MINUTES

MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: By Chairman Bardanouve, on February 14, 1991, at 3:07 p.m.

ROLL CALL

Members Present:

Francis Bardanouve, Chairman (D) Ray Peck, Vice-Chairman (D) Dorothy Cody (D) Mary Ellen Connelly (D) Ed Grady (R) Larry Grinde (R) Mike Kadas (D) Berv Kimberley (D) Wm. "Red" Menahan (D) Jerry Nisbet (D) Mary Lou Peterson (R) Joe Quilici (D) Chuck Swysgood (R) Tom Zook (R)

Members Excused: Reps. Bradley, Cobb, Johnson and Thoft

Staff Present: Terry Cohea, Legislative Fiscal Analyst Sylvia Kinsey, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

EXECUTIVE ACTION ON HOUSE BILL 3

Mrs. Cohea told the committee there are several amendments prepared. EXHIBIT 1. She said the one on pink paper EXHIBIT 2 deals with the Natural Resources Damage Assessment. REP. KADAS has a separate bill with a supplemental for the Natural Resources Damage Assessment, the concept was presented to the General Government Committee, they approved it, and it is in EXHIBIT 1. The only difference in this amendment is that it would be funded from the Hazardous Waste Account portion of the Resource Indemnity Trust Account (RIT), rather than general fund as requested. The effort is currently funded from the Hazardous Waste Account and there is approximately a million dollar balance in that account.

<u>Motion/VOTE:</u> REP. SWYSGOOD moved the amendment, exhibit 2. Motion carried unanimously. **MOTION/VOTE:** REP. PECK MOVED EXHIBIT 3 which would allow money to be transferred to another portion of the SRS budget and would reduce the Medicaid Supplement Requirement. Motion carried unanimously.

Mrs. Cohea said there are numerous amendments that will need to be made in House Bill 3. They are embodied in the orange report, EXHIBIT 1. CHAIRMAN BARDANOUVE said when HB3 came out originally it was long before the short fall in SRS and other agencies, and these amendments have all been approved by the subcommittees.

<u>MOTION</u>: REP. KADAS moved the orange copy (EXHIBIT 1) be embodied in the bill.

Substitute Motion: REP. CODY moved on the last page of EXHIBIT 1, Joint Appropriations Education Subcommittee Supplemental Appropriation Requests, under School for the Deaf & Blind to add \$60,234.89.

REP. CODY said there is a general fund expenditure of \$285,000 to cover a settlement and \$21,829 to cover another settlement and the motion is to move \$60,234.89 for 12 employees who were ruled under Dept. of Adm. that they could not belong to the union and were not entitled to the settlement.

REP. PECK asked if she meant the D & B employees who were not union members, and was told yes. He said this was not presented to the subcommittee and he would oppose the idea that we extend union benefits to non-union members. They have not paid their dues nor participated in union activity, and asked why then should people be members of unions and participate in negotiations. **REP. CODY** said she had just gotten the figures and the number of people involved so could not present it to the subcommittee. She said there is a litigation going on now with the non-union members over annual leave and holiday pay. **CHAIRMAN BARDANOUVE** said he would question appropriating any money until the argument has been settled.

REP. KIMBERLEY asked how she had arrived at the figure and was told by information that was given to her by the School for the Deaf and Blind.

<u>Vote</u>: REP. CODY's substitute motion to add \$60,234.89 to the SDB failed on a roll call vote. Motion failed 4 members voting aye, 9 voting no. Roll Call Vote # 1.

<u>Motion:</u> **REP. KADAS** clarified his original motion to accept the amendments on the orange copy to include the amendments we have passed with the subcommittee figures.

In answer to a question from **REP. PECK**, **Mrs. Cohea** said if the committee adopts the column labeled subcommittee it will include all the amendments the subcommittee has approved.

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CHAIRMAN BARDANOUVE said he came across a bill in the Appropriation Committee that he felt could impact the supplemental. It was a bill by REP. BRADLEY which would appropriate a considerable amount of money to a settlement of the Highway lawsuit. There was a lot of general fund money in there and he thought possibly it could be Highway funds. He had asked the LFA to check with the Highway Dept. and would like to have the Highway Dept clarify this. Mr. Salisbury, Highway Dept, said yes, they would have to add \$350,000 to their supplemental. It has just came to their attention and they have agreed to pay this. It would be added to the \$5 million in the construction program.

Mrs. Cohea told Mr. Salisbury she had talked to Mr. Jim Beck the attorney yesterday and he told her the additional spending authority would not be necessary. He told her it would be taken from State Special and not the general fund. Mr. Salisbury said it was needed. Mrs. Cohea said the amount in the bill is \$390,614, you are requesting \$390,614 are you also requesting the contingency appropriation of \$165,000 and was told no. Mr. Salisbury said the amount there has approximately \$20 million and \$18 million is for the original request. They reduced that in subcommittee to \$5 million, and will need an amendment for the \$5 million and ask for \$396,614 in addition.

CHAIRMAN BARDANOUVE asked if the law suit was now settled so REP BRADLEY can remove her bill, and Mr. Salisbury said REP. BRADLEY has not withdrawn the bill at this time, but she will.

REP. CODY asked what the \$396,614 is for and **CHAIRMAN BARDANOUVE** said it is the settlement for a lawsuit. **Mr. Salisbury** said it is called a contractor's claim for a cost overrun on a project that Martell Construction billed the Dept. of Highways several years ago. It has been in an appeal process, they appealed it all the way to the Supreme Court, and we lost parts of it. The \$165,000 that we are referring to is the contingency that is still on appeal at the Supreme Court and we would address that when it comes up.

REP. PECK wanted clarification on what the court said. **Mr. Salisbury** said the court is final on one part which is the \$396,614, the \$165,000 is outside of that.

REP. KADAS asked if this was State Special Revenue funding and **Mr. Salisbury** said he could not tell the committee what the split is on it, it was a Federal Aid job so there could be some federal funds on it. **CHAIRMAN BARDANOUVE** said they would accept the LFA language on this and **Mr. Salisbury** said they would probably accept the State Special because of the immediacy, it would have to go back and be negotiated in an agreement with the Federal Highway to have them participate in that settlement. **VOTE: REP. KADAS** motion to accept the orange copy with the exceptions was voted. Motion carried, unanimous. <u>Motion:</u> REP. QUILICI moved to insert \$390,614 in the Highway Department funding under their contract budget to pay off the lawsuit on Martell Construction and REP. BRADLEY will withdraw House Bill 601. LFA language to be accepted. Motion carried unanimously.

At the request of **REP. QUILICI Mr. Salisbury** said they will attempt to get the Federal Government to pay a part of this lawsuit.

REP. KADAS raised the issue of Litigation Costs-Indian Affairs with the Dept. of FWP. He said he was not convinced this should be general fund but should come out of FWP. This was the amount of the settlement with the Salish and Kootenai tribes.

MOTION: REP. KADAS moved the money for the lawsuit settlement on the Salish and Kootenai tribes be taken from the FWP, and the LFA to get it in the right language.

CHAIRMAN BARDANOUVE said he believed this was a judgement call the Governor's office had made. This is a judgement call however you want to call it.

REP. QUILICI said he would like to see the money come out of the FWP, but would like to ask someone if, when we move to take this money out of FWP the question is, do they have that kind of fund and where does it come out of. **Mr. Rod Sunsted, Director OBPP** said that money has already been funded out of Justice. Their position is it should be general fund because it could affect other areas such as gambling, etc. in the state.

REP. MENAHAN asked why not cut it in half, 1/2 to general fund, 1/2 to FWP.

Mr. Sunsted said they would have to look at it. It has already been funded out of Justice as general fund, and our position was it should be general fund because it could affect taxation, gambling, water quality, etc. He requested the opportunity to come back and talk to the committee after they had talked to FWP.

CHAIRMAN BARDANOUVE said they would hold the motion in obeyance until FWP showed up.

