

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 51st LEGISLATURE - REGULAR SESSION

#### SUBCOMMITTEE ON GENERAL GOVERNMENT AND HIGHWAYS

Call to Order: By Chairman Quilici, on February 16, 1989, at 8:07 a.m.

#### ROLL CALL

Members Present: All members were present.

Members Excused: None.

Members Absent: None.

Staff Present: Pam Joehler, LFA  
Flo Smith, OBPP  
Mary Liedle, secretary

Announcements/Discussion: Rep. Quilici announced that Laurie Ekanger from the Department of Administration would give a presentation on the health plan and then the committee would resume executive action on wrap up items.

For Informational Purposes: Tape 60A Laurie Ekanger, Department of Administration, gave a presentation on the state health plan for the committee's information. She explained the current policy which has a \$150 deductible and 20% coinsurance up to \$2500. There are presently about 28,000 people covered by the plan. The state pays \$115 per month for employee premiums. This share is more than the present cost. The plan is self-insured. Last year there were \$19 million dollars in claims.

There are several reasons costs continue to rise. These include an increased use of medical services, cost shifting, technological advances, new diseases, malpractice insurance, aging members and mandated benefits. Some of the options available to pay the increased costs include using excess reserves, increasing the employee share, changing the state share or changing benefits.

Some of the options available for benefit changes include managing high costs through case management or hospital bill audits, developing prevention programs, implementing consumer incentives, eliminating overgenerous benefits and negotiating lower prices.

The way the plan stands at this point, some action must be taken or the plan will be insolvent by 1991. Ms. Ekanger

presented the plan to give the committee information about where it stands at this point. It is likely to change. However, the need for action will remain a constant.

DISPOSITION OF DEPARTMENT OF ADMINISTRATION: INFORMATION  
SERVICES DIVISION; LANGUAGE ISSUE

Tape No. 60B

Motion: Sen. Regan moved to approve language stating, "Item \_\_\_\_\_ includes 2.0 FTE data entry operators, grade 7 step 5, which are used to input data on the P/P/P system. These FTE shall not be included in the 1993 biennium current level budget submitted by the Department of Administration.

Discussion: The committee briefly discussed that this language dealt with previous executive action which deleted the data entry operators for FY91 and the committee did not want the FY90 data entry operators to be base building.

Amendments, Discussion, and Votes: The motion PASSED unanimously.

DISPOSITION OF LEGISLATIVE COUNCIL: OPERATIONS PROGRAM

Tape No. 60B

Motion: Sen. Regan moved to delete the promotion at \$57,200 each year and upgrades at \$9000 each year.

Discussion: The promotions and upgrades were included in the current level budget previously accepted by the committee. Some members felt these issues should have been dealt with separately. Rep. Swysgood said when the committee addressed other budgets with position upgrades and promotions they were not approved. While these are merits and well-deserved, the precedence being set here would be out of context with what the committee's action has been up to date. Sen. Regan said she respects the council and they do great work but the committee did not provide for these kinds of things in other budgets and the committee should not do it here.

Amendments, Discussion, and Votes: The motion PASSED with Rep. Nisbet and Sen. Stimatz voting nay.

Motion: Sen. Regan moved to remove registration fees at \$12,700 in FY90 and \$16,300 in FY91.

Discussion: Rep. Quilici asked what these registration fees are for. Clayton Schenck said these are registration fees for

NCSL and CSG for staff. These costs correlate with travel costs. Sen. Stimatz asked if these fees tie into the trips the staff takes that are necessary. Bob Person said yes, these are the registration fees for the trips. Travel includes the airplane, hotel and food charges but not the registration fee.

Amendments, Discussion, and Votes: The motion PASSED with Sen. Stimatz voting nay.

DISPOSITION OF LEGISLATIVE COUNCIL: INTERIM STUDIES AND  
CONFERENCES PROGRAM

Tape No. 61A

Motion: Sen. Regan moved to approve \$15,000 for the Forestry Task Force.

