MINUTES

MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION

SUBCOMMITTEE ON EDUCATION & CULTURAL RESOURCES

Call to Order: By CHAIRMAN PECK, on February 14, 1991, at 8:00 a.m.

ROLL CALL

Members Present:

Rep. Ray Peck, Chairman (D) Sen. Greg Jergeson, Vice Chairman (D) Sen. Don Bianchi (D) Rep. Larry Grinde (R) Sen. H.W. Hammond (R) Rep. Mike Kadas (D)

Staff Present: Pam Joehler, Senior Fiscal Analyst (LFA) Skip Culver, Associate Fiscal Analyst (LFA) Doug Schmitz, Budget Analyst (OBPP) Mary Ann Wellbank, Budget Analyst (OBPP) Melissa Boyles, Secretary

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

EXECUTIVE ACTION THE SIX UNITS

Tape No. 1

CHAIRMAN PECK stated that there were incorrect figure used on February 13,1991 and asked REP. KADAS to address the issue. REP. KADAS stated that he thought the subcommittee was working on 2 1/2% and we voted on 3 1/2% for the arbitrated salary agreements. The difference is a one percent merit pay that was also in the contract. Our overall actions were correct but it wasn't presented correctly.

030

Ms. Joehler distributed a handout on Subcommittee Action of 2/13/91. EXHIBIT 1

Motion/Vote: REP. KADAS moved to reconsider action on Motion taken 2-13-91 for \$3,921,375 in FY92 and \$3,957,453 in FY93. MOTION CARRIED unanimously 6/0.

046

Ms. Joehler reviewed EXHIBIT 1.

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Motion: REP. KADAS moved to add \$3,877,453 in FY92 and \$3,877,453 in FY93, equal to 3 1/2% for Arbitrated Salary Agreements.

Discussion: CHAIRMAN PECK asked REP. KADAS if he felt there wasn't any change in terms of the basis for the increase. REP. KADAS said the intent of his motion was to include the dollars that are obligated under the arbitrated settlement. It was understood to be 2 1/2% but it is 3 1/2% the 1% merit pay was not included. The rationale is still the same, it is in the arbitrated settlement and they are obligated to pay it. CHAIRMAN PECK asked George Dennison what the 1% merit pay is, and how it is distributed. Mr. Dennison stated that the nominations for merit are made in the departments and forwarded to the Provost at the University of Montana. Those with outstanding records get an adjustment. It is individualized, not an across the board increase.

079

REP. GRINDE asked what percentage of the Professors are on merit pay. **George. Dennison** said he is not sure of the exact percentage.

SEN. HAMMOND asked how many of the campuses have merit pay. Ken Heikes, EMC, said 55% of the Professors at EMC get merit pay. Dr. Norman, Montana Tech, stated that because of their severe salary inequities they incorporated 1 1/2% equity pay. Dr. Malone said that MSU is an entirely merit pay system. Jack Noble stated that the Office of the Commissioner of Higher Education has tried to negotiate merit pay into all of the collective bargaining agreements. Faculty evaluation processes are negotiated into the merit pay, and in order to make an evaluation process work it has to have merit behind it. The faculty and students who participate in the evaluations can do so and know that it is not just a wasted exercise.

CHAIRMAN PECK asked Commissioner Hutchinson if there is a better way to deal with this money. Commissioner Hutchinson stated that the Regents folded this money into the base. CHAIRMAN PECK asked Commissioner Hutchinson if this was his preferred way of dealing with the additional 1%. Commissioner Hutchinson said he would prefer it in another form if they could have the original 8 million in discretionary money.

168

REP. GRINDE asked what the 2 1/2% - 2 1/2% would be. **CHAIRMAN PECK** said it is approximately a one million dollar difference annually. **REP GRINDE** stated that rather than earmarking this money he would like to give them the money and see what they do with it. This would give us some parameters when we come back for the next session to see what directions they are going. If we earmark this money it won't show us any direction. **REP. KADAS** stated that by the arbitrated settlement they have to spend the money this way. **REP. KADAS** said he agrees with giving them HOUSE EDUCATION & CULTURAL RESOURCES SUBCOMMITTEE February 14, 1991 Page 3 of 16

flexibility, but not eight million dollars worth. We have not put enough money into their budget even if we give them all the flexibility they want.

CHAIRMAN PECK said he is uncomfortable with REP. KADAS' motion because he does not like the 2 1/2%. This was done prior to the last session. The finance committee members were polled about this issue and unanimously said no. They went ahead and did it and now we have to buy into it. However, there isn't much of an alternative, this is something we have to do its an obligation they created and we have to pick it up now. CHAIRMAN PECK said it is a precedent he is very concerned about. If we go with this motion we're saying that if the University System or one Unit goes out and gets and agreement and they go to arbitration and lose they can come back and present the bill to the Legislature and it's not fair. REP. KADAS stated that he agrees with CHAIRMAN PECK and hopes that they have learned their lesson.

237

SEN. HAMMOND asked if they paid it last year. REP. KADAS said yes they paid it but UM had to eliminate CSD, Religious Studies and some other programs in order to do it.

244

CHAIRMAN PECK stated that the other thing that concerns him is that this is going to put Commissioner Hutchinson in a box if this is all the money the University System gets and the rule stands that this money has to stay in personal services. Commissioner Hutchinson said yes, it would constrain them to the point of not being able to respond.

Role Call Vote: MOTION CARRIED 4/2 REP. GRINDE, and SEN. HAMMOND voting no.