AUDITOR'S OFFICE:

REP. SWYSGOOD said he would like to refer back to the Auditor's office and the Warrant Writing System which is a cost of \$283,000 on the supplemental. Last session we gave the Auditor's office about \$304,000 for the Warrant Writing System and the PPP system. At the same time we gave them \$120,000 for the enhancement of the Warrant Writing System. These were all above and beyond the former base for the operation of this system. He understood with the increased load etc. there were some problems and asked if the

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problem was caused by Worker's Compensation? Mr. Sheehy, State Auditor's Office said last session they did not know what the cost of the system was going to be. All base costs were eliminated for operating that system and they have made a special appropriation of \$165,000 for the biennium to run the warrant writing system. The State Auditor went on record at that time saying they did not feel it was an adequate amount and the Committee made the decision that if it was not an adequate amount we should come back for a supplemental. Of that \$82,500 they were billed \$160,000 by the Dept. of Adm. ISD. For FY '91 they took \$72,000 and put it toward FY '90 costs, which left approximately \$4,000 to pay ISD for FY '91. They have now gone through everything they had in FY'91 and are in arrears to ISD for \$70,000 plus and expect them to bill for \$170,000 for ISD charges this year. The problem was created by a group of people not knowing what the costs would be and appropriating something to cover the costs and then the costs would be determined.

REP. SWYSGOOD said if the increased costs are due to a group of people not knowing what the cost would be, is Worker's Compensation a part of that cost? **Mr. Sheehy** said yes, Worker's Comp would have an impact on the number of warrants written. There has been a shift of a warrant writing from the state fund to the State Auditor's office, and it is a portion of that, but the whole cost could not be attributed to W. C.. They are producing warrants quicker, better, and the system is working better but they are also producing over 1 million mail warrants a year now.

REP. SWYSGOOD asked if there are any plans for the Dept. to bill Worker's Comp. Mr. Sheehy said they, as a Dept. have made no plans to bill W. C. for these costs. **REP. QUILICI** said he felt he could help on some of these matters. The warrant writing system has been a sore spot with the subcommittee, but he did not feel it was the fault of the State Auditors. This was a new system, no one knew how to track the system, the state fund and SRS went onto the system. Somewhere along the line we should look at a cost allocation that these agencies pay for some of these warrants rather than putting all the general fund money into the State Auditor's office.

CHAIRMAN BARDANOUVE said he felt there should be no criticism of the State Auditor's office. He had EXHIBIT 4 passed out and said he would propose an amendment that we recover some of that money and reduce the amount of general fund money. REP. QUILICI said the subcommittee made a recommendation to the full Appropriations committee to do this.

REP. SWYSGOOD showed a list of all the systems in state government and said every session we appropriate money for computers and there does not seem to be a plan. In FY 90 we spent \$4.8 million for computer equipment, in Fy '90 we spent \$14.8 million to operate them. In every subcommittee there is more money for computers, and though they are a necessary part of the operation there doesn't seem to be any plan. ISD takes over after the fact to coordinate the equipment so it is compatible. We need to have some sort of system that tracks the capability of this equipment.

REP. QUILICI said ISD is supposed to be tracking all these systems and they could ask **Mike Trevor** about it. This is a cost we have never been able to get a handle on, but there is also turf battles between agencies and ISD about computer equipment. **CHAIRMAN BARDANOUVE** said he would like to have the Fiscal Analyst do some research on the problem.

Clayton Schenck explained **EXHIBIT 4** to the committee in regard to the state warrant writing system.

CHAIRMAN BARDANOUVE said these costs had been borne by the agencies before and it has been shifted over. With the postage increasing and the increase in warrant writing it should be handled in the agency budgets.

REP. KADAS asked who had been paying these fees prior to this biennium. **Mr. Schenck** said up to this biennium it has always been a general fund appropriation and the agencies have had that service free whether it was a general fund program or any program. He said some state wide allocations and federal funds had been paid. He said the Teacher's Retirement and the State Retirement are paying now. **REP. KADAS** said because of this he is a little hesitant to ask agencies to pick up their share of this in supplementals. We should budget for this in the next biennium, but to do so "after the fact", he felt could be a significant impact.

CHAIRMAN BARDANOUVE said before they shifted this over to the Auditor's office, someone was paying for it. Mr. Schenck said in regard to the state fund the new warrants they have shifted over is resulting in the direct cost of just under \$120,000 to the general fund and there was a savings to the state fund. They had been issuing those themselves, and that cost is a savings to them since they are no longer doing it during this biennium.

Mrs. Cohea said very recently the state fund had 3 employees sitting and manually typing forms. It was really costly and very inefficient and that was one of the reasons for shifting it over. Carla Smith from the pay plan is here and she could probably explain this further.

Carla Smith, Worker's Comp said up until the compensation warrants were transferred over to the State Auditor's warrant writing system they did have 3 FTE that hand typed the checks. The cost to cover the postage and the envelopes to mail out those checks was in the state fund budget. When we went to an automated system the Auditor did not pick up the entire function. They picked up the portion of issuing the checks and they still have to get the information to their own computer system so the

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information gets recorded on the accident file, etc. We probably saved about 1.5 FTE as well as the postage. **REP. BARDANOUVE** said the LFA has said the cost is about 53 cents for one warrant. **Ms. Smith** said the amount in the State Fund budget for postage and the cost of the envelopes for the current year is \$48,836. She clarified one statement made by the LFA, he was talking about the 209,000 warrants the State Fund is presumed to be charged for the by the Auditor's warrant writing system, about 87,000 of those are the compensation warrants. The 119,000 **Mr. Schenck** mentioned is not just compensation warrants, it is all warrants including the medical etc. that the state fund issues. The only cost shifted over was the compensation warrants, the medical warrants have been mailed out by the Auditor's office for years.

REP. COBB asked is W. C. had their own system for writing warrants or had always done them manually. **Ms. Smith** said it has been a manual process, and has been an audit recommendation for several audits back.

Mr. Schenck said he did not want to disagree but the 118,000 he had referred to was strictly for the compensation warrants. He said the total cost of the warrants as they computed was information from the State Auditor is 218,000 and 118,000 is only for the compensation fund. Mr. Sheehy said he had given the information to Mr. Schenck. He said the numbers they provided are actual counts for the W.C. state fund. The cost you are looking at is the direct cost of the State Auditor's office to produce the warrants. It is the processing, microfilming, etc. that would be involved with that.

Mr. Schenck said they had discussed this, and the costs Ms. Smith was looking at were the total for '91 only, and the 118,000 is the cost of the compensation warrants only for Fy 90-91. Ms. Smith said in counting both years, he is correct.

REP. SWYSGOOD said he was not sure about the other agencies, but W.C. is outside of everything and he felt they should pay for work done by the Auditor's office.

MOTION: REP. SWYSGOOD MOVE to amend HB 3 to have Worker's Comp pay what it owes.

REP. QUILICI said voting on this issue and having any agency pick up this kind of added budget without more thought would not be the right thing at this time. He felt the committee should have more time to evaluate the situation, could get more answers for all the committee and could then do it in a manner that would be fair and equitable to both the Legislature and the agencies. Mr. Schenck said to do this or just charge the 3 agencies would not be difficult. You would substitute State Fund Proprietary fund for general fund, they have their money, it does not affect the State Fund's budget, it is simply a direct appropriation instead of general fund. Mr. Ron Sunsted said they support the State Fund issue, it should be mentioned that in the Highway Dept. and the FWP, the general fund gets the interest off their accounts. It doesn't seem right to charge the Highway Dept. \$16,000 and we get \$8 million or \$10 million of interest off their account. They do give some money back to the general fund where W. C. does not.

<u>Vote:</u> REP. SWYSGOOD'S MOTION ON W.C. carried with Rep. Quilici abstaining.

CHAIRMAN BARDANOUVE went back to the substitute motion by REP. MENAHAN to split the Martell Construction settlement 1/2 FWP and 1/2 general fund.

Mr. Cool, FWP said the issue of the litigation with the Salish-Kootenai is one they believe made a significant and positive break through for the state of Montana. The FWP was the point agency for the state, but was not the only benefit of the results of that litigation. He pointed out this will probably save millions of dollars in state future funding on litigation.

SENATOR PINSONEAULT, Senate District 27 said they live cotangently with their neighbors on the reservation. He said until 1980 there was one attorney on the staff of the Salish-Kootenai tribes and there are now 11 who have represented their cause. On this particular case the hostility was great. Gov. Schwinden felt the negotiations on this issue were conducted in private and with no one in attendance except his office, FWP representatives and representatives of the tribe. He felt this flew in the face of Montana's open meeting law and he was offended by it. He had asked to sit in as a representative of his people both on and off the reservation, both tribal and nontribal. This was not allowed on the assumption the tribes would break off negotiations. He did not want his rights voted away in absentia, a proposed plan had been presented for the tribes when Gov. Stevens took office, and the plan was totally unsatisfactory for a nontribal person living on the reservation. Negotiations were reopened, open meetings were held, and those were done at the FWP expense. They were done properly, everyone had input and when finished and a consensus reached an alternate plan was presented. Gov. Stevens involved the Attorney General's office and Mr. Racicot was an excellent arbitrator. He grew up on the reservation, knew what the problems were and knows the people there. He told of the documents filed and those brought in from all over the country, the agreement is in place and he felt it would work well.