Discussion: Sen. Regan said the budget presented by the agency for the task force shows a 363% increase, going from \$8,000 to \$37,000. Sen. Severson said that in the last session the budget was cut immensely, to the point it was held together this year by sending only half the people and not taking any salaries. The \$8000 was a cut from \$20,000. \$20,000 is what the task force has had. The dues presented in the budget book are presented incorrectly. The dues are not \$5500 per year, they are \$2750 per year and paid on a biennial basis. Sen. Severson said they are not asking for \$37,000. They are asking for \$20,000 to \$25,000. That would make it so that they could travel and take part in the task force. It's an extremely important committee when you take the whole western part of North America clear to Mexico working on a single issue. He said he could give some good examples of where they've made some impact. Rep. Swysgood asked what some of the areas that the task force has an impact on include since he doesn't see things getting any better. Sen. Severson said the Canadian Trade Pact is one area. Sen. Tveit asked how many meetings they go to. Sen. Severson said they are on a schedule now of four meetings per year and those meetings are spread between all of the states and the provinces. The provinces are non-voting members although they are dues paying members.

Amendments, Discussion, and Votes: Sen. Stimatz made a substitute motion to approve \$20,000 for the Forestry Task Force.

Sen. Stimatz said if they are going to fund the task force they should do so at a level that would allow the task force to function.

The substitute motion PASSED with Sen. Regan voting nay.

Motion: Rep. Swysgood moved to approve the 1989 biennium budget for interim studies and programs at \$281,000.

Discussion: Rep. Swysgood said they need to have a starting place rather than dealing with each individual interim committee budget. If they take the 89 budget they can add and delete as they see fit without having to nitpick over each item. Rep. Quilici said the proposed 1991 biennium budget was high but they needed to look at adding to the 1989 biennium budget as some of those areas were underfunded.

Amendments, Discussion, and Votes: The motion PASSED unanimously.

Motion: Sen. Regan moved to remove the Indian Affairs budget and \$50,000 from the 1989 biennium budget previously approved.

Discussion: The committee discussed the fact that the Indian Affairs may be funded by legislation proposed, budgeting here would be double budgeting for the Indian Affairs program. There is \$50,000 in the 1989 budget for the Legislative Organization Committee that is not necessary in the 1991 biennium budget as that committee no longer exists.

Amendments, Discussion, and Votes: The motion PASSED unanimously.

Motion: Sen. Regan moved to fund 60% of NCSL and CSG dues.

Discussion: Sen. Tveit said last biennium the dues for NCSL were underfunded but he questioned whether the agency was trying to make up for that by overfunding this time. Bob Person said that for the past four fiscal years they have paid less than they have been assessed for dues. In the last two years they have only paid half of the assessment. The request for the coming biennium is to fund the amount they will be assessed. The dues assessments are made to each state based on a formula that takes into account the population of the state as well as the overall state budget. Sen. Regan said she realizes the state has been paying half dues which really isn't fair. Raising it to 60% still isn't all of the amount but these are still tough economic times for the state.

Amendments, Discussion, and Votes: Rep. Nisbet made a substitute motion to fund 75% of NCSL and CSG dues.

Clayton Schenck asked for clarification of the motion. The motion reduces the 1991 biennium request for NCSL and CSG dues by 25%

The substitute motion PASSED unanimously.

Motion: Sen. Regan moved to approve 75% of travel and salaries

for NCSL and CSG.

Discussion: Sen. Regan said this is a dramatic increase over the last biennium but if they are going to pay the dues they should also participate.

Amendments, Discussion, and Votes: The motion PASSED with Rep. Swysgood voting nay.

Motion: Sen. Regan moved to approve an increase of \$12,398 over the 1989 biennium appropriation for the five state conference.

Discussion: Sen. Regan said the big increase is due to the fact that the conference will be in Montana. It is just a conference so there are no dues. The 1989 appropriation was \$4100. This motion would make the 1991 appropriation \$16,498.

