

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON APPROPRIATIONS**

**Call to Order:** By Chairman Bardanouve, on March 21, 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  
Sylvia Kinsey, Committee Secretary

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

**Note:** Chairman Bardanouve and Vice Chairman Peck alternated frequently on chairing the meeting and are not listed specifically as chair in these minutes.

#### **HEARING ON HOUSE BILL 179**

Appropriation for Maintenance of Veterans' Cemetery

##### **Presentation and Opening Statement by Sponsor:**

REP. JOHN PHILLIPS, House District 33, Great Falls, said the cemetery is in poor shape and \$50,000 there is a 2 to 1 federal match and would help a lot and they would be able to get some

maintenance. He said this would not cure everything since they need landscaping and a sprinkle system and he had been looking at a source where they could get some ongoing funds. He said the only thing he could come up with was some of the lottery money.

**Proponents' Testimony:** George Poston, United Veterans Committee of Montana said at the last count there were 152 people buried out there. There are a lot of volunteers who put in sod and trees, but they don't have a way of watering it. He said \$50,000 is the minimum it will take to save the work that has already been put in and hoped the committee would look favorably on this bill.

Tom Pouliot, State Commander for VFW said they support this bill. It is a State Veterans' Cemetery and is a disgrace. There is hardly any improvement out there.

Dick Baumberger, DA said they favor the bill, this is a state cemetery and they would like it to look nice.

Hal Manson, American Legion of Montana said they had done a lot of volunteer work and people had made donations, but find it is just a scratch. They need money to do the things that have to be done to make it a presentable cemetery. They need money to put in a good sprinkler system and landscaping.

**Questions From Committee Members:** REP. THOFT asked if this is an ongoing appropriation. He asked if they needed that kind of money after the sprinkler is in and the landscaping done? REP. PHILLIPS answered yes, they would. In the winter time especially they go out and dig 10 graves at a time which is something you do not want to see all lined up when you bury a friend or a loved one. They need ongoing money to do things as they are needed.

REP. GRINDE asked if they had tried to apply for money from any organizations on a federal level? REP. PHILLIPS said yes, they get a 2 for 1 match on it right now.

REP. BARDANOUVE asked what the sprinkler system itself costs and REP. PHILLIPS said he was not sure he had those figures with him, but they had it laid out in 4 phases. Phase 1 was about \$74,000, phase 2 \$146,000, etc. REP. BARDANOUVE asked what was meant by phases and REP. PHILLIPS said they knew they didn't have all the money at one time and this is a plan to upgrade it and get it into shape. REP. BARDANOUVE asked the sponsor to give the secretary a copy of the expenses for the sprinkler system.  
**EXHIBIT 1.**

**Closing by Sponsor:** REP. PHILLIPS said he knew there was a lot of money floating through this committee and felt a little could be spent on this.

HEARING ON HOUSE BILL 524Oil Overcharge Appropriation for Wind Farm  
Transmission StudyPresentation and Opening Statement by Sponsor:

REP. BOB RANEY, House District 82, Livingston and Chief Sponsor of House Bill 524 said this would appropriate \$70,000 of the oil overcharge and requires a 2 to 1 match from private or federal sources. We have to do something for energy, with the recent war and the one we are probably engaged in, tells us we have to do something besides fossil fuel. He said the best wind available in all of America is on the Rocky Mountain Front in Montana and we are not moving forward in that.

Proponents' Testimony: Van Jamison, Administrator, Energy Division, DNRC said this proposal is being funded from the oil overcharge money to do the work necessary to carry out the Northwest Planning Council's Wind Conformation agenda. The Council has identified about 18,000 megawatts of wind potential in Montana, about 4800 average megawatts. What they don't know at the present time is how costly those megawatts are going to be to develop and how they compare to other resources. Wind can't be transported except as electrons through transmission and therefore the largest cost will likely be transmission upgrade. He handed in EXHIBIT 2.

Christine M. Paulson, Graduate Student, U of M, submitted written testimony. EXHIBIT 3.