CHAIRMAN BARDANOUVE asked SENATOR PINSONEAULT if he felt the impact went far beyond the FWP and that it should be paid from the general fund and SENATOR PINSONEAULT said yes. It sent a precedent for all of the reservations in this state and the other 230 reservations throughout the country. This lawsuit is restricted to fish and wildlife on the reservation.

REP. MENAHAN withdrew his motion.

REP. KADAS asked where this would come out of the FWP budget. **Mr. Schweitzer, Budget Office** said they have not looked at the particular fund. The one that comes to mind would be the General License Account.

REP. CODY said when the state signed the Water Compact Commission between the Ft. Peck, Assinaboine and Sioux tribe and the state of Montana it was also a far reaching issue and it cost the state of Wyoming \$9 million to litigate water rights between the tribes in Wyoming and the state of Wyoming. This \$196,000 of general fund money is a pittance compared to what it could cost the state of Montana and our general fund.

<u>VOTE</u>: REP. KADAS moved to take the money from FWP. Motion failed 4 to 9. Roll call vote # 2.

Motion/Vote: REP. COBB MOVED 1/2 FWP and 1/2 general fund. Motion failed 5 to 8. Roll Call Vote # 3.

MOTION/VOTE: REP. KADAS MOVED HOUSE BILL 3, AS AMENDED DO PASS. Motion carried, Rep. Cobb, Swysgood and Grinde voting no.

HEARING ON HOUSE BILL 142

Presentation and Opening Statement by Sponsor:

REP.SWYSGOOD, House District 73 and chief sponsor of HB 142 said they have already debated this bill through committee and would relegate his remarks to the money contained in the appropriation which is \$66,000. He said he had some amendments to offer, but would explain the breakdown in the bill. During the Interim the process was developed to form this committee, the bill introduced and passed by the House and re-referred to Appropriations. \$25,000 is for committee travel and per diem, \$1,000 is for direct printing cost expenses incurred by LFA and \$40,000 is for consultant cost. He handed out **EXHIBIT 5** which was his amendment to remove \$12,500 from travel for non-legislative members of the proposed committee. This would make a total of \$53,500 in the bill. He had one other amendment which **REP. PECK** wanted, **EXHIBIT 5**.

REP. BARDANOUVE said there is no money in this bill until July 1, 1991 and **REP. SWYSGOOD** said that was the way he wanted it.

Proponents' Testimony: John Hutchinson, Commissioner of Higher Education speaking in favor of HB 142 said this is an Outcome Assessment which is a program where students have to go through some sort of evaluation process. He said he was opposed to the amendment which would take the travel out of the bill for non legislators since the University System was already at the max for expenditures.

Questions From Committee Members: REP. COBB asked about the \$40,000 for consultant fees. REP. SWYSGOOD said during the

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Interim Committee there was discussion as to incentive programs and outcome assessment base programs as it related to the University System. **REP. COBB** asked what was meant by outcome assessment and **Mr. Hutchinson** said outcomes assessment is a program whereby students at various points during their academic career have to go through some sort of special evaluation process. It could come in the form of general education where you find if they can "pull the whole thing together". One factor is an assessment within the major and even a number of regional accrediting agencies now require outcome assessments as a part of the accreditation process. There are two basic forms, one an assessment of general education and one an assessment within the major.

REP. KADAS said the outcomes assessment was a recommendation by the Governor's Commission on Post Secondary Education. It is a field where there is a growing body of knowledge, but it is a new field. There are no states that have their entire post secondary education focusing on it. There are institutions that are doing it, a lot of mistakes made, and here we would involve at least some legislators in the process of how it will be done. It is a fairly major change in educational policy, this is based on skill rather than strictly on knowledge.

REP. COBB asked about the Legislature paying for it and **REP. KADAS** said the University System would pay for the bulk of it, this would bring in someone with a national level of excellence and someone nationally recognized in this area to bring the pro's and con's to this committee that will be overseeing the whole University System. They would be able to describe the problems and answer some of the questions. **REP. KADAS** said to get people like that you are talking about \$100 an hour. **REP. SWYSGOOD** said they took 400 hours at \$100 an hour, and that is how the figure was arrived at.

REP. MENAHAN said, in an outcomes assessment, are we going to give some oral and written comprehensive, and if electives, what kind of a program are we getting into. **Mr. Hutchinson** said ordinarily when you are assessing general education you have some kind of exam that cuts across all students. It could be a standardized examination by someone who puts these together, or the institution could do it themselves. A consultant is necessary to advise us and to help within the University to determine the route they should take.

REP.GRINDE asked where they got the \$100 figure and **REP SWYSGOOD** said the figure was given to them by their staff who had evidently researched it. He said the staff was the LFA, **Pam Joeler. REP. KADAS** said he had sat through some meetings with this caliber people in on the Governor's Commission. That is the cost per hour and you have to get them here, though you may not need that many hours.

REP. CODY after learning the cost for the Commission of the 90's

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was \$150,000 said for this amount of money we came up with the knowledge that the University System was bleeding, now we will spend \$66,000 plus travel to continue to study the University System. This is statutory and will be an appropriation every biennium to study something when we already know is wrong but don't do anything about. **REP. KADAS** said there was a lot more than the money side in that report. One of the fundamental things stressed in the report is that communications between the Legislature and the Board of Regents is dismal, and something needs to be done to bring them together so they quit squabbling. He felt this was a small investment when we are talking about \$140 million a year.

REP. SWYSGOOD said the Interim Committee, as has almost every one that has studied Higher Education, came up with one thing--the communication and accountability between the Board of Regents and the Legislature.

Discussion was continued (see Tape 2, side 1) on the above issues.

EXECUTIVE ACTION ON HOUSE BILL 142

Motion: REP. SWYSGOOD moved to amend HB 142 by reducing travel expenses by \$12,500. EXHIBIT 5.

REP. KADAS spoke against the motion. The fight has been going on so long, and he would like the Legislature to extend it's hand and say let's try to work this out. He felt this amendment was pulling the hand back since it would be an added expense on the Regents to come and participate in this forum.

Vote: Motion passed 8 to 6. Roll Call Vote # 4

Motion/Vote: REP. PECK moved the amendment EXHIBIT 6. This would insert language on page 2 following line 21. The language should read "WHEREAS, the Legislature is vested with the exclusive authority to appropriate money; and" Motion carried, REP. COBB voted no.

<u>Motion/Vote</u>: REP. SWYSGOOD moved House Bill 142 be amended to line item the \$40,000 in the bill for consultant costs. Motion carried unanimously. EXHIBIT 7.

MOTION; REP. SWYSGOOD MOVED HOUSE BILL 142 AS AMENDED DO PASS.

SUBSTITUTE MOTION: REP. GRINDE moved to pull the statutory and make the bill a trial basis during the next biennium. Motion carried 12 to 2. Roll Call Vote # 5.

<u>VOTE</u>: Motion to do pass as amended carried, Reps. Cody, Grinde and Peterson voting no.

ADJOURNMENT

Adjournment: 5 p.m.

FRANCIS BARDANOUVE, Chain uce Sylvia Kinsey, Secretary

FB/sk

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

ROLL CALL

NAME	PRESENT	ABSENT	EXCUSED
REP. FRANCIS BARDANOUVE, CHAIRMAN	V		
REP. RAY PECK, VICE-CHAIRMAN	\checkmark		
REP. DOROTHY BRADLEY			V
REP. JOHN COBB	V		V
REP. DOROTHY CODY	V		
REP. MARY ELLEN CONNELLY			
REP. ED GRADY		``````````````````````````````````````	
REP. LARRY GRINDE	V		
REP. JOHN JOHNSON			~
REP. MIKE KADAS	\checkmark		
REP. BERV KIMBERLEY		1 	
REP. WM. "RED" MENAHAN			
REP. JERRY NISBET			
REP. MARY LOU PETERSON	V		
REP. JOE QUILICI	iV		
REP. CHUCK SWYSGOOD	V		
REP. BOB THOFT			~
REP. TOM ZOOK	~		

HOUSE STANDING COMMITTEE REPORT

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Mr. Speaker: We, the committee on <u>Appropriations</u> report that House Bill 3 (first reading copy -- white) do pass as amended.