Amendments, Discussion, and Votes: The motion PASSED unanimously.

Motion: Rep. Swysgood moved to approve \$6287 for the districting and apportionment commission.

Discussion: Sen. Stimatz asked what that amount contemplates. Rep. Quilici said it anticipates four meetings principally for budget preparation planning and establishment of congressional districts.

Amendments, Discussion, and Votes: The motion PASSED unanimously.

DISPOSITION OF COMMISSIONER OF POLITICAL PRACTICES

Tape No. 61A

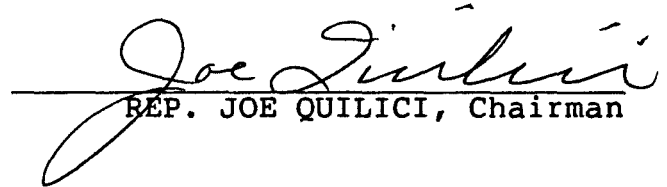
Motion: Rep. Swysgood moved to approve \$750 for computer maintenance.

Discussion: Flo Smith told the committee that the Commissioner left this out of her budget request. The computer system is new and she didn't realize during the budgeting process that it would be going off warranty. Her operating budget is so small that she would have a very difficult time coming up with the money.

Amendments, Discussion, and Votes: The motion PASSED unanimously.

ADJOURNMENT

Adjournment At: 10:41 a.m.

  
REP. JOE QUILICI, Chairman

JQ/ml

4022.min

# DAILY ROLL CALL

GENERAL GOVERNMENT AND HIGHWAYS SUBCOMMITTEE

DATE 2/16/89

NAME	PRESENT	ABSENT	EXCUSED
Representative Joe Quilici, Chair	✓		
Representative Jerry Nisbet	✓		
Representative Chuck Swysgood	✓		
Senator Larry Tveit, Vice Chair	✓		
Senator Pat Regan	✓		
Senator Lawrence Stimatz	✓		

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### Overview

The budgets for the committees and organizations included in the Interim Studies and Conferences program are presented on the following pages. The order of presentation is the same as that in Table 4 on page A-21.

Information is provided to assist in evaluating an appropriate budget level for each item.



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Joint Interim Committees and Statewide Issues

Proposed budgets:

Interim Committees	\$75,000
Statewide Issues	25,000

Basic assumptions:

1. Average interim committee budget should be about \$15,000; budget assumes funding for five @ \$14,700 (a balance is reserved for general support).
2. Average statewide issues committee should be \$12,500; budget assumes funding for two.

Considerations:

There were two interim committees in the past interim: Welfare and Basic Education. Welfare conducted 6 meetings, published a report, and paid for staff travel to Great Falls at a total cost (through January SBAS) of \$9,307.42. Basic Education conducted 6 meetings and paid for member attendance at 8 forums on education excellence, and published a report at a total cost of \$15,052.12. The Welfare Committee felt constrained by this budget.

We estimate an average committee of 8 members requires about \$1700 per meeting with all members attending. A study report and other printing and miscellaneous costs requires around \$1500 additional. Based on these assumptions a committee holding 5 one-day meetings with a report would cost \$10,000. This would be close to minimal.

Besides the committee budgets, about \$1500 is needed to provide other interim support including mostly the printing of the Interim Directory of Legislative Committees.

Options:

- A1. Budget \_\_\_\_ interim committees @ \$14,700 for \$ \_\_\_\_ total.
- A2. Budget \_\_\_\_ statewide issues committees @ \$12,500 for \$ \_\_\_\_ total.
- B1. Budget \_\_\_\_ interim committees @ \$10,000 for \$ \_\_\_\_
- B2. Budget \_\_\_\_ statewide committees @ \$8,300 for \$ \_\_\_\_ total.
- C1. Include \$1,500 for interim support.

Other issues: The Marks reorganization would allow interim committees to have more or less than 8 members.