Questions From Committee Members: REP. COBB asked if the Northwest Planning Council wasn't going to do a lot of this anyway? He asked if we were duplicating something. Mr. Jamison said the Northwest Planning Council has this in their plans and are going to cause Bonneville Power Administration to participate. This ensures that in addition to Bonneville and the Utilities, the state of Montana can become involved in those reviews. When we get down to siting plans, etc. we will have the ground work done. REP. COBB asked, since we have someone else doing it, why do we have to do the same thing. Mr. Jamison said the Power Planning Council has only two employees and they have an enormous amount of work.

REP. PECK asked on page 3, section 6 places this appropriation in a superior position to appropriations in HB 10 and LC 904. What are those other potential drawers on the fund and why should this be superior? REP. RANEY said to him they are taking oil overcharge monies and spending them in short term projects. Wind energy is something that may go on for a hundred years, it is extremely important we move into alternative energy. REP. PECK asked what these other two were and REP. RANEY said HB 10 is the oil overcharge and LC 104 is HB 777, which is the state building bond program, the retrofit program to make energy efficiency

improvements in state buildings.

REP. QUILICI said one of the things he assumed would be done with this \$70,000 is that BPA has funds in there to look at alternative energy. The state of Montana, in order to come up with that source of energy, has to have some transmission capabilities that make sure we can put that energy on the grid so it can go around Montana and out of state if necessary. He asked if they would be looking at that possibility. Mr. Jamison said that is exactly the type of thing he would be looking at.

REP. GRINDE asked who has the wind fields at Livingston? Who owns them, who is in charge of them, whose project is it? Mr. Jamison said he did not know who has rights to the wind resource at the Bench in Livingston. There have been a number of companies looking at buying leases on properties up there. REP. RANEY said it is private enterprise and the City of Livingston has a buy-back agreement with the power company. He did not know if that had expired. The city of Livingston got into the wind project a dozen years or so ago in cooperation with private enterprise. The mills they chose to use were torn apart within days and everyone who tried it basically went broke. This is a different idea here, it is a commercial scale, this is to site wind farms. He said they know the machines are available, how they work, we know where the wind potential is, and this is to find out if we can economically produce energy.

Closing by Sponsor: REP. RANEY said the main thing is to remember we are in competition with other areas and we want to show up front that Montana is the location. It is generally considered we are, but we have to be able to prove it and that we can get those electrons on the grid economically.

#### HEARING ON HOUSE BILL 664

#### Fund Medical Research Facilities Projects

#### Presentation and Opening Statement by Sponsor:

REP. JIM SOUTHWORTH, House District 86, Billings, said this is a bill that is part of an overall effort in restoring major funding for technology research and development activities in Montana and thus capitalize on some exciting activities currently going on. SB 242 is the primary bill in this effort and if that bill passes the Senate, it is legislation that all those interests favoring HB 664 will ultimately support. If SB 242 is rejected this bill will salvage some of the more important aspects of research and development funding in Montana. This uses money from the interest from the coal trust fund which would flow into the general fund, and would be a general fund appropriation of \$1.5 million. He talked about the terms of the appropriation and what would be done with it.

Proponents' Testimony: Sam Hubbard, Deaconess Medical Center and

the Deaconess Research Institute in Billings, said they support the bill because it does start to restore some of the research and development funding for technology programs that was lost during the 1989 session.

Questions From Committee Members: REP. KADAS asked if this is coming from the interest flow off the coal tax trust? Mr. Hubbard said yes, it is earnings from the trust that would normally be appropriated to the school equalization fund and the general fund.

REP. CODY said there was a statement made about losing money in '89. REP. SOUTHWORTH said this is a brief history of the Science and Technology Alliance. When the program was originally funded in 1985 and re-funded in 1987, it included a funding for Research and Development and Seed Capital Investments. The Supreme Court overturned the '87 bill for some technical reasons and the program came back in 1989 for reauthorization and they focused the new funding primarily on the seed capital side and in the process the funding level for the Research and Development side went down considerably. These two bills would start to restore a little of that funding.

Closing by Sponsor: REP. SOUTHWORTH asked the committee to withhold action on this bill until they see what action the Senate takes on SB 242.

