughout the state complex. The extent of this type of damage or the urgency cannot be anticipated for budget purposes. In these situations, we need statutory appropriation authority to repair the damage quickly using the insurance proceeds received as indemnification. Through the use of statutory appropriation authority in the past, we have been able to repair the damage immediately to protect state property.

Amendment 3.

17-5-404 needs to be included in section 2 part 3. The House included the statute in the title and body of the bill but inadvertently left it out of the list upon adoption.

Amendment 4.

This amendment corrects a typographical error in section 2 part 3. The House adopted 17-5-804 as an amendment to HB12, but it was inadvertently typed in the list as 17-5-894.

(3) If an insured building is totally destroyed or so badly damaged that repair is impractical, the governing board or officer responsible for the building may authorize any moneys received by the state as indemnification for property damage to be used to replace the building only if the proposed replacement is designed to be used for the same general purposes as the damaged or destroyed building and for this purpose the amounts available therefore are statutorily appropriated as provided in section [2]. If the governing board or officer determines that the building should not be replaced, any moneys received by the state as indemnification for property damage over and above any outstanding debt on the building shall be transferred as provided in subsection (2)(c) of this section.""

Renumber: subsequent sections.

-end-

Reading Room #2 Passed

Amendments to HB 12, Third Reading Copy

1. Page 1, Line 13
After: 20-8-111,
Insert: 53-24-206
2. Page 3, After Line 21
Insert: (BB) 53-24-206;
3. Page 3, Line 22
Strike: (BB)
Insert: (CC)
Renumber other subsections accordingly.
4. Page 38, After line 21
Insert new section: "SECTION 31. Section 53-24-206, MCA is amended to read:

53-24-206. Administration of financial assistance. (1) The department may apply for and receive grants, allotments, or allocations of funds or other assistance for purposes pertaining to the problems of chemical dependency or related social problems under laws and rules of the United States, any other state, or any private organization.

(2) The department may cooperate with any other government agency or private organization in programs on chemical dependency or related social problems. In carrying out cooperative programs, the department may make grants of financial assistance to government agencies and private organizations under terms and conditions agreed upon.

(3) (a) In administering proceeds derived from the liquor license tax or the beer license tax, the department shall distribute those funds appropriated by the legislature. Money that is appropriated for distribution to approved private nonprofit or public programs on a discretionary basis shall be distributed to those programs that can demonstrate that:

(i) the program is achieving the goals and objectives mutually agreed upon by the program and the department; and

(ii) the receipt of additional funds would be justified.

(b) The remainder of the proceeds shall be distributed to the counties for use by approved private nonprofit or public programs and the distribution of these proceeds is statutorily appropriated as provided in (section 2), and shall be distributed in the following manner:

ner:

(i) Eighty-five percent shall be allocated according to the proportion of each county's population to the state's population according to the most recent United States census.

(ii) Fifteen percent shall be allocated according to the proportion of the county's land area to the state's land area.

(c) Money distributed under subsection (3) may only be used for purposes pertaining to the problems of alcoholism.

5. Page 38, Line 22
Strike: Section 31
Insert: Section 32
Renumber other sections accordingly.

#1
Hopper

Amendments to HB 928

3rd Reading Copy

Page 3

Line 6; Insert: Preplan Centennial Center 100,000 Private

fixed

EN
AM
MONTANA PRODUCTS & VISITORS CENTENNIAL PAVILION

SPACE SUMMARY

MONTANA PROMOTIONS DIVISION	4,280 Sq.Ft.
FISH, WILDLIFE & PARKS	8,720
LOBBY, DISPLAYS, AUDITORIUM & SUPPORT	14,780
ADDITIONAL LEASED SPACE	16,460
GROSS BUILDING AREA	44,240

The preliminary concept is to construct a three story building with the public displays and auditorium on the main floor and most visible. The office spaces and support areas will be more remote as determined by their involvement with the general public.

PROJECT FUNDING

In order to impact the long-range building program as little as possible, the following funding is suggested.

Preplanning .1 million

Source of funds:
Private Donations

Project cost 4.8 million

Source of funds:
Private Donations 1.9 million
LRBP .5 million
Bonds 2.4 million

TOTAL 4.9 million

Bond Amortization

Twenty year, general obligation bonds in the amount of \$2.4 million, at a net interest cost of 8.75% requires annual debt service of \$258,514.

Fish Wildlife & Parks	\$100,000
Capital Land Grant	<u>158,514</u>
TOTAL	\$258,514

SENATE COMMITTEE

FINANCE AND CLAIMS

VOTING RECORD

Date _____

Bill No. 928Time 8:28

Name	YES	NO	ABSENT	EXCUSED
Senator Haffey	✓			
Senator Jacobson	✓			
Senator Aklestad		✓		
Senator Hammond		✓		
Senator Lane	✓			
Senator Christiaens				
Senator Gage		✓		
Senator Himsel		✓		
Senator Stimatz	✓			
Senator Boylan	✓			
Senator Story		✓		
Senator Smith		✓		
Senator Manning (Dick)	✓			
Senator Bengtson		✓		
Senator Keating		✓		
* Senator Regan		✓		
Senator Van Valkenburg	✓			
Senator Tveit		✓		
Senator Fuller	✓			
Sylvia Kinsey				
Secretary				

8 - 10

Senator Regan
ChairmanMotion: Day Am

Jacobson
Amend FR *Passed*

Amend House Bill 928, third reading copy, to read as follows:

1. Page 3, line 2
Insert: "168,877"(other appropriated funds)

3
Zengleom

Failed

Amend House Bill 928, 3rd Reading Copy, as follows:
Senator Zengleom

1. Page 7, Following Line 22

Strike: Lines 23 - 25 in their entirety.

LFA will amend totals.