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Select Committee on Indian Affairs

Proposed budget: \$7,000

Considerations:

Since this is a four-member committee, the \$7,000 is comparable to the amounts proposed for interim committees.

Past budgets for the committee have been terribly inadequate. Expenditures have been low because members have donated their time and been as frugal as possible sharing rides and rooms.

Actual expenditure through January is \$2,409.

Other issues:

HB 54 is in Appropriations committee with a \$6,000 appropriation in it.

Options:

A1. Keep budget here and set at appropriate level -- amend appropriation out of HB 54 in time for transmittal.

A2. Remove budget from this bill and consider it in HB 54.

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Districting and Apportionment Commission

Proposed budget: \$6,287

Considerations:

The Commission consists of five members. The budget anticipates four meetings principally for budget preparation, planning, and establishment of the Congressional districts. Montana districting will be budgeted in the next biennium.

Options:

- A1. Adopt budget as is.
- A2. Require Council to absorb budget in interim studies.
- A3. Reduce budget to some lower figure by fourths.



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Revenue Oversight Committee

Proposed budget: \$30,000

Considerations:

Proposal is at the level set by the committee; same as prior appropriation. Sufficient for 10 to 12 meetings @ \$2500 to \$3000 each. Fewer meetings could allow for consulting at committee discretion.

Actual expenditure through January was \$20,240.

Options:

- A1. Budget \_\_\_\_\_ meetings @ \$2,500 each.
- A2. Budget \_\_\_\_\_ meetings @ \$3,000 each.
- A3. Budget \_\_\_\_\_ meetings @ \_\_\_\_\_ each.

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Coal Tax Oversight Subcommittee

Proposed budget: \$12,000

Considerations:

The budget has been set at \$12,000 every biennium since the committee was established. The funding is coal tax local impact special revenue.

Actual expenditure through January was \$8,823.

Options:

- A1. Adopt budget as proposed
- A2. Reduce to actual.
- A3. Other

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Administrative Code Committee

Proposed budget: \$14,025

Considerations:

The budget includes \$11,900 for 7 meetings and \$2,125 for support costs.

Actual expenditure through January was \$6,549.

Rule making activity was light toward the end of the last administration. Indications are it may be heavier this biennium as rules are reviewed for elimination or alteration.

Options:

- A1. Adopt budget as proposed.
- A2. Budget \_\_\_\_\_ meetings @ \$1,700 plus \$ 2,125 support costs
- A3. Budget \_\_\_\_\_ meetings @ \$1,700 plus \_\_\_\_\_ support costs



Capitol Building and Planning

Proposed budget: \$7,000

Considerations:

The budget funds full participation of the four legislative members in 5 meetings. Each meetings with additional support costs. Each meeting is budgeted at \$850.

The committee was not funded in the last interim.

Options:

- A1. Adopt budget as proposed.
- A2. Budget \_\_\_\_\_ meetings @ \$850 plus \_\_\_\_\_ support costs.
- A3. Delete budget and recommend committee bill to eliminate committee.

Other issues:

Should a decision be made to eliminate the committee, it would be worthwhile to consider reassigning the responsibilities to the Department of Administration rather than eliminating them altogether.

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National Conference of State Legislatures

Proposed budget:

Legislator salaries:	\$ 13,512
Legislator travel:	\$ 43,800
Dues:	\$ 88,700

Considerations:

The salary and travel budgets allow for 10 committee memberships. Each committee meets an average of twice a year separately and once at the annual meeting. The salary amount for each committee is \$1,351; travel is \$4,380. Dues are \$50,019 for fiscal 1990 and \$52,270 for fiscal 1991.

NCSL Committees open to legislators are divided into two groups. The Assembly on the Legislature (AOL) consists of a number of committees that consider state legislative policy and procedure matters. The State-Federal Assembly (SFA) consists of a number of committees that work on federal issues of interest to the states. The State-Federal Assembly committees recommend the issues on which NCSL lobbying activities are based. SFA committees can be powerful tools for a state like Montana if effective representation is arranged.

