

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: By Chairman Bardanouve, on March 20, 1991, at 8 a.m.

ROLL CALL

Members Present:

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

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

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

Note: Chairman Bardanouve and Vice Chair Peck switched back and forth chairing the meeting. Consequently, the minutes do not reflect who was chair at any particular point in time.

EXHIBIT A was given to the committee.

HEARING ON HOUSE BILLS 488, 489, 490, 491

HB 488 Use USDA Cost of Raising a Child to Set the Rate of Payment for Foster Care

HB 489 Define the Clothing Allowance for Children Placed in Foster Care

HB 490 Provide a Program for Recruitment, Training, and Retention of Foster Parents

HB 491 Require DFS to Provide Respite Care for Foster Children in Licensed Homes

Presentation and Opening Statement by Sponsor:

REP. O'KEEFE, House District 45, Helena said HBs 488, 489, 490 and 491 are of the same subject matter and that he would present them together. This is a packet of bills he developed with the Foster Parents Association and foster parents around the state. He said he would tell the committee what was in the bills and then could answer questions. He said these children are legal wards of the state of Montana and we use Foster Parents to care for them. The reason for that is because we don't have the capability to provide these kids with what they need in any other way, but to use the folks who are willing and able to give these kids the love, care and concern they need.

HOUSE BILL 488 raises the daily maintenance rate for family foster care from \$9.67 per day for children under 12 to \$14.67 a day. The rate for children over 13 raises from \$12.10 per day to \$20.45. These are the numbers determined by the USDA for the cost of raising a child, less medical and education expenses. He said at \$14.67 and \$20.45 per day we are still not covering the medical or education care of these children according to the federal government.

HOUSE BILL 489 deals with the clothing allowance. Many of these children have only the clothes they are wearing or, in some cases, wrapped in a blanket from the hospital, and they take the blanket with them when they leave the child. The state says for each year you have a child, there is a maximum clothing allowance of \$100, and explained how it was impossible to get a child through a year on that meager an allowance. This bill would raise the maximum clothing allowance for a child in foster care to \$500 a year and that must be documented in order for the foster parents to receive that funding.

HOUSE BILL 490 establishes a program for the recruitment, training and retention of licensed foster parents. It would appropriate \$150,000 and establish a program in the Dept. of Family Services. The program includes training forces and the responsibility role of the foster parent. Many kids have problems that are slightly different than other generations. Society changes and there are a lot of kids that come from severely dysfunctional homes and are placed with foster parents that have no idea how to deal with children who have suffered sexual abuse or are coming from chemically dependent situations. Foster parents need to know how to deal with these situations, and the number of foster parents are decreasing. In many families it takes two people working to support a family these days and there are not as many people out there who can be foster

parents, and this program would help to identify those who could and train them.

HOUSE BILL 491 deals with respite care for the foster parents. The appropriation is under \$1,000 and it would provide respite care for the type of children aforementioned. We are asking foster parents throughout the state to take children who are suffering from a lot of different societal problems and they have them 24 hours a day. Some children are so dysfunctional that they can't be left in the care of anyone other than the foster parent. This program would provide trained respite care people who could come into a situation and perhaps give the foster parents a night off once a month or so.

Proponents' Testimony: Ken Luraus, Foster Parents, Helena said foster parents throughout the state of Montana are volunteers, and the rates are reimbursement rates, not a supplement to a salary, nor are they a salary or compensation to a family. Reimbursement rates are designed to provide care for the children in the form of shelter, food and perhaps recreation. The clothing allowance is not a part of the reimbursement rate, and foster parents are shopping at the Good Will or finding second hand clothes, cribs, etc., and are establishing clothing banks to share hand-me-down clothing for these kids. He said this causes some serious problems so far as self esteem, particularly for children who are adolescents in foster care. The clothing allowance is not automatic. The child must be in care at least 30 days before the foster parent receives an allowance. He said approximately 55% of the children in DFS are in foster care.

EXHIBITS 1 and 2 were distributed.

REP. PECK said one person would testify on the bill and asked if the remainder would rise and identify themselves. They were as follows: Shirley L. and James Roell, Great Falls with daughter Danielle and foster daughter Jeana Wryn; Chuck Metzgar, Helena; Terry Steele, Helena; Marcia Fauque, Helena and Melinda Vogeles, Great Falls.

Bobbie Jean Curtis, Foster Parent, Great Falls, said she has travelled to Helena since 1980 trying to educate and share information on Family Foster Care. She said she had been a foster parent for 21 years and passed around a picture of her present family, the children who are in that family and whom she serves. She said she serves a severely handicapped child and has done so for 13 1/2 years; has 2 children that have attention deficit disorders and have done approximately \$3,000 damage in just the past 2 years to their home. They also have 2 children who have speech delays that are also in their home. She told of the problem with the clothing allowance, and showed the committee the maximum she could buy for \$100, then had to wait one to two months for reimbursement after purchasing the clothing with her husband's money. She pointed out the allowance was spent for a year and the tennis shoes would last 6 weeks. The 3 pair of

shorts would not go through a day since the child was a bed wetter and also wet at school, and there was no winter coat, no boots or mittens, etc. She said this child plus two siblings a preschooler and an infant, all arrived last evening, and they all came without clothes.

REP. KIMBERLEY asked to be listed as a proponent of these bills. He said his son who is in his 40's, is a foster parent but never uses the term "foster".

REP. GRADY asked to be listed as a proponent of these bills.

Questions From Committee Members: REP. PECK inquired as to whether or not fiscal notes had been requested. REP. O'KEEFE said these bills were passed out of the Human Services Committee unanimously and that the leadership sent them directly to Appropriations save time on the floor. He said he believed the Dept. of Family Services could provide numbers. Doug Matthies, DFS, said they sent fiscal notes to the budget office. On HB 488 for the USD estimates on the cost of raising a child, the fiscal note was for \$2.1 million for '92 and \$1.5 million general fund; in '93 it was \$2.2 million and \$1.6 million general fund. On HB 489, on clothing, \$380,000 for FY '92 total, \$266,000 general fund, in '93 it was the same figure. House Bill 590 has an appropriation in it for \$150,000 and 491 has \$100,000 in it.

REP. GRADY asked Mr. Matthies if the Governor had put any more in his base budget than what was in these programs? Mr. Matthies said there is a 5% across the board increase and it would be in rates and allowances.

REP. COBB said on 491, that was the respite care. The \$100,000 was for all the respite care, not just for the small group that needed intensive supervision. REP. O'KEEFE said it was for all the respite care.

REP. GRADY asked what the result of allocating 10% for the biennium on clothing would be? Mr. Matthies said in the base budget they are spending about \$104,000 a year in clothing allowance so that would provide \$100 for \$1,000 clients, basically, and that would raise it to \$105 per client per year. He said if the child were in care for a full year, there would be a \$100 clothing allowance, if only for a few months, it was pro-rated down accordingly.

REP. BRADLEY asked for clarification on the Executive Budget. She said she did not think there was any money in the Executive Budget. The subcommittee put in the 5% and 5% provider increase. There were no increases in the Executive Budget for these. Mr. Matthies said that was correct. REP. BRADLEY said along with all their 5 and 5 provider increases, they covered foster care also.

Closing by Sponsor: REP. O'KEEFE said he would like to point out that even at 5 and 5, which is in the budget, assuming it passes

and signed into law, the result would be an increase from \$9.67 for a kid under 12 to roughly \$10.60 a day. The federal government, on a nationwide average, says it costs \$14.67 a day for these kids to survive without medical and educational care. We are telling these folks we want these kids to survive and we want you to take it out of your own pocket. He said he did not feel this was fair. He said it takes two to earn a living in a family, and part of the contract these people has is that, in many instances, as foster care providers, you have to stay home. He asked the committee to listen to their hearts and help these kids in foster care to be treated better.

HEARING ON HOUSE BILL 964

Generally Revising Pesticides Statutes and Repealing
Herbicide Surcharge

Presentation and Opening Statement by Sponsor:

REP. O'KEEFE, House District 45, Helena said this bill is would provide pesticide clean up through disposal of unusable pesticides. It has not had a full hearing and he would let the proponents and opponents explain what the bill will do.

Proponents' Testimony: Pam Langley, Executive Director of the Montana Agricultural Business Association said their membership is comprised of a variety of agriculture related groups. They include companies, distributors, dealers, commercial applicators, Co-ops, elevators, large companies and private independent businesses. They support HB 964 and she distributed written testimony and proposed amendments for the committee's consideration EXHIBITS 3, 4 and 5.

Bob Stephens, Montana Grain Growers said he agreed with the previous testimony.

Lorna Frank, Montana Farm Bureau said they worked last year to get the groundwater bill passed and are in full support of this bill.

David Berg, Montana Weed Control Association said they were in support of this bill and handed in testimony, EXHIBIT 6.

Jim Barngrover, Alternative Energy Resources Organization spoke in favor of HB 964 and handed in his written testimony, EXHIBIT 7.

Christine Kaufmann, Environmental Information Center said they support HB 964 and feel it is important to adequately fund the Groundwater Chemical Protection Act, which was passed last session.

Questions From Committee Members: REP. Thoft inquired about the \$10 fee for fertilizers and asked how many varieties there are if

there would be a fee involved? REP. O'KEEFE said that is in the existing law now.

REP. CODY asked Ms. Langley about her amendment: "and there is no beneficial use of this soil as determined by the Dept." Ms. Langley asked that the question be addressed to the Dept. and Mr. Gary Gingery, Environmental Management Division, Dept. of Agriculture said to determine if soil has beneficial use, you take certain pesticides that the soil has been contaminated by and evaluate it. When you take them out and potentially land spread them, the compound itself will be available in the soil to control weeds, for example. In the case of Tordon that is true. Tordon in the soil is available and will control weeds so there is potentially beneficial use. A number of other compounds can be so tightly bound to the soil that they can't become available for weed control or whatever, and therefore there is no beneficial use. This relates to a law in the DHES dealing with hazardous waste which says if there is a beneficial use, then it is not a hazardous waste.

REP. COBB said he thought money had been given to the DHES for ground water monitoring and wondered if this was a similar thing or not. REP. GRADY asked where the \$10 fee on fertilizer is going now and Mr. Gingery said it is just set into an account and can't be expended until they have positive proof that the nitrates in ground water are the result of commercial fertilizer. Once that is proven, then those funds could be made available for expenditure to resolve that problem. REP. GRADY asked how much is in that account now and Mr. Gingery said it brings in only about \$12,000 a year.

Closing by Sponsor: REP. O'KEEFE said this is a good bill. He said the proponents have been working on this since prior to the beginning of the session, and he would hope it could be accepted by the committee.

HEARING ON HOUSE BILL 975

Appropriation to Update and Reprint Bulletin 545 - The Montana Law of Water Rights

Presentation and Opening Statement by Sponsor:

REP. NORM WALLIN, House District 78, Bozeman said this requests an appropriation to continue to print the Montana Law of Water Rights. He said the present bulletin is out of date and out of print and is used quite extensively in the agricultural community.

Proponents' Testimony: SENATOR FRANCIS KOEHNKE, Senate District 16, Townsend spoke in favor of HB 975. He said this would update and print bulletin 545, an MSU publication that was originally issued in Aug. of 1958 and is a 121 page bulletin detailing the law relating to the evolution of the water law in Montana. He

said some of the material in the bulletin relates to case law but needs to be updated. It is widely used by the courts, state government and the University system and is often cited as the source of water law information.

REP. WALLIN handed in testimony from the university, EXHIBIT 8, and read the testimony from Dean Mathies.

Opponents' Testimony: Ray Beck, Administrator, Conservation and Resource Development Division, DNRC said he was not really an opponent but has comments on the funding source. There are two programs that are backed by the Coal Tax for loan purposes and they have a debt service under the Water Development loan and have the Renewable Resource Development Bond fund that comes out of 1.52% of the Coal Tax. The funds for this publication would come out of the part that goes into the RRD Bond fund and causes some concerns, mainly dealing with the ratings on the bonds. The rating companies on these bonds feel very strongly that these flows aren't interrupted and if flows are interrupted, then there are concerns about the ratings they would give on the bonds and the rating would probably be higher. He said they did not want to set a precedent of taking funds out of this flow which could lead to a problem of not meeting their bond debt in the future. This would also reduce the amount that was in the LRP budget for the RRD grants, and there may be a conflict with current law. He said he had some amendments he would like to have considered, EXHIBIT 9 which would put this at the bottom of the list of HB 6.

Questions From Committee Members: REP. THOFT asked Mr. Beck a question. He said there was a lot of discussion last session when they carried that Water Mediator bill that the Dept. would update this bulletin. They trained mediators and how could they train them if this isn't updated? This information is out there in print somewhere, isn't it? Mr. Beck said it is a '58 publication. He said he thought some of the information that is contained in this publication is out there and asked if someone from the Water Resource Commission could to speak on this. REP. THOFT said he thought there had been a lot of work done in the Dept. already on bringing this up to date. REP. KIMBERLEY asked REP. WALLIN how this program was funded previously and REP. WALLIN said it hasn't been funded for a long time or printed for many years.

Closing by Sponsor: REP. WALLIN closed by suggesting REP. SWYSGOOD had some information that would be helpful in executive session on this bill.

HEARING ON HOUSE BILL 406

Transfers Postsecondary Educational Institutions to
Commissioner of Higher Education

Presentation and Opening Statement by Sponsor:

REP. FRITZ DAILY, House District 69, Butte, said this bill was requested by the Department of Commerce and **Annie Bartos, Legal Counsel,** would explain the bill.

Proponents' Testimony: **Annie Bartos, Dept. of Commerce** said the Dept. supports HB 406 which transfers the administration of postsecondary educational institutions proprietary program from the Dept. of Commerce to the Commissioner of Higher Education. She said the proprietary school program does not belong at the Dept. of Commerce, and most appropriately should be in the office of the Commissioner of Higher Education. She explained what the programs were and how the present law required evaluations, etc. She said presently the Dept. of Commerce is not performing the functions required by law, the program is operating with a secretary out of the department who devotes only a small percentage of her time to the program.

David Toppen, Deputy Commissioner for Academic Affairs for the University System, Chief Academic Officer said they support of HB 406 with a certain lethargy, but do support the legislation. He passed out his written testimony, **EXHIBIT 10.**

Questions From Committee Members: **REP. SWYSGOOD** said the bill says about an \$84,000 impact to Higher Education for additional staff. Isn't there enough staff people there to assume this responsibility? **Mr. Toppen** said the most recent fiscal note has about \$27,000 or \$28,000 in it which corresponds to approximately 1/2 FTE to support these additional responsibilities. One of the requirements is that these institutions be visited annually and they would have to put in place an accreditation system that would give them some way of reviewing what is going on in regard to curriculum, etc.

REP. CONNELLY said there used to be an Advisory Committee to oversee the licensing and regulation of the schools. What happened to that committee? **Ms. Bartos** said there was an advisory committee that was included in a previous statute, that advisory council has never been established. **REP. CONNELLY** said there was a committee because she served on it for about 5 years. **Jake Wine, Investigator, Dept. of Commerce, Consumers Affairs Unit** said there was an advisory council at one time, from the year of 1975 to about 1981 but was phased out. **REP. CONNELLY** asked why it was phased out and **Mr. Wine** said basically the council was set up for the initial process of getting the school program implemented.

Closing by Sponsor: **REP. DAILY** suggested the committee transfer the program that is currently in the Dept. of Commerce to the Commissioner of Higher Education office and during the interim they can work on a program to raise fees in different areas to fund the program.

HEARING ON HOUSE BILL 786

Directing Department of SRS to Revise Travel and Per
Diem for Medicaid

Presentation and Opening Statement by Sponsor:

REP. JOE QUILICI, House District 71, Butte, said this bill would raise the reimbursement for travel for recipients of medicaid that have to go out of state to get medical treatment. This is a program where we are sending people out of state for these medical treatments and are getting \$22.14 a day for board and room. This bill would raise those rates up to what state employees get for going out of state. He said in the interest of time he had requested only one or two of the many people who wanted to come in and testify on the bill. He said if the committee had any questions Nancy Ellery of SRS could answer them.

Proponents' Testimony: Cheryl Vale, Butte, said she is totally disabled and has to travel out of town and out of state often for medical care and has been doing so for the past 15 years on \$22.44 a day and cannot rent a hotel, motel or a rat hole for that much, and still has to eat. She thought the price should be increased to the rate the state employees receive. She had copies of bills and said it has been so costly she cannot even meet her power bill which is \$700 plus now even with the help of LEAP because she spent the money traveling for medical care. She said she has a disease that is very rare and is having a difficult time controlling it. She has lost an eye and they are trying to save the other. She said her brother-in-law was recently killed sleeping in a tent while trying to accumulate enough money to pay rent, and she will no longer sleep in cars or tents or under trees while seeking medical help. She handed in a petition with 1,000 signatures she accumulated in one day in Butte of medicaid recipients or potential recipients she wanted to present to the committee, EXHIBIT 11, and expense sheets for housing for medical care, EXHIBIT 12.

Closing by Sponsor: REP. QUILICI said this would cost about \$192,000 of general fund and \$490,000 of federal funds. He said if the committee can't fund the whole thing he hoped they would at least give them something.

HEARING ON HOUSE BILL 374

Appropriate coal Trust Money to Big Sky Program

Presentation and Opening Statement by Sponsor: **Tape 1, side 2**

REP. JIM RICE, House District 43, Helena, said this is the funding mechanism for the Big Sky Dividend Program. He said at the beginning of the session we took the approach of introducing the enabling legislation in the Senate which is SB 55 and is

still in Senate committee. In the House we have the finance mechanism bill as well as the two competing infra structure bills which are still in House committee. Eventually this committee will get one of those bills and have to look at the financing of one of them. He said this bill is one of the options, he felt it was a good option, and he asked the committee to hold on to this bill until it has a financing bill in front of them so they can look at the two. He said this is not a loan program, it is not a bonding program, it is a pay-as-you-go approach, paying from revenues coming into the coal trust right now to make money available for these critical improvements. EXHIBITS 13, 14 AND 15 were given to the committee.

Proponents' Testimony: Charles Brooke, Director, Department of Commerce said this is 1/2 of the Governor's proposal with the other half being in the Senate. He said Anna Miller would be available to go through with graphs and charts and show the committee how the money flows through the Coal Trust. He said they are proposing to take up to \$20 million a year of the annual coal tax revenue that currently flows into the coal trust fund. He traced through some of the funds that flow through the trust fund and this bill would tap the revenues after they had serviced the principle and interest required in the water development bonds and would not take any of the money that is allocated to other programs. They are taking the money that is left and there is a potential that they would cap the trust in the event the revenue was below the \$20 million.

Opponents' Testimony: Don Judge, Montana State AFL-CIO said at their convention last August the convention delegates unanimously adopted an resolution opposing the capping of the Montana Coal Severance Tax Trust fund and opposing the give away of those dollars that are currently existing in those funds, or in stopping the flow of dollars to those funds. He said the proponents said grants were the only way to take care of the infrastructure problems that exist across the state with local governments. He said they disagree and think if you simply grant money to someone, the chances you will be dealing with a lot of projects that may or may not be projects you would want to fund, but some the local governments think it would be nice to improve rather than those that are necessary. He said they feel the jobs created by rebuilding the Montana infra structure, the over \$5 million of infrastructure we know has to be fixed and replaced is important but the convention position was adopted unanimously. He said the other two infrastructure bills would provide for loans and bonding, and the AFL-CIO has supported both of them. If you cap the flow into the Coal Severance Tax Trust fund, you will eventually lower the amount of revenue that is provided for the general fund of the state of Montana. Currently 10% of the general fund is funded by the interest coming out of this tax, if you cap that account, the money will have to come from somewhere else.