Add sum of 2 48

AK no-

Fuller
4

Amend House Bill 928, third reading copy, as follows:
Senator Fuller

1. Page 7, following line 22.

Insert: "Kleffner Ranch Acquisition
Down Payment

100,000 Coal Tax
Park Acquisition"

44
H B 924

PROPOSAL

THE KLEFFNER/CHILD HISTORICAL RANCH

STATE PARK • AGRICULTURAL HERITAGE MUSEUM

SENATE COMMITTEE

FINANCE AND CLAIMS

VOTING RECORD

Date _____

Bill No. _____

Time 10:06

Name	YES	NO	ABSENT	EXCUSED
Senator Haffey	✓			
Senator Jacobson	✓			
Senator Aklestad		✓		
Senator Hammond		✓		
Senator Lane	✓			
Senator Christiaens		✓		
Senator Gage	✓			
Senator Himsl		✓		
Senator Stimatz	✓			
Senator Boylan	✓			
Senator Story		✓		
Senator Smith		✓		
Senator Manning (Dick)	✓			
Senator Bengtson		✓		
Senator Keating		✓		
Senator Regan		✓		
Senator Van Valkenburg	✓	✓		
Senator Tveit		✓		
Senator Fuller	✓			
Sylvia Kinsey				
Secretary				

Senator Regan
Chairman

9-10

Motion: _____

Fuller Am

Amend
#5

Amend House Bill 928

1. Page 11, line 19.

Strike: "Lake County"

Insert: "in proximity and with access to or on the shore of
Flathead Lake"

2. Page 11, line 21.

Strike: "in Lake County"

440 - Hinson
on 5 am
11 B 928

MANSFIELD CENTER FOR PACIFIC AFFAIRS

BOARD OF DIRECTORS MEETING
FEBRUARY 8, 1985

MINUTES

The Board of Directors of the Mansfield Center for Pacific Affairs met Friday, February 8, 1985, at U.C.L.A. Members present: Mr. Ray Dockstader, Mr. Dave Drum, Mr. Michael Fitzgerald, Mr. James Hodge, Mr. Mark Hungerford (arriving late), Mr. Stanley Kimmitt, Mr. Charles Potter, Dr. Kenneth Pyle, Dr. Bruce Sievers, and Chancellor Charles Young.

Guests present: James Raphael, Executive Director - Maureen and Mike Mansfield Foundation; Martin Krasney, program consultant; Mike Pichette, representing Governor Ted Schwinden; and Josh Turner, Assistant to the President - Mansfield Center for Pacific Affairs.

MEETING TO ORDER: Chairman James Hodge called the meeting to order at 10:10 a.m. He introduced new board member Mike Fitzgerald, President and Managing Director of the Montana International Trade Commission, and announced the appointment of Montana Chief Justice Jean Turnage to the board. Chairman Hodge then introduced the guests.

I. MINUTES: Bruce Sievers noted a correction to the minutes of August 17 & 18, Section I Program Concept, paragraph 1, line 8, "conceived in a meeting in 1978...". The year should be 1979.

Minutes were approved as corrected.

II. ADDITION OF AGENDA ITEM: BYLAWS CHANGES: A memorandum from attorney Steve Browning and attachments outlining proposed changes in the Center's bylaws were distributed to board members. These recommendations addressed four issues: 1) refinement of provisions for board action, 2) allowing more flexible arrangements for interim meetings, 3) implementing remedial action concerning the Executive Committee and officers, and 4) creation of a Vice-President or Vice-Chairman position in accordance with Montana law. Browning's memorandum proposed draft bylaws incorporating these changes.

Sievers suggested that the position of Vice-President proposed in the draft bylaws be changed to Vice-Chairman, because under our proposed structure the President will become a staff position. Hodge emphasized the importance of having an established mechanism for board action, defining the responsibilities of the Executive Committee, the need for flexibility in board meetings to allow telephone conferences, and adherence to Montana law.

Sievers moved that the draft bylaws reflecting these four changes and the change in title from Vice-President to Vice-Chairman be accepted. Dockstader seconded. Motion carried unanimously.

The revisions are: ARTICLE III, Section 2.; ARTICLE III, Section 4; ARTICLE IV, Section 5; and ARTICLE V, Section 3.

Browning's memorandum also provided legal opinions on 5 other topics of interest to the board: 1) there is no prohibition to borrowing of funds by the Foundation to pay obligations of the Centers; 2) the \$5 million federal grant corpus is

Initial work is also underway for the Montana Legislative Conference scheduled for late summer or early fall.

Foundation Report- Jim Raphael presented the Foundation report. Copies were distributed. Foundation fund raising is being conducted in four main areas: major corporate contributions, a Montana in-state campaign, foundation and miscellaneous support, and overseas support. A Capital Development Committee is being recruited to help conduct the corporate campaign. The early spring schedule will include approximately 40 corporate solicitations. The fourth category - overseas support - would not begin until after Ambassador Mansfield retires.

Raphael noted that the projected timetable depends on the ability to get the correct access to the top corporate levels, and on the ability to demonstrate a clear and direct effect and benefit. He will be calling on all board members for assistance and support. He has received positive feedback from Western Airlines, which is providing an in-kind donation of air travel, and from the Engelhard Foundation where the Foundation has submitted a request for \$500,000. Response from Japan is uniformly warm; however, when overseas support is initiated, the Foundation will have to work through normal Japanese channels.

IV. PROGRAM PLANS AND LONG RANGE DEVELOPMENT: Resumes of program consultants Martin Krasney and Tom Rohlen were distributed. Krasney explained that he envisions 3 conferences which could become annual affairs: a meeting of top officials of similar centers to establish a community of Pacific Relations centers and discuss Pacific Rim agendas; a legislative briefing in Montana concerning Pacific Rim issues; and Pacific Rim seminars for Governors of Western States. Plans are already underway for these three conferences in 1985-86.

Program development steps will include analysis of other centers, creation of a prestigious program advisory committee, recommendations for program concepts, and design of conferences. A paper by Krasney on program development was distributed. The proposal addressed the inherent strengths of the Mansfield Center, possible competition, timing considerations, and a proposed timeline for implementation.