276

Pam Joehler distributed and reviewed a handout on Board of Regent Modified Requests. **EXHIBIT 2**

<u>Motion</u>: SEN. BIANCHI moved to adopt the arbitrated salary agreement for Non Instructional Faculty for \$437,192 in FY92 and \$437,192 in FY93.

426

<u>Discussion</u>: SEN. BIANCHI stated that the Ag Experiment Station and Extension Service have people who are spread across state that are in fact faculty. They work under the same contract and agreement but are not a part of the instructional staff. Therefore, in the motion REP. KADAS made they are not included in that. The Ag Experiment and the Extension Service are under just as tight a budget as everyone else. If it is not appropriated at this point as it was for the rest of the faculty it is going to come out of their operations and is going to make their budgets even tighter. SEN. BIANCHI stated that every faculty member HOUSE EDUCATION & CULTURAL RESOURCES SUBCOMMITTEE February 14, 1991 Page 4 of 16

should be treated equally. SEN. HAMMOND asked if any of the employees in the Extension Service are personally paid by counties. Dr. Malone said yes, they are paid partly by the counties, partly by the Federal Government, and partly by state budget. SEN. HAMMOND asked if there is a portion that each of the three have to pay. Dr. Malone said yes.

CHAIRMAN PECK asked Ms. Joehler if the LFA figures reflect the state obligation. Ms. Joehler said she identified the number of faculty at the extension service and multiplied by the difference between the average salary for FY91 and the arbitrated level. There was a difference of about \$1,800 per year for the Extension Service faculty. CHAIRMAN PECK asked what the percent of local, state and federal support would be on those positions. Ms. Joehler said she did not know. REP. KADAS asked Ms. Joehler if it could be backed into just using the current general fund obligation for faculty salaries. Ms. Joehler stated that she is not sure if she can identify the general fund portion. SEN. HAMMOND asked if the subcommittee would be posing a responsibility on the counties by doing this. Dr. Malone said he does not know but can find out by making a phone call.

SEN. BIANCHI withdrew his motion until further information is available.

502

REP. GRINDE asked if the subcommittee could make motions on anything on the sheet rather than going in order. **CHAIRMAN PECK** said yes, Executive Action is left open for any motions.

Motion: SEN. JERGESON moved to adopt Liability Insurance Premiums for \$209,940 in FY92 and \$232,685 in FY93.

Discussion: SEN. JERGESON stated he developed concern about this with the Legislative Audit from last fall over the operations of the Tort Claims division and the Department of Administration. What has happened is that we had to approve the supplemental increase for the supplemental appropriation for three units of the system because of the new liability insurance premiums that were handed to them by Tort Claims division of the Department of Administration. The supplementals are an ongoing increase cost for insurance premiums for those three units. This is an expenditure liability imposed on the University System by a portion of the Executive branch and the State Government.

558

SEN. HAMMOND asked how the University System got into this situation. CHAIRMAN PECK said the Full Appropriations Committee had Tort Claims Division in on the supplemental bill. The questions were posed to them and didn't get any definitive answers. They basically said you have to be in it and can't go to outside insurance. It is a self insurance program and when you have a claim, your going to pay for it. REP. KADAS said the premiums are set at 50% on the past five years experience. So if HOUSE EDUCATION & CULTURAL RESOURCES SUBCOMMITTEE February 14, 1991 Page 5 of 16

you had a big hit within one of the past five years there is a chunk and 12.5% on your total experience since the program initiated which means 62.5% is on your experience. **SEN. HAMMOND** asked who has the authority to do something about it. **REP. KADAS** said the Department of Administration does.

CHAIRMAN PECK stated that the University System refused to pay it in FY90. **REP. KADAS** said that Tort Claims was billing the University System twice. They were billing each unit for their own appropriation and then they were billing the Board of Regents (BOR) for the total account. So the Regents refused to pay the bill they received.

620

CHAIRMAN PECK asked Ms. Joehler to draft a letter for him to send to the Tort Claims Division regarding their premiums. Ms. Joehler said yes.

Roll Call Vote: MOTION CARRIED 5/1, REP. GRINDE voting no.

670

Ms. Joehler asked if it is the desire of the committee to have the rate adjusted or the budget adjusted as a single dollar amount. SEN. JERGESON said that these types of imposed costs don't fit into a formula driven base and isn't sure how to structure it. Ms. Joehler said it can be an add-on as the audit cost is.

<u>Motion/Vote</u>: SEN. JERGESON moved to adopt the Audit Cost in the first year of the biennium for \$160,973. MOTION CARRIED unanimously 5/0 REP. KADAS being absent.

CHAIRMAN PECK asked Dr. Malone if he had gotten the information on how the Arbitrated Salary Agreement for Non Instructional Personnel would affect the Local, State and Federal government. Bruce Shively stated that it would not affect the counties at all. SEN. HAMMOND asked if the state raises would the counties decrease. Mr. Shively stated that the county makes there salary decisions independent of what the state does and if they decide to come up with 3% salary increases they do that from there salary revenue sources. If there is any disparity there then the extension service will make it up out of there state appropriated budget through vacancy savings. SEN. HAMMOND asked if the subcommittee was giving a raise increase with this motion. Mr. shively said the subcommittee is funding the arbitrated agreement for the Extension Service and the Experiment Service. If the County elects not to go forward with that it can do so. CHAIRMAN PECK asked Mr. Shivley how he knows what the state portion is if we don't know what the county will pay. Mr. Shively said he is not familiar with this funding, however, the budget for the Extension Service that we appropriate in this subcommittee is just a state component of that and that is what Pam's calculations are driven off. CHAIRMAN PECK asked Mr. Shively if he knows what the state obligation is at this time. Mr. Shively

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said no. CHAIRMAN PECK asked if this is the worst case scenario that were looking at. Mr. Shively said yes, they realize that if the counties don't follow suit they realize that they are going to have cover it through vacancy savings. CHAIRMAN PECK asked if there are 45 people in the Non Instructional Support category. Mr. Shively said he does not know how many there are for sure but it is very close to the number.