Questions From Committee Members: REP. COBB addressing Mr. Judge

said, all your groups are opposed to grants? Mr. Judge said to give away grants, yes. REP. COBB asked how he could justify that position when this same group came in for grants from the U I Trust fund and Mr. Judge said to clarify the proposal on the U I Tax, that money does not all flow to our groups. Should you approve that, the money goes to a number of organizations performing vital services for the state. The apprentice program was penalty and interest account, not the Admin tax account. Those are ongoing sources of income which will be there to take care of ongoing programs and ongoing needs of the state. This proposal chooses to freeze an ongoing source of income. It chooses to freeze the trust fund which will further reduce an ongoing source of income for the general fund.

REP. KADAS told Mr. Brooke that he gave the number of jobs this bill would generate compared to the dollar amount of the projects. He asked for the numbers and Mr. Brooke said basically they are using a multiplier statistic used by the U. S. Dept. of Commerce Bureau of Economic Analysis which estimates jobs created by state. In Montana they estimate for every million dollars in construction you create 37.9 new construction jobs. With \$20 million as the general matching capital will generate \$60 million a year in construction. We are estimating this bill will provide up to \$20 million, and based on their experience with the CDBG program over the last 8 to 9 years, where they used federal grant money to fund infrastructure, they felt they could generate a 3 to 1 match, and should result in about \$60 million in construction.

REP. KADAS said the 37.9 figure is based on a multiplier so those are not all construction jobs. Mr. Brooke said the way he read it, that is construction jobs. REP. KADAS said the basis for a multiplier is that part of it, our basic industry, i.e. the construction jobs, and those people go out and purchase things, and that is where the multiplier comes in. The total can't be all construction jobs. Mr. Brooke said the way he was reading other multiplier statistics, those issues came in on a multiplier that applied to related economic activity. He believed this had been identified separately and this was construction. REP. KADAS said he had another report done by Congress that has considerably lower numbers and they say 31.9 and even question that number and say when you look at other states the number is more like 15 jobs per million.

There was more discussion on salary for construction workers, the gain in revenue from income tax which would offset trust fund loss, etc., and the cost to the general fund which increased each year up to the '99 biennium it was a \$35 million cost to the general fund.

REP. CODY said REP. JIM RICE had several bills in this committee that request general fund money. She was really concerned with this bill and the loss of money that would go into the general fund which subsidizes taxes in the state of Montana. If we are

not going to have any more taxes where will the money come from, and how have you thought that through? **REP. JIM RICE** said he has not come to the conclusion we are not going to have any new taxes. He said he understood the concern and thinks there is a set of assumptions that say if a program like this could be implemented and the dollars leveraged, there would be a return to the general fund exceeding the loss. His justification is that he believes the program would work and would bring increased revenue.

REP. CODY said **REP. KADAS** pointed out this is an ongoing loss to the general fund revenues. It is not just something you lose in a 2 year period of time. If that loses \$35 million in general fund money, even if you look at the most optimistic part of your picture, do you really believe we can bring in \$35 million in additional taxes to the general fund? **REP. JIM RICE** said he would like to refer the question to someone who has worked with the multiplier effect and those assumptions. He said he is not an expert in the area.

REP. COBB asked **Mr. Brooke** when you lose \$35 million, but if you don't build the projects because you don't have the money, aren't we going to lose the tax base in rural Montana. Bigger cities get federal money, state money, and other monies, but what will happen to rural Montana? **Mr. Brooke** said it is a compounding grade effect, the matching monies used, federal government, EPA, etc. solves a lot of our larger problems, but the problem is still here and the analogy of this issue is we owe a Montana credit card \$500,000 and have a lot of money in the bank. The interest on the credit card and that interest is on the growing capital. We are getting to the point with increasing EPA, etc, that water systems and sewer systems will be shut down, and we're going to pay for it sometime.

REP. COBB asked, if we don't pay for it those places will cut down their infrastructure and basically leave a lot of small towns in Montana. **Mr. Brooke** said there is no question about it. He said through the CBDG program they are able to fund about half the proposals each year.

REP. BARDANOUVE said he has served on the LRP program and they have had in that committee session after session, many of the same projects you are advocating to be built under this program. We have built sewers across Montana, small towns, big projects, irrigation projects and almost any type of project and financed by this coal trust which will not be done because if we cap this coal trust our bonding capacity will be limited. What you will gain here, we are putting into financially sound loans. He said they subsidize interest and this is an ongoing program that benefits every corner of Montana. He asked what we are going to gain if we end that program. **Mr. Brooke** said he agreed, that program should not be ended. This program will allow more communities to take advantage of the program. He referred to **EXHIBIT 15** and discussed the St. Regis problem. **REP. BARDANOUVE**

said eventually we will reach our bonding capacity and then the program will have to end.

Closing by Sponsor: REP. JIM RICE said some of the opposition was really opposition to the grant program, SB 55. This is an idea and is a financing mechanism that he felt was sound and should be a part of the debate. He asked the committee to hold the bill until the policy bill reaches the committee and to use this as a part of the final outcome. He said they were willing to compromise, and just hoped politics could be set aside and not leave this session without an infrastructure solution because it is desperately needed.

HEARING ON HOUSE BILL 963

Long Range Building Bonds for the Montana Developmental Center

Presentation and Opening Statement by Sponsor:

REP. BARDANOUVE, House District 16, Harlem, passed out EXHIBITS 16 AND 17 and said early on it was recognized, mainly because of budget restraints in the bonding program, that there was no provision made to build a very essential facility at Boulder. This is an old institution with many old buildings and has had medicaid problems there from the first. This session they have proposed a very significant down sizing of that program and putting more patients in local facilities. The main theme of that program is to consolidate the campus since it sprawls on both sides of the river and is connected with tunnels, sewers, water lines, etc. It was originally proposed by the Dept. of Administration to build an \$8 million facility on the north side of the river, concentrate all of the clientele at Boulder into one facility, but the facility was not put into the bonding program. Mr. Chisholm took the responsibility for not having it in there, but thinks it was a matter of the administration fearing it was too large a program to put into the bonding bill. There were two major facilities at the University, a major prison and other programs and the Hall at Billings, and thinks the main reason it was not put in was because there were too many high cost programs in the bonding program. REP. MENAHAN mentioned some back money in medicaid programs that had not been collected since about 1988 and he felt he could use some of that money. He put in the regular bonding bill so they would have a vehicle to work with. The Legislative Auditor provided him with figures and proposed to use the Montana Health Facilities Act which is a bonding program but outside the Montana general obligation bonds. It is not an obligation of Montana government, but is an outside health facility. He said many of the medicaid facilities are financed with this type of financing. This bill does not require large additional general fund obligation in years to come. The facility, through the health facilities and medicaid will pay for the building over the life cost of the bond. This will be a medicaid certified facility and the patients there will be

medicaid eligible. We can also charge off the depreciation and charge it to the medicaid cost of the patient. Medicaid will pay 70% of the cost of depreciation and we will eventually depreciate out the cost of the building to medicaid reimbursement, and can also charge interest. You can charge for medicaid payment, the interest and the principle of the bond. This facility should have a very large cost savings and the auditor can show how this has been projected out. Originally this was proposed at about \$8 million, with energy savings but could not qualify for the heating plant etc. so the building will be a little higher, closer to \$8.6 million.

Proponents' Testimony: REP. JIM MADISON, House District 75, Jefferson said this building and campus is located in his district and he is very concerned with it. He said this bill is critical to the town of Boulder, and the entire population wanted to come in today. We do have some people here who will testify, however, and there is no doubt in his mind if they don't get a new campus at Boulder, either the next session or the one following the Dept. of Institutions will be in here with a request to close MDC.

Wanda Stout, Director, Jefferson County Human Services, said she came as an individual and that she had also been a social worker for the DD for that area. She said 2 years ago a plan was made to build a number of SSSO's in communities, additional group homes, and to reduce MDC at Boulder to a 52 bed facility. Without this appropriation MDC will not fit into the plan under it's current construction lay out, it will be closed. This appropriation is necessary to be certain there is a place to return to for those who fail at community placement.

Dave Kursch, businessman in Boulder, said in 1974 the town of Boulder was encouraged to increase its size to facilitate the workers at a tremendous cost to Boulder and they did it at no cost to the state, but little by little the number of patients and the work force has been decreasing. They would like to see a stable MDC. There are third generation care people there who know how to take care of those patients. They are sincere, and contrary to other places in the state where their oldest employees have been there 6 months, these people are stable and they care. He supports this bill.

Dave Anderson, Chairman, Jefferson County Commission said he would like to thank REP. BARDANOUVE for his concern and interest in this bill. He said at the first caucus after the mid term break there should have been a formal letter of testimony presented to those in caucus, the letter was typed by him and signed by his fellow commissioners, and was to be distributed. The highlights of the letter dealt with the Legislative Auditor's analysis and it was pointed out in 1989 the Governor came to MDC and stood before everyone there and promised equivocally he would do his most to support MDC and see that it came back to being a viable place in the state. The Governor's comments recently in

regard to the bonding issue said it is an opportunity we shouldn't pass up. The responsibility of all of us is to care for those who cannot care for themselves. There was a unanimous endorsement of the Governor's board to study DD needs throughout the state, and he understood that unanimous endorsement included this remodeling project. He felt HB 963 is the vehicle to accomplish these things, and urged favorable consideration of the bill.

Rick Moe, Supt. of Schools at Boulder said the first 14 years of his career he spent as a special educator working with handicapped individuals. He said he was very proud to be a member of the Boulder community because he is proud of the dedication he sees in that community on behalf of the handicapped individuals that are served at the center. He said the alternatives have to be there and the SSSO's have established an alternative available in the communities, but there is concern that those facilities are being filled by residents being taken from Boulder and not being available for residents in the community that need those services. He told of graduates that will leave home and need care facilities in the communities but said there is still a population at Boulder that need care and attention.

Chris Volinkaty, lobbyist for DD private non-profit and consumers said this is probably the first time in 15 years you have heard community programs come in support of building a new building at Boulder. This is an excellent plan and the Administration should be complimented on how it was put together. She said they have been concerned about Boulder for years. She said you don't see a stability in community base programs, however, this particular plan gives stability a mission to Boulder in order to retain certification and for the best possible services for the DD in the state of Montana, they support this bill.

Bob Marks, Director, Dept. of Administration, representing both the Dept. and the Governor's office, said they are in strong support of this bill. He complimented **REP. BARDANOUVE**, the Legislative Auditor and the members of the Subcommittee on Human Services for working to make this funding possible without raising the general fund obligation of debt repayment beyond those they feel the state can afford. He feels the Human Services has developed a reasonable plan for taking care of developmentally disabled people including some of the community care components. There is a need for an anchor in building the whole component for DD people, and that would have to be in Boulder. He said the other very important part is the recertification of that institution.

Curt Chisholm, Director, Dept. of Institutions, said they firmly support the passage of this bill. The Dept. has always been firmly committed to the continued existence of the MDC with or without this facility. He felt the 1989 commitment was a good progressive social policy as to how the state should maintain

itself in a position to provide appropriate services for the developmentally disabled. In trying to deal with the issue of certification and continued certification of MDC as well as dealing with court identified patients that we were told were inappropriate to be maintained in that facility and required some sort of downsize of the MDC to about 100 to 110 beds, that still leaves us rattling around in an old antiquated inefficient campus. He felt this was a good solid plan, and it is hard to believe the figures but it is revenue or cost neutral for the general fund in the long term and thinks it is a very solid part of the continuing efforts collaboratively among all agencies to ensure the DD receive the appropriate treatment. He urged committee support.

Questions From Committee Members: REP. KADAS asked what is the term of the bonds? What is the revenue source of the bonds? Mr. Guazzo, Legislative Auditor referred to EXHIBIT 17, a computer spread sheet and said they did a financial analysis of the new facility at Boulder. The purpose of the analysis was to determine what the effect of the bond issue would be on the general fund and said the net effect is shown on the last column on the right. It shows that during the construction period in the first 2 years, there is no cost or benefit to the general fund, and after that it shows a net benefit. At the bottom right, the net present value of the benefits would show after 42 years, nearly \$3 million. He said there are several assumptions built into the spread sheet, which he explained. He said they chose to fund the interest payments on the bond for the first 2 years and it brought the cost to \$9 million rather than the \$8 million.

REP. KADAS said, from the Capital interest fund, the reason this has to be done is because you don't have people in the building until after it is built and you have to have the money before you start building it. Mr. Guazzo said that is correct, the federal government for medicaid wouldn't reimburse any money during construction. REP. KADAS asked if the efficiency savings would be based on the energy consumption in the old campus vs the new campus? Mr. Guazzo said yes, most of it is reduced FTE and power savings, utilities, supplies and materials.

REP. CODY asked how big the facility is and Mr. Whaley, Chief Facility Planning Bureau, A&E Division, DOA said the project as envisioned includes the renovation of some existing buildings and some new construction. This would be 6 new housing units, 4 of which would be on the campus, a new treatment facility that would be on the north side of the river and doing some renovation to what is currently the administration building, which would become the recreation and moving administration into the old administration building which is currently vacated and continuing to use the warehouse for a warehouse and maintenance shops. He showed charts with sections of the new and proposed buildings colored and went over the drawings with the committee. He showed the buildings that would be demolished and ones that would stay.

REP. CODY asked who oversees the construction of this and was told the Dept. of Administration. REP. CODY asked how many patients would be housed and was told by Mr. Whaley there would still be the total care patients which would house about 52 to 56 individuals in an area he showed on the chart, and said the 6 cottages will be developed to hold 50 to 55.

Closing by Sponsor: REP. BARDANOUVE closed by saying he appreciated the hearing and said he felt it was the first time in his career that the citizens of Boulder and Mr. Marks have been on the same side of the bill with him, and was happy to have their support. He remembered the campus with over 900 people there, and now it is reduced to the basic hard core people who need this care and thanked everyone for their support.

HEARING ON HOUSE BILL 498

Authorizes DNRC to Use Unspent Proceeds from Renewable Resource GO Bonds for Water Development Loans, and
Increases Limit on Renewable Resource Loans

Presentation and Opening Statement by Sponsor:

REP. DON STEPLER, House District 21, Brockton, said this bill provides the authority to loan the unexpended proceeds which is \$678,526 of the 1985 series C RRD bonds to private parties under the water development private loan program. The second part of the bill increases the RRD loan limit to \$200,000. In 1985 DNRC issued \$1.1 million in bonds to loan to the public entities under the RRD Loan program. The Dept. made 5 loans, but due to a number of project sponsors either finding other sources of funding or canceling the projects the remaining proceeds were not loaned out. The IRS codes require the Dept. loan the remaining proceeds out or face arbitrage fees. These proceeds should be loaned out over the next biennium. The Dept. will attempt to loan these proceeds to public entities but request the additional authority to loan the money out to private parties to assure there is no money left by FY '93. DNRC requests the RRD loan limit be raised to \$200,000 in order to make the RRD loan program and the Water Development small loan program consistent.

Proponents' Testimony: Ray Beck, DNRC said this is a piece of legislation requested by the Dept. and said the figure of \$678,526 has changed and is now closer to \$700,000 because of interest. He said the main reason they are doing this is that it is a recommendation from the state's bond counsel. They said to be consistent and meet the IRS regulations and the 1986 pre-tax reform act allows 3 years temporary period on investment of earnings and this has been invested since 1985 so we are not consistent with the '86 act. It requires that after a 3-year period, restrictions on the bond proceeds be met and they have been in a pool earning about 8% rather than the 7% bond rate. They believe part of the lack of interest in this program is the \$100,000 limit.

Questions From Committee Members: REP. KADAS asked what is a qualified private person? Mr. Beck said under the Water Development Loan there are public loans and private loans and the private loan recipients receive up to \$200,000 and the actual definition of private persons is a partnership or corporation, that type of thing, but mainly for irrigation loans. REP. KADAS said the reason you are trying to include them here is so you won't get stuck with arbitrage. Mr. Beck said arbitrage is a part of the issue, but it is mainly the '86 tax restriction. The bond counsel would like to have these dollars loaned out so we would be consistent with the '86 act. REP. KADAS said the reason you have excess dollars is because some public entities backed out of what you had planned on. He said he was concerned that if this bill is passed they would be building in a lot of private projects into the next bonding cycle. Mr. Beck said actually not, this only gives authority to use these dollars we have right now, no authority for the future.

REP. CODY said on some of the Water Bond projects we fund there is a subsidized interest rate. How do you plan on treating that? Mr. Beck said there is not a subsidized rate on the private loans, just whatever the bond brings. REP. BARDANOUVE said there is a subsidized rate in the coal program, not in this one. He said he had a little concern about the use of private persons. What kind of narrow line is this since the constitution does not permit us to make loans to private persons. Mr. Beck said yes, we probably are, but these are GO backed bonds, they are protected by the coal trust but are GO bonds. He felt it was probably correct and there has been some questions on the issue. So far it appears if they are approved by the legislature and meet the requirement under these programs it has not been challenged.

REP. BARDANOUVE said if we broaden the area of private persons are we more apt to be involved in a law suit? Annie Bartos said they want to use these proceeds in this one case because we feel it can benefit applicants. She said they have had the bond counsel look at this.

Closing by Sponsor: REP. STEPPLER thanked the committee for the hearing and said he felt this was a good idea and asked for a favorable recommendation.

HEARING ON HOUSE BILL 477

Establishes the Microbusiness Development Act

Presentation and Opening Statement by Sponsor:

REP. MIKE KADAS, House District 55, Missoula, said this is a rereferred bill and appropriates \$3.5 million from the Coal Tax Trust Fund to the Dept. of Commerce. They take that fund and loan it to community microbusiness development corporations. These are non-profit and have to meet certain criteria in various

communities. Currently there are two non-profits that would meet this standard. One in Missoula and one in Bozeman. They have to pay the Dept. of Commerce at least 3% interest for the receipt of the loan and the loan is for a term of up to 8 years. The revenue the Dept of Commerce receives back from the microbusiness Development Corporation is used for their operating expenses in Helena. The MBDC loans the money out to qualified microbusinesses that have to have 10 or fewer employees, revenues of \$.5 million or less and the loans are limited to \$20,000 per loan. The loans have to meet the market standards which is an interest rate of between 13% and 16% and generally are paid back in 2 or 3 years and are extremely small loans. It is a part of the market the banking community does not currently like to address because they are so small the paper work involved is not worth the interest the bank makes on it. Many of these businesses are new and do not have a great deal of business expertise and the spread between 3% and the 13 to 16% provides money for the Dept. to handle the loan and give technical advise to the borrower. There is a general fund appropriation in section 12 to fund the Dept. of Commerce that thinks they need 1 or 1 1/2 FTE to get this up and going and get the rules in place. Once the program is going the interest will fund the program, but we do have to put \$64,000 in to get it started. He said this will get capital into the hands of small businesses that are currently not being served by the banking community.

Tape 2

Questions From Committee Members: REP. BARDANOUVE asked what sort of impact this has on the trust fund? REP. KADAS said \$3.2 million one time appropriation. When the \$3.2 million has been fully appropriated from the trust fund the loss to the general fund will be about \$285,000 per year. Because this program gets phased in the total impact will not hit us in this biennium, next biennium we can count on about that level of impact.

SEN. ECK, Senate District 40, Bozeman, said she was concerned about this bill. Former Speaker John Vincent had worked on this legislation last Session. There was a good hearing in the House and she felt what REP. KADAS had said indicates this should be a bright spot in Montana's future by encouraging the very businesses that have proved can thrive in Montana.