> Signed: <u>Annaly</u> Francis Bardanouve, Chairman

And, that such amendments read:

1. Page 2, line 4. Following: line 3 Insert: "Judicial Standards Commission 1991 3,500 General Fund" 2. Page 2, line 7. Strike: "263,423" Insert: "165,490" 3. Page 2, line 8. Following: "Management" Insert: "1991 \$118,117 Proprietary Funds" 4. Page 2, line 10. Following: line 17 Insert: "Legal Services 1991 196,000 General Fund" 5. Page 2, line 18. Following: line 17 Insert: "Fire Marshall Computer 1991 9,500 General Fund" 6. Page 2, line 21.
Following: line 20 Insert: "CRIME CONTROL DIVISION Crime Victims Compensation 1991 80,000 State Special" 7. Page 2, line 24. Strike: "3,960,000" Insert: "2,215,374" 8. Page 2, line 25. Strike: "14,040,000" Insert: "2,174,740"

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9. Page 3, line 2. Following: line 1 Insert: "Preconstruction 1991 150,000 State Special" 10. Page 3, line 4. Strike: "15,681,172" Insert: "23,133,652" 11. Page 3, line 6. Strike: "220,984" Insert: "270,320" 12. Page 3, line 11. Following: "line 10" Insert: "Public Employees Retirement Division 1991 73,818 Trust Account" 13. Page 3, line 13. Following: line 12 Insert: "DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES Natural Resource Damage Litigation 1991 270,000 State Special" 14. Page 3, line 14. Strike: "1,349,986" Insert: "2,339,886" 15. Page 3, line 15. Strike: "150,536" Insert: "135,825" 16. Page 3, line 16. Strike: "4,233,009" Insert: "4,030,629" 17. Page 3, line 17. and go and the Strike: "141,222" Insert: "209,870" 18. Page 3, line 19. Strike: "292,905" Insert: "433,610" 19. Page 3, line 20. Following: line 19 Insert: "Family Assistance--JOBS 1991 450,000 General Fund" 20. Page 3, line 20. Strike: "5,298,087" Insert: "7,502,699"

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21. Page 3, line 21. Strike: "18,960,382" Insert: "26,045,092" 22. Page 3, line 22. Strike: "1,100,000" Insert: "1,558,034" 23. Page 4, line 7. Strike: "244,169" Insert: "224,169" 24. Page 4, line 10. Strike: "27,883" Insert: "48,583" 25. Page 4, line 16. Strike: "2,517,108" Insert: "3,599,161" 26. Page 4, line 17. Following: line 16 Insert: "Weights and Measures 1991 13,527 General Fund" 27. Page 4, line 19. Strike: "13,500" Insert: "48,775" 28. Page 4, line 22. Strike: "336,932" Insert: "565,357" 29. Page 4, line 24. Strike: "35,651" Insert: "38,000" 30. Page 4, line 25. Strike: "70,573" Insert: "96,000" 31. Page 5, lines 7 and 8. Strike: lines 7 and 8 in their entirety Insert: "Upgrades 1991 13,400 General Fund" 32. Page 5, lines 16 and 17. Strike: lines 16 and 17 in their entirety Insert: "Eastern--Liability Insurance 1991 106,011 General Fund"

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February 15, 1991 Page 4 of 4

33. Page 5, line 23. Following: "1991" Strike: "\$15,641,402" Insert: "\$20,446,383" 34. Page 5, line 24. Following: "1991" Strike: "21,859,197" Insert: "28,052,840" 35. Page 5, line 25. Following: "1991" Strike: "41,449,383" Insert: "37,587,158" 36. Page 6, line 1. Following: "1991" Strike: *867,936* Insert: "953,860" 37. Page 6, line 2. Following: "1991" Strike: "\$79,817,918" Insert: "87,040,241" 38. Page 6, line 7. Following: line 6 Insert: "(1) in paragraph 1: "No funds may be transferred from these items to any other portion of the SRS budget." (2) in paragraph 2:" 39. Page 6, line 9. Following: on line 8 Insert: "(3) in paragraph 3: "No funds may be transferred from these items to any other portion of the SRS budget:""

<u>.</u> . .

HOUSE STANDING COMMITTEE REPORT



. <u>}</u> .

Mr. Speaker: We, the committee on <u>Appropriations</u> report that <u>House Bill 142</u> (second reading copy -- yellow) <u>do pass as</u> <u>amended</u>.

Signed: Bankame

And, that such amendments read:

1. Page 1, line 9. Following: "DATE" Insert: "AND A TERMINATION DATE"

4. Page 7, line 19.
Following: line 18
Insert: "NEW SECTION. Section 11. Termination. [This act]
 terminates July 1, 1993."



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SUPPLEMENTAL RECOMMENDATIONS BY SUBCOMMITTEE

	General	Fund	Total	Funds
ncy	House Bill 3	<u>Subcommittee</u>	<u>House Bill 3</u>	Subcommittee
ERAL GOVERNMENT & HIGHWAYS				and a subset of the second
iciary	\$ 23,500	\$ 27,000	\$ 45,500	\$49,000
te Auditor	314,477	334,661 455,700	314,477	334,661
tice	250,200	455,700	747,300	952,800
me Control Division	0	0 12,000 0		80,000
ernor's Office	12,000	12,000	12,000	12,000
hways			35,964,620	30,567,100 270,320
enue inistration	C 220,704 Δ	270,320	26,866	26,866
lic Employees Retirement	Ŭ.	0	0	73,818
itary Affairs	30,000	and the second	30,000	30,000
th & Environmental Sciences	<u>0</u>	270,000	0	270,000
fotal General Government & Highways	\$ 851,161	\$ 1,399,681	\$37,361,747	\$32,666,565
AN SERVICES				
al & Rehabilitation Services	\$ 9,079,374	\$12,250,568	\$36,395,124	\$46,574,642
al & Rehabilitation Services	828,338	849,038	<u>1,072,507</u>	<u>. 1,073,207</u>
			\$37,467,631	
		1		
RAL RESOURCES	tere and the second state in the second state of the second state of the second state of the second state of the			
e Lands	\$ 2,517,108	\$ 3,599,161	\$ 2,517,108	\$ 3,599,161
erce.	0	13,527	<u> </u>	13,527
Iotal-Natural-Resources	\$ 2 517 108	\$ 3 612 688	\$ 2,517,108	\$ 3,612,688
	And the second			
NUTUR:				
litutions	A 1. 270 PEE	C-11571-771	e 1 270 255	e 1 571 22
ITUTIONS AND A SAME SAME AND AND A SAME AND A	→ 1, 2(7,000	• • • • • • • • • • • • • • • • • • • •	• • • • • • • • • • • • • • • • • • •	ل کر ہوتا ہے۔ چین کے ایک کر ایک کی کر
ATION				
d of Public Education	S	s	\$ 000	\$ 6 000
ce of Public Instruction	605 589	605,589	605,589	605.58
ol for Deaf & Blind	246.897	206.514	246.897	206,514
ce of Public Education of Public Instruction of for Deaf & Blind ana University System	227,080	333,091	333,091	333,09
	States and the second second second second second			the second second second with a second se
Total Education	5 1,085,506	-1,171,194	\$ 1,191,577	• • • • • • • • • • • • • • • • • • •
AL-SUPPLEMENTAL RECOMMENDATIONS	\$15 A/1 A02	\$20,834,500	\$79,817,918	\$86,649,62

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GENERAL GOVERNMENT AND HIGHWAYS SUBCOMMITTEE AGENCY SUPPLEMENTAL REQUESTS DESCRIPTION