Stanley Kimmitt asked if an overview of the Aspen Institute program, with which Krasney had been affiliated, might be helpful. Krasney described Aspen as 2-week seminars where spouses of participants are included. He emphasized the importance of amenities in attracting participants, and described Aspen as intellectually and physically elegant. He also encouraged close ties with business, and warned against purely bi-lateral thinking rather than a broader Pacific concept.

Mike Fitzgerald then distributed a report by Clint Grimes, Montana International Trade Commission representative in Seattle, concerning the status of the Mansfield Center for Pacific Affairs and emphasizing the need for action steps by the Center. The report suggests a major planning conference for late summer with the objectives of providing direction and identity to the Center.

Charles Young stated that the Center might also take advantage of other programs as an opportunity for planning. He mentioned particularly the Quintennial Meeting of Universities scheduled in California in August 1985. Representatives from Japan, Korea, the Philippines, and New Zealand are scheduled to attend.

Jim Raphael will be attending the National Committee on Pan Pacific Cooperation meeting at the end of February as an observer, and suggested that perhaps partici-

Dave Drum asked what the timeframe for hiring would be. Sievers suggested recommendation to the board by the end of May, but Charles Young requested more time due to the high level of the search, and suggested the end of July. Jim Hodge requested that the committee be prepared to make recommendations to the July board meeting, and appointed Sievers Chairman of the Search Committee. Hodge also requested that the Search Committee, along with Josh Turner, determine the job description and perquisites and notify the board of these determinations as soon as possible.

VI. PROGRAM PLANS AND LONG RANGE DEVELOPMENT (cont.): Charles Potter asked Sievers if his decision to decline the staff position of President means that he has no interest in directing program efforts for the short-term. Sievers replied that he is willing to continue directing programs until a President is hired.

Sievers distributed the Mansfield Center Program Plan to board members. The plan describes the scope and major areas of programs, and includes a revised budget involving reallocation of line items but no overall change in budget.

Charles Potter moved that the board adopt the Mansfield Center Program Plan and the Program Development for the Mansfield Center on (sic) Pacific Affairs as presented. Kimmitt seconded. Motion passed unanimously.

VII. SITE SELECTION: Sievers distributed a Site Selection packet including a timetable, selection criteria, listings of currently-known potential sites, letters of support from the Polson Community, and a letter from Kisho Kurokawa, a Japanese architect referred by Ambassador Mansfield.

Sievers stated that the board must determine the geographical limits of the new site selection process. He expressed a personal opinion that the process should be limited to the southern half of Flathead Lake for historical reasons, reasons of site aesthetics, desire to avoid unnecessary controversy, and past tradition in the Center's own literature which states "southern Flathead". He also pointed out that the Montana Legislature worded the appropriations bill stating that the Center be located at Polson, Montana, which has been interpreted to mean the southern half of Flathead Lake. Sievers noted the added benefits of the location midway between Missoula and Kalispell, proximity to the University of Montana in Missoula, and Polson community's support for the project. He warned that widening the selection could open a "Pandora's Box", including possible letters of protest to Governor Schwinden and Ambassador Mansfield.

Mike Pichette stated that Governor Schwinden has no strong feeling North or South. Rather, the Governor's stronger feeling is to go for the lowest up-front cost. He noted that although the appropriation does say "at Polson", the legislature is still in session, and the language could be amended if needed.

Jim Hodge added the following properties to the list of available sites outside southern Flathead Lake: several Burlington Northern properties on north Flathead; the Marcus Daly Mansion in Hamilton; a potential site outside Butte.

Mark Hungerford stated that he is very familiar with the Flathead area, and although he definitely favors a lake access, he is ambivalent about North or South. He stated that the board needs to address the basic issues of what facilities it wants and how it can budget for them, and felt it is unrealistic of the board to proceed without a conception of physical needs and a budget projection. Charles Young expressed a preference for lake access, but no preference North or South.

Hodge proposed a Site Selection Committee composed of the Executive Committee plus Mike Pichette as the Governor's representative, and Kisho Kurakawa, a Japanese architect, as non-voting members. Stan Kimmitt requested that Kurakawa's credentials be verified before inviting him to serve on the site selection committee.

Dave Drum moved that the Site Selection Committee be approved as proposed. Kimmitt seconded. Motion passed unanimously.

Dave Drum moved that the site selection criteria and timetable be approved as distributed. Potter seconded. Motion carried unanimously.

VIII. BOARD MEMBERSHIP: In accordance with the bylaws change made earlier at this meeting, Chairman Hodge proposed a Nominating Committee composed of Stan Kimmitt, Dave Drum, Charles Young, and Ken Pyle.

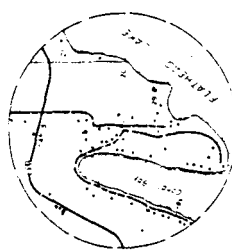
Mark Hungerford moved that the above-listed board members constitute the Nominating Committee. Mike Fitzgerald seconded. Motion passed unanimously. Hodge appointed Stan Kimmitt Chairman of the Nominating Committee, and instructed them to nominate 4 members, and to nominate officers for the coming year, including a candidate for the newly-established position of Vice Chairman. He also asked the Nominating Committee to recommend terms and rotation for board members. Ray Dockstader emphasized that the committee should recruit female and minority candidates.

There being no further business, the meeting adjourned at 3:06 p.m.