REP. THOFT asked if \$20,000 was the limit and REP. KADAS said, for a loan, yes. REP. THOFT said there is a lot of interest out there and the big concern appears to be too high. Is there any way we can reduce that so it is somewhat competitive with bank rates? REP. KADAS said all the bill says is that they need to be competitive in the market, if bank rates go down to 10 or 12% then these need to move in that direction as well. Right now to get a bank loan of this size, that is the area you are playing in. REP. THOFT said he felt a person could get a bank loan in that range for less interest, and asked what an interest rate would be on one of these loans today? Kelly Rosenleaf, Missoula, said the bank rate was at 11 3/4% and 12 3/4% for another, so it is prime plus 2% to 3% which is the standard rate on commercial

loans. If you charge a lower interest rate the people with the most money line up first and they can probably get a loan at the bank.

REP. CODY asked if this had a 1 to 3 match? Bob Heffner, Chief Administrator, Business Development Division, DOC, said there is required to be \$1 match provided by the local party, for \$3.00 of program funds. REP. CODY said that concerns her, since it was a \$1 match from any source, couldn't you have a double mortgage on a small business? Mr. Heffner said no, this is from the community, it is a match in the fund.

REP. ZOOK asked if these loans couldn't be written with a variable interest rate so the interest rate would adjust with the market? Mr. Heffner said there would be no problem with that.

REP. ZOOK said the legislation is completely open to the revolving lump fund to write any kind of loan that is consistent with the broad guidelines of the legislation. REP. ZOOK asked if REP. KADAS had mentioned a minimum of 3% and REP. KADAS said that is what the microbusiness non-profit that is making these loans to the small businesses--that is what they have to pay the Dept. of Commerce to get the money in the first place.

HEARING ON HOUSE BILL 845

Requires Underground Storage Tanks and Underground
Pipes to Have Double Walls

Presentation and Opening Statement by Sponsor:

REP. VIVIAN BROOKE, House District 56, Missoula, said this bill would require Underground Storage Tanks to have double walls and the DNRC has amended the bill, EXHIBIT 18, to say this would be a requirement in environmentally sensitive areas. The amendments did not show up on the copy of the bill you have, but would pass them out for the committee. The bill was heard in Natural Resources but has not been on the floor so there were no amendments on it and no yellow copy of the bill. She said there are people there from the Board of Health for technical questions if the committee needs information. She said the Dept. has rules on how the replacement tanks are to be handled in this program and her bill requires the replacements be made with a tank that would have double walls. The Dept. of Highways is involved in this and they have been trying to get an estimate of costs if they should replace their tanks with double walls. This secondary containment system has the added protection for protection of our ground water resources. She recommended a second set of amendment for the bill to give it a period of time to develop the rules to establish the rule on environmental sensitive areas, EXHIBIT 19.

Proponents' Testimony: John Geach, Section supervisor, Underground Storage Tanks Section, DHES said he is here as a technical reference to the committee, but would like to add that

double wall tanks do provide the greatest amount of protection to the environment in that they are a tank within a tank for protection in case of a leak. The cost of the system is greater than the single wall tank, but they pretty much eliminate the environmental clean up costs. There are a number of tanks involved that are owned by the state of Montana. He said the Dept. has not really taken a position on the bill.

Bill Salisbury, Dept. of Highways, said they originally opposed the bill because of the fiscal note which was about \$268,000 per year for the requirement for them to go to double wall tanks. After reviewing the amendments (**EXHIBIT 18**) they had some problem with the original ones because of the unclear definition of surface body of water and environmentally sensitive area. They have reviewed and can live with the second set of amendments (**EXHIBIT 19**). He said they would oppose the original bill but would support the bill with both sets of amendments.

Opponents' Testimony: **Rex Manuel, representing Cenex Petroleum** said the reason they are opposing the bill is because they talk about tanks, but also in the bill it talks about pipe lines and through previous testimony in the other committee where this bill was heard it was stated that these pipe lines are super expensive to install. He said they maintain the present regulations are working fine, the double wall tanks are about 3 times as expensive as those they have now, and believe it is unnecessary to go through the change at the present time. Nearly everyone has already installed the single wall tanks and wondered why all the excess cost to the industry and the agencies.

Questions From Committee Members: **REP. SWYSGOOD** said the amendment that was passed out that was adopted by the House Natural Resources Committee and directs the Dept. to adopt rules to define environmentally sensitive areas, he said he would like to know what that means. He said there is some language in this that includes other things and he would like to know how far they are going to take this. **Chris Kaufmann, EIC** explained that the second set of amendments (**EXHIBIT 19**) would actually cancel amendments 2 and 3 that the Natural Resources Committee put on. Instead of #3 for example, it would be #5 on the second sheet which says the Dept. will adopt rules to define environmentally sensitive areas and extends the effective date of the act for 2 years which gives opportunity for industry, Dept. of Highways, etc. to make their concerns known and help it work for them. **REP. SWYSGOOD** asked what is an environmentally sensitive area? **Ms. Kaufmann** said that is something the Dept. of Highways and the Dept. of Health will discuss and talk about for the next 2 years and write a rule about it before the bill will go into effect. It is not yet defined.

REP. GRADY said since we have gone to the new tanks and the new regulations on installation, how many problems have shown up? **Mr. Geach** said the program is in it's infancy. We are only in about the 2nd year of activity so we are still working on a

backlog. They have not seen any of the benefits of the new tanks going in and have 500 underground leaks they have identified and are sure there are more out there. These are tanks that are 10 or 15 years old. Mr. Grady said he felt it was safe to say at least 1/2 of the tanks have been replaced. Have there been any leaks from the new tanks? Mr. Geach said the percentage of tanks replaced are probably less than half, many have been taken out and not all of those have been replaced. he said they have seen some leaks in the newer tank systems, mainly from piping problems for the tanks. REP. GRADY said the comment was made that they will work with the Dept. of Highways in adopting rules. Why just the Dept. of Highways? There are a lot of other Departments and have passed bills with special money to replace tanks so why do we just talk about the Dept of Highways? REP. BROOKE said in the amendment they would consult with affected agencies of state government and that would include these other agencies. REP. GRADY said the comment was made that the double wall tanks will probably cost up to 3 times what the single wall tanks cost now. How do you figure when the Departments involved have all come to us with bare bone budgets and now they are saying, don't cut anymore. How are we to address the problem of double wall tank costs? REP. BROOKE said the cost in the short term she thought it was not 3 times the cost of a single wall tank, but it is substantial. However, the clean up costs that we are looking at is that if we have leaking tanks that are not found out is much greater than any double wall tank would be. REP. GRADY, in referring to the previous statement, asked if she said the clean up cost would be more with a single wall tank than a double wall. REP. BROOKE said no, the clean up would cost more if you had a leak than it would cost to put in the double wall tank.

REP. ZOOK said in the "whereas" section, it says the Dept. of Health adopted rules in '89 to include design and construction requirements for tanks and underground pipes, then jump to the next one and it says whereas the rules adopted by the Dept. are not adequate to protect Public Health and Safety--what do you base this on since they were only adopted 2 years ago? Ms. Kaufmann said the only response can be is that it is well known that in terms of the best available technology for preventing leaks from underground tanks would be a double wall or secondary containment system. That would be the most protective of health and environment. She said she did not think there was any data that says what we did 2 years ago is not working. REP. ZOOK asked if triple walls would be even better and Ms. Kaufmann said she did not know if there is even such a design as triple walls. She said with a double wall system you have a leak on one tank and a detection system in the second tank that tells you it has a leak and then you can take corrective actions. REP. ZOOK asked if there aren't monitoring devices for single wall tanks? Ms. Kaufmann said yes, those monitoring devices tell you when a leak has already occurred and is already polluting the environment. With the double wall tank it tells you before the product actually reaches the environment.

REP. SWYSGOOD said he had a real concern with this bill, not because of what you are attempting to do with the bill, but all through here we are worried about the state agencies and the impact upon them and they have been addressed in this bill but there is no place in this bill where it talks about the impact on the general public. They are as affected as the state agencies and have less resources to conform to the rules that the dept. adopts than the state agencies have. He said that is very evident with what happened last session when we passed the underground storage tank bill, the removal of the tanks and the cost that was put on people and the public to conform to the rules adopted by the Dept. People on fixed incomes and have these tanks all over the place and are only allowed to have one person to remove those tanks in an area because they are the only ones certified, there is no way for those people to recover the costs, they are not addressed in this bill and yet this bill has the potential of having more effect on those people than the bill we passed the last session. He said the people in his area are really upset over the cost incurred on them by having to conform to these rules and regulations. Why weren't the concerns of these people addressed in this bill? REP. PECK suggested this be addressed in executive session.

Closing by Sponsor: REP. BROOKE said she would encourage the committee to look over these amendments and hoped the committee would look favorably on the bill.

EXHIBITS 20, 21 AND 22 were given to the secretary and pertain to House Bills 488, 489, 490 and 491, the package of bills on Foster Care.

HEARING ON HOUSE BILL 371

Appropriating Money to Family Services for In-Home Services

Presentation and Opening Statement by Sponsor:

REP."RED" MENAHAN, House District 67, Anaconda, said this bill would be for \$500,000 for in-home health care for Senior Citizens. He said AARP, Mr. Bartholomew and some of the others were here to testify yesterday and he had another bill upstairs to testify on so they are not available at the present time. He said Judy Carlson was also going to testify on this bill, but thought the committee knew what it was all about anyway. In executive session he would like to go over the organics of this, the more people we can keep in the home using the area agencies, food programs, home nurses, meals brought in, etc. is not only a lot better for the senior citizen, but much cheaper than paying nearly \$2,000 per month for nursing home care.

Questions From Committee Members: REP. CODY asked if he knew how many people would be served under this \$500,000 rather than going into a nursing home? REP. MENAHAN said Mr. Bartholomew had some

of those figures and he is not here now, but could get it for her.

REP. ZOOK said, in the regular budgeting process did we put some additional funds into this program? REP. MENAHAN said yes, there are some. REP. BRADLEY said she could get the figures for executive session. Mr. Haubein asked the committee to refer to the sheet handed out yesterday, when Ms. Whitney did the analysis she said there was \$3.5 million that was in this program and of this total \$500,000 was specifically added in HB 2 for support of this family base services program. Her analysis shows this is a duplication.

The committee recessed until adjournment of the house and reconvened at that time.

Tape 2, Side 2

HEARING ON HOUSE BILL 939

Urban Reforestation Grant

Presentation and Opening Statement by Sponsor:

REP. SHEILA RICE, House District 36, Great Falls, said this bill provides for Urban Reforestation and said she felt very strongly about trees. In looking across the nation for every 4 trees that are dead, dying out or taken out in an urban area there is only one planted. When we realize the value trees have to us, especially in parts of eastern Montana where the trees virtually make the city or township an oasis, we realize we need to provide for that kind of an oasis to be around for our grandchildren. She submitted an amendment, which would change the pattern of the funding source, EXHIBIT 23. The funding is still FIT but changes the placement which states funds available after grants authorized in HB 6 have been funded.

Questions From Committee Members: REP. COBB said REP. BROOKE and REP. SIMPKINS were working on urban reforestation which was included in HB 2, and asked if this bill was still needed. REP. BROOKE said there is an appropriation in State Lands for an urban reforestation program that primarily would be given technical assistance the first 2 years. There is \$65 million proposed federally for the Community Trees Volunteer program to buy trees and there are 40,000 communities that will be vying for that money. Her concern is if federal dollars come down, this bill will fly, and even if there are federal dollars they would not come to the amount needed in Montana.

REP. THOFT said in Long Range Planning they usually prioritize several projects below the funding line to use any money that may be extra. He said he would really question there being any money for this bill. The other issue is that they can come in to that committee for a reforestation program. They have planted trees in Anaconda, Butte, etc. and that seems to work.

HEARING ON HOUSE BILL 815**Planning and Implementation Requirements****Presentation and Opening Statement by Sponsor:**

REP. TOM LEE, House District 49, Bigfork, said this bill would set up certain minimum standards that communities or counties that are required to plan, that they plan to those minimum standards. The bill will not go into effect until July 1 of '93 and in the interim there will be a council set up to develop the rules and those rules will be reviewed by EQC and the Legislature before any further implementation of the planning process is made. There is no city or county presently planning that would be required to plan in this bill. He handed out EXHIBITS 24, 25, 26, and 27.

Proponents' Testimony: Robb McCracken, Administrative Officer, Community Development Bureau, DOC said they will have to develop rules working with EQC over the interim. This is fairly complex in the sense that there is a lot to do. There are 23 sections of the state law to deal with in planning and 4 implementation sections plus the balancing act between personal and private property rights and the environmental protection and taxation gains from planning at the local level. The fiscal note was presented on their analysis and feel it is correct but a very minimal approach. It does take staff resources to do this right and it is quality of those rules and making the compromises we would present to you for your approval which means we will have to have some resources. The staff has been cut from 10 people to 2, and has only one full time planner and the work load went up 85% over the last biennium. The clients increased from 3,000 to nearly 5,800.

Questions From Committee Members: REP. CODY asked if the bill mandated planning committees for all the counties? REP. LEE said that is incorrect. There are certain triggers that are built into this process and until you hit a certain population criteria such as water well permits or something of that sort goes crazy, if you are not now planning, you do not have to do so until those activities occur. Currently, only the Class I municipalities are planning. REP. CODY asked if these entities have the planning commission now under existing law without this legislation? REP. LEE said yes, but the difficulty arises because nobody is willing to implement. This legislation draws the line and says, if you cross over this line you must plan and implement the plan.

Closing by Sponsor: REP. LEE referred to a report he showed the committee and said this was the Flathead Basin Commission's biennial report to the Legislature and to the Governor. On page 23 it discussed the Land Use Planning Initiative. He urged favorable support for this bill.

HEARING ON HOUSE BILL 759**Funding for Tactical Incident Assistance****Presentation and Opening Statement by Sponsor:**

REP. BILL STRIZICH, House District 41, Great Falls, said this bill is brought on behalf of the Montana Sheriffs and Peace Officers Association and addresses the fiscal impact that are akin to natural disasters such as the tactical incidents we read about in the newspapers. When these happen to a county or an area the fiscal impacts are great.

Proponents' Testimony: Bill Fleiner, Under Sheriff, Lewis & Clark Sheriff's Department and Board Member for the Montana Sheriff's and Peace Officers Association said he was also Chairman of the Factual Advisory Committee which was a task force that proposed this particular piece of legislation. This was the result of a 19 month study done by the Sheriff's and Peace Officer's association that was privately funded. The task force was able to produce for law enforcement administrators throughout the state a manual as a result of the Big Sky incident, the Polson situation where the pilot was killed, and Holter Lake. This legislation is an ongoing appropriation of \$500,000 that would allow a local law enforcement administrator that when he requests a tactical team to his jurisdiction to handle that extraordinary event which requires special technique, he would be able to submit those costs to the Attorney General for reimbursement. There are only about 10 tactical teams in Montana and in all cases, except Holter Lake, they were resolved through negotiation. He said of the three he had mentioned only Holter Lake was concluded successfully, the other two brought major law suit ramifications in Polson to the citizens of that community and the Big Sky incident was an extended long term situation that went through two important seasons in the state. This legislation would allow a local law officer to call in the expertise when it is not available in the local area.

Questions From Committee Members: REP. BARDANOUE said he was concerned about the way this bill was written. It is a statutory appropriation from the general fund and the amount is not to exceed \$500,000 each year. Originally this was a vehicle fee. He asked Mrs. Cohea for comments. Mrs. Cohea said as amended, this bill would create a statutory appropriation if the incident described in section I occurred, the Attorney General could pay from that statutory general fund appropriation up to \$.5 million per year. The statutory appropriation would continue since there was no ending date.

Closing by Sponsor: REP. STRIZICH said part of the reason the method of funding was changed was because of the strange press we received. The important thing is that this would be available and hope it would never be used. It does happen, however, and when it happens in your community, it is quite expensive.

HEARING ON HOUSE BILL 508

Joining "The Pacific Northwest Economic Region

Presentation and Opening Statement by Sponsor:

REP. MIKE KADAS, House District 55, Missoula, said this makes Montana part of a group called the Northwest Economic Region which is made up of the 5 Pacific Northwest states, Alaska, Washington, Oregon, Idaho and Montana and the two northwest provinces of Alberta and British Columbia. He handed out EXHIBIT 28 and said this is an attempt for legislators in this region to try to pull together and work on issues that are of mutual concern and where common efforts might bring some synergistic effects with the emphasis on economics.

Proponents Testimony: SEN. DEL GAGE, Sen. District 5, Cut Bank said he was at the organizational meeting of this group and the state of Washington appropriated \$20,000 to put together that initial meeting but did not pay the expenses of those who were there. He asked why Montana was in the group and they said because Montana borders three of the Canadian provinces, Montana has a great deal of relatively inexpensive land and Montana has an abundance of natural resources. This region as a region is 10th in the world in gross national product and that is clout we don't have as a state. He said, in addition, we are joining with 5 other states and can use the congressional clout those people have in promoting efforts we cannot start to touch as a state on our own. He felt this region has a great deal more to offer Montana than Montana can offer the region.

HEARING ON HOUSE BILL 804

Provides for a 100% Lump Sum payment of Accumulated Sick Leave Credits for Employees Terminated by Reduction in Force (RIF)

Presentation and Opening Statement by Sponsor:

REP. MENAHAN, House District 67, Anaconda, said this is an act to provide for a lump sum payment for accumulated sick leave, severance pay and a retraining allowance for a state employee who was terminated due to a reduction in force. He told some of the benefits an employee receives from private companies when they are laid off as a result of reduction in work force and felt these benefits should be given to our state employees and they be entitled to a lump sum payment equal to 100% of their sick leave and there be a continuation of group benefits etc., subject to negotiation. Laurie Ekanger, Dept. of Admin. had an amendment to the bill which REP. MENAHAN passed around, EXHIBIT 29, and he read the amendment along with the comments.

Proponents' Testimony: Terry Minnow, Montana Federation of Teachers and Montana Federation of State Employees said they are

strongly in support of this bill because it helps mitigate the effects of privatization, closure and reduction of forces of state employees on a community. She said this bill was a result of privatization in the Dept. of Administration. The employers agreed to bargain over the conditions of employees losing their jobs but the bargaining was extremely limited. The DOA took the position that sick leave, severance pay, training and job preference are in state statutes and the Dept. cannot grant anything more than what is allowed in current law. She said that position made collective bargaining an exercise in futility. She urged favorable consideration of this bill and said they had no problem with the amendments.

EXHIBIT 30 was given to the secretary.

Questions From Committee Members: REP. ZOOK said if we do nothing and there is a reduction in force down the road because of the privatization effort, how is the sick leave treated now? REP. MENAHAN said if they are terminated, they lose 3/4 of it. The only way they could get more is if they were notified ahead and took sick leave until such time as they were laid off.

REP. BARDANOUVE said this is not necessarily privatization. Doesn't this apply to any reduction in force? REP. MENAHAN said yes, if they are RIFed, they would be entitled to the benefits.

REP. PECK said the way he reads the bill it says state, county or city. He asked if school districts or the University system was in it and REP. MENAHAN said no. REP. PECK asked what the difference is and REP. MENAHAN said he didn't think the University employees have been included in some of these other benefits. He said the school districts benefits have been different from those of the cities and counties, and were excluded in the drafting of this bill.

HEARING ON HOUSE BILL 371 CONTINUED

REP. MENAHAN asked permission to have his witness on 371 speak on the bill since there was no opportunity to do so previously.

Judy Carlson, representing the Senior Citizens, Montana Association of Retired Persons and the Governor's Office on Aging said in-home health care is vital to senior citizens. This is one program all the Senior Citizen groups agreed on. In case you come up with some extra money the need is there and the area agencies do pass it out and use it. They do get donations, and there is \$1.7 million that comes in every year from donations from the senior programs that are out there. These services keep people out of nursing homes and out of more restrictive settings, it keeps them in their own homes. She passed out EXHIBIT 31.