805

Dr. Malone said the head count is very different than the actual funded FTE total. Since all of these Extension Agents and experts are ten year faculty we feel an obligation to treat them equity compared to some faculty. CHAIRMAN PECK said he doesn't have a problem with that concept, however, there is a problem in trying to figure out how we got this figure of \$874,000 given the description that Mr. Shively gave us that the County may come in and may not. Dr. Norman said historically the County is tied fairly closely on this issue. CHAIRMAN PECK said he would like to figure out how many people we are dealing with this \$874,000 versus the 7.6 million in the six units. Mr. Shively said there are 91.3 FTE in the Ag Experiment Station and 80 FTE in the Extension Service. The personal services budgets were driven off 3.2 million dollars which is approximately equivalent to the salary at Montana Tech and off a base of 2.2 million dollars for the Extension Service.

841

George Dennison stated that the issue raised by SEN. BIANCHI is directly in point. In the Forest Experiment Station there is 7.52 faculty who are paid out of this. The result is the same, if we don't increase the salaries we will have to reduce the time. CHAIRMAN PECK asked if anyone else is in the salary increase. Dr. Ruppel said the Bureau of Mines has 4.5 FTE that are classified not only as research scientists but also as Non Instructional faculty. CHAIRMAN PECK asked Dr. Ruppel if the Bureau of Mines will benefit from this motion. Dr. Ruppel said he would have to find out from Ms. Joehler. Ms. Joehler said the Bureau of Mines, Forestry Experiment Station were not included in the calculations because the number of faculty indicated on the original operating budget for FY91 were used for these campuses. If positions were not classified as faculty by the Bureau of Mines and the Forestry Experiment Station then it wasn't picked Mr. Noble said to be a faculty member you have to be up. located in one of the primary programs of Instruction, Research, or Public Service, you have to have rank and should be able to identify a departmental locus of tenure. CHAIRMAN PECK asked Ms. Joehler if the number she used to drive this came from the Commissioners Office. Ms. Joehler said yes, it is the same personal services base to identify the FTE by Faculty, Contract Professional, Administrative classified. CHAIRMAN PECK asked Mr. Noble if these people in Forestry and Bureau of Mines are in the number that you provided. Mr. Noble said no. George Dennison said he cannot explain why they weren't picked up. The 7.52 is less than half of the FTE associated with the unit. SEN. HAMMOND

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asked if these people have in any way been supplemented by the county. Mr. Dennison said no. CHAIRMAN PECK said that the adoption of this motion would not cover 12 FTE, 7.5 in Forestry and 4.5 in Bureau of Mines. Mr. Noble said in order to cover the 12 FTE in Forestry and the Bureau of Mines you'd have to add \$34,220 per year to the motion.

<u>Motion</u>: SEN. BIANCHI Moved to adopt the Arbitrated Salary Agreement for Non Instructional Faculty at \$471,412 in each year of the biennium.

937

Discussion: Mary Ann Wellbank said she has the numbers used by the OBPP and agreed upon by the three agencies to calculate the pay plan. For the Ag Experiment Station and the Cooperative Extension Services there faculty salaries total \$5,442,694 and 3 1/2% of that number is \$190,494. The total pay plan was based on faculty salaries for all of the units totaling about \$51,000,000. Ms. Wellbank said she feels this number is high. CHAIRMAN PECK called a 10 minute break and asked Ms. Joehler and Ms. Wellbank to get together and figure the numbers out.

CHAIRMAN PECK asked Ms. Joehler to report the findings from her conference with Ms. Wellbank. Ms. Joehler stated that the additional amount that the Commissioners Office calculated for the faculty that are classified as something other than faculty is the \$34,220 per year in addition to the \$437,192 which would make it \$471,412.

983

REP. GRINDE asked Commissioner Hutchinson if the Commissioners Office and the Regents looked at something to bring the Community Colleges, Extension Services, and the University System into something that would be more uniform. Commissioner Hutchinson said it would be difficult in this stage of the game because the University System has grown and there are a lot of historical differences. Mr. Noble stated that there are 23 separate bargaining units to deal with and 23 different opinions on how they should be paid and what the criteria should be. REP. GRINDE asked if people involved in the Cooperative Extension and Ag Experiment Station get merit pay. Mr. Noble said the Cooperative Extension and Ag Experiment Station are not in a union and they have there own internal system of pay and refer to all of their pay as merit pay.

Role Call Vote: MOTION CARRIED 4/2, REP. GRINDE and SEN. HAMMOND voting no.

Motion: SEN. BIANCHI moved to add \$439,705 in FY92 and \$463,055 in FY93 to the Museum of the Rockies.