Respectfully submitted,



Charles Potter, Secretary/Treasurer



SVAN LAKI

Sti " 7029

SCALE FOR INCLINING

0610 -

GENERAL HIGHWAY MAP
LAKE COUNTY
MONTANA

06-07-2006 9:08 AM

SMITH 2 OF 3 MAP SHEETS

JAMES C. MONTAGNA

71

left
Annual
Area # 5

19 tracts
From 20A to 420A

STATE LAND BY FLATHEAD LAKE

Devin's Hemme
As you requested
July 4-18-05

<u>ACRES (Appx.)</u>	<u>Sec.</u>	<u>T</u>	<u>R</u>		
40	5	22N	19W	Ag. Exp.	Reversion to U.S.
20	11	23N	20W	Pt. Island	Ag. Exp.
40	4	24N	19W	Ag. Exp.	Reversion to U.S.
160	16	24N	19W	Forestry	Cabin Site (14)
160	18	24N	21W	State Park (Elmo)	
240	29	24N	21W	State Park (Big Arm) Homesite, Apple Orchard	
200	32	24N	21W	Grazing Lease	
120(1 mi.distance)	36	24N	21W	Forestry	Vacant
40	32	25N	19W	Ag. Exp.	Reversion to U.S.
60	4	25N	20W	Ag. Exp.	Reversion to U.S.
480	8	25N	20W	Forestry	Grazing Permit (1)
320	16	25N	20W	Forestry	Vacant
160(1 mi.distance)	18	25N	20W	Forestry	Grazing Permit (1)
160	20	25N	20W	Forestry	Grazing Permit (1)
320	30	25N	20W	Forestry	Grazing Permit (1)
240(1 mi.distance)	36	25N	21W	Grazing Lease	
160	18	26N	19W	Forestry	Cabin Site (5) Grazing Permit (1)
440	20	26N	19W	Forestry	Vacant
120	32	26N	19W	Forestry	Vacant

The reversion tracts mean that if the lands cease to be used for the Ag. Experiment Station, they revert back to the U.S. Government.

SENATE COMMITTEE

FINANCE AND CLAIMS

VOTING RECORD

Date _____

Bill No. 928 Time _____

Name	YES	NO	ABSENT	EXCUSED
------	-----	----	--------	---------

Senator Haffey

Senator Jacobson

Senator Aklestad

Senator Hammond

Senator Lane

Senator Christiaens

Senator Gage

Senator Himsl

Senator Stimatz

Senator Boylan

Senator Story

Senator Smith

Senator Manning (Dick)

Senator Bengtson

Senator Keating

* Senator Regan

Senator Van Valkenburg

Senator Tveit

Senator Fuller

Sylvia Kinsey

Secretary

 9 - 8 - 2
 Senator Regan
 Chairman

Motion:

Amend 928

AMENDMENTS TO HB 723:

✓✓
#6
1. Page 3, line 2.

Insert: "162, 317 Federal" in Other
Appropriated Funds column

2. Page 8.

Following: line 12

Insert: "MONTANA UNIVERSITY SYSTEM
Classroom Renovation, UM 98,000"

Amend #5
3. Page 11, line 19.

Strike: "Lake County"

Insert: "proximity of and with access to,
or on the shore of Flathead Lake"

4. Page 11, line 21.

Strike: "in Lake County"

✓✓
Passed

Amend House Bill 928, third reading copy, to read as follows:

1. Page 8.

Following: Line 12.

Insert: "Montana University System
Classroom Renovation, UM 98,000"

*Good
am
Final Passed*

PROPOSED AMENDMENT TO HB861

1. Page 4, line 21.
Following: "exceeding"
Strike: "\$7,150,000,"
Insert: "\$5,450,000, for the projects described in [sec-
tion 5] and \$1,700,000 for purposes described in
HB224,"

Christina #292

Amendment to HB 861

1. Title, page 1, line 10
Following: "PARKS"
Insert: "AND THE BOARD OF REGENTS"
2. Page 3
Following: Line 19
Insert: "There is appropriated from the capital project fund to the board of regents the sum of \$1,400,000 for the purpose of financing the costs of construction and equipping a swimming pool addition to the physical education facility at western Montana college. This appropriation is contingent upon the authorization and sale of general obligation bonds for the project by the board of examiners as authorized by section 8 hereof."
3. Page 4, line 21
Following: "exceeding"
Strike: \$7,150,000
Insert: "\$5,450,000 for the department of fish, wildlife and parks projects described in [section 5] and \$1,400,000 for the construction of the swimming pool addition to the physical education facility at western Montana college,"
4. Page 5
Following: Line 22
Insert: "Section 10 Agreement with the board of regents. "For the proceeds of bonds or notes authorized and appropriated by this act for the construction of the swimming facility at western Montana college, the board of examiners and the board of regents may enter into an agreement under the terms of which the regents shall pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes from which the appropriation was made and to accumulate and maintain reserves required under such bonds. The agreement must further provide that income from the investment of bond proceeds and the reserves not required for construction or renovation costs must be credited against the regents' payment obligation. The agreement must also allow for the accumulation of reserves during the first year the bonds are outstanding. Payments by the regents must be made from funds available therefor.""
5. Page 5, line 24
Following: "9"
Strike: "is"
Insert: "and 10 are"

Advantages of Sale of General Obligation Bonds

The Department of Administration and Bond Counsel estimate that the G.O. bonds would sell at .75 percent less interest than a regents' revenue bond. Also, the cost of selling the bonds would be less to WMC because the cost is distributed over a much larger bond issue.

	State General Obligation Bond	Regents' Revenue Bond	Difference
Bond Sale	\$1,400,000	\$1,400,000	-0-
Estimated %	9.5%	10.25%	.75%
Cost of Sale	\$ 8,187	\$ 35,000	\$ 26,813
An Principal & Int	\$ 158,867	\$ 167,258	\$ 8,391
20 yr Principal & Int	\$3,177,340	\$3,345,160	\$167,820

Sales cost difference plus 20 year difference or savings over
20 years to WMC from using Genreal Obligation Bonds: \$194,633

*eff amend
#3 - HB #861
Reading*

Amendment to HB 861

Title, page 1, line 10, following the word "PARKS" insert:
"AND THE BOARD OF REGENTS".

Section 5, page 3, following line 19, insert:

There is appropriated from the capital project fund to the board of regents the sum of \$1,400,000 for the purpose of financing the costs of construction and equipping a swimming pool addition to the physical education facility at Western Montana College. This appropriation is contingent upon the authorization and sale of general obligation bonds for the project by the Board of Examiners as authorized by section 8 hereof.