HEARING ON HOUSE BILL 800**Require Agency or Parent to Pay School Tuition or
School Fees****Presentation and Opening Statement by Sponsor:**

REP. CHARLES SWYSGOOD, House District 73, Dillon, said this bill requires that a state agency or a parent that places a child in a group home or private residential facility be responsible for any tuition required by the district in which the child will attend school or for any other additional educational fees charged by that facility. Currently, for example, if Family Services or a court order placement of a child takes place and the child is removed from your district and sent to Yellowstone, that school district from which the child was transferred has to pay the tuition. He said that would not be so bad except we removed that child from the ANB schedule so the school district is not receiving any funds and are taking a "double whammy". This bill does not contain an appropriation, and his assumption is that Family Services is the one most impacted by this and was sure they would be an opponent because of the fiscal impact it could have on their department. He gave an example of a child in a school district in the southern part of his district where Family Services ordered the child removed from the home and the court ordered him placed in The Home on the Range School. The child was removed from the ANB schedule and the school district was billed \$4200 for tuition plus \$6.94 per day additional charges. He said this is a pretty severe impact on a small school district. It is taken out of the school equalization money and affects both High School districts in his district. He said the case in his district, the parents moved out of state yet the school district is still responsible. This bill addresses that and the impact on the Family Services is estimated to be around \$750,000, depending on the number of cases they request be submitted.

Questions From Committee Members: REP. COBB asked if this is just for kids going out of state or in-state too? REP. SWYSGOOD said either. REP. COBB asked if OPI couldn't just continue paying to the other district and REP. SWYSGOOD said the impact would not be so great if they continued to pay the ANB. REP. BARDANOUVE asked for clarification on the ANB situation and REP. SWYSGOOD said if you are absent from school for 10 days you are off the roles and there is no funding from the state, and if they are placed in a home outside the district and gone from their district school they are automatically dropped from the role.

REP. COBB asked if they go to school in another district don't they get picked up on ANB in that district? REP. SWYSGOOD said he didn't know. REP. MENAHAN said if the child is moved from one district to another the other district would pick him up, but if he has gone through program and is out of state, he is gone.

REP. CODY asked about the cost on Home on the Range was \$4,200 and \$6.94 per day additional and asked if he had the fiscal note. She said on #3 assumption it says it would be \$1,919 per placement, and asked if that isn't pretty low? REP. SWYSGOOD said he thought that was the average. Some conditions we cannot treat in the state, when it deals with sexual offenses with minors we do not have a facility to handle those kids in this state so they are often sent to Home on the Range School in North Dakota. He said this is probably be for mostly out-of-state placements since ANB would probably be picked up for in-state placements, and the fiscal note probably took in in-state and is probably not correct.

REP. PECK said you are really trying to take this obligation away from the smaller school districts and make it a state obligation. REP. SWYSGOOD said basically, since it is the state agency that is doing most of the placements.

HEARING ON HOUSE BILL 145

Encourages Oil Recycling Through Retail Store Sign Display

Presentation and Opening Statement by Sponsor:

REP. "ED" GRADY, House District 47, Canyon Creek, said they did not need the general fund in this bill because it is funded through SB 209. It is the notification of waste oil, and to put up signs to notify where there are facilities that will take waste oil. It requires the Dept to put up some signs.

Questions From Committee Members: REP. PECK asked if there was an amendment proposed for this bill now? REP. GRADY said no, but he didn't think it would need any general fund.

HEARING ON HOUSE BILL 4

Budget Amendment Bill

Presentation and Opening Statement by Sponsor:

REP. BARDANOUVE, House District 16, Harlem, asked Mrs. Cohea to explain the bill. She said the green report (not received by Secretary) reflects the amendments the budget office had wanted to the point of preparing. There may be others. If the committee adopted it, would adopt from the report and then they will do the necessary amendments to the bill to include all of them. The committee had also asked the staff to work with the budget office and the agencies to come back and bring lower gasoline numbers in light of the fact that gasoline costs have come down. She handed out EXHIBIT 32, the revised gasoline numbers and EXHIBIT 33.

REP. BARDANOUVE said he had asked the Education Subcommittee to

look at the Education area and asked what happened. **REP. PECK** said the subcommittee met and approved everything. That was the tuition question relative to the Vo-Tech Centers, they felt they were fees and they should be able to spend them.

Mr. Nichols, OBPP, Governor's Office, said the green sheet incorporates the amendments to the original bill except for one and that is #12 on the Dept. of Institutions. He said on that one they agree with the total number, except it is partly state special and partly federal. \$1,378 of state special and \$3,822 federal. He said they will have more amendments, they keep coming in, but they are going to hold them and put them in when the bill is in the Senate.

EXECUTIVE ACTION ON HOUSE BILL 4

Motion: **REP. COBB** moved to amend HB 4, page 1, line 10 and line 22 (EXHIBIT 33). Second by Rep. Cody.

Discussion: **REP. COBB** said these amendments request that next time budget amendments are done in '93 they can only do them for '92 and not extend them into the next fiscal period. He said in the regular subcommittees we did not even see some of the budget amendments that affect '92 and '93 and they are in this budget bill without a chance to discuss them in subcommittee.

REP. CODY asked, on the green sheet where it says FY '91 and FY '92 that your amendment would affect '92? **REP. COBB** said we are saying you can get by with it this time, but next time no. The budget amendments are only supposed to be for this last year but they continued things going on into '92 and '93. We are saying next time we will accept budget amendments for '93 but anything for '94 and '95 should go through the regular subcommittees.

REP. CODY said she did not know they had the legal authority to go that far with a budget amendment, she thought it was only concerned with the fiscal year we were in. **REP. PECK** said they explained that most of those are due to the federal fiscal year being different than the state fiscal year and they just go a few months into that next year.

Vote: Motion passed unanimously.

Motion/Vote: **REP. COBB** moved the amendments on gasoline (EXHIBIT 33). Second by Rep. Kimberley. Motion passed unanimously.

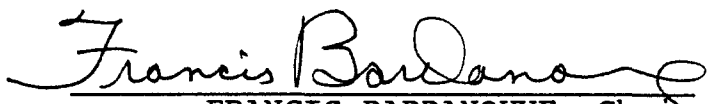
Motion/Vote: **REP. PECK** moved HB 4, as amended, do pass. Motion failed 7 to 7 with Rep. Swysgood, Thoft, Cobb, Peterson, Cody, Zook and Grinde voting no.

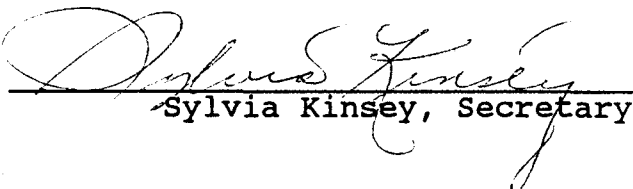
REP. BARDANOUVE asked **Mrs. Cohea** to explain the agenda and she said there are 18 bills scheduled for tomorrow, but the pay plan bill is in subcommittee and would probably not be heard. On Friday there will be 10 bills and 28 left in committee. She said

as she understood it REP. BARDANOUVE plans to begin executive action on Saturday, or Friday if the committee finishes in time. Mrs. Cohea said there are over 125 bills in committee awaiting committee action. There was discussion on working on Friday and Saturday evening, the pro's and con's of working on Sunday and suspension of rules and since the committee agreed to come off the floor on Friday and Saturday, it was decided to discuss the possibility with the leadership and arrange for second reading that committee members have up. It was decided a page could tell the member involved and they could be excused from committee to go to the House floor.

ADJOURNMENT

Adjournment: 4:45 p.m.


FRANCIS BARDANOUVE, Chair


Sylvia Kinsey, Secretary

FB/sk

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

ROLL CALL

DATE

3-20-91

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

♦ House Appropriation Committee
Daily Bill Summary
March 20, 1991

Ex. 17
3-20-91
Appropriations
DATE 3-20-91
16-02-8
X

BILL NO.	APPROPRIATION AMOUNT/FUND	COMMENTS
HB 145: Grady Encourages oil recycling through retail store sign display	No Appropriation \$6,000 general fund impact in fiscal 1992	This legislation would require oil wholesalers as well as retailers to display a sign indicating the location of the nearest waste oil recycling collection centers. The Department of Health and Environmental Sciences would provide the necessary signs.
HB 374: J. Rice Appropriates coal trust money to the big sky dividend program	\$2.76 million loss to general fund / school equalization account in the 1993 biennium	<p>This bill is the companion measure to Senate Bill 55, the Governor's Big Sky Dividend proposal. House Bill 374 transfers up to \$20 million per year of the coal severance tax that now flows into the permanent trust into a local government infrastructure grant account. The bill statutorily appropriates the funds in this account to the Department of Commerce. Senate Bill 55 contains the implementing provisions for the Big Sky Dividend infrastructure grant program.</p> <p>Currently, interest earned on the coal tax permanent trust fund is allocated 85 percent to the general fund and 15 percent to the school equalization account. House Bill 374 reduces the amount of interest earned because coal tax revenue that would have been deposited into the trust will be spent for grants. The fiscal note assumes that none of the funds transferred to the local government infrastructure grant account will be spent in fiscal 1992 but that the balance in the account (\$36.6 million) will be spent in fiscal 1993.</p> <p>House Bill 374 requires a 3/4 vote of each house, according to Montana's constitution. The bill would be effective July 1, 1991, and terminate June 30, 2001.</p>
HB 414: Cohen Statutory appropriation to the Department of Health for water rehabilitation activities.	Fiscal Impact: \$20,000 per year decrease in general fund revenues.	This bill allocates up to \$20,000 each year of certain fines and fees currently deposited to the general fund to a water rehabilitation account and statutorily appropriates the funds to the Department of Health to allow response to emergencies involving water quality. House Bill 2 currently allocates \$1,000,000 per year to the department in spending authority from the Environmental Quality Protection Fund for such emergencies. However, this legislation would dedicate a specific funding source for water quality.

Ex. A

3-20-91

Appropriations

HB 406: Daily No Appropriation

Transfers postsecondary educational institutions to Commissioner of Higher Education

This bill transfers the administration of non-state postsecondary educational institutions from the Department of Commerce to the Commissioner of Higher Education effective July 1, 1991. The fiscal note indicates a \$83,464 biennial general fund impact in the Commissioner of Higher Education due to additional staff requirements.

HB477: Kadas \$3,250,000 for the biennium from permanent coal tax trust fund

Establishes the microbusiness development act

This appropriation requires a vote of 3/4 of the members of each house. If it fails to acquire the needed votes, all other sections are to remain valid. General fund would lose \$97,500 and state equalization aid would lose \$17,206 of interest per year. There would be an additional \$64,600 fiscal impact to general fund in fiscal 1992.

The purpose of this legislation is to assist in the creation, development and financing of businesses with fewer than 10 full-time employees and gross revenues less than \$500,000 per year. The Department of Commerce would loan \$250,000 to certified development corporations who could establish a revolving loan fund to make loans or guarantee loans no greater than \$20,000 to microbusinesses. Interest earnings could be used to pay operating expenses of the microbusiness corporation. The corporations would be required to provide a match of \$1 for each \$3 from the program. A microbusiness advisory council would be appointed by the Governor.

HB 498: -0- State Special Revenue

Steppler Authorizes DNRC to use unspent proceeds from Renewable Resource GO bonds for water development loans, and increases limit on Renewable Resource loans.

DNRC has \$678,526 remaining from the proceeds of renewable resource development GO bonds issued in 1985. This bill authorizes the department to utilize those proceeds for water development loans. By doing this, DNRC will not have to issue water development GO bonds for loans to private persons. Loan repayment proceeds will be deposited into the renewable resource state special revenue account.

HB 498 also increases the loan limit for renewable resource loans from \$100,000 to \$200,000.

HB 508: Kadas \$50,800
General Fund

Joining "The Pacific Northwest Economic Region".

This legislation establishes Montana as a member of the Pacific Northwest Economic Region along with Alaska, Idaho, Oregon, Washington, Alberta and British Columbia. Cooperation and joint efforts are sought in public policy areas such as international trade, economic development, human resources, environment and natural resources, energy, and education. Four legislators from Montana would be appointed to the delegate council. The Legislative Council would make appointments to any policy committee established by the Pacific Northwest economic region.

HB 759: \$500,000
Strizich General Fund

Funding for Tactical Incident Assistance

This bill establishes a statutory appropriation of up to \$500,000 from the general fund to the Attorney General for expenditures for tactical team assistance and national guard assistance during emergencies. This bill originally provided funding by a 0.5 percent tax on motor vehicles, but this has been amended out of the bill.

HB804: Menahan This bill may have a general fund impact.

This act provides for a 100 percent lumps sum payment of accumulated sick leave credits for employees terminated by reduction in force(RIF).

This bill requires payment of 100 percent of accumulated sick leave credits to employees who are terminated by RIF. In addition the bill requires payment of retraining costs and continuation of state contribution for group benefits, subject to negotiation. This bill may have a fiscal impact depending on any RIF occurrences. Rules will be needed to provide specific criteria for application.

HB 815: Lee No Appropriation
Biennial \$184,052
fiscal impact to
general fund

Planning and implementation requirements

This legislation would require cities of more than 10,000 residents, counties of more than 30,000 residents, and counties or cities that have rapid population growth or land development to prepare, adopt, implement and enforce master plans and regulations for land use. A planning advisory council would be organized within the Department of Commerce to review and adopt rules to be used by the department for adopting the land use plans and regulations. The department would have start-up and implementation costs of two FTE and \$94,287 per year of general fund for the 1993 biennium. There are no provisions for review fees. The provisions would not apply to local governments until July 1, 1993.

3-20-91

Appropriations

HB845: Brooke Fiscal Impact

✓ Requires underground storage tanks and underground pipes to have double walls.

The primary impact of this bill within state government is expected to fall on the Department of Highways, where the additional costs of replacing 29 tanks per year (currently thought to be defective) would be \$218,950 per year. Costs for other state agencies and the general public were not estimated.

H B 8 7 9 : No Appropriation
Harrington

Allowing economic development appropriations to private entities

This legislation would submit to voters an amendment to the Montana Constitution that would allow appropriations for economic development to associations, corporations, or individuals not under control of the state.

✓ HB939: S. \$200,000
Rice Resource Indemnity Trust (RIT) fund
Urban Reforestation Grant

This legislation establishes an urban reforestation grant program within the Department of State Lands and sets up a grants program to be make funds available to local governments for the purpose of purchasing trees to reforest Montana's cities and towns.

In House Bill 2 the committee has approved a budget modification in the department's budget for 1.75 FTE and \$173,100 per year of federal funds to implement the Urban Forestry Assistance Program, hire statewide coordinator, establish a forestry advisory council, coordinate volunteer efforts and develop a state plan for urban and community forestry.

HB 963: Up to \$8
Bardanouve million of bond proceeds

✓ Long-range building bonds for the Montana Developmental Center

The bill, as introduced, would give the Board of Examiners authorization to issue and sell general obligation long-range building program bonds in the amount of up to \$8 million. The bond proceeds are appropriated to the Department of Administration to construct new facilities at the Montana Developmental Center.

✓ HB975: Wallin \$60,000
Coal Severance Tax: Renewable resource development bond fund
Appropriation to update and reprint bulletin 545 - The Montana Law of Water Rights

This legislation appropriates funds to the Montana State University for the purposes of updating and reprinting The Montana Law of Water Rights.

488-91

EXHIBIT 1
DATE 3-20-91
HB 488, 489, 490, 491

Testimony of Ken Luraas

Montana State Foster Adoptive Parent Association

Once upon a time a typical foster home was a traditional "Leave it to Beaver" situation with a mother, a father and children who lived in a house along with a dog named Spot.

Once upon a time....the children placed in foster care usually had no where else to go or there own parents had problems from being stable and kind.

That was once upon a timeand things have changed.

Today there is no typical foster parent, no typical foster child and no typical situation.

Foster parents are first and foremost volunteers who place high value on children. There are 1200 volunteers in the State of Montana providing twenty four hour care to over 3,000 troubled youths and children. The current reimbursement rate for care is \$9.66 a day for a child under twelve and \$12.10 a day for a child over the age of

twelve. A reimbursement rate is not a salary or compensation for services, it is to provide food, shelter and recreation for young Montanans in foster care. HB 488 seeks to establish a formula to raise children in care out of poverty by requiring the Department of Family Services to use the USDA cost of raising a child (western Figures less medical, education and clothing) in establishing the daily rate of payment for children in foster care. The figures would raise the daily maintenance rate to \$14.67 for a child under twelve and for children over twelve to \$20.45.

A clothing allowance is not included in the basic rate. Currently the clothing allowance for a youth or child in care is \$100.00 a year. When children are put in foster care their lives are at risk. Every attempt is made to obtain the child's clothes but realistically the children come into care literally with the clothes on their back and what can be packed in a plastic grocery bag. To receive any allowance the child or youth must be in care for at least thirty days. Now seasons change and children grow making a reasonable clothing allowance imperative

to cloth foster children adequately and humanely. Currently the youth and children in care wear hand me downs and second hand clothing. Foster parents shop at good will looking for bargains . They have organized clothing banks and share resources. But a pair of shoes and a winter over coat on sale at a discount store for a youth or child is well over \$100.00. HB 489 seeks to raise the clothing allowance for children in care from a \$100.00 a year to \$500.00 a year.

Although foster parents, for the abused and neglected children in care, presently recieve basic orientation form the Department of Family Services, there are limited opportunities for training on the special needs and problems of children entering care. An advanced training program is needed to respond to the needs of the children entering in foster care. It should be designed to instruct foster parents to the various problems they will encounter in providing care. Foster parents need the tools to address parenting the sexually abuse child, constructive methods of discipline, parenting the emotionally disturbed child,

pediatric AIDS, fetal alcohol syndrome, physical/developmental disabilities and culturally appropriate care. Training will reduce the number of foster home failures and prevent the placement of children in costly residential care. HB 490 seeks to fund \$150,000 to establish a program to recruit and train foster parents. Family foster care is the work horse of the Department of Family Services. 55% of dfs clients are in family foster care. The pool of potential foster parents is changing and the foster care population is increasing. The problems in caring for the children entering the system are more complex. As the rising trends homelessness, domestic violence, poverty, alcohol and drug abuse increase, the foster children of the 90's will require foster families capable of meeting their challenging and specialized needs.

HB 491 is a respite bill to fund a program to provide a planned program of respite to foster care providers that responds to the needs of children in care.

Specifically, the bill will provide a needed breather from the twenty four hour a day seven day a week

intense care provided by foster families. The appropriation is \$100,000 to prevent the burn out of experienced, qualified foster parents. Categories of children to be served are developmentally disabled, emotionally disturbed, autistic, hyperactive, disturbed and "acting out" youth and medically demanding children. Because of the categories it is imperative a planned system of respite care be designed and funded.

I quote the report to the Governor and the Human Services Subcabinet on ways to improve child and family services in Montana - "It has been increasingly difficult to provide quality foster care. More needs to be done to recruit, train and sustain new and existing foster families. There is a need to expand the number of homes, increase compensation and enhance the quality of this basic substitute care for Montana's troubled and troubling children." July 1990

I urge your support of HB 488, 489, 490 and 491.

488
3

EXHIBIT 2
DATE 3-26-91
HB 488 489 490 491

In Support of Bills 488,489,490,491.

Having a heart for children my husband and I became Foster Parents 3 years ago.

The children who come into our home have been removed from a violent, abusive, neglectful environment by the "State of Montana".

Therefore, we are the caretakers and the "State" must assume the role and responsibility as parent to these children.