#### HEARING ON HOUSE BILL 950

#### Montana Family Policy Act

#### Presentation and Opening Statement by Sponsor:

REP. VIVIAN BROOKE, House District 56, Missoula, said this bill is the Family Policy Act. It was amended in subcommittee and the appropriation request is for a study committee which would be composed of 4 members from the House, 4 from the Senate and a representative from the Governor's office. She said the study committee during the interim would try to coordinate the agencies that are dealing with families and children and try to bring about some type of reform in how we approach families and children.

Proponents' Testimony: John Ortwein, Montana Catholic Conference, submitted written testimony. EXHIBIT 4.

Tom Olsen, DFS, said they support the bill and it is completely consistent with their goals. EXHIBIT 5.

Jean Camus, Montana Council for Families, a private non-profit organization devoted to children and their families. This bill arises out of the private sector's understanding of what we need to do for children and families. It is a major significant reform that is going on around the country. She said this brings

together the interest of the state in spending its money more efficiently and effectively and does what is good for children and families.

**Closing by Sponsor:** REP. BROOKE encouraged the committee to take a careful look at this bill because it is an investment in the future. It costs \$547 a year for a boy to have a big brother and about \$27,000 a year to keep a boy in Pine Hills.

**HEARING ON HOUSE BILL 13 AND 234**

**House Bill 13--Annex of Veterans' Home in Galen**

**House Bill 234--Appropriation for Veterans' Home  
Project from Capitol Project Funds**

**Presentation and Opening Statement by Sponsor:**

REP. "BOB" PAVLOVICH, House District 70, Butte, said House Bill 13 is an act to provide and establish an annex to the Montana Veterans' Home in Galen. He said in the last session HB 202 was a 2 cent raise in the cigarette tax to generate the money for the 40 to 50 bed unit in Galen and also to build a 100 bed unit in Glendive. That money has been put in the DOA revolving fund and this bill would allow us to build a 40 or 50 bed unit at Galen for the veterans of Montana if the state should decide to close it.

REP. PAVLOVICH said House Bill 234 is basically the same as HB 13 except this one appropriates the money for the 100 bed unit in Glendive. The money has been appropriated, and the only reason construction has not been started on that project is because the federal matching funds are not there. He said do not take our money, we saved it and it is ours. **EXHIBITS 6 A-3.**

REP. BARDANOUVE said last session the Legislature approved this and asked if there was no appropriation for it? REP. PAVLOVICH said there was an appropriation of \$30,000 out of that money collected for the committee, but no appropriation for the building.

**Proponents' Testimony:** Robert Van Der Vere, Citizen Lobbyist, said anything we can do for the veterans he is for it. He is a WW II Merchant Marine Veteran and it took 45 years to get that status, but agrees with REP. PAVLOVICH, keep your hands off that money.

Tom Pouliot, VFW said he is in support of these bills. The past two days in Billings they had a conference on Aging Veterans and a lot of numbers will come out of that conference that are important to whether or not we have nursing homes for veterans. Most of our WW II veterans are around 70 years old and many of them will be in need of some sort of nursing home services. He

urged support of the bill.

**George Poston, Montana Veterans' Committee** said the age of the veterans is increasing and at the present time there is a waiting list on nursing home beds for veterans. He said he felt within one year after being built both the nursing home at Galen and the one at Glendive will be full.

**Dick Baumberger, DA,** said they strongly urge committee support for both House Bills.

**Hal Manson, American Legion of Montana,** said they request that both of these bills be considered. There is an overflow of nursing home bed needs at Columbia Falls, and even if the one at Glendive was built, it is a long way for people from Western Montana to go, so we will need an annex and strongly urge it be built. We also ask HB 234 be concurred in.

**Joe Brand, Member, Post 689, Helena,** said he came to testify in support of HB 313 and will also support HB 13. He said western Montana's population has gained quite heavily in the past 10 years and presumed it will increase more in the next 10 years. There is a need for a nursing home facility in this area. During WW II Montana had the most per capita veterans in the service of any state in the United States. He said we have had some problems where private concerns would no longer take some state patients, and there was a problem in Missoula a few years ago, he thought Montana should have a backup facility against some of these private providers.