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udiciary Commission on Practice - The Supreme Court is requesting a supplemental appropriation for the Commission on Practice to investigate and prosecute complaints against attorneys. The number of complaints was higher than anticipated in fiscal 1990 requiring an appropriation transfer of \$11,500 rom fiscal 1991. The number of complaints to be investigated in fiscal 1991 is continuing at the	\$23,500	\$23,500	General Fund
ame level as 1990. Fines resulting from disciplinary actions are deposited to the general fund. Water Court - The Supreme Court is requesting a supplemental appropriation to fund the water ourt judge salary. The salary was budgeted at a level below the statutorily established amount. Section 3-5-211, MCA, establishes the water court judge salary at the same level as provided for district judges. The budgeted amount of the salary is \$35,248; the statutorily established amount is \$55,178. The previous water court judge's salary was supplemented by judicial retirement pay.	22,000	22,000	State Specia Revenue
udicial Standards Commission - The Judicial Standards Commission investigates complaints gainst judges. Current year activity is projected to be greater than the amount budgeted.	0.	3,500	General Fund
itate Auditor State Payroll Operating Costs - The State Auditor is requesting a supplemental for increased perating costs of the state payroll system, including printing, computer processing, and system evelopment costs of the state payroll system.	51,054	51,054	General Fund
Warrant Writing System Operating Costs - The State Auditor is requesting a supplemental for increased operating costs of the state warrant writing system, including computer processing, system levelopment, printing, and postage costs. The warrant writing system processes state agency varrant payments including the state payroll. The agency installed a new warrant writing system in uly 1989, and operating costs in the 1991 biennium have been nearly double the estimates used for the legislative appropriation. In addition to low estimates for computer processing costs, volume of varrant processing due to the addition of State Fund warrant processing and other unanticipated olume increases have contributed to the higher costs. There was a fiscal 1991 appropriation ransfer of \$\$5,967 to cover increased costs in fiscal 1990.	263,423	283,607	General Fund
Nepartment of Justice Notor Vehicle Division - The Department of Justice is requesting a supplemental for motor vehicle ecals and gasoline. New license plates were approved by the 1989 legislature, but the cost of decals for the new plates were omitted from the cost estimates used for the new plates appropriation. The gency estimates the increased cost to be \$40,000. In addition, the agency requests \$23,700 due to increased gasoline costs for Driver Services Bureau travel to smaller cities to administer driver's cense tests. The agency used an estimate of a 62.7 percent increase over fiscal 1990 costs.	63,700	63,700	General Fund
lighway Patrol-Prisoner Per Diem - The Department of Justice is requesting a supplemental from he highways special revenue fund for increased prisoner per diem reimbursed to local detention enters for boarding prisoners arrested by the Highway Patrol. The department attributes gnificantly increased costs to: 1) an increase in the allowed reimbursement rate from a fixed \$20 er day to an average \$35 per day, as amended in statute by the 1989 legislature; and 2) an increase in the number of prisoners due to stronger enforcement of DUI laws and the availability of more	280,000	280,000	State Specia Revenue
all space. There was a fiscal 1991 appropriation transfer of \$130,000 to cover increased cost in scal 1990. Righway Patrol-Gasoline - The Department of Justice is requesting a supplemental from the	217,100	217,100	State Specia
ghways special revenue fund due to increased gasoline costs for vehicle patrols by the Highway atrol. The agency used an estimate of a 62.7 percent increase over fiscal 1990 costs. The partment states that without the increased funds, vehicle patrols for traffic control, to investigate cidents, and provide motorist assistance would have to be sharply curtailed.			Revenue
aw Enforcement Services-Gasoline - The Department of Justice is requesting a supplemental for nereased gasoline costs in the Fire Marshal Bureau (to travel for building inspections and fire investigations) and in the Criminal Investigation Bureau (for criminal investigations). The agency sed an estimate of a 62.7 percent increase over fiscal 1990 costs.	9,500	9,500	General Fund

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Exhibit # 1 2/14/91 HB 3

Exhibit # 1 2/14/91 HB 3

	HB3	Subcomm. Recommend.	Fund
County Attorney Payroli - The Department of Justice is requesting a supplemental for increased county attorney payroll costs. The program pays one-half the salaries and benefits of county attorneys. Appropriated funds are insufficient because three counties changed from part-time to full-time county attorneys and because salary increases for county attorneys were 3.3 percent in fiscal 1991, as compared to an appropriation for a 2.7 percent increase. There was a fiscal 1991	77,000	77,000	General Fund
appropriation transfer of \$35,000 to cover increased costs in fiscal 1990. Transportation of Prisoners - The Department of Justice is requesting a supplemental to pay for increased prisoner extradition costs and costs of transporting prisoners to a state detention facility. The department attributes the increased costs to rate increases for airline travel and lodging, along with a greater volume of prisoner transfers. There was a fiscal 1991 appropriation transfer of \$45,000 to cover increased costs in fiscal 1990.	100,000	100,000	General Fund
Litigation Costs-Indian Affairs - The Department of Justice is requesting a supplemental on behalf of the Department of Fish, Wildlife, and Parks for litigation costs already incurred and anticipated in connection with the <u>Confederated Salish and Kootenai Tribes v. Montana</u> court case. This action, filed in April 1990, sought a determination that the tribes have exclusive jurisdiction over all hunting and fishing by nonmembers on the Flathead Indian Reservation. The Department of Justice utilized existing legal staff, hired an additional attorney, utilized a private attorney for consultation, and retained experts in conducting the litigation effort. A cooperative agreement was reached between parties in November 1990.	0	196,000	General Fund
Fire Marshal Bureau Computer - The Department of Justice is requesting a supplemental to replace a computer in the Fire Marshal Bureau that is inoperable. The computer is used to maintain a five-year history of all fire incident reports statewide. The information is distributed nationally and locally and is used in fire incident planning and analysis.	0	9,500	General Fund
<u>Crime Control Division</u> <u>Crime Victims' Compensation</u> - The Board of Crime Control is requesting a supplemental to increase payments to innocent victims of crime from the crime victims' compensation fund. Benefits paid in the first 6 months of fiscal 1991 have used 65 percent of the original appropriation. Sufficient funds are in the state special revenue account, but additional spending authority is required.	0	80,000	State Special Revenue
Governor's Office Citizens' Advocate - The Governor is requesting a supplemental to fund toll-free telephone costs that have increased 71 percent over the number of calls budgeted by the 1989 legislature. The toll- free lines exist to provide accessibility to state government for Montana citizens. There was a fiscal 1991 appropriation transfer of \$5,700 to cover increased costs in fiscal 1990.	12,000	12,000	General Fund
Department of Highways Construction - The Department of Highways is requesting a supplemental for additional spending authority to let to contract an additional \$5.0 million highway construction projects in fiscal 1991. The department states that it has fully obligated all available fiscal 1991 construction contract funds,	3,960,000	1,825,260	State Special Revenue
and would be unable to let any additional projects for the remainder of fiscal 1991 without additional authority. The increased federal authority requested is not due to the availability of additional federal funds, but is to restore original federal authority as appropriated by the legislature. The department, utilizing language in the 1991 biennium appropriations bill, reduced federal authority and increased spending authority for state special revenue to fund over \$20 million of increases in the 1991 biennium to date for Reconstruction Trust Fund (RTF) projects above the legislative appropriation.	14,040,000	3,174,740	Federal
Maintenance-Road Oil - The Department of Highways is requesting a supplemental for anticipated increases in the cost of road oil for maintenance projects. The department used an estimate of a 30 percent increase in road oil costs. Road oil is bid on a calendar year basis.	234,716	234,716	State Special Revenue
Equipment Program-Gasoline/Supplies - The Department of Highways is requesting a supplemental for gasoline, shop supplies, and tires. Over 80 percent of the request is for gasoline, due to anticipated increases in the cost over fiscal 1991 appropriated levels. The agency used an estimate of a 62.7 increase in gasoline costs over fiscal 1990 costs. The amount requested for shop supplies and tires is also in anticipation of increased costs for petroleum based products.	735,059	735,059	Proprietary Fund