Unlike our own children these are children who come to us with little or nothing personal belonging to them. In most cases all clothes to include shoes and coats must be replaced.

These are children with very special needs and problems very different from our own childrens needs. I have had to teach simple things to children such as personal

hygiene, table manners, how to and why we brush our teeth,

We have had aggressive behavior towards family members. Which means we must become more creative with parenting skills and discipline. As a care giver we are on call 24 hours a day to receive children or quiet another who needs a loving touch because they were awakened screaming from a reoccurring nightmare. We interact with not only the children, but with the birth parents, grandparents, and other family members. We are actively involved with school teachers therapists, social workers, counselors, and PTA activities not to mention the law enforcement agencies.

As foster parents, we are involved with changing the lives of these children. Actually remodeling them so they can function in society. Breaking cycles that have been in families for years.

These children deserve the same consideration as our own children. Such as a bicycle, radio, sports activities, gymnastics and if they have a musical talent music lessons. All part of parents responsibility.

Ex. 2

3-20-91

HB 488, 489, 490
491

We as care givers come to the parents, the State of Montana and tell you we need increases in all four bills. The children need more dollars for sufficient clothing year round. We need increases in daily rates to accommodate increased costs of living. We need qualified respite care so the needs of our children are understood. Finally, we need more training to become the best we can be for these children and deal professionally with their problems.

As we continually cope with rising costs in the 90's housing, utilities, food, clothes and etc., if we are to continue to be quality care givers we must have an increase in funds for Bills 488, 489, 490, and 491.

These kids are our future and as the parent the "State of Montana", they deserve better than mediocre.

Thank You

Marsha Fauque
box 1395
East Helena, Mt. 59635
406 227-6799

Amendments to House Bill No. 964
First Reading Copy

Requested by Rep. O'Keefe
For the Committee on Appropriations

EXHIBIT 3
DATE 3-20-91
HB 964

1. Page 4, line 11.

Following: "of"

Strike: "\$90"

Insert: "\$70"

2. Page 10, line 16.

Following: "environment."

Insert: "Prior to issuing a compliance order requiring cleanup of a pesticide, the department shall consult with the department of health and environmental sciences to ensure that the provisions of Title 75, chapter 10, part 4, are considered. If a pesticide or soil contaminated by a pesticide is subject to the provisions of Title 75, chapter 10, part 4, and there is no beneficial use of the soil as determined by the department, the department of health and environmental sciences is responsible for regulating the cleanup and disposal of the pesticide and the soil contaminated by the pesticide."

EXHIBIT 4
DATE 3-20-91
HB 964

HB 964

House Appropriations Committee

March 20, 1991

Testimony of Montana Agricultural Business Assn.

1. Increases Pesticide Registrant fees from \$90 to \$150/product

When the Ag Chemical Groundwater Protection Act passed in 1989 (HB757), opponents argued that the funding was inadequate. We agreed, but that for the first two years when rule making was the prime focus, the funds were sufficient and they have been. Now, if the groundwater protection program is to be fully implemented, funds are needed.

To fund the Act, we are agreeing to increase the registration fee paid by the pesticide companies from \$90 to \$150 provided that the 1% for noxious weeds paid by pesticide companies is sunseted when the trust reaches the level at which interest can be spent. Our position is that fees/surcharges on pesticides should be spent for regulation and solving problems related to pesticides--not for noxious weeds or other issues which are not caused by pesticides. Funds are needed for educational programs, to implement management plans in specific areas where they are needed and to develop pesticide container recycling and waste pesticide programs--all preventative programs. Our members believe in protecting Montana's ground water and environment--we are sponsoring this year a pilot pesticide container recycling program in the Great Falls and Billings areas, and are sponsoring educational workshops to insure our members use products in an environmentally sound manner.

2. Sunset 1% Herbicide Surcharge for Noxious Weeds

While increasing the registration fee, the 1% surcharge on herbicides would be sunseted when the trust hits \$2.5 million and interest can be spent for grants and administration. (Currently, 1/2 of the money collected by the surcharge is spent on the grants program/administration and 1/2 goes to build the trust.) While we would rather eliminate the tax now, we did not want to pull the rug out from under the noxious weed program. The interest will be roughly the same (the amount will depend on interest rates) as the 1/2 per cent that is being spent now. Thus, sunseting the 1% herbicide surcharge will not substantially affect the noxious weed grant program.

Montana's current surcharge is considerably higher than any other state and to our knowledge, the only surcharge in the U.S. which is used for noxious weed control. (A surcharge for noxious weeds has been attempted in other state legislatures but defeated.) When it passed in 1985, our members understood that it was to be sunseted when the trust reached \$2.5 million. However, the legislation was not written that way.

Fees/surcharges can only be so high in a low-input state like Montana--despite being the fourth largest state geographically, we use less than 1% of the pesticides in the U.S.--or companies will pull products Montana farmers need. We do recognize that this bill asks an extra burden on our company members for two years--but at the end of that time, the surcharge will be sunseted. We are agreeing to this to fully implement the legislation passed last session because we are committed to protecting the environment and using products in an environmentally sound manner.

3. Establish Special Revenue Account for Pesticide Fees

Currently pesticide fees are paid into the general fund and appropriated back to the Department of Agriculture. HB964 would set up a special revenue account as is now done with the fertilizer fees. This special revenue account as well as the fee increase was reflected in the budget in HB2 you passed in this committee.

4. "Land-farming" of pesticide-contaminated soils

This section--included at the request of the Department of Agriculture--clarifies the authority in statute for waste pesticides and soils (such as in the case in Clancy at the weed district facility) to be spread so the product can degrade naturally. We support the amendment proposed by Rep. O'Keefe at the request of DHES. In 1989, both departments assisted in drafting the Agricultural Chemical Groundwater Protection Act to assure that the appropriate duties of each department were clearly spelled out in the Act. This amendment clarifies the role of each department in the area of "land-farming."

5. Montana's fees in comparison with other states

Attached is a chart showing Montana's pesticide registration fees per product in comparison with other states. With our low use of pesticides in Montana, it is evident that we cannot both keep the 1% and raise the registration fee on a permanent basis. It would put us nearer the top and we easily could begin to lose products we need in this state. (Iowa, for example, uses 14 times the amount of pesticides we use in Montana.)

HISTORY OF MONTANA PESTICIDE REGISTRANT FEES/SURCHARGE

	Registrant--per product	Surcharge
1983	\$25	-----
1985	\$25	1% Herbicide Surcharge
1987	\$50	1% Herbicide Surcharge
1889	\$90*	1% Herbicide Surcharge
1991	\$150 (proposed)	

*\$25 of this increase was to replace general fund monies. The remaining \$15 was to begin implementing the Montana Agricultural Chemical Groundwater Protection Act.

PESTICIDE PRODUCT REGISTRATION FEES PER YEAR BY STATE

March 19, 1991 at 11:17 a.m.

IN-10-BIT 5
 DATE 3-20-91
 BY 904

Page 1

State	FeePro	SurchrgReduc
Iowa	\$250	\$250 min/\$3,000 max--2/10 of 1% of gross sales
California	\$200	
Minnesota	\$150	+1/10 of 1% of gross sales
Wisconsin	\$150	
Kansas	\$130	
Virginia	\$125	
Washington	\$110	\$110--1-25; \$105--25-100; \$80--101-150; \$151+--\$55
Arizona	\$100	
Illinois	\$100	
Louisiana	\$100	
Texas	\$100	
Oregon	\$95	\$95 for first 10; 11-40--\$85; 41 & over--\$75
Maine	\$90	
MONTANA	\$90	+1% of gross sales
Idaho	\$80	
New Jersey	\$80	
Indiana	\$75	
Massachusetts	\$75	
South Dakota	\$75	
Colorado	\$70	
Rhode Island	\$65	
Connecticut	\$60	
Alabama	\$50	
Mississippi	\$50	
Ohio	\$50	
Oklahoma	\$50	
Nebraska	\$40	
New York	\$40	\$40 first 10 products, \$20 each additional product
Vermont	\$40	
Maryland	\$35	
New Mexico	\$35	
New Hampshire	\$33	
North Carolina	\$30	
Arkansas	\$25	
Delaware	\$25	
Nevada	\$25	
North Dakota	\$25	
Pennsylvania	\$25	
South Carolina	\$25	\$500 maximum for all products registered
District of Columbia	\$20	
Florida	\$20	\$20 first 10 products, \$5 each additional
Kentucky	\$20	
Michigan	\$20	
Tennessee	\$20	
Hawaii	\$15	
Missouri	\$15	
Utah	\$15	
Georgia	\$10	
West Virginia	\$10	
Wyoming	\$5	



POST OFFICE BOX 1911 • BOZEMAN, MONTANA 59771

WRITTEN TESTIMONY FOR HB 964
MONTANA WEED CONTROL ASSOCIATION
DAVID BURCH, PRESIDENT ELECT AND LOBBYIST

3/20/91

The Montana Weed Control Association understands the need to promote programs such as container recycling and pesticide waste, and the groundwater protection program. County Weed Districts also see the need to create programs that will help them solve problems such as container disposal. We feel that these programs would help everyone that faces these issues and we do support the sun setting of the Herbicide Surcharge for Noxious Weeds only after the Noxious Weed Trust Fund reaches its goal of 2.5 million dollars, which is projected to do so in FY-93.

Once again we want to state that we support this bill because it would help with some very important issues that faces Weed Districts and most of all it will help protect the environment.

6

Testimony of Jim Barngrover from AERO
On HB964 Before the House Appropriations Committee
March 20, 1991

EXHIBIT 7
DATE 3-20-91
HB 934

My name is Jim Barngrover of the Alternative Energy Resources Organization (AERO), a grassroot organization of farmers, ranchers and other people who have an abiding interest in seeing that Montana agriculture be environmentally and economically sustainable now and for generations to come.

I am here to testify in support of HB 934. By raising registration fees to the moderate levels outlined in this bill, the Montana Agricultural Chemical Groundwater Protection Act can be funded to really begin to accomplish the goals set out in that law. Presently the law is woefully underfunded.

We also support the sunset of the 1% herbicide surcharge in its present form in late 1993. The noxious weed trust fund principal is projected to have reached the necessary 2.5 million dollar level by mid-1993.

But we don't want to sunset the idea of a pesticide surcharge. We think it is a logical source of the dollars needed to adequately address the problems caused by pesticide use and to undertake work to reduce farmers' and ranchers' need for pesticides in the future.

After the 1993 sunset of the herbicide surcharge, Montanans should consider how a surcharge on all pesticides could help us mitigate potential environmental damage, such as with pesticide cleanup through a state-sponsored, orderly disposal of banned or otherwise unusable pesticides. A surcharge also could and should be used for preventive, proactive approaches such as pesticide source reduction efforts.

Iowa is probably the best-known example of how a state is assertively working to prevent pesticide related problems like groundwater contamination and pesticide resistance in weed, disease and insect pests. In Iowa, a small tax on the gross sales of pesticides is used to generate over 17 million dollars, 60% of which is returned directly to the rural sector in agricultural research, demonstration and education programs. In another example, Minnesota's agrichemical surcharge supports a five million dollar chemical incident response fund. Minnesota also uses pesticides to fund local groundwater protection planning, a clearinghouse of sustainable farming information, and waste pesticide collection and disposal.

In summary, we're committed to make the Montana Agricultural Chemical Groundwater Protection Act work. We urge you to do the same by supporting HB964 as it has been presented.

Thank you.

**MONTANA
STATE
UNIVERSITY****1893 • CENTENNIAL • 1993****College of Agriculture & Extension Service
Agricultural Experiment Station**

Office of the Dean and Director

Montana State University
Bozeman, MT 59717

406-994-3681 FAX: 406 994-6579

EXHIBIT 8DATE 3-20-91HB 975

Date: March 18, 1991

To: Mark Piquette
Student LobbierFrom: Don Mathre
Acting Associate Dean for Research

Re: HOUSE BILL 975 ON WATER RIGHTS BULLETIN

In 1958, the Montana Agricultural Experiment Station published Bulletin #545 entitled, "The Montana Law of Water Rights." Evidently, this bulletin has been used a great deal over the years to educate many Montana individuals with interest in water rights. However, it is now very much out-of-date and is even difficult to locate. It is well known that much has changed in the nearly 30+ years that have transpired since this bulletin was written.

This legislation would provide the funds for the Agricultural Experiment Station to do the legal research, and then rewriting of this bulletin that would make it an up-to-date resource on water rights. The Department of Agricultural Economics and Economics would provide the faculty expertise to oversee this project. They would sub-contract with a lawyer who would do much of the legal legwork required. The publication of this revised bulletin should be of interest and value to Montana farmers and ranchers, lawyers, and others interested in water rights and the legal aspects of such.

DM:jj
3Water.652

EXHIBIT 4
DATE 3-20-91
HB 975

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
AMENDMENTS TO HOUSE BILL NO. 975
INTRODUCED BILL (WHITE) COPY

1. Page 1, lines 10 and 12.

Strike: "from" on line 10 through "15-35-108(d)," on line 12

2. Page 1, line 15.

Following: "Rights."

Insert: "The appropriation made by this section is contingent upon funds being available from the renewable resource development account after grants authorized in House Bill No. 6 have been funded."

(3)

EXHIBIT
DATE 3-20-11
HB 406

License Review of Proprietary Schools: HB 406

Background: All fifty states now require licensing of proprietary vocational-technical schools. There are three reasons that are typically cited for establishment of such a regulatory environment:

- o Consumer protection, wherein the state ensures adequate maintenance of student records, assesses the financial viability of the school and monitors the content of publicity materials to truth in advertising and protects the student against failure of the school to meet its obligations.
- o Maintenance of standards, wherein the state regularly monitors the academic content, textbook selection, course syllabi and establishes *academic* criteria for acceptance of schools for licensure.
- o Taxpayer protection (state and federal): Federal student loans are made available to students of proprietary schools, just as they are available to students of the Montana University Systems. However, default rates for students at non-licensed proprietary schools are far higher than for students who attend colleges and universities, vocational-technical centers or community colleges. Federal requirements now restrict student loans to individuals attending schools which have been licensed by their respective states.

The State Higher Education Executive Officers organization (SHEEO) recently conducted a study of the proprietary licensing practices of twenty states, including Montana. From the results of that study it is very clear that Montana employs far less diligence than any other subject state in dealing with proprietary school licensure. Indeed, SHEEO recommends establishment of a set of national minima for proprietary licensure which includes:

- o Development of assessment criteria to establish that a postsecondary institution must exhibit a reasonable expectation of business viability and success.
- o Means to ensure protection of students (including opportunities to complete their study) should the school fail or close.
- o Means to ensure that students admitted will be able to benefit from their training (this is the federal "ability-to-benefit" stipulation).
- o Criteria for assessing reasonableness of student expectations for employment after completion of the program of study.
- o Adequate state support for the licensure process.
- o Assurances that the licensing agency will conduct its appraisal in a fair and equitable manner.
- o Maximized coordination with all relevant state educational, legal and consumer affairs agencies.

Given (i) a modicum of support and (ii) willing coordination with both the Office of Public Instruction and the Consumer Affairs Division, the Office of the Commissioner and the Board of Regents are prepared to take on this task.

David L. Toppen
Deputy Commissioner for Academic Affairs

Exhibit 11 consists of 32 pages of signed petitions (see example). The originals are stored at the Montana Historical Society, 225 North Roberts, Helena, MT 59601. (Phone 406-444-4775)

House Appropriations

EXHIBIT 11 Pg. 1 of 32
DATE 3-20-91
FEB 786

We, the undersigned Medicaid recipients or potential recipients petition the Department of Social & Rehabilitation Services to increase the amount of per diem from a maximum of \$22.44 (twenty-two dollars and forty-four cents) now allowed to the recipient to an amount equal to that which state employees and legislators now receive for in state and out of state per diem. We would like an expedited hearing on this matter. Attached is a copy of Idaho's per diem and transportation regulation and a summary of Wyoming's policy. Also, attached are State of Montana's and Seattle, Washington's motel rates.

NAME	ADDRESS	PHONE	ORGANIZATION
Sharon Vingan	2902 S. B. Blvd.	723-9202	BCU
Diana Meeks	5210 Crockett Rd		
Jennifer Meeks	"		
Clayton Jr Meeks	"		
Matthew Meeks	"		
Della Meeks	"		
Kim Wachendy	2706 George	782-7230	
Hattie Wachendy	"	"	"
Amy Wachendy	"	"	"
Lillian Rutan	1108 1/2 Maryland	494-5837	
Heather Styles	"		"
Diane Gray	2300 Colorado		
Charles Gray	"		
Malissa Gray	"		
Raymond O. Huff	723-5064		Box 123 Butte Mont
Maydale Sumall	1609 Silver Bow		Butte
Larry Sumall			

SECTION: SERVICES

SUBJECT: Transportation & Per Diem

EXHIBIT 12
DATE 3-20-91
PAGE 786

PRIVATE VEHICLE
MILEAGE:

Mileage for Medicaid reimbursement is measured from the client's point of departure, to the destination and return to the point of departure.

When Department of Family Services (DFS) staff serve as the Medicaid transportation provider, in addition to the above, mileage includes the distance between the employee's office and the client's residence plus the return trip to the office.

TRANSPORTATION
REIMBURSEMENT:

Transportation reimbursement is based on the following:

1. Public Transportation - Usual and customary charges;
2. Private Vehicle - \$.25 per mile;
3. Private Air Charter - \$1.22 per nautical mile for a round trip.

NOTE: Transportation does not include ambulance service nor specialized transportation for the disabled.

PER DIEM
REIMBURSEMENT:

Actual per diem expenses are reimbursed up to a maximum of \$22.44 per client or attendant.

NOTE: Organ transplant candidates may exceed per diem reimbursement. See "Organ Transplant Candidates" on page two.

Reimbursement for meals when lodging is not necessary is:

1. Morning (12:01 a.m. to 10:00 a.m.) - \$2.75
2. Mid-day (10:01 a.m. to 3:00 p.m.) - \$3.30
3. Evening (3:01 p.m. to 12:00 a.m.) - \$6.60

- iii. If applicable, that a referral has been made by the patient's attending physician; and (1-16-80)
- iv. When lodging is required, the Field Office will preauthorize it insuring that the least expensive yet most appropriate lodging is provided. Receipts for lodging must be attached to the appropriate claim form submitted to the Department. (7-15-87)
- v. The Field Office must authorize payment for necessary transportation before the Department will reimburse the provider of transportation using the appropriate claim form. (11-10-81)
- vi. The Field Office will give consideration to community and private resources such as Red Cross, Easter Seal Society, Cancer Society, fraternal and church organizations, Ronald McDonald Houses, and other private or social agencies which provide transportation and/or lodging at minimal or no cost. (7-15-87)
- f. When overnight travel to a distant point is required and cooking facilities are not available at a reasonable cost, meal costs up to those allowed by the State Board of Examiners for state employees may be allowed. (7-15-87)

02. Ambulance Service. Ambulance service is reimbursable in emergency situations or when prior authorization has been obtained from the Field Office. Payment for ambulance services is subject to the following limitations: (11-10-81)

- a. If a MA recipient is also a Medicare recipient, a provider must first bill Medicare for services rendered; and (11-10-81)
- b. If Medicare does not pay the entire bill for ambulance service, the provider is to secure an "Explanation of Benefits" (EOB) from Medicare, attach it to the appropriate claim form and submit it to the Department; and (11-10-81)
- c. For Medicare recipients, the Department will reimburse providers for deductible and co-insurance not to exceed the usual and

Idaho's
policy's

Ex. 12

3-20-91

HB 786

WYOMING POLICIES

I communicated with a Ms. Runnels, an employee of Wyoming's State Department of Social & Rehabilitation Services. Ms. Runnels told me we just send them right to the hospital, out of state; we don't allow any per diem".

