

MINUTES OF THE MEETING
APPROPRIATIONS COMMITTEE
50TH LEGISLATIVE SESSION

The meeting of the Appropriations Committee was called to order by Chairman Rep. Gene Donaldson on January 20, 1987, at 1:30 p.m. in Room 104 of the State Capitol.

ROLL CALL: All members were present at the meeting except Rep. Iverson who was absent. Also present were Judy Rippingale, Legislative Fiscal Analyst, and Denise Thompson, Secretary.

EDUCATION SUPPLEMENTALS:(9:A:0.50)

Mr. Tom Crosser, Office of Budget and Program Planning, explained the two supplementals for the Office of Public Instruction to the committee (Exhibit 1).

1. \$100,609 General Fund - for the defense of the Title IX Sex Equity Lawsuit.

2. \$234,313 General Fund - for the defense of the Foundation Program Lawsuit.

3. Mr. Crosser stated there was one other supplemental which involves the school transportation budget which is not included in the current bill.

EDUCATION SUBCOMMITTEE:

Rep. Nathe reviewed the supplementals with the committee with the subcommittee recommendations.

OFFICE OF PUBLIC INSTRUCTION(OPI)

1. \$100,609 General Fund - the subcommittee has approved the Title IX sex equity lawsuit. That amount was due to a suit brought on behalf of the people that had sued to recover their expenses. This supplemental represents 20 percent of the cost of that settlement.

2. \$234,313 General Fund - is for the expenses for the school foundation lawsuit brought against the state for underfunding the school foundation program.

3. \$281,586 General Fund - for the funding level of transportation in OPI and school districts. The legislature increased the cents per mile but did not plug in any money. The legislature mandated they pick one-third of the transportation costs, increased by 2 cents per mile the amount

that they said they would pay for, but they didn't insert that money in the appropriation.

The subcommittee recommended approval of the two supplementals.

BOARD OF PUBLIC EDUCATION:

Rep. Nathe presented a letter (Exhibit 2), saying there was no recommendation from the subcommittee on this supplemental because the information was just received. This is in addition to the previous request for \$7,500 discussed in the last meeting regarding the foundation lawsuit.

QUESTIONS

Rep. Thoft asked if the sex equity suit had been settled yet. Mr. Rick Bartos, legal counsel for the Office of Public Instruction, stated the Title IX lawsuit has not been finally settled. The case was decided by the federal judge several months ago involving the change of seasons issue. The American Civil Liberties Union was arguing that the girls basketball season should be played simultaneously with the boys season. The federal judge denied that request. He appointed a special master, former Chief Justice Frank Haswell, to make an investigation throughout Montana and he ordered the OPI and the Montana High School Association to bear half the cost of this special master. That was part of the appropriation request. The 80 percent versus 20 percent amount that Rep. Nathe discussed involves the cost of the JCLU attorney fees. Since this is a Civil Rights case, the judge awards attorney fees for the plaintiffs that bring a case like this. The Montana High School Association argued that the state of Montana should bear half the cost. OPI's argument was they are not in athletics, we are only an equity so we should bear 20 percent of the costs. He agreed with our argument and imposed a larger amount on the High School Association. The judge will make a determination upon the report of Judge Haswell, as to whether he will relinquish jurisdiction on this case or maintain jurisdiction.

(9:A:12.52) Mr. Ray Shackelford, Assistant Superintendent for Administrative Services, Office of Public Instruction, explained to the committee that the transportation supplemental requested was not for an amount to replace any of the 2 percent reductions or 5 percent reductions. I was simply to meet the appropriation level that was adopted in the last legislative session. Up until 1985 the schedule has been met, in 1985 it was increased and the pro ration was done in 1985.