AOL Committees (11): Arts, Tourism and Cultural Resources; Children, Families and social Services; Criminal Justice; Economic Development; Fiscal Affairs and Oversight; Legislative Organization and Management; Science, Technology and Resource Planning; State Government Issues and Organization; Education; State-Local Relations; and Reapportionment.

SFA Committees (11): Agriculture, Food Policy and Rural Development; Commerce, Labor and Regulation; Education; Energy; Environment; Federal budget and Taxation; Government Operations and Pensions; Health and Human Services; International Trade; Law and Justice; Transportation and Communications.

We had dues payment history records readily available back to fiscal 1984. The payment record is as follows:

FY	Billed	Paid
84	\$27,946	\$27,946
85	29,631	29,631
86	33,204	32,500*
87	40,942	38,084*
88	45,122	22,561*
89	47,722	23,861*

\* payment less than full assessment

Montana did not join NCSL immediately upon it founding. We first joined, I believe, in 1977.



Other services supported, in part, by dues payments: Services to individual legislators and staff, committees, and other legislative bodies including: information requests; technical assistance; publications such as State Legislatures magazine; and representation of state interests as decided by SFA before Congress. Direct support to legislative staff is provided through 9 staff section organizations: American Society of legislative Clerks and Secretaries; National Association of Legislative Fiscal Officers; Legal Services Staff Section; Legislative Program Evaluation Section; Legislative Research Librarians Staff Section; National Legislative Service and Security Association; Leadership Staff Section; Research and Committee Staff Section; Computer Applications Staff Section. Montana staff participate in few of these sections, especially recently, but information disseminated by the sections is used regularly by us. Judy Rippingale has been able to be quite active in staff groups and is an officer in the Fiscal Officers Association, President of the Western Fiscal Officers, and a staff advisor on a federal budget group. The audit staff has been active with their group and has frequently been honored by them.

Options:

- A1. Fully fund dues as proposed
- A2. Reduce dues payment by \_\_\_\_% or \$\_\_\_\_\_.
- B1. Fund legislator salary and travel as proposed.
- B2. Budget \_\_\_\_ committee memberships @ \$1,351 salary and \$4,380 travel each
- B3. Budget \_\_\_\_ partial committee memberships @ \$\_\_\_\_ salary and \$\_\_\_\_ travel each

Further considerations:

Legislator travel to NCSL activities often has been funded by budgets of other legislative agencies and by leadership approved travel budgets. This budget, therefore, does not represent the whole picture as to legislator travel to NCSL activities. The committee may wish to address that issue as an overall budgetary concern.

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Council of State Governments

Proposed budget:

Legislator salary:	\$13,512
Legislator travel:	\$43,800
Dues:	\$88,700

Considerations:

The salary and travel budgets allow for 8 committee memberships. Each committee meets an average of twice a year separately and once at the annual meeting. The salary amount for each committee is \$1,689; travel is \$5,475. Dues are \$43,100 for fiscal 1990 and \$45,600 for fiscal 1991.

Committee memberships available to legislators include committees of the Western Legislative Conference (WLC) including the regional governing committee plus the national governing committee.

WLC committees (7) include: Economic Development and International Trade; Health and Education; Resource Management; Ocean Resources; Water Policy; Executive Committee; National Executive Committee.

In addition to the regional conference committees and governing boards, CSG dues support a range of activities including ancillary associations such as the Western Attorneys General and a number of other state official organizations nationally. The Council conducts research on state issues nationally and publishes a great deal of statistical information. A standard publication on state government is the Book of the States. Numerous other publications are also available. A new project in the Western Conference has been the Westrends project. Dr. Sprague may visit with the subcommittee about this during his visit.