**REP. JOHN JOHNSON, District 23, Glendive,** said he was in favor of both bills. HB 234 is here because of the language that authorized the veterans' home in eastern Montana did not contain language to make the appropriation valid for the next biennium. It is here to move that appropriation into the next biennium and to authorize the spending of the state funds as well as the federal funds. He said his latest information is that we are either first or second on the priority list for the coming biennium.

**REP. TOM ZOOK, House District 25, Miles City** asked to be listed as a proponent for both bills.

**Questions From Committee Members:** **REP. CODY** asked **REP. JOHNSON** if he was extending his appropriation from the last session through the next biennium? What if the federal government once again don't come through with the money? Will you have to come back again in '93? **REP. JOHNSON** said we were 14th on a list of 13 that were approved last time. **REP. CODY** asked if this was the only way, to come back each biennium? **REP. JOHNSON** said no, language could be placed in this that would continue it indefinitely and we failed to do that in the bill since we were so certain it would be built. With the approval of the sponsor that could be done. **REP. BARDANOUVE** said the Fiscal Analyst

would look at this.

REP. KADAS asked where the \$1.5 million already collected in cigarette taxes is? REP. BARDANOUVE said it is in the Long Range Capital projects.

Closing by Sponsor: REP. PAVLOVICH said he would like to amend the bill so the funding would continue if we don't get on the priority list, and with the help of the Legislative Council he would approve that amendment.

#### HEARING ON HOUSE BILL 20

Appropriate General Fund for Service Women's Memorial

#### Presentation and Opening Statement by Sponsor:

REP. "BOB" PAVLOVICH, House District 70, Butte explained this bill as a one time appropriation of \$25,000. Congress has passed legislation authorizing the construction of a living memorial to honor the 1.2 million women veterans and the 400,000 women in active duty in military service. He said this memorial will be built at Arlington Cemetery and the other 50 states in the Union are all donating \$25,000 toward the project. EXHIBITS 7, 8, 9 and 10 were handed to the secretary.

Proponents' Testimony: Tom Pouliot, VFW, said women have participated and have been a part of all our fighting and it is time they were recognized and have a memorial of their own.

Doris Brander, USNR (W), Avon WW II Veteran, said she had been working on this for the past year. Most of the 56 counties have proclaimed a day for the Women Veterans and also for all women in the military. Everyone is pleased across the state to finally be recognized and remembered for what we did. She said one of the thrills she had was finding 165 names of WW I Army Nurse Corps. They enlisted in 1917, 1918 and 1919, and some of them stayed in. She thought it would be wonderful to remember those people and get them down in history for people to know their names. The living memorial will be a record of all who have served and after 100 years of history in Montana, those women who served in the first World War are the people that were born in Montana and made Montana what it is.

Joe Brand, VFW Post 689, Helena, said he supports this legislation and many of the bills that has been before the committee, it has always been noted that when there was a veterans' bill before the committee it has only tried to include the men. That has never been the case. In any war we have had there have been women who have served as faithful or more so than many men. In WW II there was a corps in every branch of the service for women. He urged support for this bill.

Hal Manson, American Legion of Montana, said he has been firmly



behind this type of legislation nationwide ever since it first began.

**Robert Van Der Vere, Citizen Lobbyist**, said during his cruising in the Merchant Marines in WW II one of the worst places he had ever been in was just out of New Guinea which was under attack by the Japanese. The nurses stood up under the terrible conditions and he hoped this legislation was passed.

**George Poston, United Veterans Committee of Montana** said they are in support of this bill and said wherever he was stationed during his military service there were women serving. He said this is a long over due recognition of women in the service and he hoped the committee would pass this bill.

**Diane Sands, Montana Women's Lobby** and on behalf of the 52 organizations that belong to the Women's Lobby and her aunt who is a veteran of WW II as an army nurse all rise in support of this bill. She said they felt it is an important bill to honor the women as veterans and women in the military.

**Dick Baumburger, DA**, said they firmly support this bill.

**REP. MARY ELLEN CONNELLY, House District 8, Kalispell** said she had worked on this project some last summer and they have some women veterans at Columbia Falls at the Veterans' Home. She said she thought there was about 7,000 women veterans in Montana, and this is a good bill.