075 Discussion: SEN. BIANCHI stated that there has been a lot of HOUSE EDUCATION & CULTURAL RESOURCES SUBCOMMITTEE February 14, 1991 Page 8 of 16

difficulties and misunderstandings between the previous President, Mr. Teitz and the Legislative body. The Museum has been a part of the Montana State University for 33 years and is by a private group with funding. In each incidence as this Museum increased in size and became a larger entity on the campus they came to this Legislative Body and obtained permission to build a bigger Museum. They have worked with the BOR as well as the Legislature in every move they have made. The final agreement now is that the University has to take care of the daily operations and management of the building. This is a part of the University and is going to have to be paid and should be in the base. David Solay, Director, Museum of the Rockies, stated that funding for the Museum has been provided by the University. At the same time there is a separate non profit organization that was formed to assist the University to raise funds for programs, activities and capital improvements. This separate organization has its own Board of Trustees and has a membership of over 4,000. CHAIRMAN PECK stated that the Finance Committee proposed HB45, this says that before you can go out and do this you must inform the finance committee of this. The University System went into the Committee attacked the bill and had it tabled in committee. This is an example of what the Finance Committee was interested in seeing before the fact and not after the fact. There are clear statements by the President at that time that said this would never become a responsibility of the State government. CHAIRMAN PECK said as long as the University System is going to oppose reporting beforehand to the Legislature he will oppose such measures. It is very unfair to come in and bring this in after the fact and ask the Legislature to pick it up. CHAIRMAN PECK stated that he doesn't feel this subcommittee should approve this, until the University System says we're going to come to you before hand and tell you what money we are raising and for what purpose. REP. GRINDE asked if there is an admission fee charged at the Museum of the Rockies. Mr. Solay said yes. REP. GRINDE asked if the fees have been increased since the last session. Mr. Solay said the fees were established in April of 1989 and have not increased since that time. REP. GRINDE asked SEN. BIANCHI what he meant by "putting it to rest once and for all"? SEN. BIANCHI said that it has been an ongoing argument for at least the last couple of sessions. It is a responsibility of MSU and is going to be funded one way or the other. SEN. BIANCHI said at some point in time he hopes that this can be rolled into the base budget. Until this is done it is going to be something that will be a contention within the Legislative Session. REP. GRINDE asked if SEN. BIANCHI'S motion directs it to go into the base. SEN. BIANCHI said he believes that if this MOD is accepted it will go into the base budget of the University System.

257

REP. GRINDE stated that he feels SEN. BIANCHI is correct in what he is saying, however, if this is rolled into the base it will not be put to rest. This is going to be ongoing they will be back in next time for this kind of money.

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CHAIRMAN PECK asked Mr. Shivley if he would like to address the issue further. Mr. Solay stated that this has been brought up in the last two sessions and has never been put into the base appropriation and that is one of the reasons it keeps coming up. Funding for the Museum has been approved by the Legislature during the last session but has not been put into the base appropriation. SEN. HAMMOND stated that he feels the Museum of the Rockies didn't have any legitimacy in the beginning and that is why it has had troubles. SEN. HAMMOND stated that the Museum has a lot of things that are good and it should be funded if the Legislature had the money, however, he will not support this motion. REP. KADAS asked what the Institutions plans are for any further expansion at this time. Mr. Solay said there are no plans at this time for expansion.

339

SEN. BIANCHI stated that in 1966 the University System went to the BOR and got approval for a facility. In 1989 there was a revised plan for the Museum to become a full fledged department of the campus, this was also approved. SEN. BIANCHI stated that the Museum is there and is a responsibility of the Legislature to REP. BIANCHI asked CHAIRMAN PECK what HB45 is. fund. CHAIRMAN **PECK** stated that it is in the House right now, the University System into the committee and said they didn't like it. The bill just says that the Legislature wants to know what kind of monies are being raised in total and what the purpose is before them. It doesn't give the Legislature the authority to stop it but it give prior notice that there are things developing that could well become an obligation of the Legislature. SEN. BIANCHI asked CHAIRMAN PECK if he would support this if the Bill passed. CHAIRMAN PECK said he would be interested in that. SEN. JERGESON stated that in the past he has always voted against money for the Museum of the Rockies. However, the Senate voted 40-6 to support glamour items and the same thing will happen in the appropriations bill on this particular item. SEN. JERGESON stated he is in support of SEN. BIANCHI'S motion to fund the Museum of the Rockies. REP. KADAS stated that he has always supported the Museum of the Rockies in the past, however we still have a tight budget and don't feel it is an option to vote on this motion.

Role Call Vote: MOTION FAILED 2/4, REP. GRINDE, REP. KADAS, SEN. HAMMOND, and CHAIRMAN PECK voting no.

475

REP. BARDANOUVE stated that among the MODS there is one that is important to education of all enrollment in the System and that is in the library. The Libraries are suffering in the Montana University System and if you have some money to spend, please give some considerations to the library improvements. **REP. KADAS** stated that the real question is, do we have the money to spend. **REP. BARDANOUVE** said it is up to the subcommittee whether or not they have the money to spend, however, in this particular case the library is the foundation of the education no matter what else you do.

523

REP. GRINDE asked REP. BARDANOUVE if he understands that all the money that is left is General Fund. **REP. BARDANOUVE** said he is well aware of that.

542

Motion: REP. KADAS moved to add \$1,002,560 in FY92 for Library Catch-up funds.