Respectfully,

Sharon Vingom

P.S. Also, you will find a copy of hotel costs close to the Doctor's offices and Swedish Hospital. This was provided by Swedish Hospital of Seattle.

ss Apartment Hotel (First Hill) ding St. (206) 624-0787	D \$31 W \$207	D \$41 W \$267	D \$36 W \$239 D \$55- \$75 MS\$1,050 - 1,140	D \$53 W \$336 D \$65- \$115 MS\$1,260 - 2,040	✓	✓	6:45 a.m. to 5:30 p.m.	✓
l Apartments th Ave. (206) 621-9229				D \$40-70 Monthly available	✓			✓
Arms (First Hill) & Boren (206) 583-6445			M \$600 - \$800	M \$705	✓			✓
Virginia Mason (First Hill) & Terry (206) 583-6453	D \$56	D \$67	D \$79		✓			✓
& Emerson Apartments (First Hill) th Ave. (206) 682-1667				M \$600 - \$700				✓

General Hotels

1 Inn (near Seattle Center) Aurora Ave. (206) 283-6070	D \$39	D \$49				✓	✓
Seasons (Downtown) University (206) 621-1700	D \$113	D \$128					✓
ay Inn Crown Plaza (Downtown) Seneca (206) 464-1980	D \$145	D \$165					✓
edy Hotel (Downtown) Spring (206) 623-6175	D \$40	D \$45					✓
ic Plaza Hotel (Downtown) Spring (206) 623-3900	D \$57	D \$63					✓
le Hillton (Downtown) University (206) 624-6500	D \$113	D \$128					✓
tion Hotel (Downtown) 6th Ave. (206) 621-9000	D \$119	D \$119					✓
Avenue Inn (Downtown) 6th Avenue (206) 441-8300	1 D \$56 2 D \$66	D \$69					✓
into Hotel (First Hill) Madison (206) 622-6400	D \$120	D \$150		✓			✓
ffer Madison (Downtown) Madison (206) 583-0300	D \$141	D \$166					✓
odge (Downtown / Mercer Island / Seattle Center) (1-800-255-3050)	D \$45	D \$55					✓
ce Hotel (Downtown) Stewart (206) 441-4200	D \$70	D \$80					✓
SA (Downtown) 4th Ave. (206) 382-5000	D \$31	D \$37					✓
SA (Downtown) & Seneca (206) 447-4888	D \$24 W \$208	D \$35 W \$244					✓

Day _____
Week _____
Monthly _____

Note: Prices quoted are as of January, 1990. Please check price at time of your reservation. Swedish Hospital cannot be responsible for price or service changes. Please let us know if you have any problems or concerns with the accommodations as listed. We are most interested in distributing useful as well as accurate information. Contact the Patient Services Office, 386-6141.

Hospitalized patients in a private room may have a family member "room in" with them. Recliner chairs and cots are available on a limited basis.

Bed and Breakfast

Pacific Bed and Breakfast Agency — Free reservation agency 784-0539 9 a.m. - 5 p.m., Monday - Friday
Travelers Bed and Breakfast — Free reservation agency 232-2345

Condominium Rentals

The Hotel Alternative (several locations) 867-9200
D \$48-63 (single) \$74-101 (double) (3 day minimum)

WITNESS STATEMENT

Ex. 13
3-20-91
HB 374

NAME Richard C. Parker BILL NO. HB-374
ADDRESS B-106 Gordin DATE 3/20/91
WHOM DO YOU REPRESENT? RPC
SUPPORT _____ OPPOSE ✓ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: see attached

eph
9

Northern Plains Resource Council

March 20, 1991

EXHIBIT 13
DATE 3-20-91
HB 374

Testimony for the Northern Plains Resource Council opposing House Bill 374

My name is Richard Parks. I own a sporting goods store and fishing outfitting service in Gardiner. I am also Vice-Chair of the Northern Plains Resource Council, a grassroots citizens' organization with about 6000 members and supporters statewide. Testimony to the contrary notwithstanding, NPRC recognizes that Montana and its local government units have serious infrastructure needs. Many of our members live in small towns and see these issues first hand. We further recognize that well thought out investments in infrastructure are an important economic development tool. HB-374 is the appropriation bill for the so called "Big Sky Dividend". The common definition of dividend is "a share of profits distributed to stockholders." Unfortunately the Big Sky Dividend is no such thing. In economic terms it is a liquidation of capital assets instead.

As this committee is well aware, the Coal Trust Fund is currently providing a true dividend to the taxpayers of Montana that amounts to about \$1 in \$10 of the amount available for general fund appropriation. When combined with the amount earmarked for school equalization the total dividend is about \$49 million for FY 92 alone. That's money that doesn't have to be levied otherwise from the man on the street, or even the coal companies. What happens under this proposal?

The popular conception is that we will spend \$16 million annually to do good works and that this money is somehow "free". Such is not the case. According to my copy of the fiscal note for this bill we will be losing over \$2.7 million per year in interest income and that loss would accumulate so that by the end of the program we would lose \$121.5 million of interest income. There was no explanation of how this number was derived but one other factor appears to be a net loss of income from the existing principle in the trust of about \$700,000 annually. An explanation of this is required.

A discussion with the Board of Investments indicates that 9% would be a reasonable number to apply as the interest factor in showing the true cost. I chose to use that number and to assume that there would be no net loss to the current worth of the trust fund. Under those assumptions, over the 10 year period of the program it still adds up to \$73 million. Most important, it continues to cost us \$16 million every year thereafter, for ever.

Ex. 13

3-20-91


HB 374

As policy our organization opposes direct expenditures from the coal trust. We do not have a policy to direct a position on the infrastructure needs of Montana but it seems necessary to be more than negative given the reality of the underlying problem. The following comments should be taken as my own rather than NPRC's.

A small number of communities may indeed need a grant to deal with a basic infrastructure problem - appropriating a small amount of interest income from the trust to make such a grant when required would be a true dividend. To the extent possible infrastructure programs should build on the already existing infrastructure program. These programs should depend on loans to the maximum extent possible. My hometown has already mortgaged itself for the next 20 years to make infrastructure improvements and we are not likely to appreciate looking like prize chumps for not having waited for a grant. This whole problem would not have grown to its current proportion if we had not systematically plundered the local government's tax base. Again this problem would not have grown to its current proportion if the last decade had not been marked by a progressive abandonment by the Feds of their responsibilities.

We hear a lot about how "government should be run like a business." A business person, such as myself, is not filled with confidence by a government that misdefines a basic term like "dividend" or to have never heard of other basic concepts like "capital replacement sinking funds." We do need a "pay as you go" infrastructure program but this one is a "pay as you go, and go, and go, and go, a veritable diarrhea of payment" program and should recieve a do not pass recommendation.

Richard C. Parks



House Association

EXHIBIT 374
DATE 3-1-91
BY 374

1990 Montana Travel Planner

hiking camping
adventure vacations
and more



Montana

19

EXHIBIT 15
DATE 3-20-91
374

APPLICATION OF THE PROPOSED BIG SKY DIVIDEND PROGRAM TO A REAL LIFE SITUATION:

ST. REGIS, MONTANA

St. Regis, Montana (in Mineral County) is an unincorporated community of 300 persons. The community badly needs a central sewage treatment system; currently the 150 homes and businesses are served by individual septic tanks on small lots. Many septic systems have failed and cannot be repaired. This situation threatens to pollute local drinking water wells and the nearby Clark Fork River. Raw sewage, with its potential for causing disease, has already reached the ground surface. The estimated cost of constructing a new sewage collection and treatment system is \$3 million.

With Conventional Private Financing:

Financing this sewer project with a conventional revenue bond at 6.5% interest for 20 years would result in a monthly per household cost of \$167 per month, including \$16 per month operation and maintenance (O & M) costs. A sewer charge of this magnitude would be clearly unaffordable for the residents of St. Regis.

With Subsidized Loan at 4% Interest:

Financing this sewer project with a subsidized loan at 4% interest for 20 years would result in a monthly per household cost of \$139 per month, including \$16 per month operation and maintenance (O & M) costs. A sewer charge of this magnitude would also be clearly unaffordable.

With Best Case Existing Public Financing:

Assuming St. Regis could obtain a grant for \$100,000 under the current DNRC Water Development Grant Program, a 4% loan under the DHES Water Quality Bureau's newly created, federally funded State Revolving Fund (SRF), and a \$350,000 grant from the DOC Community Development Block Grant (CDBG) Program, the project would be financially structured as follows:

DNRC Grant	\$ 100,000	
DOC CDBG	350,000	
SRF Loan	<u>2,550,000</u>	(4% at 20 years)
	\$3,000,000	Total

Monthly sewer charges per household, including \$16 per month for O & M, would be \$120, a cost that would still be beyond the financial means of most families.

With Big Sky Dividend Assistance:

The Big Sky Dividend (BSD) Program would be used to make the project more affordable. By taking the same financing package as described above, adding a

new BSD grant, and lowering the needed loan amount, the project could be structured as follows:

DNRC Grant	\$ 100,000	
DOC CDBG	350,000	
SRF Loan	1,050,000	(4% at 20 years)
BSD Grant	<u>1,500,000</u>	(1/2 of project)
	\$3,000,000	Total

Under this financing plan, St. Regis families would expect to pay a total monthly sewer fee of \$59 per month, including \$16 per month for O & M.

Target Sewer Rate Per Household - \$14 Per Month

The Community Development Block Grant Program applies a "need for financial assistance" criterion for water and sewer projects. This test is used to assess on a per household basis whether the need for CDBG assistance is necessary and reasonable relative to the community's ability to pay and the amount requested per household, in comparison to other applications. Under the CDBG criterion, a community should be able to afford to pay 1% of its median family income in annual user fees for a specific utility. (The U.S. Farmers Home Administration and Environmental Protection Agency use a similar standard to assess the affordability of water and sewer for local households.)

In the St. Regis example, the median family income is \$16,860. One percent of the median family income is \$169 per year per household, or \$14 per month. As you can see in Figure 1, all of the financing alternatives are many times greater than this affordability criterion.

Conclusion:

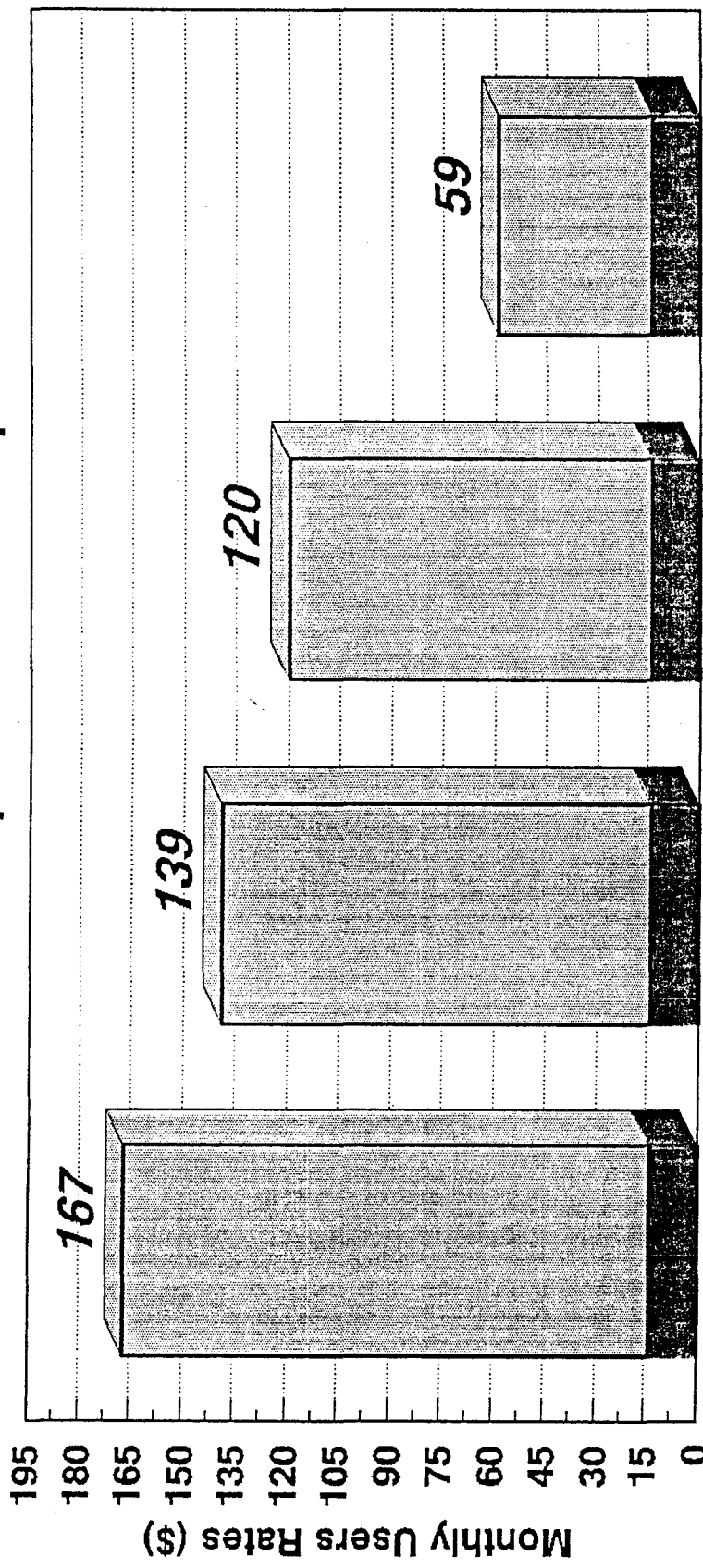
- With conventional financing, St. Regis residents would expect to pay \$167 per month for total sewer charges.
- With the best possible combination of existing public financing programs, total sewer rates would be \$120 per month.
- With a BSD grant of \$1,500,000 matched by a \$1,050,000 SRF loan, combined with DNRC and CDBG grants, total sewer fees would be \$59 per month. While \$59 per month is still a high monthly sewer rate compared to other Montana communities, it is significantly less than the \$120 per month available under the most favorable possible combination of existing public financing programs.

Ex. 15
3-20-91
HB 374

ST. REGIS

(population 300)


Potential Sewer Rates per Household per Month




Conventional Bond Subsidized Loan Best Case Publ.Fin. Big Sky Dividend

Financing Alternatives

for \$3 Million Community Sewer System

 Affordable Rate

 Exceeds Affordable

Community Sewer System

Amendments to House Bill 963
First Reading Copy

EXHIBIT 16
DATE 3-20-91
HB 963

Requested By _____

1. Title, line 4

Following: "THE"

Strike: "BOARD" on line 4 through "DEBT" on line 7

Insert: DEPARTMENT OF INSTITUTIONS TO ENTER INTO A LOAN AGREEMENT WITH THE MONTANA HEALTH FACILITY AUTHORITY FOR THE PURPOSE OF FINANCING THE COSTS OF ACQUIRING, CONSTRUCTING AND EQUIPPING FACILITIES FOR THE DEVELOPMENTALLY DISABLED AT THE MONTANA DEVELOPMENTAL CENTER IN BOULDER, INCLUDING THE ESTABLISHMENT OF RESERVES AND THE PAYMENT COSTS OF THE FINANCING; AUTHORIZING THE CREATION OF A SPECIAL LIMITED OBLIGATION OF THE DEPARTMENT; AUTHORIZING THE PAYMENT OF THE SPECIAL LIMITED OBLIGATION FROM FACILITY REVENUES;

2. Page 1, line 11.

Following: "The"

Strike: lines 12 through 20 in their entirety.

Insert: (a) The department of institutions may enter into a loan agreement with the Montana health facility authority for the purpose of financing the costs of acquiring, constructing and equipping facilities for the developmentally disabled at the Montana developmental center in Boulder, including the establishment of reserves and the payment of costs of the financing. The maximum principal amount of the loan shall not exceed \$ 8,665,000 and the loan shall be payable over a term of not to exceed 30 years and shall bear interest and contain such other terms and provisions with respect to prepayment or otherwise as are not inconsistent herewith and the department shall approve.

(b) The loan may be secured by a mortgage on the Montana developmental center facility, including the land on which it is located. The loan agreement shall constitute a special limited obligation of the department and the principal and interest payments required by that agreement shall be payable solely from the facility revenues obtained by the department from the ownership and operation of and the provision of services at the Montana developmental center, including payments or reimbursements from private users, insurers and the federal government. Notwithstanding the provisions of 53-1-413 MCA or any other statutory provision, all such facility revenues obtained from services provided by Montana developmental center shall be deposited in a special revenue fund and shall be applied to the payment of the principal and interest payments as due under the loan agreement and will constitute a statutory

appropriation within the meaning of 17-7-502. Whenever the foregoing facility revenues exceed the amount and terms specified and required to repay the loan and maintain required reserves, therefore the excess shall be deposited to the general fund. So long as the loan remains outstanding and the department provides services for the developmentally disabled the department shall use the Montana developmental center for those purposes or for other purposes as permitted by the loan agreement and state law, except when foreclosure occurs under said agreement or the mortgage. The loan agreement may contain other provisions or agreements that the department determines are necessary which are not inconsistent with the provisions of this act.

(c) The obligations of the department under the agreement shall be special obligations payable solely from the facility revenues and shall not constitute a debt of the state or obligate the state to appropriate or apply any funds or revenues of the state, except the facility revenues as herein provided.

3. Page 2, line 1.

Beginning with: "NEW"

Strike: lines 1 through 4 in their entirety.

Insert: NEW SECTION Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-1-111; 15-25-123; 15-31-702; 15-36-112; 15-37-117; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-804; [section 1(b)]; 19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513; 19-11-606; 19-12-301; 19-13-604; 20-6-406; 20-8-111; 20-9-361; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-1016; 23-5-1027; 27-12-206; 37-51-501; 39-71-2504; 53-6-150; 53-24-206; 61-2-406; 61-5-121; 67-3-205; 75-1-1101; 75-5-1108; 75-11-313; 76-12-123; 80-2-103; 82-11-136; 82-11-161; 90-3-301; 90-4-215; 90-4-613; 90-6-331; 90-9-306; and section 13, House Bill No. 861, Laws of 1985.

Ex. 16
3-20-91
HB 963

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments. (In subsection (3), pursuant to sec. 10, Ch. 664, L. 1987, the inclusion of ;39-71-2504 terminates June 30, 1991.)"