Rep. Menahan asked if some of the money comes from the general fund. Mr. Shackelford stated that this is the state's share or one third. The split is one-third county, one-third district and one-third state. The transportation was about \$27 million last year. The state share is \$6 million. Rep. Menahan stated this denies all the people that are within three miles of the schools from riding the bus. He stated he felt something should be rectified on this. People are paying for a service in the cities that they don't receive. Some people are receiving services they are not totally paying for and others are paying for services they not allowed to use.

HUMAN SERVICES SUBCOMMITTEE:

Rep. Winslow, Chairman of the Human Service Subcommittee presented the subcommittee report regarding the human services supplementals (9:A:18.33).

HEALTH AND ENVIRONMENTAL SCIENCES

1. \$35,713 of General Fund - to cover a certificate of need. Federal money has been removed and a certificate of need process is needed through July. This supplemental was recommended for approval by the subcommittee.

Rep. Quilici asked if this was just a request by the department to obey existing statute. Rep. Winslow said yes.

DEPARTMENT OF LABOR AND INDUSTRY

1. \$20,702 General Fund - to pick up the the security offset they have. This was approved by the subcommittee.

2. \$313,064 and \$23,223 State Special - to pick up the workload increase in Workers' Compensation. This was approved by the subcommittee.

3. \$6,114 State Special - to pay for a second opinion on the Worker's Comp fund liability. This was approved by the subcommittee.

Rep. Swift asked how much improvement has been made on the lag time or back up, it was 90 days to get processed. Mr.-Bob Robinson, Department of Labor, explained that the time has been averaging about 44-47 days, when the automated system comes up they will be screening medical payments which they think will be by the end of this fiscal year, and paying them all within 30 days.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES(9:A:16.00)

1. \$1,727,008 of General Fund and \$378,377 Other Special (county) - for the increased estimates on caseload in the Foster Care Program.

2. \$2,378,109 General Fund, \$5,915,012 Federal Special and \$196,745 Other Special (county)-- for increased caseload in the AFDC program.

3. \$48,203 General Fund & \$94,563 Federal Special - for the AFDC Day Care Appropriation. Increased caseloads in AFDC cause increased day care costs.

4. \$1,405,006 General Fund for General Assistance Program, due to the rulings of the court and the inability to limit the recipients on General Assistance to two months as passed last session.

5. \$150,000 General Fund - for Non-resident General Assistance Program. The cost is due almost entirely to the cost of one accident of a non-resident.

6. \$2,500 General Fund and \$7,500 Federal Special to fund pre-admissions screening for psychiatric treatment at Rivendell Youth Treatment Center.

7. \$2,547,951 General Fund- approved for the State Medical Assistance, however the subcommittee wished to reserve the right to recommend some revision if they can get a better handle on the state medical.

8. \$488,400 General Fund and \$1,011,600 Federal Special - for the Rivendell Youth Treatment Center is expected to receive medicaid certification retroactive to January 1st of this year. This funds the cost of medicaid eligible youth at the facility.

(9:A:30.00) Initially the Medicaid request was \$3,466,089 and \$6,387,631, yesterday the actual medicaid revision was \$7,045,153 General Fund and \$13,698,532 in Federal Special. Medicaid is getting ballooned at both ends; the AFDC caseloads and the elderly expansion in the state.

9. \$60,000 General Fund - pay for the Consultec to screen the claims in the state medical area. This is associated with increased state medical needs.

QUESTIONS

Rep. Donaldson asked the budget office if they were in support of these two changes. Mr. Crosser stated yes, they

were based on the latest figures the department had for the estimates of the cost of those programs.

EXECUTIVE ACTION:

Human Services Subcommittee:

Rep. Winslow moved that the committee ACCEPT the subcommittee report for the Department of Health and Environmental Sciences \$35,713. Rep. Thoft called the question. The motion CARRIED unanimously.

Rep. Winslow moved that the committee ACCEPT the Department of Labor and Industry's Supplementals for \$20,702 of General Fund; \$313,064 and \$23,223 of State Special and an additional \$6,114 of State Special.