Discussion: REP. KADAS stated that REP. BARDANOUVE explained it pretty well but the most telling testimony is the fact that they have convinced REP. BARDANOUVE. CHAIRMAN PECK agreed. REP. GRINDE stated that in one of the testimonies a student said he had to go to the public library to get the information and would like to know if there is some type of inter library program between campuses with our telecommunications. Commissioner Hutchinson said they have looked into that and will be moving forward with that kind of connectivity. We have the capability of inter library loan now, both within the system and inter library loan with regional and western Universities. However, inter library loan is very slow and have a limited amount of time you can hold the materials and if it is a xerox they send you, you reach certain limitations in copy right law. You can only copy so many articles out of a given journal in a given period of In order to have an efficient educational operation a time. certain base collection is needed. You should be able to by a certain number of books each year to put into that base collection. Commissioner Hutchinson stated that the \$1,000,000 spread over the system is going to be a modest increase for each of the campuses but an important increase and one we would like to have. REP. GRINDE asked if the Missoula campus correlates with the city libraries for them to have some things UM may need and visa versa. Commissioner Hutchinson stated that he can't speak specifically to the UM and Missoula Public Library relationship but it is not at all uncommon for a campus library and a community library to work together, however, the Public Library is there for general readership and they will get more things that will be popular with the public than it would be in the academic arena. CHAIRMAN PECK stated that the \$1,002,560 motion would be equal to \$40 per student.

Role Call Vote: MOTION CARRIED 5/1, REP. GRINDE voting no.

642

<u>Motion</u>: SEN. JERGESON move to add \$18,000 each year of the biennium for Public Service Adjustment at Eastern Montana College.

Discussion: Ms. Joehler stated that the campus transferred money from their operating budget to fund a higher level of personal services than what was appropriated by the Legislature. When the budget was developed for the FY93 biennium the appropriated level

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for FY91 salaries and their actual operating expenditures for FY90 were used. They moved money from operating to personal services and had a natural under-expenditure compared to their appropriations for operating costs. This was handled consistently among all campuses and makes a significant impact in EMC because of the size of their budget. CHAIRMAN PECK asked if their previous year expenditure would have exceeded their appropriated level. Ms. Joehler said their total overall expenditures exceeded their appropriated level by a couple thousand dollars. SEN. JERGESON stated that the subcommittee is faced with a small program that for whatever reason the money was transferred but it is a small vital program that involves the center for handicapped children and this small amount of money would help keep it in operation. SEN. JERGESON urged the subcommittee to support this motion.

Role Call Vote: MOTION CARRIED 3/2, REP. GRINDE and SEN. HAMMOND voting no. REP. KADAS absent.

CHAIRMAN PECK stated that if REP. KADAS wishes to cast a no vote he will move to reconsider the action.

700

SEN. JERGESON moved to add \$313,957 in FY92 and \$314,029 in FY93 to NMC-Malmstrom/GF Campus.

<u>Discussion</u>: SEN. JERGESON stated that the main increase in offerings of courses generated an additional student FTE. If this program continues for the next two years the enrollments will stay stable. If this is not approved the home campus will have to absorb these costs and we will have set that standard. This will be a disincentive for any other campus who is directed to offer access to college or university level instruction outside their home campus. According to the Commission for the 90's and Beyond one of their priorities was to provide extended opportunities throughout the state of Montana.

Role Call Vote: MOTION FAILED 2/4, REP. GRINDE, SEN. BIANCHI, REP. KADAS, and SEN. HAMMOND voting no.

760

SEN. JERGESON stated that EMC had a savings earmarked for Computer Equipment and the Legislative Audit Committee made EMC use it in other ways. SEN. JERGESON stated that he would like to restore the amount of money that EMC had saved and asked Mr. Heikes what that amount was. Mr. Heikes stated that they had saved \$350,000. SEN. JERGESON stated that he suspects when the Audit Committee issues an exception to accounting it is based on general accepted accounting principals (GAAP) however, the effect of having made that recommendation removed the availability of \$350,000 for needed computer equipment. SEN. JERGESON stated that he has asked the Legislative Auditor to explore a method by which we might establish a long range equipment planning process. HOUSE EDUCATION & CULTURAL RESOURCES SUBCOMMITTEE February 14, 1991 Page 12 of 16

This is the only way we can adequately deal with the kinds of equipment requests that are made in this subcommittee.

Motion: SEN. JERGESON moved to restore \$350,000 for EMC-Computer Equipment.

Discussion: REP. KADAS asked what kind of computer they can get for \$350,000 and how soon will it need to be replaced. **Mr. Heikes** said they wouldn't be able to get much for \$350,000 but would like to use the money and whatever trade in they can get on the current machine and take advantage of financing. The problem with this is that our recharge base has to have enough money accumulated to make those payments back. **REP. KADAS** asked if they would get the same computer with this \$350,000 as they were talking about getting. **Mr. Heikes** said it would have to be taken into consideration.

Role Call Vote: MOTION FAILED 3/3, REP. GRINDE, REP. KADAS, and SEN. HAMMOND voting no.

CHAIRMAN PECK stated that a motion was made to grant \$36,000 to EMC, Public Service Adjustment and asked REP. KADAS if he would like to cast a motion on this vote. REP. KADAS said he does not wish to cast a vote.

870

SEN. BIANCHI stated that the Bureau of Mines had a request for \$800,000 in equipment. The Bureau of Mines has a Mass Spectrometer that is 12 years old and parts are no longer available to repair it. This is something they use and get paid for doing the tests they perform with it. If this were approved the Bureau of Mines could take the money that they charge for running samples with this machine and put it into a savings account for replacement costs.

Motion: SEN. BIANCHI moved to add \$245,000 in the first year of the biennium for the Bureau of Mines.

Discussion: Dr. Ruppel, Bureau of Mines, stated that the Mass Spectrometer is failing and is making it increasingly difficult to continue their role as the principal water laboratory in Montana.

Role Call Vote: MOTION FAILED 3/3, REP. GRINDE, REP. KADAS and SEN. HAMMOND voting no.