Section 8, page 4, line 21:

Strike: \$7,150,000

Insert: \$8,550,000

Insert new Section 10 as follows and renumber remaining sections:

Agreement with the board of regents. For the proceeds of bonds or notes authorized and appropriated by this act for the construction of the swimming facility at Western Montana College, the Board of Examiners and the board of regents may enter into an agreement under the terms of which the regents shall pay the State Treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the State Treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes from which the appropriation was made and to accumulate and maintain reserves required under such bonds. The agreement must further provide that income from the investment of bond proceeds and the reserves not required for construction or renovation costs must be credited against the regents' payment obligation. The agreement must also allow for the accumulation of reserves during the first year the bonds are outstanding. Payments by the regents must be made from funds available therefor.

Section 10, page 5, line 24, following "9":

Strike: "is"

Insert: "and 10 are"

passed

March 21-22, 1985

ITEM 46-601-R0385, Authorization to proceed with the planning and financing of a Swim Center at Western Montana College.

RESOLVED: That Western Montana College is authorized to proceed with the financing and planning of a Swim Center, estimated at \$1.4 million. This obligation shall be consistent with the conditions specified by the 1967 Indenture which provided for the construction, maintenance and additions to the Physical Education Complex on that campus.

Furthermore, the College is authorized to pursue the advantages of financing the construction of the Swim Center through state general obligation bonds should they be approved by the 49th Legislature during the current session.

EXPLANATION:

1. The 1967 Indenture established for the construction and maintenance of the Physical Education Complex at Western Montana College provides language and conditions whereby appropriate additions to the facility may be funded from the designated revenue resources.
2. Those resources include 100% of the income and interest monies allocated to the College from its original land grant, student building fees approved by the Regents, and miscellaneous revenues generated from rentals, public use fees, etc.
3. The approved, identifiable resources will subsidize a supplemental bond issue against the 1967 Indenture, per a formula specified within the indenture document, amounting to \$1,404,819 conservatively calculated at 11% over twenty (20) years.
4. The State of Montana and the University System (Western Montana College) would benefit by cost savings in excess of \$120,000 over the twenty year period if the additional bonding were implemented through state general obligation bonds. Regent authorized bonds in behalf of the campus would not enjoy the highest rating, lower interest, nor shared fixed costs of issuance which are available through the state.
5. Earlier precedents whereby state agencies' bonding needs have been tied to the issuance of state general obligation bonds have proved the advantages of responsible stewardship in the pooling of revenue resources.

6. The 48th Legislature approved the construction of the Swim Center with the passage of House Joint Resolution 9.
7. The Board of Regents has previously approved this means of financing a Swim Center at Western Montana College.
(Item #36-602-R0782)
8. The Regents have gratefully accepted a gift of property adjacent to the campus and the Physical Education Complex for the express purpose of accommodating a Swim Center. The gift comes through the generosity and concern of John and Phyllis Erb of Dillon. (Item #36-601-R0782)

That the Superintendent of Public Instruction and the Commissioner of Higher Education are encouraged to develop and expand economics programs and to encourage the offering of more economics courses in Montana's high schools, colleges, and universities.

HOUSE JOINT RESOLUTION NO. 9

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA CONSENTING TO THE CONSTRUCTION OF A SWIM CENTER AT WESTERN MONTANA COLLEGE.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That, under the provisions of sections 20-25-302 and 18-2-102, MCA, and subject to the availability of funds other than the appropriated funds from regular state revenues for state operations, the Legislature consents to the capital construction program at Western Montana College, Dillon, Montana, consisting of the acquisition, construction, and equipping of a swim center estimated to cost \$1,436,000. The Legislature further consents to the financing of this project by the Board of Regents of Higher Education by pledging gifts, grants, and fees and issuing bonds under 20-25-402, to be paid back by revenues from state lands pursuant to 20-25-255(2). Should the total funds become available, the funding resources will be presented to the interim Finance Committee prior to the letting of any bids for the project.

HOUSE JOINT RESOLUTION NO. 11

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REAFFIRMING THE STATE'S COMMITMENT TO ECONOMIC DEVELOPMENT CONSISTENT WITH RESPONSIBLE STEWARDSHIP AND ACKNOWLEDGING THE RESPONSIBILITY OF BUSINESS ENTERPRISES AND LABOR AND INDIVIDUALS TO REDUCE THE IMPACT OF CESSATION OR SUSPENSION OF INDUSTRIAL ACTIVITY.

WHEREAS, in Montana's past there was a failure to address the long-term ramifications of natural resource extractive and processing industries in a manner which would have protected future generations from the adverse effects of "boom and bust" economic cycles; and

WHEREAS, the State of Montana is committed to economic development consistent with responsible stewardship; and

WHEREAS, the commitment to economic development is exhibited in many forms, including tax laws, business attraction efforts, and laws and initiatives enacted by the legislature and voters of the state; and

SENATE COMMITTEE

FINANCE AND CLAIMS

VOTING RECORD

Date _____

Bill No. _____

Time 11:30

Name	YES	NO	ABSENT	EXCUSED
Senator Haffey	✓			
Senator Jacobson			✓	
Senator Aklestad		✓		
Senator Hammond		✓		
Senator Lane		✓		
Senator Christiaens	✓			
Senator Gage			✓	
Senator Himsl		✓		
Senator Stimatz	✓			
Senator Boylan	✓			
Senator Story	✓			
Senator Smith		✓		
Senator Manning (Dick)			✓	
Senator Bengtson		✓		
Senator Keating		✓		
* Senator Regan		✓		
Senator Van Valkenburg	✓			
Senator Tveit		✓		
Senator Fuller	✓			
Sylvia Kinsey				
Secretary				

7-9-5
 Senator Regan
 Chairman

Motion: Story Am

#861

for list

PROPOSED AMENDMENT TO HB861

1. Page 4, line 21.

Following: "exceeding"

Strike: "\$7,150,000,"

Insert: "\$5,450,000" for the projects described in [section 5] [and \$1,700,000 for purposes described in ~~House Bill No. 224~~ House Bill No. 224],"

2. Page 6, line 20.

Following: "COORDINATION."