We had dues payment history records readily available back to fiscal 1984. The payment record is as follows:

FY	Billed	Paid
84	\$30,200	\$30,200
85	30,200	30,200
86	32,200	31,556*
87	34,300	31,933*
88	37,400	18,700*
89	40,300	20,750*

\* payment less than full assessment

Options:

- A1. Fund dues as proposed
- A2. Reduce dues by \_\_\_\_\_% or \$ \_\_\_\_\_

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- B1. Fund salary and travel as proposed.
- B2. Budget \_\_\_\_\_ memberships @ \$1,687 for salary and \$5,475 for travel
- B3. Budget \_\_\_\_\_ memberships @ \$ \_\_\_\_\_ for salary and \$ \_\_\_\_\_ for travel
- B4. Budget \_\_\_\_\_ memberships @ the same rate each as NCSL decided above

Further information:

President Galt has been asked to serve as Vice-Chair of the Water Policy Committee and will probably accept if funded. Rep. Marks has been a member of the Governing Board several times and members may find his observations useful. As with NCSL, other committees and the leadership approved travel budgets have funded travel to CSG. That may be an issue of interest to the committee.

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Five-State Conference

Proposed budget: \$16,498

Considerations:

Montana will host the Conference this fall. Rep. Peck will chair the Conference and Sen. Hammond will serve as Vice-chair. The Council wanted to promote Montana legislator attendance. The budget was designed to allow travel and expense reimbursement and registration fees for about 50 members. While it is not specified, a small amount of salary reimbursement is contemplated for the chair and vice-chair while conducting planning activities. The budget allows about \$330 in reimbursement for each attendee.

Details have not been set as to exact dates or registration fees. This work will be completed in May.

This conference occurs once every other year. There is no organization and there are no dues. Legislative agencies and members in the five states of Montana, North Dakota, South Dakota, Nebraska, and Wyoming organize the conference. Members who attend are usually enthusiastic about its value to them.

Options:

- A1. Fund budget as proposed.
- A2. Fund attendance of \_\_\_\_\_ legislators @ \$330 each
- A3. Fund attendance of \_\_\_\_\_ legislators @ \$\_\_\_\_\_ each



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**Montana-Western Canadian Provinces Boundary Advisory Committee**

**Proposed budget:**

<b>Legislator salary:</b>	<b>\$1,800</b>
<b>Legislator travel:</b>	<b>4,200</b>

**Considerations:**

This is a statutory committee that was established with great enthusiasm session before last. There are four legislative members funded by this budget. The budget would allow for 8 days of meetings and travel. It would be insufficient to aggressively pursue the mandate of the committee to meet with the governments of each of the Canadian Provinces bordering on Montana. It is my opinion that a smaller budget than this ought to be nothing.

**Options:**

- A1. Fund budget as proposed
- A2. Eliminate budget and request committee legislation to remove mandate
- A3. Decide to support the committee with the original hopes and study what would constitute adequate support.

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Western States Legislative Forestry Task Force

Proposed budget:

Legislator salary:	\$ 7,206
Legislator travel:	18,880
Dues:	11,000

Considerations:

Montana membership is determined each biennium by passing a resolution and adopting a budget. The resolution process is a part of the organization's bylaws. Dues are \$5,500 each year. There are four members who are eligible to travel to four meetings a year throughout the West and to Washington, D.C. The budget per meeting is \$901 for salary; and \$2,306 for travel for the four members.

Montana did not pay dues in the past biennium and its dues were forgiven by the organization. The budget was insufficient to fully reimburse members for their travel so they agreed to pro-rata reductions in entitlement.

As of the January SBAS report, 100% of the budget, \$8,000 had been spent. Meetings were attended in Lewiston, Idaho; Port Angeles, Washington; Washington, D.C.; Carmel, California; Edmonton, Alberta; and Missoula, Montana.

Options:

- A1. Fund dues as proposed
- A2. Reduce dues budget by \_\_\_\_\_ % or \$ \_\_\_\_\_
  
- B1. Fund salary and travel as proposed
- B2. Budget \_\_\_\_\_ meetings @ \_\_\_\_\_ salary and \_\_\_\_\_ travel for \_\_\_\_\_ members