OFFICE OF THE LEGISLATIVE AUDITOR

INFLATION RATE
4.00%

BONDS9.WK1

15-Feb-91
11:11:58 AMRES AVAILABLE
INTEREST ON DEBIT
10 YEARSSOURCES OF FUNDING
TO REPAY BONDSECONOMIC EFFECTS OF
THE NEW CONSTRUCTION

INTEREST CAPITAL INTEREST FUND	BOND PROCEEDS INTEREST	FEDERAL REIMBURSE ALLOCABLE INTEREST	FEDERAL REIMBURSE ALLOCABLE DEPRECIATION	FROM THE CAPITAL INTEREST FUND	FROM THE REMODELING EFFICIENCY GEN. FUND SAVINGS	TOTAL PAYMENT ALL FUNDING SOURCES	EFFICIENCY SAVINGS BY BUILDING NEW FACILITY	FED. REIM. LOST DUE TO REDUCED COSTS NEW FACILITY	NET GENERAL FD BENEFIT (LOSS)
\$1,425	\$270,000	\$0	\$0	\$607,500	\$0	\$607,500	\$0	\$0	\$0
\$2,790		\$0	\$0	\$607,500	\$0	\$607,500	\$0	\$0	\$0
\$4,672		\$382,725	\$146,554	\$73,887	\$275,470	\$878,636	\$1,054,171	\$664,128	\$114,573
\$0		\$371,195	\$146,554	\$0	\$360,887	\$878,636	\$1,096,338	\$690,693	\$44,758
\$0		\$358,887	\$146,554	\$0	\$373,196	\$878,636	\$1,140,191	\$718,321	\$48,675
\$0		\$345,747	\$146,554	\$0	\$386,335	\$878,636	\$1,185,799	\$747,053	\$52,411
\$0		\$331,721	\$146,554	\$0	\$400,361	\$878,636	\$1,233,231	\$776,936	\$55,935
\$0		\$316,749	\$146,554	\$0	\$415,334	\$878,636	\$1,282,560	\$808,013	\$59,214
\$0		\$300,765	\$146,554	\$0	\$431,317	\$878,636	\$1,333,863	\$840,333	\$62,212
\$0		\$283,703	\$146,554	\$0	\$448,379	\$878,636	\$1,387,217	\$873,947	\$64,891
\$0		\$265,489	\$146,554	\$0	\$466,593	\$878,636	\$1,442,706	\$908,905	\$67,208
\$0		\$246,045	\$146,554	\$0	\$486,037	\$878,636	\$1,500,414	\$945,261	\$69,116
\$0		\$225,289	\$146,554	\$0	\$506,793	\$878,636	\$1,560,431	\$983,071	\$70,567
\$0		\$203,132	\$146,554	\$0	\$528,950	\$878,636	\$1,622,848	\$1,022,294	\$71,504
\$0		\$179,480	\$146,554	\$0	\$552,602	\$878,636	\$1,687,762	\$1,063,290	\$71,870
\$0		\$154,231	\$146,554	\$0	\$577,851	\$878,636	\$1,755,272	\$1,105,821	\$71,599
\$0		\$127,277	\$146,554	\$0	\$604,805	\$878,636	\$1,825,483	\$1,150,054	\$70,624
\$0		\$98,505	\$146,554	\$0	\$633,578	\$878,636	\$1,898,502	\$1,196,057	\$68,868
\$0		\$67,790	\$146,554	\$0	\$664,293	\$878,636	\$1,974,443	\$1,243,899	\$66,251
\$0		\$35,001	\$146,554	\$0	\$697,081	\$878,636	\$2,053,420	\$1,293,655	\$62,685
			\$146,554				\$2,135,557	\$1,345,401	\$790,156
			\$146,554				\$2,220,979	\$1,399,217	\$821,762
			\$146,554				\$2,309,818	\$1,455,186	\$854,633
			\$146,554				\$2,402,211	\$1,513,393	\$888,816
			\$146,554				\$2,498,300	\$1,573,929	\$924,371
			\$146,554				\$2,598,232	\$1,636,886	\$961,346
			\$146,554				\$2,702,161	\$1,702,361	\$999,800
			\$146,554				\$2,810,247	\$1,770,456	\$1,039,792
			\$146,554				\$2,922,657	\$1,841,274	\$1,081,383
			\$146,554				\$3,039,564	\$1,914,925	\$1,124,639
			\$146,554				\$3,161,146	\$1,991,522	\$1,169,624
			\$146,554				\$3,287,592	\$2,071,183	\$1,216,409
			\$146,554				\$3,419,096	\$2,154,030	\$1,265,065
			\$146,554				\$3,555,859	\$2,240,191	\$1,315,668
			\$146,554				\$3,698,094	\$2,329,799	\$1,368,295
			\$146,554				\$3,846,018	\$2,422,991	\$1,423,025
			\$146,554				\$3,999,858	\$2,519,911	\$1,479,942
			\$146,554				\$4,159,853	\$2,620,707	\$1,539,145
			\$146,554				\$4,326,247	\$2,725,535	\$1,600,711
			\$146,554				\$4,499,297	\$2,834,557	\$1,664,740
			\$146,554				\$4,679,268	\$2,947,939	\$1,731,329
			\$146,554				\$4,866,439	\$3,065,857	\$1,800,582
<u>8,887</u>	<u>\$270,000</u>	<u>\$4,293,731</u>	<u>\$5,862,150</u>		<u>\$8,809,861</u>		<u>\$100,173,143</u>	<u>\$63,109,080</u>	<u>\$28,254,202</u>

NET PRESENT VALUE @ 8.00%

\$17,601,252

\$11,088,789

\$2,921,699

(15)
EXHIBIT 18
DATE 3-20-91
HB 845

Set Adopted by
House Natural Resources

Amendments to House Bill No. 845
First Reading Copy

Requested by Rep. Brooke
For the Committee on Natural Resources

Prepared by Gail Kuntz
February 18, 1991

1. Title, line 6.

Following: "MCA,"

Insert: "THAT ARE LOCATED IN ENVIRONMENTALLY SENSITIVE AREAS"

2. Statement of Intent, page 2, line 11.

Following: "walls"

Insert: "when located in environmentally sensitive areas"

3. Statement of Intent, page 2, line 20.

Following: "techniques."

Insert: "The department is also directed to adopt rules to define environmentally sensitive areas, including but not limited to areas that are within one-quarter mile of a surface water body or of the water source for a public water supply system and areas that overlay a sole source aquifer, as determined by the U.S. environmental protection agency."

4. Page 5, line 25.

Following: "(17)(a),"

Insert: "that are located in environmentally sensitive areas"

EXHIBIT 19
DATE 3-20-91
HB 845

Amendments to House Bill No. 845
First Reading Copy

Requested by Rep. Brooke
For the Committee on Appropriations

Prepared by Gail Kuntz
March 19, 1991

1. Title, line 6.
Following: "WALLS"

Insert: "OR OTHER SECONDARY CONTAINMENT SYSTEMS"

2. Title, line 7.

Following: "AN"

Strike: "IMMEDIATE"

3. Statement of Intent, page 2, line 11.

Following: "walls"

Insert: "or other secondary containment systems when located in environmentally sensitive areas"

Following: "construction"

Insert: "or construction of other secondary containment systems"

4. Statement of Intent, page 2, line 19.

Following: "construct"

Strike: "double-walled"

Following: "tanks"

Insert: "with double walls and other secondary containment systems"

5. Statement of Intent, page 2, line 20.

Following: "techniques."

Insert: "The department is also directed to adopt rules to define environmentally sensitive areas. The department shall consult with affected agencies of state government is developing the rules."

6. Page 6, line 1.

Following: "walls"

Insert: "or other secondary containment systems"

7. Page 6, lines 2 through 4.

Following: "Applicability." on line 2

Strike: the remainder of lines 2 through 4

Insert: "The department of health and environmental sciences may commence proceedings to adopt rules to be effective July 1, 1993."

8. Page 6, line 6.

Following: "on"

Strike: "passage and approval"

Insert: "July 1, 1993"

*Foster Care
Package*

EXHIBIT 20
DATE 3-20-91
HB 488, 489, 490, 491

March 18, 1991

To Whom It May Concern:

When my foster daughter (who is in the 8th grade and 15 years old) came to live with me, she brought with her the following items:

- 1) 1 bra- 38C- she wears a 38D or DD
- 2) 2 pr. pants- 1 pair was 2 sizes to small.
- 3) 4 pr. panties- terrible shape-ripped and full of holes
- 4) 4 pr. socks-in good shape and 4 pr. socks-threw away-no toes in them.
- 5) 1 pr. sneakers-good shape
- 6) 2 light weather jackets
- 7) 3 tee-shirts-fairly good shape

In the 1st 2 weeks Cheryl was living with me I bought for her:

- 1) 8 bras-the proper size
- 2) 5 prs. jeans
- 3) 8 prs. panties
- 4) 6 prs. socks
- 5) 3 night gowns
- 6) 1 Pr. winter boots-originally \$50.00 on sale for \$36.00.
- 7) 3 pants/tops-to wear for gym and later around the house
- 8) 5 winter tops and shirts

In December I bought her a winter jacket (originally \$65.00 on sale for \$45.00). I am making her pay for her jacket-\$5.00/every two weeks (her allowance is \$14.00/every two weeks).

For Christmas I bought her 4 more winter tops and shirts, a bathrobe, and another pr. of sneakers. My parents bought her a pr. of slippers, and a calligraphy pen set.

My cost was \$400.00 ALL items I bought were on sale. Any where from 25% to 75% off. I also bought quality, I didn't want to have to be buying these items again in 4 months. I didn't buy the cheapest nor did I buy the most expensive-I bought middle of the road/good quality.

Now summer is coming. That means shorts, tops, sandals, etc..... State of Montana, this is your child.

Linda Lockley
Foster Parent
7 Fiesta Ct. East Helena

(17)
Foster Care
Package

EXHIBIT 21
DATE 3-20-91
HB 488, 489, 490, 491

Your Honor:

My husband and I are Foster Parents and have been so for over
six and a half years. We need your help in getting House Bills
488, 489, 490 and 491 passed.

#1. House Bill 488: The current \$9.66 a day is less than a day
care receives for a eight hour day-we have these children
twenty-four hours a day.

I do not know if you have children but ours have been raised
and have left home. So speaking from experience the cost of
raising a child can run anywhere from \$15.00 to \$25.00 a day
for Food, Shelter and Recreation. So the \$14.67 we are asking
is not out of line. In fact it does fall within the U.S.A.
guide lines. I don't mind higher taxes if I was sure it went to
the children, Our leaders of tomorrow.

#2. House Bill 489: Again the \$100.00 per year Clothing Allowance
is Ludicrous with todays prices. that might pay for a pair of
shoes a jacket or a pair of boots. Please Vote for this
increase so our children can build better self-esteem and
pride in themselves.

#3. House Bill 490: This program is a must. We need to be
educated in order to help heal these kids, and to better
ourselves in spotting thier needs and problems.

#4. House Bill 491: When Foster Children come into a home. they
are not normal healthy children. They come with a whole
gamit of problems. We as Foster Parents do not clock in at
8:00am and punch out at 5:00pm. We get up four to six times
a night with troubled children and spend sleepless nights in
hospitals waiting, wondering if these kids will be alright
after trying to take their own lives. and their not even
our own kids-yes Please help us to get this most needed
and deserved Respite Package Passed.

Sincerely,

June Mead
39 RED DEER LANE
GREAT FALLS, MT
59404

EXHIBIT 2
DATE 3-20-91
HB 488, 489, 490, 491

duplicate of exhibit 2

(18)
Foster Care
Pacheco

In Support of Bills 488,489,490,491.

Having a heart for children my husband and I became Foster Parents 3 years ago.

The children who come into our home have been removed from a violent, abusive, neglectful environment by the "State of Montana".

Therefore, we are the caretakers and the "State" must assume the role and responsibility as parent to these children.

Unlike our own children these are children who come to us with little or nothing personal belonging to them. In most cases all clothes to include shoes and coats must be replaced.

These are children with very special needs and problems very different from our own childrens needs. I have had to teach simple things to children such as personal

hygiene, table manners, how to and why we brush our teeth,

We have had aggressive behavior towards family members. Which means we must become more creative with parenting skills and discipline. As a care giver we are on call 24 hours a day to receive children or quiet another who needs a loving touch because they were awakened screaming from a reoccurring nightmare. We interact with not only the children, but with the birth parents, grandparents, and other family members. We are actively involved with school teachers therapists, social workers, counselors, and PTA activities not to mention the law enforcement agencies.

As foster parents, we are involved with changing the lives of these children. Actually remodeling them so they can function in society. Breaking cycles that have been in families for years.

These children deserve the same consideration as our own children. Such as a bicycle, radio, sports activities, gymnastics and if they have a musical talent music lessons. All part of parents responsibility.

Ex. 22

3-20-91

Hb 488, 489, 490, 491

We as care givers come to the parents, the State of Montana and tell you we need increases in all four bills. The children need more dollars for sufficient clothing year round. We need increases in daily rates to accommodate increased costs of living. We need qualified respite care so the needs of our children are understood. Finally, we need more training to become the best we can be for these children and deal professionally with their problems.

As we continually cope with rising costs in the 90's housing, utilities, food, clothes and etc., if we are to continue to be quality care givers we must have an increase in funds for Bills 488, 489, 490, and 491.

These kids are our future and as the parent the "State of Montana", they deserve better than mediocre.

Thank You

Marsha Fauque
box 1395
East Helena, Mt. 59635
406 227-6799

(17)

EXHIBIT 23
DATE 3-20-91
HB 939

Amendments to House Bill No. 939
First Reading Copy

Requested by Rep. Rice
For the Committee on Appropriations

Prepared by Deborah Schmidt
March 19, 1991

1. Page 3, lines 2 and 3.

Following: "the"

Strike: the remainder of line 2 through "15-38-201" on line 3

Insert: "renewable resource development account"

2. Page 3, line 5.

Following: "1993."

Insert: "The appropriation made by this section is contingent
upon funds being available from the renewable resource
development account after grants authorized in House Bill
No. 6 have been funded."

18
NB 815

EXHIBIT 24
DATE 3-20-91
HB 815

LOCAL GOVERNMENT PLANNING SAVES THE TAXPAYER MONEY — PLANNING REDUCES OR PREVENTS THE NEED FOR LOCAL TAX AND USER FEE INCREASES

February 1991

1. INTRODUCTION — HOW PLANNING SAVES THE TAXPAYER MONEY

One of the many benefits of local government planning is the documented fact that planning can prevent or reduce tax increases or user fee increases. The following are two primary ways that planning can achieve these savings for local taxpayers:

- A. The establishment of formal Capital Improvement Plans (CIP's) and Capital Budgets allows local governments to reduce the ongoing costs of repairing and improving infrastructure in cities, towns, and rural areas.

Local infrastructure includes facilities crucial to protect public health, public safety, and the environment, as well as, facilities that make business and agricultural activities possible. Infrastructure includes roads, streets, bridges, drinking water, sewage systems, public irrigation systems, hospitals, retirement homes, parks, etc. (over 50 different types of public and quasi-public facilities).

The local CIP's and Capital Budgets achieve savings because they include: more efficient methods of analyzing infrastructure repair needs, innovative ways of scheduling repairs to prevent expensive failures of key facility components; efficient, less costly financing methods; and the use of facility depreciation schedules similar to those used by private business. Several other states require local governments to set up CIP's and Capital Budgets in order to reduce tax expenditures and implement local comprehensive plans. Currently, Montana law does not.

- B. Regulation of new land development proposals so that the roads, water, sewer and other infrastructure required by the new developments are properly designed and installed -- thus preventing the need to spend tax money to correct improperly designed and constructed infrastructure.

If land developments are not regulated, the roads, water and other facilities crucial for public safety are very often improperly designed. The local, state, and federal taxpayers end up paying for reconstruction of the facilities in order to protect public health and safety and to facilitate business and agricultural activities.

The three most common local government regulatory tools used to reduce costs to the taxpayers of new land development are: subdivision regulations, zoning, and development permit systems. Under Montana law, only subdivision regulation is required (however, because of exemptions to the law, only about 10% to 20% of all new subdivision developments in Montana are regulated to protect the taxpayer and public safety). Zoning and development permit regulations, which may be used to regulate developments not subject to subdivision regulations,

Ex. 24

3-20-91

HB 815

are optional under Montana law. In contrast, in the rural states of Idaho, Washington, and Oregon zoning regulations are mandatory. (Note: Even if Montana would pass a new subdivision law to eliminate the exemptions, many major land developments would still not be subject to regulation because some developments do not "trigger" a subdivision law -- they do not divide land. Zoning can regulate developments not subject to any type of subdivision law.)

2. EXAMPLES OF SAVINGS TO THE TAXPAYERS DUE TO LOCAL GOVERNMENT CAPITAL IMPROVEMENTS PLANS

A. Town of Absarokee, Montana

The taxpayers saved \$1,000,000 on the construction of a new sewer system because they had a CIP and a County Planning Director coordinating the CIP. A grant was obtained that, without a CIP, they probably would not have received. The taxpayers also save \$20,000 each year on the operating costs for the sewer system, because the CIP process required the private engineers to go back to the drawing board and develop a less costly design.

Absarokee taxpayers saved \$60,000 on the repair of the Town's swimming pool. This occurred because the CIP process required the Town's private engineering firm to redesign the repair project to make it affordable for the taxpayers.

B. Town of Columbus, Montana

The Town of Columbus needed to repair its sewer system to protect public health and encourage business expansion. The private engineering consultants originally designed a repair project that would have been difficult for Columbus residents and businesses to afford. The CIP process required the engineers to go back to the drawing board to make the project more affordable. Total savings due to the CIP: \$1,027,000.

C. Town of Saco, Montana

As a result of the adoption of a CIP, taxpayers in Saco saved at least \$60,000 in the repair of the Town's water system storage tank. The savings were achieved because the CIP process included rudimentary cost/benefit analysis for each repair project.

D. Stillwater County, Montana

An unsafe bridge in Stillwater County was estimated to cost \$200,000 to repair. State Highway Department bridge funds were appropriated to pay for the bridge, however a 3 year delay in the availability of funds was expected. Because of Stillwater County's innovative CIP process, county elected and planning officials were able to redesign the project using local materials, a different design, and local funds. Total savings to the state and federal taxpayers: \$173,000. The CIP process cut the costs for the project by 87%.

Ex. 24

3-20-91

4B 815

3. EXAMPLES OF SAVINGS TO THE TAXPAYERS DUE TO LOCAL GOVERNMENT REGULATION OF PROPOSED LAND DEVELOPMENTS

City of Great Falls, Montana -- Countryside Village Project

The developers of a 220 unit mobile home park were required to pave an access road. Paving the road ensured safe access, reduced dust pollution, and reduced the annual costs to the taxpayers to maintain the road. If the developers had not been required to pay the bill, the taxpayers would have been asked to pick up the tab. Savings to the taxpayers due to local government land development regulation: At least \$68,460.

City of Great Falls, Montana -- Third Christianson Addition

Developers of a typical residential housing development were required to provide adequate drinking water, sewage disposal and paved streets. If the developers had not been required to pay the bill, the taxpayers would have been asked to pay for the improvements. Savings to the taxpayers due to local government land development regulation: \$250,000.

Missoula County, Montana -- Rattlesnake Area Development

The corporate developers of a major 2,000 unit development in the Rattlesnake Valley were required to pay for the installation of a central interceptor sewer line needed to service the development and essential to protect the health of the residents. If the developers had not been required to pay the costs, the taxpayers would have been asked to pay the bill and to subsidize the development corporation. Savings to the taxpayers due to local government land development regulation: \$400,000.

4. WHAT HAPPENS IF LAND DEVELOPMENT IS NOT REGULATED BY LOCAL GOVERNMENTS ? -- EXAMPLES OF HOW TAXPAYERS HAD TO PAY FOR THE MISTAKES OF INADEQUATE, UNREGULATED PRIVATE DEVELOPMENT

City of Missoula, Montana

The sewage facilities originally installed for the Wapikiya, Bellevue, and East Cold Springs neighborhoods were not subject to proper local regulation. Proper central sewer facilities were never installed by developers. A new sewer had to be installed later at incredible expense. The taxpayers paid the bill. The cost to the taxpayers for the lack of land use regulation: \$4,250,000.

Mineral County, Montana

A new housing development was exempt from land use regulation. The developer never built safe roads. The safety of children using the road is threatened because the road is too narrow. School buses can not use the substandard 3 mile long road in the winter, forcing children to walk through heavy snows. The taxpayers have been asked to pay the bill for fixing the road. The cost to the taxpayers for the lack of land use regulation: At least \$161,700.