(9:B:0000)Mr. Robinson explained that the way the law reads now, if someone is declared a permanent total injury or a fatal injury, when Workmans' Comp benefits are paid, the Workers' Compensation Insurer is able to deduct the amount of what Social Security will pay, up to 50 percent of the Workers' Comp payment. In 1973 a law was passed where there was a 100 percent deductible.

Rep. Poulsen called the question. The motion CARRIED unanimously.

(9:B:2.00) Rep. Winslow moved to accept the supplementals for the Department of Social and Rehabilitative Services, with the provision that if they are able to come up with a more specific number on the lessor side, they be able to amend the state medical. Rep. Peck called the question. The motion CARRIED unanimously.

Education Subcommittee:

Rep. Nathe moved the supplementals for the Office of Public Instruction for \$100,609; \$234,313, \$281,586, BE ACCEPTED. Rep. Peck called the question. The motion CARRIED unanimously.

Rep. Nathe moved the supplementals for the Montana State University System at \$207,657; and the Board of Regents at \$4,500 be APPROVED. Rep. Peck called the question. The motion CARRIED unanimously.

(B:5.00) Rep. Nathe moved TO APPROVE the supplementals for the Board of Public Education, both for legal expenses of \$7,525 and \$10,000 for the funding of the legal expenses for the forthcoming lawsuit. Rep. Peck called the question. The motion CARRIED unanimously.

Institutions Subcommittee:

(B:5.43) Rep. Miller moved to ADOPT the supplementals for the institutions for 1) Montana Youth Treatment Center for \$140,000; 2) Workmans' Comp of \$1,974,297; 3) Corrections medical costs \$680,000; and 4) Montana State Prison for lawsuit for \$351,291. Rep. Thoft called the question. The motion CARRIED unanimously.

Rep. Miller moved that the canteen funds be ADOPTED as follows: 1) Mountain View for \$4,000; 2) Pine Hills School for \$15,000; 3) Montana State Prison for \$244,998; 4) Montana State Hospital for \$12,162; and 5) Swan River Forest Camp for \$15,000. Rep. Quilici called the question. The motion CARRIED unanimously.

Natural Resources Subcommittee:

Rep. Swift moved to adopt the State Lands requests for \$11,800 and fire suppression for \$557,462 in general fund. Rep. Nathe called the question. The motion CARRIED unanimously.

General Government Subcommittee:(9:B:8.50)

Rep. Rehberg moved that the committee ACCEPT the Secretary of State's supplemental for \$108,117. Question was called by Rep. Quilici. The motion CARRIED unanimously.

Rep. Rehberg moved TO ACCEPT the subcommittee recommendation to withdraw the Commissioner of Campaign Practices' supplemental of \$2,500 of general fund. Rep. Quilici called the question. The motion CARRIED unanimously.

Rep. Rehberg moved TO ACCEPT the subcommittee's recommendation for the four supplemental requests for the State Auditor's Office; postage of \$11,400 General Fund, long distance phone charges of \$6,000 State Special Revenue Fund; central payroll \$20,162 State Special Revenue Fund; and \$35,000 State Special Revenue Fund Medicare Tax Reform. Rep. Thoft called the question. The motion CARRIED unanimously.

Rep. Rehberg moved TO ACCEPT the three supplementals for the Department of Justice be approved. Those being \$57,200 general fund for county attorney payroll costs; \$56,520 State Special Revenue for Forensic Science Lab's rental payment; and \$10,500 State Special Revenue for additional funding for the Law Enforcement Academy Division.

Rep. Thoft moved to segregate the \$56,520 for the Forensic Science Lab's rent.

Rep. Bradley asked why Rep. Thoft supported that move. Rep. Thoft stated because it was done without prior authorization and the legislature needs to take a look at it separately.

Rep. Bradley spoke against the motion. There was a lot of discussion before the subcommittee. She requested a copy of the inspection on that building. It said that the place was so dangerous that the building could blow down in a big wind storm.