Exhibit # 1 2/14/91 HB 3

	HB3	Subcomm. Recommend.	Fund
Stores Program-Gasoline/Supplies - The Department of Highways is requesting a supplemental for gasoline, road oil, and rock salt. Nearly \$1.0 million of the request is for gasoline, due to anticipated increases in the cost over fiscal 1991 appropriated levels. The agency used an estimate of a 62.7 percent increase in gasoline costs over fiscal 1990 costs. The request for road oil is also due to petroleum product increases. The request for road salt is due to local governments requiring salt substitutes in place of basic road salt as a result of environmental issues. The Stores Program exists to purchase supplies for distribution to other operating programs in the department.	1,313,673	1,313,673	State Special Revenue
Interfund Transfers-RTF Construction - The Department of Highways is requesting a supplemental for additional appropriation authority to transfer funds from the highways special revenue account to the Reconstruction Trust Fund (RTF) account to account for increased RTF construction payments over the original legislative appropriation. This request does not provide for increased spending authority, but provides authority for an accounting transfer for expenditures that are already obligated. The department increased RTF construction by a projected \$24 million over the original legislative appropriation, utilizing language in the 1991 biennium appropriations bill to reduce federal fund appropriation authority and increase state special revenue authority for RTF construction	15,681,172	23,133,652	State Special Revenue
Preconstruction-Operating Costs - The Department of Highways is requesting a supplemental for increased operating expenses, including contract services, travel, supplies, communications costs, computer costs, and training costs.	0	150,000	State Special
Department of Revenue Property Assessment - The Department of Revenue is requesting a general fund supplemental appropriation to fund contracted services and equipment upgrades and repair for the computer assisted mass appraisal system (CAMAS). The department has retained the firm that designed the system software and hired a system expert to facilitate timely completion of reappraisal. The mid- range computer purchased to operate the CAMAS does not have sufficient processing capacity or disk storage to efficiently operate the system, necessitating an upgrade. The upgrade and additional equipment, including high speed printers for six county appraisal offices, are debt financed through fiscal 1996. Authority to continue debt finance and system contracts is included as a modified budget request in the Executive Budget.	220,984	270,320	General Fund
Department of Administration Teachers' Retirement System - The Department of Administration is requesting a supplemental appropriation to continue current level services, such as mailing warrants, general correspondence, and providing estimates of retirement benefits and the cost to purchase service credit. The supplemental is necessary as an appropriation transfer transferred funds from fiscal 1991 to 1990 to meet higher than anticipated costs for data processing, printing the teachers' retirement handbook, and implementation of House Bill 421 (post retirement adjustment for certain members of the teachers', game wardens', sheriffs', and public employees' retirement systems).	26,866	26,866	Trust Funds
Public Employees' Retirement Division - The Public Employees' Retirement Division is requesting a supplemental appropriation for several activities including: contracted services for a physician to advise the board on disability retirements; postage; supplies; and computer systems development. The bulk of the request (\$55,293) will be expended in computer systems development to continue the update of the retirement system. If the supplemental is approved by the legislature, then the modified budget request to continue this activity in the 1993 biennium may be reduced by the supplemental amount for systems development.		73,818	Trust Funds
Department of Military Affairs Firefighters' Lawsuit - The Department of Military Affairs is requesting a general fund supplemental appropriation to fund legal fees and expert witness costs for a lawsuit brought by Firefighters in the Air National Guard Program. The lawsuit contends that the department did not property credit earned leave time or correctly classify the positions.	30,000	30,000	Generai Fund
Department of Health Preliminary Natural Resource Damage Assessment - The Department of Health is requesting a supplemental to complete a preliminary assessment, prepare a detailed assessment plan, and begin fishery studies necessary for a natural resource damage assessment to support the State of Montana's natural resource damage litigation against the Atlantic Richfield Company (ARCO) concerning four "Superfund" sites in the Clark Fork River basin. The state must prepare for trial on the case by May 1993, and will request additional funding in excess of \$2 million in the 1993 piennium to continue the damage assessment.	0	270,000	General Fund

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES Fiscal 1991 Supplemental Requests Human Services Subcommittee Recommendation

Exhibit # 1 2/14/91 HB 3

Expenditure Type	General Fund	Other Funds	Total Funds
 AFDC: AFDC caseloads are significantly above the levels anticipated by the 1989 legislature. The fiscal 1991 appropriation was based on an average monthly caseload of 9,000, while the projected caseload is 9,850. 	\$1,339,886	\$4,166,454	\$5,506,340
2) DAY CARE: Day care costs are above the appropriated levels due to unbudgeted day care rate increases and increased numbers of children receiving day care services.	209,870	433,610	643,480
 STATE MEDICAL: Costs in this program have exceeded the appropriation in both fiscal years 1990 and 1991. 	1,558,034	-0-	1,558,034
4) MEDICAID PRIMARY CARE: Costs for this program are projected to be \$132.34 million in fiscal 1991, far in excess of the amount appropriated by the 1989 legislature. Increased caseloads and utilization are primarily responsible for the significant cost increases.	7,502,699	26,045,092	33,547,791
5) DEVELOPMENTAL DISABILITIES: Unbudgeted costs were incurred as a result of implementing Phase I & II of the Montana Developmental Disabilities Services System. Approximately 24 residents will be moved to the community from the Montana Developmental Center during this biennium.	728,115	701,091	1,429,206
6) JOBS: The 1989 legislature appropriated \$2.25 million in federal funds to be transferred to the state Department of Labor for the federally required Job Training Program. General fund match was not appropriated to SRS.	450,000	-0-	450,000
7) TEAMS: Funds appropriated for this project (computerization of welfare offices) during the 1989 Biennium were reverted in fiscal 1990. Appropriation of the reverted funds is requested to continue the project.	461,964	2,977,827	3,439,791
Total Supplemental Request	\$12,250,568	\$34,324,074	\$46,574,642

The amounts requested above are reduced by the transfer of \$3.0 million in unspent general fund for General Assistance to cover part of the supplemental costs. House Bill 100 prohibits transfer of funds from the General Assistance appropriation. Language is requested in House Bill 3 (Section 5) to remove this House Bill 100 restriction to permit the transfer.

DEPARTMENT OF FAMILY SERVICES SUPPLEMENTAL REQUESTS 1991 SESSION Subcomm. HB3 Recommend. Fund **Community Services** Increases for Foster Care Benefits - The department requests \$744,604 general fund and \$224,169 federal funds for placement of 43 children \$744.604 \$744,604 **General** Fund who need therapeutic or treatment programs and approximately 64 Native Americans residing on reservations. Federal 244.169 224,169 Special Mountain View School Increases for Medical Costs - The department requests \$32,251 general fund for increasing medical and dental costs resulting from inflation and unusual circumstances. One student was kicked by a horse and required reconstructive oral surgery. Another student has a congenital heart defect that requires routine monitoring. 32,251 32.251 **General** Fund Pine Hills School Increases for Medical and Operations Costs - The department requests \$48,583 general fund for operations (\$12,700 for local detention, escapee travel, and repair and maintenance) and increasing medical costs (\$35,883) resulting from inflation and increased psychiatric treatment and emergency room and ambulance services. 27.883 48.583 **General Fund** School Trust Interest Income Shortfall - The department requests \$23,600 general fund to supplant Interest and Income for the school. Combined revenues and cash balances for the 1991 biennium were less than the appropriation, resulting in a shortfall of \$17,052 in fiscal 1990 and a projected shortfall of \$6,548 in fiscal 1991. 23.600 23,600 General Fund

Exhibit # 1 2/14/91 HB 3

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Exhibit # 1 2/14/91 HB 3



		Exhibi 2/14/9	t # 1 1 HB 3
DEPARTMENT OF INSTITU SUPPLEMENTAL REQUE 1991 SESSION			
	HB3	Subcomm. Recommend.	Fund
<u>Montana State Prison</u> Cost Increases Related to Overcrowding-The department requests \$719,417 general fund for variable costs and security for an increased inmate population. The department projects an actual average daily population (ADP) of 1,156 for fiscal 1991, compared to the fiscal 1991 budgeted level of 1,087 ADP. This supplemental request includes \$355,114 in personal services and \$364,303 in operating expenses.	\$719,417	\$719,417	General Fund
Swan River Forest Camp Increases for Personal Services and Operating Expenses-The department requests \$48,775 general fund for personal services and operating expenses. The personal services increase is primarily for increased pay needed: 1) to recruit registered nurses; and 2) for correctional officers to pay for upgrades from a grade 9 to a grade 10. Increases in operating expenses are primarily the result of an increase from 55 to 60 beds for expanding correctional populations.	13,500	48,775	General Fund
<u>Community Corrections</u> Increases for Board and Room and Miscellaneous Costs - The department requests \$25,742 general fund for 15 additional beds at three privately operated pre-release centers. Contracts for these beds were initiated to help alleviate the over-crowding at the prison.	25,742	25,742	General Fund
Women's Corrections Increases for Personal Services and Operating Expenses - The department requests \$78,040 general fund for personal services and operating expenses. The personal services increase is primarily for increased pay needed: 1) to recruit registered nurses; 2) to pay for correctional officer upgrades from a grade 9 to a grade 10; and 3) for overtime and holiday pay for additional staff in the old forensics unit. Increases in operating expenses are due to increases in costs of counseling, treatment, medical services, and other costs related to population increases.	78,040	78,040	General Fund
<u>Corrections Medical</u> Increases for Operating Expenses - The department requests \$565,357 general fund for increased medical expenses resulting from increases inmate populations and extraordinary costs associated with heart surgery for one inmate.	336,932	565,357	General Fund
Board of Pardons Increases for Personal Services and Operating Expenses - The department requests \$38,000 general fund primarily for: 1) a large termination payoff for the Executive Secretary; 2) increases in communications and travel related to increases in caseload; 3) increases in repair and maintenance for a vehicle and computer equipment.	35,651	38,000	General Fund
Montana State Hospital Increases for Operating Expenses - The department requests \$96,000 general fund for unanticipated expenditures for the drug, Clozaril, and projected expenditures for repairs. The department anticipates that Clozaril will be used for seven to ten patients per week for the remainder of the fiscal year.	70,573	96,000	General Fund