968

Motion: SEN. BIANCHI moved to add \$469,413 in FY92 and \$869,013 in FY93 for MSU-Nursing Placement MOD.

Discussion: SEN. BIANCHI stated that there are approximately 100 people that have completed the first two year of the Nursing Program at MSU and are waiting for placement into the medical

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facility in the next two years. One of the things we can do here in the state of Montana is train people that for the most part stay in Montana after they graduate from a program. About 75% of the people that graduate from the Nursing Program do stay in Montana. SEN. BIANCHI stated that it is not only a program needed in Montana but will continue to increase as more and more health care is needed in the homes for the elderly. SEN. JERGESON stated that he would like to vote for this MOD, however, if we adhere to the Executive recommended level of funding for the University System, these kinds of things not being funded where they ought to be is the consequence of adhering to that funding level. For the sake of Montana there are things at this point that need to be turned down. SEN. JERGESON stated that he is not casting his vote over what has happened in the past.

Role Call Vote: MOTION FAILED 3/3, REP. GRINDE, SEN. HAMMOND, and REP. JERGESON voting no.

096

REP. GRINDE asked if there is \$245,000 in discretionary money left. **REP. KADAS** said there is no discretionary money and there wasn't any money taken away from discretionary funds, general Fund money was put it into this budget. **REP. KADAS** stated that if REP. GRINDE wants to have discretionary money this committee has to pass that as a motion. **REP. GRINDE** stated that REP. KADAS was considering the money he spent as the 8 million the Governor put out. **REP. KADAS** said he was considering money that the Legislature is obligated to spend and if REP. GRINDE wants to equate the motion for 7.7 million dollars with the Governors request for 8 million dollars that's ok.

140

REP. KADAS stated that the Montana Repertory Theatre was in town and did a showing of Voice of the Prairie. There were three seasoned actors there that travel all over the state of Montana putting on plays and workshops. All three of them grew up in They have had to narrow things down so much that they Montana. can't get enough actors and all of the other things that go along with putting a show on. They are then only able to stay in town one night, if they had two shows they could stay in town two nights and be able to expand the number of workshops they do between those two shows. Because of the tightness of funds they have pulled back on the amount they provide and with a very small investment we could increase the output by quite a bit. REP. **KADAS** stated that talking about and preserving our culture as we go through time is an important thing. It is something that is easy to lose as the whole world moves towards a global economy. We essentially get our culture fed to us through Hollywood, Hong Kong, and New York which is good but we need to make the effort to preserve and remind ourselves of who we are and where we come from.

Motion: REP. KADAS moved to add \$90,588 in the second year of the biennium for the UM Repertory Threatre.

HOUSE EDUCATION & CULTURAL RESOURCES SUBCOMMITTEE February 14, 1991 Page 14 of 16

Discussion: CHAIRMAN PECK asked that given the budget circumstance can we really expand programs? REP. GRINDE stated that if he is going to prioritize he is going to vote on handicap children before he votes on Theatres.

<u>Vote</u>: MOTION FAILED 3/3, REP. GRINDE, SEN. HAMMOND, and CHAIRMAN PECK voting no.

242

REP. GRINDE asked Mr. Heikes to explain the MOD on handicap Mr. Heikes said the MOD is to increase the operation children. for the Montana Center for Handicap Children. It will provide access in the summer to the people that use the center and provide assessments of their particular problems and have a program worked out for them so they can enter a day school in the Right now if they miss the regular nine months they have fall. to wait until September before they can make an appointment to have their concern diagnosed. CHAIRMAN PECK stated that it is somewhat of a referral center. REP. KADAS asked if most of the referrals happen during the school year. Mr. Heikes said yes. REP. KADAS asked how much demand is there for the service in the summer. Mr. Heikes said there is demand and there are disappointed people who have to wait until the clinic starts up again in the fall. REP. KADAS asked how many people get referred over the course of a year. Mr. Heikes said he is not sure but would guess several hundred referrals. CHAIRMAN PECK said he would be surprised if it were over a hundred. REP. GRINDE asked if the subcommittee would be allowed to revisit this issue. CHAIRMAN PECK said yes, the subcommittee will have an opportunity on Monday January 18, 1991 to review what has been done.

280

SEN. JERGESON asked if the subcommittee could request the drafting of a bill. CHAIRMAN PECK said yes. SEN. JERGESON said he needs a committee to put a bill drafting request in on the issue of trying to establish the frame work for Long Range Equipment.

Motion: SEN. JERGESON moved to have a committee bill drafted for Equipment replacement.

Discussion: REP. KADAS said he supports the bill but stated that it may need to be done by either the House or the Senate. The other option is to get the bill as an appropriations bill and then there is no dead line on requesting that.

Vote: MOTION CARRIED unanimously.

318

REP. GRINDE stated that he would like the subcommittee to look at some options as to how to put the issue with the Museum of the Rockies to rest. **REP. GRINDE** stated that he is not sure of how to do this, if it can be directed with language or if it can be directed with language or takes a separate action. It is

HOUSE EDUCATION & CULTURAL RESOURCES SUBCOMMITTEE February 14, 1991 Page 15 of 16

something that needs to be put to rest or we will go through this every session. CHAIRMAN PECK stated that it either continues as it is now or it is put into the base. SEN. HAMMOND stated that he feels that it is something that is always going to be there. Eventually they will get the state to pick up part of it. SEN. BIANCHI stated that he appreciates REP. GRINDE comments on this issue and feels it needs to be resolved.