**Genevieve Adair, Women Vets, WAAC and WAC**, said the WAAC and WAC are no longer in existence, but hope the committee keeps in mind that the women want to help and on that basis she felt they should be recognized with this memorial.

**Helen Dawson, Navy Veteran in the WAVES**, urged support for this bill.

**Millicent Clark, Navy Veteran, WW II** asked support for this bill.

**Questions from Committee:** **REP. KIMBERLEY** asked if there is a Veterans of the Korean War memorial. He said he thought he had made a contribution to one not too long ago, and wondered if there really is such a thing. **Doris Brander** said they are trying to raise money for that too. She said she had run across some of the veterans back east, but with the women's memorial they don't have any money. They are raising it themselves with their \$25 registration fee, but you have to remember the ones that have passed away both WW I and WW II, they need help because who is going to pay for them.

**Mr. Poston** said there is a fund going for the Korean veterans and it has just gotten started in Montana, but is being done nation wide, and there will be a memorial built.

REP. GRADY asked what the negative effect would be if Montana didn't donate money to this memorial. REP. PAVLOVICH said it would just be a kind of black eye to the state.

Sponsor Closing: REP. PAVLOVICH said on the bottom of page 1 and page 2, on the House floor we have been recognizing National Women's Historic Month and Lt. Gov. Kolstad has already proclaimed March 29, 1991 as our National Womens' Historic History Month and thought it would be very appropriate to pass this bill, get the money and made a law by then.

HEARING ON HOUSE BILL 455

Appropriate Money to Dept. of Military Affairs to  
Construct Libby Armory

Presentation and Opening Statement by Sponsor:

REP. MARY LOU PETERSON, House District 1, Eureka, said this would appropriate money for the armory at Libby and said they do have some different figures. There a federal contribution is \$827,000 and they are wondering if there might be some small bonding portion they might lock into on that part since they knew how short on general fund the committee was. The federal funds have been appropriated and the land has been purchased and they are ready to go on it.

Proponents' Testimony: Lt. Col. Kenneth Cottrill, Montana National Guard discussed the history of the Libby Armory and the history of this particular project.

Questions From Committee Members: REP. CODY said they just finished a project in Culbertson and asked how they funded the new armory they put up. Lt. Col. Cottrill said the one just completed was a maintenance building and was almost 100% federally funded. He said the armory was built in 1981 and was funded with the same process as this project, through the Legislature to get matching state funds.

REP. GRINDE asked how many armories we have in the state now and Lt. Col. Cottrill said 26 facilities they own and are leasing 4. REP. GRINDE asked who determines where they go and why? Lt. Col. Cottrill said the selection base for armories is based on a couple different criteria. One is the type of units we place in an area and it is somewhat a political issue also. REP. GRINDE asked what the closest armory to Libby is right now and Lt. Col. Cottrill said Whitefish. REP. GRINDE asked if there is any reason you have to have so many of these facilities around the state, but couldn't you take the one projected for Libby and combine it with Whitefish? Is it necessary to have these all over when we have that many now? Lt. Col. Cottrill said they try to lay out armories in a scheme that the communities are large enough to support the personnel, that people who want to belong to the National Guard don't have to travel extensive distances,

and that there are units that are a reasonable size for the communities. If we asked for a 200 person armory at Whitefish we probably couldn't recruit 200 people, but we can recruit for 60 people in the community and we can recruit for 60 people in the Libby area. The National Guard has the responsibility under state mission to provide emergency support and they look at having armories in strategic locations to provide that emergency support.

**Closing by Sponsor:** REP. PETERSON said they do have their land, the 10 acres were donated and is there, they have their design which is ready to go and are combining for that kind of community support throughout Lincoln County for this armory. They have a fine group of people training there, and have already used in Lincoln county some of those emergency services of the National Guard in flood and fire conditions.

REP. BARDANOUVE said this is not the ordinary allocation and asked what the ordinary allocation would be and Lt. Col. Cottrill said this allocation is the same as they used on the others.