(9:B:13.03)Rep. Quilici stated the Department of Justice didn't go about it the right way to obtain the facility, but under the circumstances, he felt it was a hazard to the employees. He also pointed out that he did not know how they could run if the supplemental was not approved.

Rep. Rehberg stated that the issue is not the condition of the building they were in; the issue is whether this legislative body can accept an action by the Attorney General to up and move the office, remodel and stick the legislature with a \$56,000 plus an additional \$56,000 from now plus the inflation. It is not whether the committee thinks they should have moved or not, they could have come to the legislature and asked permission to do that, the fact that they increased their square footage by 2800 square feet and they increased the cost to the state government at a time when everyone is having to tighten their belts.

Rep. Connelly stated she served on the subcommittee in 1985 and they did come in and tell the committee about this building and the condition of the building at that time. The committee just more or less ignored it. The committee talked about it but they didn't do anything.

Rep. Devlin asked if Attorney General asked for permission at that time. Rep. Connelly stated no they didn't, they just commented on how bad it was.

(B:17.30)Rep. Menahan asked if there were problems with the building that could detract from the job of the people there such as security etc. Mr. Driscoll stated there were many problems with the building and security was a big problem there.

Rep. Menahan asked Rep. Quilici if he would further explain. Rep. Quilici stated it wasn't only the security problem. One of the problems is that they had a lot of scientific equipment in there to do analysis. Some of that equipment cannot be used in incimate weather where it gets down to 50 degrees, they could not use this type of equipment and the equipment, costing thousands of dollars, was put into a facility that you can't even use.

Rep. Thoft stated that the big issue is the building was in that same condition when they moved in. They were faulty in they determined to move in. How much time did they spend trying to find another facility, there are lots of places to rent, did they make an effort to find a suitable building at a lot less cost.

Rep. Poulsen stated he felt they were talking about \$86,000 a year for a lease rather than the \$56,000.

(9:B:21.16)Rep. Peck spoke in favor of the department saying it was in a Catch 22 situation, once they got the report, we the legislature, would certainly expect them to react to that. Had they stayed there after receiving that report and you had a major accident and had a major lawsuit against you, I think you would feel very differently. Seems that they had to do something.

Rep. Thoft asked if they had A & E's approval to move into the building. Rep. Rehberg stated, no they did not. They did not have A & E inspect the building before they moved into the one that was inadequate. But they had A & E come in and judge that it was inadequate once they were in there and looking to move someplace else. Again, he stressed the issue was not whether the building was inadequate, it is whether the legislature feels they can support a square footage cost that high.

Rep. Bradley asked if this was motor vehicle money. Rep. Rehberg replied yes.

Rep. Quilici called the question to segregate the moving of the Forensic Lab from the other supplementals.

There was a roll call vote. Reps. Donaldson, Thoft, Winslow, Devlin, Menke, Miller, Nathe, Poulsen, Rehberg, Spaeth, Swift, and Switzer voted yes. Reps Bardanouve, Bradley, Connelly, Manuel, Menahan, Peck and Quilici voted no. The motion CARRIED by a vote of 12 to 7.

(9:B:25.50)Rep. Rehberg moved APPROVAL of the County Attorney payroll and the Law Enforcement Academy for a first responder course. Rep. Quilici called the question. The motion CARRIED unanimously.

Rep. Rehberg moved the committee DO NOT ACCEPT the supplemental request for the \$56,520 for the rental of the new Forensic Science Lab.

Rep. Spaeth stated that he supported the motion to segregate this as it needed to be addressed. What they did was wrong. Perhaps a better way of doing it is to approve the

supplemental with some indication to the subcommittee that they do not approve an expensive lease like this, that that be rectified come July 1, we can change it July 1. He felt that was enough of a strong message to the Attorney General to know that what was done was not proper.