SEN. BIANCHI stated MSU has a request for an amount of money they need for accreditation in the College of Engineering. If this MOD is not funded 10% of the students in the system that may not in the future graduate from an accredited Engineering School. This is something that would be totally unacceptable and we have to work on making sure that these major colleges in the State are capable of being accredited in the future. REP. KADAS stated that when the Regents changed their budgeting mechanism from being based on MODS to being based on peer catch-up and the Commission's recommendations, a number of the MODS they originally identified got taken care of by peer catch-up. REP. KADAS asked the Commissioner to come to the subcommittee with specific institutional problems that won't be addressed because of the level of funding we have appropriated in the past two days. Dr. Malone asked what information REP. GRINDE would like on the Museum of the Rockies. CHAIRMAN PECK said the subcommittee would like to know if there is any other option that the committee has not thought of in terms of an out.

420

REP. KADAS stated that the Commissioner has language relative to decoupling.

CHAIRMAN PECK reviewed a handout on the language from the Commissioners Office. EXHIBIT 3

Ms. Joehler recommended having the language run by the prooffers in the Legislative Council before action is taken on it. REP. KADAS said he would like Ms. Joehler and Ms. Cohea's opinion on how they feel it would work.

ADJOURNMENT

Adjournment: 11:00 a.m.

ENTAT

MELISSA ð BOYLES. Secretary

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RP/mjb

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EDUCATION SUBCOMMITTEE

ROLL CALL

DATE <u>2 - 14 - 91</u>

NAME	PRESENT	ABSENT	EXCUSED
REP. RAY PECK, CHAIRMAN	. /		
SEN. GREG JERGESON			
REP. LARRY GRINDE			
SEN. DON BIANCHI			
REP. MIKE KADAS			
SEN. H.W. "SWEDE" HAMMOND		 	

HR:1991 CS10LRLCALEDSUB 13-Feb-91 SUBCOMMITTEE ACTION OF 2/13/91

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EXHIBIT_____ DATE_<u>2-14</u>-HB_Ed.~Curr.

SUMMARY TABLE COMPARISON OF LFA CL TO PROPOSED BUDGET

FISCAL 1992							
PROGRAM	MSU	UM	EMC	NMC	WMCUM	MCMST	TOTAL
INSTRUCTION SUPPORT RESEARCH PUBLIC SERVICE PHYSICAL PLANT SCHOLARSHIPS & FELLOW.	\$29,312,235 \$13,927,264 612,305 10,752 6,057,006 1,327,730	\$24,479,815 \$12,150,322 556,724 192,894 5,585,318 1,228,074	\$7,874,279 \$5,042,049 0 243,620 2,211,829 382,715	\$4,321,228 \$2,365,587 0 8,891 1,185,369 278,375	\$2,562,657 \$1,514,194 0 759,821 89,683	\$5,012,823 \$2,805,448 42,635 0 1,581,729 201,561	• •
TOTAL PROGRAM COSTS	\$51,247,292	\$44,193,147	\$15,754,492	\$8,159,450	\$4,926,355	\$9,644,196	\$133,924,932
LFA CURRENT LEVEL-FY 92	2 \$49,717,594	\$42,908,170	\$15,329,411	\$7,922,290	\$4,787,278	\$9,382,736	130,047,479
INC (DEC) FROM LFA CL	\$1,529,698	\$1,284,977	\$425,081	\$237,160	\$139,077	\$261,460	\$3,877,453
FISCAL 1993							
PROGRAM	MSU	UM	EMC	NMC	WMCUM	MCMST	TOTAL
INSTRUCTION SUPPORT RESEARCH PUBLIC SERVICE PHYSICAL PLANT SCHOLARSHIPS & FELLOW.	\$29,321,692 \$13,984,006 612,326 10,752 6,120,758 1,327,730	\$24,496,379 \$12,200,014 557,260 192,930 5,633,108 1,228,074	\$7,877,600 \$5,048,692 244,417 2,231,632 382,715	\$4,321,228 \$2,367,151 0 8,891 1,196,234 278,375	\$2,563,573 \$1,516,941 0 764,652 89,683	\$5,014,346 \$2,814,586 42,750 0 1,593,269 201,561	37,931,390
TOTAL PROGRAM COSTS	\$51,377,264	\$44,307,765	\$15,785,056	\$8,171,879	\$4,934,849	\$9,666,512	\$134,243,325
LFA CURRENT LEVEL-FY 93	\$ \$49,847,566	\$43,022,789	\$15,359,975	\$7,934,719	\$4,795,772	\$9,405,051	\$130,365,872
INC (DEC) FROM LFA CL	\$1,529,698	\$1,284,976	\$425,081	\$237,160	\$139,077	\$261 ,461	\$3,877,453

ASSUMPTIONS:

Incremental programs @ LFA CL
Audit costs are in both years (LFA CL)

3. Formula Factors:

a. S/F ratios at 91 appropriated levels b. Average faculty salary FY92 and FY 93: FY91 appropriated+arbitration settlement 315%/vyr

c. Instructional Support and Support-LFA CL (includes some inflation)

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EXHIBIT______ DATE_<u>A-14-91</u> HBEd_VCUUR. Jun Jun