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JOINT APPROPRIATIONS EDUCATION SUBCOMMITTEE SUPPLEMENTAL APPROPRIATION REQUESTS Exhibit # 1 2/14/91 HB 3 1991 SESSION

		Subcomm.	
	HB3	Recommend.	Fund
Board of Public Education In fiscal year 1990, the Board of Public Education received a supplemental appropriation in the amount of \$6,000 to pay for accrued sick and annual leave of a departing staff member. Those funds were deducted from the fiscal year 1991 appropriation. The Board is requesting this supplemental to replace the funds moved from fiscal year 1991 to fiscal year 1990. The fiscal year 1991 general fund appropriation for the Board is \$115,311.	\$ 6,000	\$ 6,000	General Fund
Office of Public Instruction The Office of Public Instruction is requesting a general fund supplemental appropriation to transportation aid to school districts. The supplemental will allow state reimbursement of school district transportation costs in accordance with the payment schedules set forth in Section 20-10-140 and Section 20-10-142, MCA. The fiscal year 1991 appropriation for transportation aid is \$5,852,894. OPI is requesting an additional \$605,589.	\$605,589	\$605,589	General Fund
School for the Deaf & Blind 1) \$161,285 to cover a settlement with the American Federation of Teachers, Local 4027 on annual leave and holiday pay for fiscal years 1988 and 1989;	\$161,285	\$161,285	General Fund
2) \$21,829 to cover a settlement for fiscal years 1988 and 1989 with employees who were previously covered by the union agreement but who were not part of the settlement with the union. (They had either terminated employment with the school or were promoted to a position not covered by the bargaining agreement);	\$ 21,829	\$ 21,829	General Fund
3) The original request in House Bill 3 combined the shortfall in federal Chapter 1 funds in fiscal year 1991 and teacher upgrades in the same request. The subcommittee does not recommend approval of the request to replace federal funds but does recommend approval of a supplemental appropriation for the teacher upgrades; and		\$ 13,400	General Fund
4) \$10,000 for fiscal year 1991 to pay for an increase in the costs of large print and braille textbooks, which are distributed through the schools itinerant consultant program.	\$ 10,000	\$ 10,000	General Fund
<u>Montana University System</u> Three of the six university units are seeking a supplemental general fund appropriation for liability insurance premium increases in fiscal 1990 and 1991 from the fiscal 1988 premium level. The requested amounts listed below by university unit represent the net two year increase from fiscal year 1988 to fiscal years 1990 and 1991.			
University of Montana	\$ 93,843	\$ 93,843	General Fund
Eastern Montana College	\$106,011	\$106,011	General Fund*
Northern Montana College	\$133,237	\$133,237	General Fund
*Current unrestricted in House Bill 3			4

EXHIBIT_	1A	
DATE	3-14-9	/
HB	3	

Amendments to House Bill No. 3 First Reading Copy For the Committee on House Appropriations Prepared by Teresa Olcott Cohea February 15, 1991 1. Page 2, line 4. Following: line 3 Insert: "Judicial Standards Commission 1991 3,500 General 2. Page 2, line 7. Strike: "263,423" Insert: "165,490" 3. Page 2, line 8.

Following: "Management" Insert: "1991 \$118,117 Proprietary Funds"

4. Page 2, line 10. Following: line 9 Insert: "Legal Services 1991 196,000 General Fund"

5. Page 2, line 18. Following: line 17 Insert: "Fire Marshal Computer 1991 9,500 General Fund"

6. Page 2, line 21. Following: line 20 Insert: "CRIME CONTROL DIVISION Crime Victims Compensation 1991 80,000 State Special"

7. Page 2, line 24. Strike: "3,960,000" Insert: "2,215,874"

Fund"

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8. Page 2, line 25. Strike: "14,040,000" Insert: "3,174,740"

9. Page 3, line 2. Following: line 1 Insert: "Preconstruction 1991 150,000 State Special" 10. Page 3, line 4.

Strike: "15,681,172" Insert: "23,133,652"

11. Page 3, line 6. Strike: "220,984" Insert: "270,320"

12. Page 3, line 11. Following: "line 10" Insert: "Public Employees Retirement Division 1991 73,818 Trust Account" 13. Page 3, line 13. Following: line 12 Insert: "DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES Natural Resource Damage Litigation 1991 270,000 State Special" 14. Page 3, line 14. Strike: "1,349,986" Insert: "1,339,886" 15. Page 3, line 15. Strike: "150,536" Insert: "135,825" 16. Page 3, line 16. Strike: "4,233,009" Insert: "4,030,629" 17. Page 3, line 17. Strike: "141,222" Insert: "209,870" 18. Page 3, line 19. Strike: "292,905" Insert: "433,610" 19. Page 3, line 20. Following: line 19 Insert: "Family Assistance--JOBS 1991 450,000 General Fund" 20. Page 3, line 20. Strike: "5,298,087" Insert: "7,502,699" 21. Page 3, line 21. Strike: "18,960,382" Insert: "26,045,092" 22. Page 3, line 22. Strike: "1,100,000" Insert: "1,558,034" 23. Page 4, line 7. Strike: "244,169" Insert: "224,169" 24. Page 4, line 10. Strike: "27,883" Insert: "48,583"

Exhibit # 1A 2/14/91 HB 3

25. Page 4, line 16. Strike: "2,517,108" Insert: "3,599,161" 26. Page 4, line 17. Following: line 16 Insert: "Weights and Measures 1991 13,527 General Fund" 27. Page 4, line 19. Strike: "13,500" Insert: "48,775" 28. Page 4, line 22. Strike: "336,932" Insert: "565,357" 29. Page 4, line 24. Strike: "35,651" Insert: "38,000" 30. Page 4, line 25. Strike: "70,573" Insert: "96,000" 31. Page 5, lines 7 and 8. Strike: lines 7 and 8 in their entirety Insert: "Upgrades 1991 13,400 General Fund" 32. Page 5, lines 16 and 17. Strike: lines 16 and 17 in their entirety Insert: "Eastern--Liability Insurance 1991 106,011 General Fund" 33. Page 5, line 23. Following: "1991" Strike: "\$15,641,402" Insert: "\$20,446,383" 34. Page 5, line 24. Following: "1991" Strike: "21,859,197" Insert: "28,052,840" 35. Page 5, line 25. Following: "1991" Strike: "41,449,383" Insert: "37,587,158" 36. Page 6, line 1. Following: "1991" Strike: "867,936" Insert: "953,860"

Exhibit # 1A 2/14/91 HB 3

37. Page 6, line 2. Following: "1991" Strike: "\$79,817,918" Insert: "87,040,241"

39. Page 6, lines 8 and 9. Following: "budget" on line 8 Insert: "(3) in paragraph 3:" Amendments to House Bill 3 (Re: Appropriations for fiscal year 1991) Introduced Copy Exhibit # 1A 2/14/91 HB 3

1. Page 6
Following: line 8
Insert: "No-funds may be transferred from these items to any
other portion of the SRS budget."
[This is to be a deletion from p. 2060 of HB 100, paragraph
1.] *

Insert: "No-funds may be transferred from these items to any other portion of the SRS budget."

[This is to be a deletion from p. 2060 of HB 100, paragraph 3.] *

* Appropriate pages from House Bill 100 are attached.