#### **HEARING ON HOUSE BILL 777**

Approve Energy Conservation Projects and  
Authorize Bond Issuance

#### **Presentation and Opening Statement by Sponsor:**

REP. JOE QUILICI, House District 71, Butte, said this bill authorizes issuance of general obligation bonds to fund state energy building projects. They did this last session for various units of state government. Last session a bill was passed to set GO bonds of \$3 million to retrofit the Montana Development Center in Boulder, Montana State Hospital at Galen and at Warm Springs, the Center for the Aged at Lewistown and the School for the Deaf and Blind in Great Falls. During the interim we did not know the status of Galen and Warm Springs and the DNRC scaled back on these projects and DNRC partially retrofitted Warm Springs and MDC at Boulder, the Center for the Aged in Lewistown and the School for the Deaf and Blind in Great Falls is finished. They did that with the existing state money rather than issue \$3 million GO bonds. This bill will ask for a reauthorization of the \$550,000 of oil overcharge money and the authorization to bond programs that are now specified in this bill. He said he also had an amendment to put in, instead of reappropriating the \$550,000 in oil overcharge money he will amend it down to \$400,000 because they said they can do it without the added \$150,000. He said the Dept. worked in a prudent manner, are getting the job done, we want to retrofit these buildings, and these oil overcharge monies are specifically designated for certain uses, and this is one of them.

**Proponents' Testimony:** Tom Livers, DNRC, spoke in favor of HB 777, his written testimony. EXHIBIT 11.

**Hugh Jesse, U of M, Director Civil Services** said they definitely support this bill. The energy conservation measures this bill would fund has potential savings of \$2 million over the next 10 years.

**Nobby Johnson, Supervisor of Building & Grounds, School District in Great Falls,** said he is in support of HB 777 and handed out EXHIBIT 12, on the last building they retrofitted at the Valley View School in Great Falls and shows the savings that can be achieved if you pass this legislation and explained the exhibit. He said in the 5 month heating period there has been an average of 47% savings.

**Christine Paulson, Graduate Student, U of M,** said the spirit of this bill is in keeping with some of the other energy bills that have come up during the session, and focuses on energy conservation which is an important component of Montana's energy strategy. EXHIBIT 13.

EXHIBITS 14, 15 and 16 were given to the secretary.

Questions From Committee Members: REP. CODY asked who does the energy audits on these buildings, DNRC? REP. QUILICI answered yes. REP. CODY asked if he was here when the committee heard REP. RANEY's bill? On being told yes, she asked how he felt about that and REP. QUILICI said he thought they could look at the money he was asking for since they had lowered this amount. REP. CODY said there is \$3 million bonding in here, but does the \$400,000 change that amount? Mr. Livers said the authorization is up to \$3 million in bonding and doubt if they need the whole \$3 million, it merely gives them flexibility in case the projects change during the time base, or there is some lost opportunity in a building such as a heating system going out which makes it particularly cost effective to go in and fix the building.

Tape 1, side 2.

REP. CODY asked if they did all the audits themselves and Mr. Livers said on the relatively straight forward buildings they do the audit themselves. On the more complex facilities they do contract with private engineering firms in Montana.

REP. KIMBERLEY asked how is the priority list on page 2 determined? Mr. Livers said it was list based on cost effectiveness of projects. They looked at the projects primarily based on energy saving potential and the other thing which was weighed more heavily this year than in past years was the relative stability of the building.

REP. GRINDE asked when the oil overcharge money ends and REP. BARDANOUVE said it has been coming in over the years as the company pays their fines. Mr. Livers said he could give a general idea. All the cases that are going to be filed have been filed so they are processing a set of cases. He said he knew for certain that Texaco and City Services will be paid out over the

course of the next 4 years. Settlement agreements which call for periodic payments are already in place. There are a number of other cases that are currently being processed. They may end up being settled in a lump sum, they may end up being settled in a manner similar to Texaco and City Services and paid out over time. The money is limited in size, it is coming in smaller and smaller amounts and will ultimately taper off. In addition the interest earnings on the monies when they are paid to the state must be used for the same purposes as the principle, it is almost impossible to spend any appropriation to zero, so these monies will continue throughout time even in small amounts because the interest earnings will not have been spent, but need ultimately to be spent for the purpose intended.