BOARD OF REGENT MODIFIED REQUESTS EXECUTIVE ACTION WORKSHEET

FY 92 FY 93 ITEM BIENNIUM ACTION 1 ENROLLMENT ADJUSTMENT \$1,805,507 \$1,805,507 \$3,611,014 THIS IS INCLUDED IN THE LFA CL BUDGET 2 FORMULA ADJUSTMENTS a. Student/Faculty Ratio Move 1/5 toward peers/yr \$648,458 \$1,246,639 \$1,895,097 _____ h. Faculty Salaries Arbitration settlement plus 4% in 92 and 5% in 93 \$6,227,496 \$9,487,756 \$15,715,252 c. Instructional Support Move 1/5 toward inflated 89 \$888,077 \$1,735,343 \$2,623,420 ____ peers each year d. Support Move 1/5 toward inflated 89 peers each year \$3,063,337 \$5,772,414 \$8,835,751 e. Catch-up funds _ carried Library \$1,002,560 \$1,002,560 Instructional Equipment \$1,002,560 \$1,002,560 Telecomm/Computer Eq \$501,280 \$501,280 **3 INFLATION FOR INCREMENTAL PROGRAMS** \$921,781 \$1,727,035 \$2,648,816 4 INCREASED SCHOLARSHIPS & FELLOW. \$228,156 \$228,156 \$456,312 **5 PROGRAM MODIFIEDS** 2 Ň Failed \$439.706 MSU-Museum of the Rockies \$463,055 \$902,761 \$469,413 \$1,338,426 MSU-Nursing Placement \$869,013 UM-Repertory Theatre \$0 \$90,588 \$90,588 UM-Yellow Bay \$0 \$94,742 \$94,742 \$100,150 \$981,550 350,000 EMC-Computer Equipment \$881,400 EMC-Cntr Hndcp Children \$39,000 \$42,200 \$81,200 EMC-New Space-Apsaruke Hall \$10,000 \$10,000 \$20,000 MCMST-Analytical Research Ctr \$875,116 \$85,117 \$960,233 MCMST-Haz Sub Groundwater \$185,325 \$119,994 \$305,319 NMC-Malmstrom/GF Campus \$657,961 \$321,043 \$336,918 6 REGENTS DISCRETIONARY FUNDS \$1,500,000 \$2,000,000 \$3,500,000 ----TOTAL MODIFIED BUDGET REQUESTS \$20,508,935 \$26,715,907 \$47,224,842 ISSUES FOR EDUCATION SUBCOMMITTEE CONSIDERATION FY 93 # FY 92 BIENNIUM ACTION ITEM 1 MONTANA TECH ENROLLMENT FLOOR (1555 students, an increase of 32) \$163,770 \$163,994 \$327,764 2 EASTERN MONTANA COLLEGE a. Public Service adjustment (ref. letter from EMC dated 2/4/91) \$18,000 \$36,000 \$18,000 b. Student Faculty Ratio adjustment from 19.0 to 17.93 \$395,746 \$395,746 \$791,492 **3 NORTHERN MONTANA COLLEGE-GT FALLS** \$627,986 ENROLLMENT (SEE BUDGET MOD ABOVE) \$313.957 \$314,029 **4 ARBITRATED SALARY AGREEMENT FOR** carried \$874,384 NON-INSTRUCTIONAL FACULTY \$437,192 \$437,192 **5 LIABILITY INSURANCE PREMIUM** 1 carried \$442,625 5 INCREASES AT SIX UNITS \$209,940 \$232,685 - carried \$23,231 0 6 AUDIT COSTS IN 1ST YEAR \$160,973 (\$137,742) TOTAL ISSUES \$1,699,578 \$1,423,904 \$3,123,482

EDUCATION SUBCOMMITTEE

date <u>3-14</u> BILL NO. NUMBER MOTION: 1 R

NAME	AYE	NO
REP. LARRY GRINDE		X
SEN. DON BIANCHI	K	
REP. MIKE KADAS	X	
SEN. H.W. "SWEDE" HAMMOND		\times
SEN. GREG JERGESON, VICE CHAIRMAN	X	
REP. RAY, PECK, CHAIRMAN		\times
TOTAL	3	3

EXHIBIT. DATE 2 HB. Ed. v Cur. Pes

This approppriation may necessitate measures by the board of regents to limit or reduce enrollment during FY 92 and FY 93. It is the intent of the 52nd legislature that any reductions in student FTE resulting therefrom shall not be used to directly effectuate a reduction in the FY 94 and FY 95 budget for the university system submitted to the 53rd legislature, nor should any of the other budget formula factors be adjusted in a manner to indirectly result in such a reduction.

EDUCATION SUBCOMMITTEE

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REP. RAY, PECK, CHAIRMAN	X	
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SEN. GREG JERGESON, VICE CHAIRMAN	X	
REP. RAY, PECK, CHAIRMAN	X	
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EDUCATION SUBCOMMITTEE

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SEN. GREG JERGESON, VICE CHAIRMAN	X	
REP. RAY, PECK, CHAIRMAN	X	
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EDUCATION SUBCOMMITTEE

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NAME	AYE	NO
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SEN. DON BIANCHI	X	
REP. MIKE KADAS	X	
SEN. H.W. "SWEDE" HAMMOND		X
SEN. GREG JERGESON, VICE CHAIRMAN		X
REP. RAY, PECK, CHAIRMAN	X	
TOTAL	3	3

HOUSE OF REPRESENTATIVES VISITOR REGISTER

<u>Succession</u> subcommittee DATE <u>2-14-91</u>

DEPARTMENT(S)_____ DIVISION_____

PLEASE PRINT

PLEASE PRINT

NAME	REPRESENTING	
July Weaver	Musium of the Rockieb	
Denie Salary RATHIEEN ANN LONG	the Rockieb	
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PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.