Insert: "(1)"

3. Page 6.

Following: line 25

Insert: "(2) If House Bill No. 224 is not passed and approved, the bracketed language contained in section 8 of this act, except the reference to "[section 5]" is void."

..... APRIL 19, 1985

MR. PRESIDENT:

WE, YOUR COMMITTEE ON FINANCE AND CLAIMS HAVING HAD
UNDER CONSIDERATION HOUSE BILL 938, ATTACH THE FOLLOWING
STATEMENT OF INTENT:

STATEMENT OF INTENT

HOUSE BILL 938

A statement of intent is required for this bill because section 22-2-303, MCA, is amended to include rulemaking by the Montana arts council to implement sections 1 and 2 of the bill.

The rules should address specific criteria that the Montana arts council intends to employ in determining whether local support is being given to public and private facilities and, if so, how much support is involved.

The rules must also address the requirements for matching funds, for both capital grants and challenge grants. Involved in these rules should be a method for an applicant to determine what constitutes donated goods and services, and what time periods for the receipt of gifts are involved to qualify for matching funds.

The rules should address the incremental disbursements of grants. Grantees must be able to conform their cash flow upon reliance of receipt of regular grant disbursements, and to this end the Montana arts council should in the rules provide explanations of proper allowable costs and proper unexpended prior grant balances it will examine prior to making further disbursements.

.....
SENATOR PAT REGAN

VV
#1

HB 938

Amend House Bill 938, third reading copy, as follows:
Senator Daniels

1. Page 8, following line 23.

Insert: "Powell County Museum and Arts Foundation 32,000"

cnleg:hb938

AM #1
HB 432

AMENDMENT TO H.B. 922

1. Page 9, line 14 *following line 3*
Insert: "22. Anaconda/Deer Lodge County \$70,000"
2. Page 9, line 15 *following line 4*
Insert: "Sewage Facilities"

SENATE COMMITTEE

FINANCE AND CLAIMS

VOTING RECORD

Date _____

Bill No. _____

Time _____

Name	YES	NO	ABSENT	EXCUSED
Senator Haffey	✓			
Senator Jacobson	✓			
Senator Aklestad		✓		
Senator Hammond		✓		
Senator Lane	✓			
Senator Christiaens	✓			
Senator Gage		✓		
Senator Himsel		✓		
Senator Stimatz	✓			
Senator Boylan	✓			
Senator Story			✓	
Senator Smith	✓			
Senator Manning (Dick)	✓			
Senator Bengtson		✓		
Senator Keating		✓		
* Senator Regan		✓		
Senator Van Valkenburg	✓			
Senator Tveit		✓		
Senator Fuller	✓			
Sylvia Kinsey				
Secretary				

10 - 6

Senator Regan
Chairman

Motion: *Hay Am 422*

2
Hannon
passed

PROPOSED AMENDMENT TO HB 922
(Blue Copy)

1. Page 9, line 11.
Following: ASSESSMENT
Insert: UNDER AUSPICES OF MONTANA-WESTERN CANADIAN
PROVINCES BOUNDARY ADVISORY COMMITTEE

SENATE COMMITTEE

FINANCE AND CLAIMS

VOTING RECORD

Date _____

Bill No. _____

Time 6:14

Name	YES	NO	ABSENT	EXCUSED
Senator Haffey	✓			
Senator Jacobson				
Senator Aklestad		✓		
Senator Hammond		✓		
Senator Lane		✓		
Senator Christiaens				
Senator Gage	✓			
Senator Himsel	✓			
Senator Stimatz				
Senator Boylan		✓		
Senator Story	✓			
Senator Smith		✓		
Senator Manning (Dick)	✓			
Senator Bengtson				
Senator Keating	✓			
* Senator Regan	✓			
Senator Van Valkenburg	✓			
Senator Tveit		✓		
Senator Fuller	✓			
Sylvia Kinsey				
Secretary				

Senator Regan
Chairman

Motion:

Ken Lake Spring

✓ ✓ Amend



The Big Sky Country

MONTANA STATE SENATE

OFFICE OF THE MINORITY LEADER

SENATOR STAN STEPHENS

HELENA ADDRESS:

P.O. BOX 140
CAPITOL STATION
HELENA, MONTANA 59620
PHONE (406) 444-4842

HOME ADDRESS:

1645 NORTHERN HEIGHTS
HAVRE, MONTANA 59501
PHONE (406) 265-4919

April 19, 1985

TO: Senate Finance and Claims Committee
FROM: Senator Stan Stephens *SS*
RE: Milk River Assessment

I cannot attend your hearing on HB 922 this Friday but I wish to emphasize my strong support for the Milk River Assessment project in the Legacy funding.

It is clear that the time has come for Montana and Alberta to discuss their common problem of water shortages in the Milk River Basin. It is possible that agreement could be reached on building a dam in Alberta that could store water for Montana and help to alleviate the recurring droughts -- at least in the short run.

The proposal is strengthened by the amendment to place the research and negotiations under the supervision of the Montana-Western Canadian Provinces Boundary Advisory Committee. The Legislature created this body this session to deal with matters just like this. The legislative members on the Boundary Advisory Committee will help to provide oversight and accountability to the Legislature on this important first step in consultations across the border.

Page 4
#17

Proposed Amendment to HB 922:
Blue Copy
Senator Dorothy Eck
April 19, 1985

1. Page 14, following line 15.

Insert: "Section 8. Future preference for appropriations from the resource indemnity trust account. In evaluating proposals for use of funds from the resource indemnity trust interest account during the biennium ending June 30, 1989, preferential consideration must be given to proposals that promote:

(1) projects or activities that relate to reclamation or to mitigation of the impacts of resource extraction;

(2) projects or activities that collect, organize, and retrieve natural resource data in a manner compatible with state data systems;

(3) projects or activities that promote effective hazardous waste management; and

(4) projects or activities consistent with section 15-38-203 that are recommended by standing or interim legislative committees."

Renumber: subsequent sections.

Story line
5
add on
6
CS 2 4 5
yes 100 - 6-1-86

STANDING COMMITTEE REPORT

April 19 85
..... 19.....