Prepared on February // , 1991

Montana Department of Social & Rehabilitation Services

BY: Kuss Cater

Exhibit # 1A 2/14/91 HB 3

37. Page 6, line 2. Following: "1991" Strike: "\$79,817,918" Insert: "87,040,241"

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39. Page 6, lines 8 and 9. Following: "budget" on line 8 Insert: "(3) in paragraph 3:"

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DATA

Page 5, line 20 Rollowinge tine 19 Inserts DEPARTMENT OF HEALWHI AND ENAMEONMENTAL SERVICES Natural Resources: Damage Assessments 1991 2240,000 State Speaker

Adjust-totals accordingly.

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Amendments to House Bill 3 (Re: Appropriations for fiscal year 1991) Introduced Copy

EXHIBI

- * Appropriate pages from House Bill 100 are attached.

Prepared on February // , 1991

Montana Department of Social & Rehabilitation Services

BY: KUSS Cater

apre a



STATE OF MONTANA

Office of the Legislative Fiscal Analyst

STATE CAPITOL HELENA, MONTANA 59620 406/444-2986

EXHIBIT_ DATE 2

TERESA OLCOTT COHEA LEGISLATIVE FISCAL ANALYST

February 14, 1991

Representative Francis Bardanouve Montana State House of Representatives Seat #6 Helena, MT 59620

Dear Representative Bardanouve:

This letter is in response to your request for information on potential options for recovery of general fund for services provided by the state warrant writing system in the Office of the State Auditor to non-general fund programs.

The costs of the warrant writing system have increased sharply due to a combination of reasons: 1) the installation of a new automated warrant writing system with increased processing costs; 2) an increase in the volume of warrants processed by existing customers; 3) an increase in postage rates; and 4) the addition of the State Compensation Mutual Insurance Fund compensation warrant payments at the beginning of the biennium that were not anticipated in the biennial appropriation.

The increase in costs of the warrant writing system have brought to light the need to recover costs of services provided from a general fund appropriation to other fund programs. While the costs of warrants written for federal fund activities are recovered by the Statewide Cost Allocation Plan, other fund activity costs are not recovered.

The implementation of a fee system in the 1993 biennium budget for warrant writing, with charges to all non-general fund agency users, would recover all costs. However, such a procedure at this point would require a great deal of effort on the part of the State Auditor's staff, the LFA staff, and the Office of Budget and Program Planning staff. The General Government and Highways Subcommittee has added language to House Bill 2 requiring development of a full cost recovery plan for the 1995 biennium. In the interim (fiscal 1991, 1992, and 1993), there are two possible options: 1) recovery of the costs of new warrants processed for the State Compensation Fund only; and 2) recovery of the costs of major state special The readily quantifiable state special revenue funds revenue customers. that could be assessed are the State Compensation Fund, the Fish, Wildlife, and Parks General License Account, and the Highways state special revenue The amounts recoverable are shown on the attached tables. The funds. amounts shown could be a direct appropriation to the State Auditor's Office from the three state special revenue accounts, with a corresponding
N+ 1 2-14-91 HB 3

reduction of general fund in the office's fiscal 1991 supplemental request and 1993 biennial budget request.

Please contact me if I can be of further assistance or if you desire further information.

Sincerely,

Clayton Schenck

Senior Fiscal Analyst

WARRANT WRITING SYSTEM - OFFICE OF THE STATE AUDITOR OPTION FOR PARTIAL RECOVERY OF GENERAL FUND COSTS SCAL 1991, 1992, 1993

INTERIM OPTIONS	1991 Biennium	1993 Biennium
(1) Recover Costs of New Warrants, State Comp. Fund Only	\$118,117	\$239,576
(2) Recover Costs of Major State Special Rev. Customers Only	\$148,697 *	\$297,394

Notes:

- Federal costs are being recovered through the Statewide Cost Allocation Plan

- The General Government and Highways Subcommittee inserted language in HB2 requiring agency development of a full cost recovery plan for the 1995 biennium.

* FY 91 Costs Only

COMPUTATION				
	State Comp. Fund*	Dept. of Highways**	Dept. of FWP**	Total
Warrants Per Year	209054	29134	66040	
Cost Per Warrant	\$0.573	\$0.573	\$0.573 	
tal Direct Costs	\$119,788	\$16,694	\$37,841	
Percent State Special Rev	100.08			
State Comp Fund Highways DFWP General License A/C	100.0%	48.5%	55.0%	
· · · · · ·				
Direct Costs, Annual	\$119,788	\$8,096	\$20,813	\$148,697
Direct Costs, Biennial	\$239,576	\$16,193	\$41,625	\$297,394

Warrant Writing System Costs(1)	
Direct Costs, Fiscal 1992	\$596,625
Direct Costs, Fiscal 1993	\$587,617
Total Cost, 1993 Biennium	\$1,184,242

* Based on fiscal 1991 projections (See previous page)
** Based on fiscal 1990 warrants written
(1) LFA Current Level

NALYSIS

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ZX. 7 2-14-91 HB 3 14-Feb-91

ARRANTS WRITTEN FOR THE STATE COMPENSATION MUTUAL INSURANCE FUND WARRANT WRITING SYSTEM - OFFICE OF THE STATE AUDITOR

- - - - Number of Warrants Written - - - -

	I CII	ber of warrance with	
9. 19. 19. 19.	Medical/	Compensation	
Fiscal 1990	Other	Payments(New)	Total
July	5771	2791	8562
August	7905	3754	11659
September	6507	3285	9792
October	6794	3544	10338
November	6750 5410	4940 9261	11690
December	6295	9251	14671 16146
January	6723	9043	15766
February March	9181	10121	
	8842	9472	19302 18314
April	8249	10576	18314
May June	6869	9599	16468
buile		5555	10400
Total Warrants, FY 90	85296	86237	171533
TOLAL WAITAILS, FI 90	05290	00257	111000
- Çost/Warrant	\$0.573	\$0.573	\$0.573
Total Direct Costs FY 90	\$48,875	\$49,414	\$98,288
	======		=======
Fiscal 1991			
July	7180	9710	16890
August	8272	11569	19841
September	6746	8698	15444
October	9009	10214	19223
November	6318	9956	16274
December	7052	9803	16855
Total, 1st 6 months	44577	59950	104527
Projected, last 6 months	44577	59950	104527
-			
Total Warrants, FY 91	89154	119900	209054
Cost/Warrant	\$0.573	\$0.573	\$0.573
Total Direct Costs FY 91	\$51,085	\$68 , 703	\$119,788
	======		=======
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lotal Costs 91 Biennium	\$99,960	\$118,117	\$218,076
			=======

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AMENDMENT TO HOUSE BILL 142 2-14-HE

1 Page 7, line 13 Following: "1993," Strike: \$66,000 Insert: \$53,500

This amendment removes \$12,500 of travel expenses for non-legislative members of the proposed committee. There remains \$12,500 for travel expenses for legislative members for the 1993 biennium.

EXHIBIT. DATE 2-14.

HOUSE COMMITTEE OF THE WHOLE AMENDMENT House Bill 142 Representative Peck

> January 30, 1991 8:44 am Page 1 of 1

Mr. Chairman: I move to amend House Bill 142 (second reading copy -- yellow).

Signed: Representative Peck

And, that such amendments to House Bill 142 read as follows:

1. Page 2, line 21. Following: line 21 the first with Insert: "WHEREAS A the exclusive authority to appropriate money is wested in the legislature; and" Wherea, the tythis or authouty

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ADOPT

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Amendments to House Bill No. 142 Second Reading Copy



For the Committee on House Appropriations

Prepared by Teresa Olcott Cohea February 15, 1991

1. Page 1, line 9. Following: "DATE" Insert: "AND A TERMINATION DATE"

2. Page 2, line 22. Following: line 21 Insert: "WHEREAS, the Legislature is vested with the exclusive authority to appropriate money; and"

4. Page 7, line 19. Following: line 18 Insert: "NEW SECTION. Section 11. Termination. [This act] terminates July 1, 1993."

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REP. WM. "RED" MENAHAN		V		
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APPROPRIATIONS

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VISITOR'S REGISTER COMMITTEE \subset SPONSOR (S) DATE (÷.,

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BILL NO. 142

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
J. Davis Stapis	State Addition 7	23		X
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<u>PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS</u> <u>ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.</u>