(9:B:30.0)Rep. Bardanouve asked to have a breakdown on how the Attorney General's Office will handle this shortfall. Ms. Susan Hansen, Administrative Assistant of the Attorney General's office stated that they would have to lay off scientists to come up with the money to pay the fees. Right now they are projecting a \$66,000 deficit anyway without the supplemental. Laying off two more scientists would probably mean shutting down one of the sections, probably serology. She also stated they have no money that they can transfer from anywhere else to assist.

Rep. Donaldson asked what the procedure they used when they moved. He stated that during the last special session, the department could have brought this up. Is that correct and why wasn't it brought before the special session.

Ms. Hansen stated the issue was discussed informally, it was not within the call of the governor. By the time the last session came along, the lease had already been signed. They moved in April of 1986.

Rep. Nathe asked how long they were tied into the current obligation as far as the lease.

Mr. Driscoll stated that he was careful when negotiating the lease to make sure that the state has a biennial out, which means that there has been no debt created. If the legislature chose not to fund the payments on the lease, the state would have no obligation beyond the current biennium. The Attorney General's Office felt they were legally within their authority to commit the state up to the end of the biennium. There is a lease for a longer period but it states the state has the option of getting out if the legislature chooses to do so.

Mr. Driscoll stated that a number of driver's examination stations were closed due to the percentage cuts. Mr. Bob Kuchenbrod, Administrator of the Centralized Services Division, Department of Justice, stated that one cut was worth about \$90,000. Rep. Rehberg asked how would the legislature be able to go back home and say they had approved approximately \$56,000 for rent and just can't use that money for they driver's examination stations in the rural areas any more.

(10:A:2.20)Rep. Bardanoue called the question. There was a roll call vote. Reps. Donaldson, Thoft, Winslow, Devlin, Menke, Miller, Nathe, Poulsen, Rehberg, Swift, and Switzer voted YES. Reps. Bardanoue, Bradley, Connelly, Manuel, Menahan, Peck, Quilici and Spaeth voted NO. The motion CARRIED by a vote of 11 to 8.

Rep. Rehberg moved TO ACCEPT the subcommittee's supplemental request for the Department of Administration for \$402,541 General Fund to pay for the County Tax Appeals Board, the State Tax Appeals, and the manual disparity appropriation of \$33,750 general fund. Rep. Swift called the question. With Reps. Devlin and Switzer voting NO, the motion CARRIED.

Rep. Rehberg moved TO ACCEPT the subcommittee recommendation for \$3,864 for anticipated litigation expenses on the powerline for the Department of Revenue. Rep. Miller called the question. The motion CARRIED unanimously.

(A:8.29)Rep. Rehberg moved to NOT ACCEPT the \$70,870 general fund supplemental request for the railroad litigation.

Rep. Bradley asked if someone from the department could speak to this issue. Gregg Groepper, Administrator, Property Assessment Division for the Department of Revenue, stated that at the time the governor announced the 2 percent cuts, subsequently, there was a call of the special session. One of the issues was a proposed settlement by the governor to resolve the railroad litigation. They had agreed to a particular structure of tax over the next six years. We had to make a commitment to the budget office after the call of the special session to tell them where the 2 percent monies were coming from. They had approximately \$85,000 they had not spent from the continuing appropriation given by the legislature, so that \$85,000 reverted. The issue that you are referring to is an ongoing issue in 1987, how we handled some of the 5 percent reductions and subsequent 2 percent reductions.

(A:13.23)Rep. Bardanoue asked if this suit is not pursued and we lose it by default, by not having attorneys to defend the state, how much will be lost and who will suffer the loss. Mr. Groepper stated that there is \$12 million at dispute, the first \$6 million has been deposited with a state short term investment group. Generally three fourths of the money is for schools and local government and about one fourth makes up the 55 mills for school equalization university system or about \$3 million for state and \$9 million for local government and schools.


Rep. Rehberg stated that the fact is, after the special session and after the cuts, the Department of Revenue

replaced money for 7.0 FTEs to replace the lost funding for those FTEs.