MR. PRESIDENT

Finance and Claims

We, your committee on.....

having had under consideration..... House Bill No. 12

third reading copy (blue)
color

STATUTORY APPROPRIATIONS - DEFINING AND ESTABLISHING

BARDANOUVE

Respectfully report as follows: That..... House Bill No. 12

be amended as follows:

1. Title, line 8.
Following: "2-9-202,"
Insert: "2-17-105,"
2. Title, line 13.
Following: "20-8-111,"
Insert: "53-24-206,"
3. Page 3.
Following: line 19
Insert: "(b) 2-17-105;"
Renumber: subsequent subsections
4. Page 3.
Following: line 7
Insert: "(c) 17-5-494;"
Renumber: subsequent subsections
5. Page 3, line 8.
Strike: "17-5-494"
Insert: "17-5-804"
6. Page 3.
Following: line 21
Insert: "(DD) 53-24-206;"
Renumber: subsequent subsections

~~XXXXXX~~
DO PASS~~XXXXXXXXXX~~

(continued)

SENATOR PAT REGAN

Chairman.

April 19, 1985

19.....

7. Page 5.

Following: line 15

Insert: "Section 4. Section 2-17-105, MCA, is amended to read:

"2-17-105. Insurance on state buildings -- use of proceeds -- building replacement. (1) Moneys received by the state as indemnification for damage to state buildings, except buildings procured by the department of highways by purchase or condemnation for right-of-way purposes, shall be deposited in the state special revenue fund.

(2) These moneys are statutorily appropriated as provided in [section 2] and may only be:

(a) used to repair the damaged property;

(b) used to replace the damaged property, subject to the limitations in subsection (3) of this section; or

(c) transferred to the fund and account from which the premiums were paid on the policy covering the building. Moneys transferred in this manner may not be spent by the institution or agency having custody of the damaged property but shall be available for future legislative appropriation. If the moneys are not spent or committed within 2 years from the time they are received, they shall automatically revert to the fund and account from which the premiums were paid.

(3) If an insured building is totally destroyed or so badly damaged that repair is impractical, the governing board or officer responsible for the building may authorize any moneys received by the state as indemnification for property damage to be used to replace the building only if the proposed replacement is designed to be used for the same general purposes as the damaged or destroyed building ¹ and for this purpose the amounts available therefor are statutorily appropriated as provided in [section 2]. If the governing board or officer determines that the building should not be replaced, any moneys received by the state as indemnification for property damage over and above any outstanding debt on the building shall be transferred as provided in subsection (2)(c) of this section."

Renumber: subsequent sections

(continued)

April 19

19 85

8. Page 38.

Following: line 21

Insert: "Section 32. Section 53-24-206, MCA, is amended to read:

"53-24-206. Administration of financial assistance. (1) The department may apply for and receive grants, allotments, or allocations of funds or other assistance for purposes pertaining to the problems of chemical dependency or related social problems under laws and rules of the United States, any other state, or any private organization.

(2) The department may cooperate with any other government agency or private organization in programs on chemical dependency or related social problems. In carrying out cooperative programs, the department may make grants of financial assistance to government agencies and private organizations under terms and conditions agreed upon.

(3) (a) In administering proceeds derived from the liquor license tax or the beer license tax, the department shall distribute those funds appropriated by the legislature. Money that is appropriated for distribution to approved private nonprofit or public programs on a discretionary basis shall be distributed to those programs that can demonstrate that:

(i) the program is achieving the goals and objectives mutually agreed upon by the program and the department; and

(ii) the receipt of additional funds would be justified.

(b) The remainder of the proceeds shall be distributed to the counties for use by approved private nonprofit or public programs. The distribution of these proceeds is statutorily appropriated as provided in [section 7] and must be distributed in the following manner:

(i) Eighty-five percent shall be allocated according to the proportion of each county's population to the state's population according to the most recent United States census.

(ii) Fifteen percent shall be allocated according to the proportion of the county's land area to the state's land area.

(c) Money distributed under subsection (3) may only be used for purposes pertaining to the problems of alcoholism."

Renumber subsequent sections

AND AS AMENDED
BE CONCURRED IN

SENATOR PAT REGAN, CHAIRMAN

STANDING COMMITTEE REPORT

April 19 1985

MR. PRESIDENT

We, your committee on Finance and Claims

having had under consideration House Bill No. 224

third reading copy (blue)
color

APPROPRIATE \$1.7 MILLION LEMP FUNDS TO DOA FOR AIRPORT IMPROVEMENT LOANS

ASAY (Hammond)

Respectfully report as follows: That House Bill No. 224

BE CONCURRED IN

~~XXXXXX~~

~~XXXXXXXX~~

SENATOR PAT REGAN

Chairman.

STANDING COMMITTEE REPORT

April 19 1985

MR. PRESIDENT

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

having had under consideration **House Bill** No. **861**

third reading copy (**blue**)

INSURANCE OF LONG-RANGE BUILDING BONES APPROPRIATING PROCEEDS OF BONDS

BARBAROUX (Smith)

Respectfully report as follows: That **House Bill** No. **861**,
be amended as follows:

1. Page 4, line 21.

Following: **\$5,450,000**

Strike: **\$7,150,000**

Insert: **\$5,450,000 for the projects described in section 5 and \$1,700,000 for purposes described in House Bill No. 224 ."**

2. Page 6, line 20.

Following: **"COORDINATION."**

Insert: **"(1)"**

3. Page 6.

Following: line 25

Insert: **"(2) If House Bill No. 224 is not passed and approved, the bracketed language contained in section 8 of this act, except the reference to section 5 is void."**