REP. ZOOK said on the chart it shows the "blip" without HB 777 in '92 and asked if that was because of what was happening in the Persian Gulf and energy costs are expected? Mr. Livers said that he is taking a look at the elitist of the science complex for some work that will have to be done at U of M on the ventilation system. If this retrofitting work is done that is an unavoidable cost.

**Closing by Sponsor:** REP. QUILICI said he did not think this would be the last energy retrofit bill that comes before this committee, and hopefully it won't. Over the past 2 years he has been working on the National Energy Strategy, working with DOE and various states on this strategy. Since the Gulf war it has taken a back seat, but now the President is requesting we start working on the national energy strategy again. Part of it is energy conservation.

#### HEARING ON HOUSE BILL 414

#### Establishing a Water Quality Rehabilitation Account

#### Presentation and Opening Statement by Sponsor:

REP. BEN COHEN, House District 3, Whitefish, said this bill diverts funds that would normally go into the general fund. Section 1 establishes the Water Quality Rehabilitation account. Section 2 talks about statutory appropriations and Section 3 is the part that we should address. He said the bill caps the account so it can never go over \$100,000 and any additional fines and penalties will go into the general fund.

**Proponents' Testimony:** Stan Bradshaw, Montana Trout Unlimited, spoke in favor of HB 414 and urged committee support.

Kevin Keenan, Environmental Enforcement Officer, DHES, said they support this bill and would be available for questions.

**Questions From Committee Members:** REP. CODY asked how much money has been filtering into the general fund from these fines and penalties and how long would it take to set aside the \$20,000 to

come up with the \$100,000. REP. COHEN said on the fiscal note it shows the amount of fines that will be collected in '92 and '93 could not be reliably estimated, however in '90, \$39,500 in fines was collected and deposited in the general fund, so \$20,000 would have gone to this account and \$19,500 to the general fund.

REP. CODY asked what they are dealing with this now? Mr. Keenan said currently they are unable to deal with it because they are not budgeted for emergency situations. This would give us the ability to go at a moments notice to take care of a situation that does not meet the definition in EPPS, and it is a situation that cannot be budgeted for ahead of time since we don't know what it will be.

Closing by Sponsor: REP. COHEN said one emergency is the grain spill, the grain gets rained on, sprouts, ferments, and the grizzly bear eat it and they have drunken grizzly bears on the Middlefork and the B.N. train comes along and kills them. They are a hazard to themselves as well as others.

#### HEARING ON HOUSE BILL 702

##### Coal Tax for Clean Coal Technology

#### Presentation and Opening Statement by Sponsor:

REP. JERRY DRISCOLL, House District 92, Billings, said this is for clean coal funding research and would provide a \$250,000 loan to the MHD-Corrette project in Billings.

Proponents' Testimony: Steve Huntington, MHD Development Corporation, said this is the second in a package of 2 bills that attempt to establish a clean coal technology development program in Montana. HB 701 contains a funding mechanism to be used in the future, but contains no appropriation and is in House Taxation. HB 702 would benefit early stage clean coal technology development projects. He went through the bill listing the major parts.

Jack Sherrick, General Manager of the MHD facility in Butte said this measure helps them to prolong and extend the MHD life, not only in the state of Montana, but in Butte. The 1990 appropriations from the federal government for funding in Butte, require a clean coal proposal in the next couple years, industry has anted up their share, federal government is coming with their share and if the state of Montana gives their share, they will have it and see the value of it in the Billings area as well as in the coal industry.

Jim Mockler, Montana Coal Council, submitted written testimony.  
EXHIBIT 17.

REPS. KIMBERLEY, QUILICI, and CODY, asked to be listed as proponents.

**Closing by Sponsor:** REP. DRISCOLL said he felt it important that if the loan is made and if you can't stand a million dollar hit on the general fund, that part can be amended, and you may want to consider coordinating this bill with HB 684 which is the local impact money.

REP. KADAS asked how would you do a loan? REP. DRISCOLL said that is what the bill does, and it is shown on page 8.