(10:A:20.0) Pam Joehler, Senior Analyst for the LFA, stated that following the special session III, in FY 1987, the department transferred a little over \$100,000 from the Property Assessment Division to the Income Tax Division to fund income tax auditors. They also transferred about \$20,000 from the Property Assessment Division to the Directors Office for functions within the Director's Office. They replaced the funding that was lost in the special session by a transfer of funds.

Rep. Quilici called the question. There was a roll call vote. Reps. Donaldson, Thoft, Winslow, Devlin, Menke, Miller, Nathe, Rehberg, Swift, and Switzer voted YES. Reps. Bardanouve, Bradley, Connelly, Manuel, Menahan, Peck, Poulsen, Quilici, and Spaeth voted NO. The motion CARRIED by a vote of 10 to 9.

(A:30.0) Rep. Winslow moved to DO PASS HB434 AS AMENDED. Rep. Bardanouve called the question. With Reps. Spaeth, Peck, Switzer, Connelly, Quilici, and Menahan voting no, the motion CARRIED.


Rep. Gene Donaldson
Chairman

DAILY ROLL CALL

APPROPRIATIONS

COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date 1/20/87

NAME	PRESENT	ABSENT	EXCUSED
DONALDSON, GENE (Chairman)	✓		
THOFT, BOB (Vice Chairman)	✓		
WINSLOW, CAL (Vice Chairman)	✓		
BARDANOUE, FRANCIS	✓		
BRADLEY, DOROTHY	✓		
CONNELLY, MARY ELLEN	✓		
DEVLIN, GERRY	✓		
IVERSON, DENNIS		✓	
MANUEL, REX	✓		
MENAHAN, WILLIAM "RED"	✓		
MENKE, LARRY	✓		
MILLER, RON	✓		
NATHE, DENNIS	✓		
PECK, RAY	✓		
POULSEN, HAROLD	✓		
QUILICI, JOE	✓		
REHBERG, DENNIS	✓		
SPAETH, GARY	✓		
SWIFT, BERNIE	✓		
SWITZER, DEAN	✓		

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The following narrative explains briefly the supplementals being requested by human service agencies for fiscal year 1987.

HEALTH AND ENVIRONMENTAL SCIENCES

\$35,713 General Fund - This supplemental provides funding for the department to continue certificate of need operations in fiscal year 1987. Federal health planning funds were not reauthorized. The department has enough federal authority to carry the program through February. The health planning bureau provides the staff and technical support necessary for the department to administer the Montana certificate of need legislation which sunsets June 30, 1987.

DEPARTMENT OF LABOR AND INDUSTRY

\$20,702 General Fund - This supplemental is required to reimburse a private insurance company for costs they incurred in Young Motor Company v. Division of Worker's Compensation decided by the Montana Supreme Court. The decision enabled the claimant to be eligible for the Social Security Offset Program.

\$313,064 and \$23,223 State Special - These supplementals are due to the serious backlog in workload for the State Insurance Fund in FY86. Additional FTE's to deal with the backlogs were authorized through a transfer from other programs within Labor and Industry. These positions were continued into Fy 87 to continue the effort of reducing the backlog of work.

\$6,114 State Special - This supplemental was approved by the subcommittee to pay for a second opinion on the Worker's Comp fund liability.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

\$1,727,008 General Fund, (\$107,922) Federal Special & \$378,377 Other Special (county) - Foster care benefits require a supplemental appropriation due to foster care and group home placements above the number estimated by the 1985 session. In addition, the number of placements by type of placement also changed between the last legislature and this session as different foster care benefits have different funding mixes.

\$2,378,109 General Fund, \$5,915,012 Federal Special & \$196,745 Other Special (county) - The most recent estimate of AFDC caseload for FY87 is 9,352. Budgeted caseload for FY87 is 8,083. This supplemental request provides funding for the anticipated caseload through the end of FY87. These costs are based on 8,464 regular cases @ \$321.50 per month and 888 UP cases @ \$422.00 per month.