AND AS AMENDED
BE CONCERNED IN

DO PASS

DO NOT PASS

SENATOR PAT MCGINN

Chairman

STANDING COMMITTEE REPORT

April 19

19 85

MR. PRESIDENT

We, your committee on Finance and Claimshaving had under consideration House Bill No. 922third reading copy (blue)
color**LEGACY PROGRAM GRANTS - AUTHORIZED PROJECTS AND GRANT AMOUNTS****HARPER (Van Valkenburg)**Respectfully report as follows: That House Bill No. 922,
be amended as follows:**1. Page 5, line 2.****Strike: "100,000"****Insert: "130,000"****2. Page 9, line 7.****Strike: "100,000"****Insert: "32,000"****3. Page 9, line 11.****Following: "ASSESSMENT"****Insert: "under auspices of the Montana-Western Canadian Provinces Boundary
Advisory Committee"****4. Page 9.****Following: line 13****Insert: "22. ANACONDA-DEER LODGE COUNTY 70,000
Sewage Facilities"****5. Page 14.****Following: line 15****Insert: "Section 8. Future preference for appropriations from the
resource indemnity trust interest account. In evaluating proposals
for use of funds from the resource indemnity trust interest account
during the biennium ending June 30, 1989, preferential consideration
must be given to proposals that promote projects or activities that:
(1) relate to reclamation or to mitigation of the environmental
impacts of resource extraction;
(2) collect, organize, and retrieve natural resource data in a
manner compatible with state data systems;****XXXXXX**
DO PASS**XXXXXX**
DO NOT PASS

(continued)

Chairman.

April 19, 1985

..... 19.....

(3) promote effective hazardous waste management or

(4) are consistent with 15-18-203 which are recommended by
standing or interim legislative committees."

Renumber: subsequent sections

AND AS AMENDED
BE CONCURRED

.....
SENATOR PAT REGAN, CHAIRMAN

STANDING COMMITTEE REPORT

April 19 19 85

MR. PRESIDENT

We, your committee on Finance and Claims
having had under consideration House Bill No. 928
third reading copy (blue)
color

APPROPRIATING MONEY FOR CAPITAL PROJECTS

MANUEL (VanValkenburg)

Respectfully report as follows: That House Bill No. 928
be amended as follows:

1. Page 3, line 2.
Insert: "168,877 Federal" in Other Appropriated Funds column
2. Page 8.
Following: line 12
Insert: "MONTANA UNIVERSITY SYSTEM
Classroom Renovation, U M 98,000"
3. Page 11, line 19.
Strike: "Lake County"
Insert: "proximity of and with access to or on the shore of
Flathead Lake"
4. Page 11, line 21.
Strike: "in Lake County"

AND AS AMENDED
BE CONCURRED IN

~~DELETED~~

~~DELETED~~

SENATOR PAT NEGA

STANDING COMMITTEE REPORT

April 19 1985

MR. PRESIDENT

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

having had under consideration **House Bill** No. **935**

third reading copy (**blue**)
color

**APPROPRIATE FOR ALCOHOL ABUSE PROGRAMS & FYMT. OF COUNTY JAIL
CONSTR. BONDS**

WINSLOW (Keating)

Respectfully report as follows: That **House Bill** No. **935**
be amended as follows:

1. Title, line 4.

Following: "MONEY FOR"

Insert: "RESIDENTIAL"

2. Title, lines 5 and 6.

Following: "ABUSE" on line 5

Strike: "PROGRAMS" through "BONDS" on line 6

Insert: "TREATMENT FOR INDIGENT YOUTH"

3. Page 1, lines 10 through 16.

Strike: "." on line 10 through "(2)" on line 16

4. Page 1, line 19.

Strike: "\$250,000"

Insert: "\$225,000"

5. Page 1, line 20.

Strike: "250,000"

Insert: "225,000"

6. Page 1, line 21 through line 1, page 2.

Strike: subsection (3) in its entirety

AND AS AMENDED
BE CONCURRED IN

XXXXXX
DO PASS

XXXXXXXXXX
DO NOT PASS

SENATOR REGAN

Chairman.

.....APRIL 19,..... 1985.....

MR. PRESIDENT:

WE, YOUR COMMITTEE ON FINANCE AND CLAIMS HAVING HAD
UNDER CONSIDERATION HOUSE BILL 938, ATTACH THE FOLLOWING
STATEMENT OF INTENT:

STATEMENT OF INTENT

HOUSE BILL 938

A statement of intent is required for this bill because section 22-2-303, MCA, is amended to include rulemaking by the Montana arts council to implement sections 1 and 2 of the bill.

The rules should address specific criteria that the Montana arts council intends to employ in determining whether local support is being given to public and private facilities and, if so, how much support is involved.

The rules must also address the requirements for matching funds, for both capital grants and challenge grants. Involved in these rules should be a method for an applicant to determine what constitutes donated goods and services, and what time periods for the receipt of gifts are involved to qualify for matching funds.

The rules should address the incremental disbursements of grants. Grantees must be able to conform their cash flow upon reliance of receipt of regular grant disbursements, and to this end the Montana arts council should in the rules provide explanations of proper allowable costs and proper unexpended prior grant balances it will examine prior to making further disbursements.


.....
SENATOR PAT REGAN

STANDING COMMITTEE REPORT

April.....19..... 19.85

MR. PRESIDENT

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

having had under consideration..... **House Bill** No. **938**

third reading copy (blue)
color

CULTURAL AND AESTHETIC GRANTS APPROPRIATION

THEFT (Fuller)

Respectfully report as follows: That..... **House Bill** No. **938**,
be amended as follows:

1. Page 8.

Following: line 23

Insert: "Powell County Museum and Arts Foundation

32,000"

AND AS AMENDED
BE CONCURRED IN

STATEMENT OF INTENT ATTACHED AND ADOPTED

~~XXXX~~
DO PASS

~~XXXXXX~~
DO NOT PASS

SENATOR PAT REGAN

Chair

STANDING COMMITTEE REPORT

April 19

19 85

MR. PRESIDENT

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

having had under consideration **House Bill** No. **952**

third reading copy (**blue**)
color

APPROPRIATION FOR WATER POLICY DEVELOPMENT

IVERSON (Blaylock)

Respectfully report as follows: That **House Bill** No. **952**

BE CONCURRED IN

XXXXX
DO PASS

XXXXXX
DO NOT PASS

SENATOR PAT REGAN

Chairman.