MONTANA

ASSOCIATION OF PLANNERS

EXHIBIT 25
DATE 3-20-91
HB 815

March 19, 1991

House Appropriations Committee
Francis Bardanouve, Chairman
Capitol Station
Helena, Montana 59620

Members of the Committee:

The Montana Association of Planners (MAP) supports the concepts set forth in HB-815, a bill to require comprehensive planning and implementation for certain local jurisdictions. The sponsor, Representative Lee, has made every effort to ensure that the role of the State Department of Commerce will be one of facilitating development of local land use plans, not a role of State control over local land use planning.

As established in the bill, the Department would develop minimum standards and guidelines for comprehensive plans and capital improvement plans that would be required of certain local jurisdictions. In addition, the Department would be required to review any plans proposed by local jurisdictions to assure compliance with the minimum standards.

The role described above is much less involved than some other states' programs for mandatory planning. Due to this fact, the requested appropriation is also significantly smaller than funding provided by other states. MAP believes that the efficient administration of this program at the State level will reap financial benefits at the local level for those communities that develop and implement such plans.

Community planning can provide opportunities for efficient use of the limited financial resources of local governments; more bang for the buck! HB-815, as passed by the House and funded as requested, will make these opportunities available to more jurisdictions than ever before. Please support HB-815 and its requested appropriation.

Thank you for your consideration,

Robert Rasmussen

Robert Rasmussen, Chairman
MAP Legislative Committee

20

FLATHEAD BASIN COMMISSION

EXECUTIVE DIRECTOR
OFFICE OF THE GOVERNOR
CAPITOL STATION
HELENA, MONTANA 59620
(406) 444-3111

EXHIBIT 26

DATE 3-20-91

HB 815

723 FIFTH AVENUE EAST
KALISPELL, MONTANA 59901
(406) 752-0081

Representative Francis Bardanouve, Chairman
House Appropriations
Capitol Station
Helena, MT 59620

Re: House Bill 815

Dear Chairman Bardanouve:

I am Chairman of the Flathead Basin Commission (FBC) which was established by the Montana Legislature in 1983 to protect water quality in the Flathead. The FBC supports H.B. 815 as a positive measure to promote good land use planning in the larger counties and areas experiencing rapid growth in Montana. It is our belief that growth and development can be accommodated in the Flathead without damaging water resources if it is well-planned in respect to location and design.

For this legislation to be effective, the State will need to provide a coordinating role to insure minimum requirements are met and that there is some consistency between counties in implementation. We also envision an important part of the State role to provide technical assistance. In this capacity, the Department of Commerce will need some additional funding.

We realize financial resources are severely limited. However, it is our belief that good land use planning as required by this legislation will lead to substantial savings of taxpayer dollars over the longer term because it will protect water resources, and provide better coordination and proper design and construction of infrastructure needs such as roads, water and sewer systems, drainage facilities, and fire protection.

The Flathead Basin Commission urges your financial support of this legislation. Thank you for your consideration.

Sincerely,



Jerry Sorensen
Chairman, Flathead Basin Commission

JS/lc

(20)

Flathead Lakers, Inc.

— A Non-Profit Corporation of Flathead Lake Residents —
P.O. Box 290 - Polson, Montana 59860

March 21, 1991

EXHIBIT 27
DATE 3-20-91
HB 815

Mr. Tom Lee
State of Montana
House of Representatives
Capital Station
Helena, Montana

Dear Representative Lee,

This letter is written to indicate support of HB 815 by the Board of Directors of the Flathead Lakers.

Briefly, the Flathead Lakers is a Montana Corporation chartered in 1958 for the expressed purpose of protecting the pristine waters and aesthetic qualities of Flathead Lake. It presently has 972 members and is one of the oldest and largest lake protection groups in the nation. Members include residents from all over Montana as well as many other states.

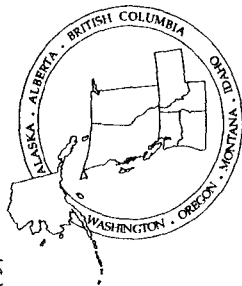
We have identified land use planning in Flathead and Lake Counties as one of our major program concerns for 1991-93. Land use planning is seen as an effort to encourage population growth and economic development in a way that will preserve and make wise use of our limited supply of natural resources. Any land use that affects the nutrient content of surface runoff in the Flathead Basin watershed will eventually affect the conditions in Flathead Lake. HB 815 will provide a valuable tool in those planning processes that are so badly needed.

We strongly support the land use planning efforts being made by Lake and Flathead county officials, as well as by the Flathead Basin Commission, and urge passage of HB 815.

Sincerely yours,

Dick Wollin
President

EXHIBIT 28
DATE 3-20-91
HB 508



Pacific North West Economic Region

Winter 1991

Senator Alan Bluechel

Vice-President Pro Tem
Washington State Senate
406 Legislative Building
Olympia, WA 98504-0445
(206) 786-7672

Betsy Flynn

Northwest Policy Center
University of Washington
327 Parrington Hall DC-14
Seattle, WA 98195
(206) 543-7900

or:

Would you like to know more?

Information on the Pacific Northwest Economic Region is available by contacting:

Name _____

Street Address _____

City, State/Province, Zip _____

Phone _____

Ratification Legislation Unanimously Endorsed

More than 70 government leaders meeting in Seattle Dec. 12-15 of last year ratified formation of a new regional economic alliance in the Pacific Northwest and began planning regional cooperative efforts.

State legislative leaders and provincial ministers representing Alaska, Alberta, British Columbia, Idaho, Montana, Oregon and Washington unanimously endorsed legislation creating the Pacific Northwest Economic Region and developed a six-part action plan.

Legislative leaders took the historic step in order to establish a region large enough to compete in the global economy.

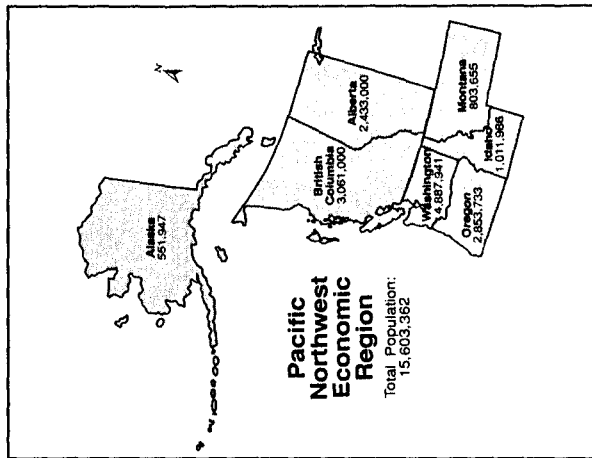
Under terms of the legislation, the economic region will become effective once the articles of ratification are approved by at least three of the state and provincial governments involved.

These articles of ratification will be introduced for approval in each legislative body during the 1991 session. Once approved, they will create an economic region of more than 15 million people with an annual gross product of \$280 billion.

Participants in the December conference expect swift passage of the legislation in most, if not all, the states and provinces.

Policy discussions at the meeting led to regional action plans in six issue areas: pro-

moting tourism development, creating markets for recycled materials, expanding environmental enterprise, investing in the future work force, expanding markets for value-added wood products, and improving telecommunications in higher education.



Pacific North West Economic Region

Senator Alan Bluechel

Vice-President Pro Tem
Washington State Senate
Olympia, WA 98504-0445

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Permit #135

Delegates Focus on Changing World Order

Legislative leaders from two Canadian provinces and five U.S. states met for the second time last December to explore formation of a regional economic entity in the Pacific Northwest.

The delegates representing all five states and the two Canadian provinces first met in October of 1989 to consider the potential for strengthening the region's world-trade posture through increased cooperation while enhancing the environment and quality of life.

Delegates heard speakers, including a leading Canadian diplomat, express strong support for the regional alliance.

Former Canadian Ambassador to the U.S. Allan Gottlieb applauded the move to form a regional economic entity as "very timely" considering the growing trading blocs forming in Europe and the Pacific Rim.

"It's important that we reinforce and make ourselves more competitive," Gottlieb said, "in the light of this vastly changing international economic and political market."

Acting on its own, Gottlieb said, any state or province is at a competitive disadvantage with powerful "transnational organizations" forming to promote economic development and trade.

During the three-day conference, delegates adopted plans to create the Pacific Northwest Economic Region (PNWER) in an attempt to expand trade and human opportunities.

Delegate Council to Oversee PNWER

Lawmakers agreed to a governance structure for the Pacific Northwest Economic Region giving equal representation to all participating states and provinces.

Once legislation authorizing the PNWER is approved, each state and province will appoint four members to a delegate council with oversight responsibility.

Each four-member delegation will appoint one of their members to an executive committee responsible for submitting an annual action plan to the delegate council for approval.

As regional efforts progress, policy committees will be created to promote activities in specific issue areas.

Northwest Policy Center Appointed PNWER Secretariat

The Northwest Policy Center at the University of Washington Graduate School of Public Affairs was appointed to serve as the secretariat for the Pacific Northwest Economic Region.

Northwest lawmakers have relied on the NPC for policy counsel, research and staff support during the first, exploratory year of the regional alliance.

Regional legislators commissioned the policy center in 1989 to conduct the first baseline inventory of existing collaborative activities between the Northwest States and Western Canadian provinces.

The Northwest Policy Center was formed in 1987. The NPC receives public and private sector funding to research and develop strategies for maintaining a vital economy within the region.

World's 10 largest nations by GNP

1. United States
2. Soviet Union
3. Japan
4. West Germany
5. France
6. United Kingdom
7. China
8. Italy
9. Canada

10. Pacific Northwest Economic Region*

** Based on the combined production of Alaska, Idaho, Montana, Oregon, Washington, Alberta and British Columbia.*

PNWER Leaders Approve Plans for Regional Efforts

Following recommendations by an interim steering committee, regional initiatives with potential for cooperative efforts were identified in the following six areas: promoting tourism development, creating markets for recycled materials, expanding environmental enterprise, investing in the future work force, expanding markets for value-added wood products, and improving telecommunications in higher education.

Delegates planned policy summits for the coming year in several areas and set specific goals and objectives that included:

- Making the Northwest a major national and international tourist destination.
- Creating uniform content standards and developing regional markets for recycled materials.
- Making the Northwest the world's major supplier of pollution cleanup technology through joint global marketing efforts.
- Raising work-force skill and education standards to make the Pacific Northwest Economic Region competitive in worldwide markets.
- Creation and expansion of markets for secondary, value-added wood products to augment the region's primary timber industry.
- Creation of a telecommunications network to link the libraries in all the region's institutions of higher education.

Exhibit 29

COMMENTS ON HB804

EXHIBIT 29 75108
DATE 3-30-91
HB 804

SECTION 1, PAGE 1:

Some minimum standard amounts of severance and retraining allowances need to be specified. If such amounts are to be set by rule, rule making authority needs to be provided for the Department of Administration.

SECTION 3, PAGE 4:

Suggest some added language to this section such as: page 4, line 16

following: "force, the"

insert: "state may continue contributions for group benefits beyond
the termination date. The"

Currently there is an Attorney General's opinion dated 2-20-80 (attached) which says that group benefits are part of wages and therefore are payable only for service performed. The added language suggested above clarifies the state's authority to continue benefits for former employees.

(23)

TESTIMONY BEFORE THE APPROPRIATION COMMITTEE

Submitted By
Robbie G. Ford, Field Representative
American Federation of State, County, Municipal Employees

DATE 29 05 2012
HB 804

I stand before your representing State employees all across the great State of Montana. We are in full support of HB 804.

HB 804 is fair treatment for those workers who are displaced because one of the departments of the state decides that they can save money by reducing the work load and the employees. A majority of the time the workers that are displaced are those workers who are not making as big of a dent in the budget as the ones who are making the decisions.

A majority of the time workers are laid off from their jobs, without enough time to be able to find alternative employment, alternate income source, or given the opportunity to have retraining to be able to go into another position. Many times older employees are laid off and they many times are not able to find other employment because of their age. Many times these employees are just a few years before they retire. These employees are laid off work without any mercy. They have given their life and service to the State, and all the State says is thank you, have a nice life and good luck trying to find other employment.

This bill will require those departments and the State to take responsibility for those employees who they decide to get rid of for the sake of saving money. They should a least use some of those savings to aid the employees who have been displaced.

Finally, in my own opinion, if the State really wanted to save money, they wouldn't get rid of the employees who are paid little and do all the hands on work, rather they should get rid of some of those State employees who only make the decisions sitting in their offices getting paid \$50 - 100 thousand a year. The State should realize that the State employees who are doing the hands on work are the State's most valuable assets. They should be treated as such. When you have too many people who are the "decision makers" they become just dead wait and an expensive waist of funds.

The American Federation of State, County, Municipal Employees Union urge the committee to give this bill a due pass.



EXHIBIT 30
DATE 3-20-91
HB 804

DONALD R. JUDGE
EXECUTIVE SECRETARY

110 WEST 13TH STREET
P.O. BOX 1176
HELENA, MONTANA 59624

(406) 442-1708

TESTIMONY OF DON JUDGE ON HOUSE BILL 804 BEFORE THE HOUSE APPROPRIATIONS
COMMITTEE, WEDNESDAY, MARCH 20, 1991.

Mr. Chairman, members of the Committee, for the record my name is Don Judge representing the Montana State AFL-CIO, and we are here in support of House Bill 804.

House Bill 804 simply provides a contingency for Montana State employees who lose their jobs as a result of a reduction in force. The concern that is being echoed across the state from workers and their families, who are fearful of losing their jobs through privatization, would be lessened by the provisions of this legislation.

House Bill 804 would require 100% lump sum payment of accumulated sick leave to all privatized workers, as compared to the current 25%. When a collective bargaining agreement is in place, this bill would also provide for negotiations on retraining allowances, and severance pay for these displaced workers.

With this administration's continuing drive towards privatization of public services, it is only reasonable and responsible that we put some worker protection provisions in place. As with many issues being dealt with this session, this is yet another issue of fairness for Montana workers. We urge your support of House Bill 804.

Thank you.



EXHIBIT 31
DATE 3-20-91
HB 371

Bringing lifetimes of experience and leadership to serve all generations.

MONTANA STATE LEGISLATIVE COMMITTEE

CHAIRMAN
Mr. Fred Patten
1700 Knight
Helena, MT 59601
(406) 443-3696

VICE CHAIRMAN
Mr. Paul Stenge
Route 2, Box 3040
Miles City, MT 59301
(406) 232-0016

SECRETARY
Mrs. Dorothy Fitzpatrick
Box 174
Sunburst, MT 59462
(406) 937-2451

March 19, 1991

TO: The House Appropriations Committee

FROM: Le Dean Lewis, American Association of Retired Persons

RE: House Bill No. 371
Appropriating Money For In-Home Services

I do not believe that anyone questions the value of these services. It is difficult to attach a dollar amount to this care, because it is cost-effective not only in dollars, but human dignity!

These services enable older persons who need some assistance, but do not require extensive medical supervision, to maintain their independence with pride.

The in-home services we are asking you to fund, will reduce the number of persons placed in nursing homes, and in turn will reduce state-costs for this care. Such funds must come from a stable source of revenue. These services are too valuable to our older citizens.

The concept, of in-home health care services, keeping people independent, and in their homes as long as possible, has the full support of the American Association of Retired Persons. We strongly urge your passage of HB-371.

(27)

HB 4

EXHIBIT 32
DATE 3-20-91
HB 4

BUDGET AMENDMENT
AMENDMENTS

March 12, 1991

Department of State Lands

1. Fuel
Original Request: \$ 68,000
Change: \$-38,000
New Request: \$30,000

Maintenance

Original Request: \$ 10,000
Change: +\$18,000
New Request: \$28,000

Total

Original Request: \$114,300
Change: \$-30,000
New Request: \$ 84,330

Department of Fish, Wildlife and Parks

1. Fuel
Original Request: \$123,000
Change: \$-52,000
New Request: \$ 71,000

(28)

AMENDMENTS TO HOUSE BILL 4
PROPOSED BY REPRESENTATIVE COBB
Prepared by Teresa Olcott Cohea

2
3-20-91
4

1. Amend page 1, line 10

Following: "1993;"

Insert: "PROVIDING DIRECTION CONCERNING SUBMISSION OF BILL FOR
FISCAL 1993;"

2. Page 1, line 22

Insert: "NEW SECTION. Section 3. Legislative intent. The legislature intends that the bill requested by the office of budget and program planning to appropriate money to various state agencies that would usually be made by budget amendment that is presented to the fifty-third legislature include appropriations for fiscal 1993 only."

HOUSE OF REPRESENTATIVES

VISITOR'S REGISTER

APPROPRIATIONS

COMMITTEE

BILL NO. 804

DATE

3/20

SPONSOR(S)

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
ELFORD, W. H. IV	W. H. ELFORD	FOR		X
2000 S. Ford	RESCUE	FOR		X
Terry Muraw	WIS E	FOR		X

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

HOUSE OF REPRESENTATIVES

VISITOR'S REGISTER

1063

APPROPRIATIONS

COMMITTEE

BILL NO.

DATE 3-20-91 SPONSOR(S) _____

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
David Kerser Boulder	MDC - Boulder			✓
Chuck Brucke	Commerce	477 374		✓
David Burch	MT. Wood Control Assoc	964		✓
Richard Moe	Boulder Public Schools	MDC Cater		✓
Bob Steppan	MT. Darrin Elementary	964		✓
Bob Heffner	MT Dept of Commerce	477		✓
Lorna Frank	MT. Farm Bureau	HB374 HB764		✓ ✓
Kelly Rosenbaf	MT WED60	HB477		✓
Francis Kehnke Jr.	Self	HB975		✓
Charles W. McKee	Foster Care	HB488 HB490		✓
Melinda & Bobo	Foster Care	HB488 HB490 491		✓
Bob Heiser	UFCW	HB 804		✓
CHRISTIAN MACKAY	MT. ST AFL-CIO	HB 374	✓	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS
ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

HOUSE OF REPRESENTATIVES

VISITOR'S REGISTER

2 of 3

APPROPRIATIONS

COMMITTEE

BILL NO.

DATE 3-20-91 SPONSOR(S) _____

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
Ken Luras ^{613 No Hoback} Helena, MT 59101	FOSTER Parents	484 489 490 491		✓
		351		✓
Jim F...	WFOC	374		✓
Lynn Brown	Capitol Opportunities	477		✓
Charles B. Hill	"	"		✓
Don Judge	MT STATE AFL-CIO	HB 374	X	
Riley Johnson	NFIB			X
	MTARC	48 49	✓	
Kate Cholewa	MT Womens Lobby	HB 477		✓
Ray Beck	DNRC	HB 498 HB 475		X
John Ruth	DNRC	"		✓

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

HOUSE OF REPRESENTATIVES

3 of 3

VISITOR'S REGISTER

APPROPRIATIONS

COMMITTEE

BILL NO.

DATE 3/20/91 SPONSOR(S) _____

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
Marion, Loop #20 Gt Falls Bobbie Jean Curtis	Foster Care	HB 489 491		✓
147 Sun Lane Shirley L. Foe	Foster Care	488 489 490 491		✓
147 Sun Lane Danielle D. Poell	Foster Care	488 489 490 491		✓
147 SUN LANE GT MT. JAMES K. Rella	FOSTER CARE	488 489 490		✓
147 SUN LANE Diana Wilson	Foster Care	488 489 490 491		✓
Richard C. Parker Gardiner MT	NPRC	HB 347	✓	
JAMES TWITTELL	MT Chamber	HB 374		✓
CAROL MOSHER	MT. CATTLEWOMEN	HB 374		✓
CHRISTIAN MACKAY	MT. ST. AFL-CIO	HB 804		X
Marsha Arquette	Foster Care	488 489 490 491		✓
Donna Johnson	Business & Professions	HB 463		X
Stan Brackham	MT F.M.	HB 304		✓
Everett Knottlund	MT DCA	HB 377		✓

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.