\$48,203 General Fund & \$94,563 Federal Special - The AFDC day care appropriation was reduced by the June special session. Increased AFDC utilization is causing this benefit to be used more than anticipated.

\$1,405,006 General Fund - The state General Assistance Program will increase due to the district court ruling that SRS cannot limit any recipient's GA benefits to two months in any twelve month period.

\$150,000 General Fund - This supplemental is for nonresident general assistance. The cost is due almost entirely to the cost of one accident of a nonresident. The entire biennial appropriation for this program was \$60,000.

\$2,500 General Fund & \$7,500 Federal Special - This supplemental request would fund preadmissions screening for psychiatric treatment at Rivendell Youth Treatment Center and expert witness testimony if adverse findings are appealed.

(Agency Revision & Subcommittee action - \$2,547,951 General Fund)

\$947,172 General Fund - Claims for state medical assistance are higher than estimated during the 1985 Legislature. To date the number of claims paid is running about 37% higher than a year ago. This program is 100% general fund.

\$488,400 General Fund & \$1,011,600 Federal Special - Rivendell Youth Treatment Center is expected to receive medicaid certification retroactive to January 1st of this year. This supplemental funds the cost of those medicaid eligible youth at the facility.

Agency Revision & Subcommittee action - \$ 7,045,153 General Fund
\$13,698,532 Federal Sp.

\$3,466,089 General Fund & \$6,387,631 Federal Special - Supplemental appropriation is requested in the medicaid other program due to higher than anticipated AFDC caseloads and higher numbers of claims.

\$60,000 General Fund & (\$20,000) Federal Special - This supplemental provides funding to pay Consultech for processing claims. Because of increased claims in the state medical program, this additional amount is requested.



Board of Public Education

January 16, 1987

Claudette Morton
Executive Secretary

BOARD MEMBERS

EX OFFICIO MEMBERS:

- Ted Schwinden, Governor
- Ed Argenbright, Superintendent of Public Instruction
- Carrol Krause, Commissioner of Higher Education

APPOINTED MEMBERS:

- Ted Hazelbaker, Chairman
Dillon
- Alan Nicholson, Vice-Chairman
Helena
- James Graham
Ismay
- Sarah "Sally" Listerud
Wolf Point
- Arthur "Rocky" Schauer
Libby
- Bill Thomas
Great Falls
- Thomas A. Thompson
Browning

The Honorable Gene Donaldson, Chair
House Appropriations Committee
State Capitol
Helena, MT 59601

Dear Representative Donaldson and Committee Members:

In a discussion yesterday with the Board of Public Education's lawyer, William Leaphart, Jr., it is now apparent we are short in our request for supplemental funds.

Based upon expenses that we now know and because of the length of the upcoming trial, which will last approximately six weeks, Mr. Leaphart stated that if he attends the entire trial the cost would be \$15,000. However, he felt it would be necessary to attend only portions of the trial but judged his cost to be \$10,000. Since the trial is scheduled to start in May this cost will be incurred during this fiscal year.

Therefore, we must increase our request for supplemental funds by \$10,000 for a total request of \$17525 for this fiscal year. We apologize for not having asked for this amount in the beginning and certainly would not be requesting it if it weren't necessary. We would assure the committee that if the trial should be delayed again the money will be returned to the general fund.

We have requested \$4200 a year in the Board's budget for legal services in the next biennium in the hope that this lawsuit will be resolved this year.

Thank you for your consideration of this supplemental request.

On behalf of the Board,

Claudette Morton
Executive Secretary

ROLL CALL VOTE

HOUSE APPROPRIATIONS

COMMITTEE

DATE 1/20/87 BILL NO. SUPPLEMENTALS NUMBER

NAME	AYE	NAY
Rep. Gene Donaldson, Chairman	✓	
Rep. Bob Thoft, Vice Chairman	✓	
Rep. Cal Winslow, Vice Chairman	✓	
Rep. Francis Bardanoue		✓
Rep. Dorothy Bradley		✓
Rep. Mary Ellen Connelly		✓
Rep. Gerry Devlin	✓	
Rep. Dennis Iverson		
Rep. Rex Manuel		✓
Rep. Red Menahan		✓
Rep. Larry Menke	✓	
Rep. Ron Miller	✓	
Rep. Dennis Nathe	✓	
Rep. Ray Peck		✓
Rep. Harold Poulsen	✓	
Rep. Joe Quilici		✓
Rep. Dennis Rehberg	✓	
Rep. Gary Spaeth	✓	
Rep. Bernie Swift	✓	
Rep. Dean Switzer	✓	

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DENISE THOMPSON
Secretary

REP. GENE DONALDSON
Chairman

MOTION: REP. THOFT MOVED TO SEGREGATE THE FORENSIC RENTAL SUPPLEMENTAL FROM THE OTHER SUPPLEMENTALS FOR THE DEPARTMENT OF JUSTICE.

ROLL CALL VOTE

HOUSE APPROPRIATIONS

COMMITTEE

DATE 8/20/87 BILL NO. SUPPLEMENTALS NUMBER

NAME	AYE	NAY
Rep. Gene Donaldson, Chairman	✓	
Rep. Bob Thoft, Vice Chairman	✓	
Rep. Cal Winslow, Vice Chairman	✓	
Rep. Francis Bardanouve		✓
Rep. Dorothy Bradley		✓
Rep. Mary Ellen Connelly		✓
Rep. Gerry Devlin	✓	
Rep. Dennis Iverson	✓	
Rep. Rex Manuel		✓
Rep. Red Menahan		✓
Rep. Larry Menke	✓	
Rep. Ron Miller	✓	
Rep. Dennis Nathe	✓	
Rep. Ray Peck		✓
Rep. Harold Poulsen	✓	
Rep. Joe Quilici		✓
Rep. Dennis Rehberg	✓	
Rep. Gary Spaeth		✓
Rep. Bernie Swift	✓	
Rep. Dean Switzer	✓	

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DENISE THOMPSON
Secretary

REP. GENE DONALDSON
Chairman

MOTION: REP. REHBERG MOVED THAT THE COMMITTEE DO NOT ACCEPT THE
SUPPLEMENTAL REQUEST FOR THE \$56,320 FOR THE RENTAL OF THE NEW
FORENSIC SCIENCE LAB.

ROLL CALL VOTE

HOUSE APPROPRIATIONS

COMMITTEE

DATE 1/20 BILL NO. _____ SUPPLEMENTALS NUMBER _____

NAME	AYE	NAY
Rep. Gene Donaldson, Chairman	✓	
Rep. Bob Thoft, Vice Chairman	✓	
Rep. Cal Winslow, Vice Chairman	✓	
Rep. Francis Bardanouve		✓
Rep. Dorothy Bradley		✓
Rep. Mary Ellen Connelly		✓
Rep. Gerry Devlin	✓	
Rep. Dennis Iverson	✓	
Rep. Rex Manuel		✓
Rep. Red Menahan		✓
Rep. Larry Menke	✓	
Rep. Ron Miller	✓	
Rep. Dennis Nathe	✓	
Rep. Ray Peck		✓
Rep. Harold Poulsen		✓
Rep. Joe Quilici		✓
Rep. Dennis Rehberg	✓	
Rep. Gary Spaeth		✓
Rep. Bernie Swift	✓	
Rep. Dean Switzer	✓	

TALLY

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DENISE THOMPSON
Secretary

REP. GENE DONALDSON
Chairman

MOTION: REP. REHBERG MOVED TO DO NOT ACCEPT THE \$70,870 GENERAL
FUND SUPPLEMENTAL REQUEST FOR THE RAILROAD LITIGATION., DEPARTMENT
OF REVENUE.