#### HEARING ON HOUSE BILL 9

#### Cultural and Aesthetic Project Grants Appropriation

#### Presentation and Opening Statement by Sponsor:

REP. MARY ELLEN CONNELLY, House District 8, Kalispell, handed out EXHIBIT 19, which is the "gray" bill to be used in the committee and said this bill establishes the priorities for the cultural and aesthetic grants which are given out by the Montana Arts Council and are authorized through the subcommittee. She said if the money is insufficient it will be prorated so each project gets some money. The projects are listed in the bill that were funded. She suggested the committee look them over and she would answer questions about any project the committee was interested in. They had a meeting last evening and there was some mix-up as to whether county funding property tax exemptions could be included as part of the in-kind services and they listened to the people from the Archie Bray Foundation and the Holter Museum and they have some amendments since we felt it might be appropriate to give them each \$5,000 because of the mix up. EXHIBIT 19.

REP. BARDANOUVE said several years ago the committee made it a condition that the local governments had to put up some money before we put up money to show a support for local projects. The Art Council came up with these and they are not too sure they are happy with it, but they wanted an exemption. It was not really their intent and that qualifies them. These projects were not approved but are better qualified than some that were approved. It was not quite fair to kick these off when some were approved under the same condition.

REP. GRADY said some counties are able to put a 1 mill levy in to get that local support and other counties under 105 can't do that, but they do have other tax exempt status which gives them local support. He was asked if that would be the reason on page 5, line 10 where it says "income from the endowment may not be used to reduce county mill levy support"? REP. CONNELLY said that was correct.

**Questions From Committee Members:** REP. PECK said he noticed there is an operational support for MSU Shakespeare in the Parks on page 2, and on page 5 an expansion of permanent endowment. He asked if the expansion of permanent endowment went directly into their endowment fund? REP. CONNELLY said yes, they have a fund

set up and they can collect money from organizations. REP. BARDANOUVE said either 2 or 4 years ago the Council recommended that certain cultural organizations begin building an endowment so the interest off the endowment would enable them to continue operating. The Council has recommended we make some donations right to the endowment fund and in the past couple sessions we have contributed to the endowment so they will have a permanent long time income.

REP. PECK asked how many groups they are contributing to in terms of a permanent endowment? David Nelson, Montana Arts Council, said eleven. Discussion was held on the requirements, acceptance and types of organizations that could receive an endowment. They also discussed some public criticism of the process from a gentleman from Chouteau County, discussion on the incident and discussion with the gentleman. REP. CONNELLY said HB 842 to be heard today will clarify some of it and there will be a committee that will study this over the interim. She said when they went back and studied the grants that had been given over the years, they found a lot of the criticism the man had was not accurate because the committee "bent over backwards" to see that the rural areas got something.

REP. QUILICI asked if someone could tell him what the Water Shed Foundation, The Sacred Bear in Two Worlds for \$27,000 is (page 3, line 11). REP. BARDANOUVE said this is a video project and on the religious history and culture of Missoula. REP. CONNELLY said it was shown on public television, is a one hour program and it will give Montana national exposure on the cultural and religious aspect of the area. REP. QUILICI asked if this was used on our public TV at U of M? REP. CONNELLY said yes, and it goes out to the schools also.

REP. SYWSGOOD said he was trying to sort out the amendments on the back of the bill that was passed out (EXHIBIT 20) and REP. CONNELLY said there are just changes in the amounts. REP. SYWSGOOD referred to page 2 of the amendments, amendment 21, page 7, line 25 following 24 and inserting a change in the names, but they appear in the bill on lines 27 and 28. His concern is that Bannock State Park is on line 25, page 7 and asked if this is a misprint on the amendment, or what? REP. CONNELLY said this is the gray bill we put together, and Mr. Nelson said it refers to the master bill.

REP. CONNELLY referred to page 8 line 1 and said this would be a study to try to resolve some of the criticism that was directed toward the grant awards and make recommendations to the committee at the next session. REP. KADAS asked, on that evaluation--it says project evaluations. Will you evaluate each project and present a report on each project, or a report on the results of the deliberations for changing the process? REP. CONNELLY said there will be a report on each project too, to see if they use the money the way they were to use it. REP. KADAS asked if there was a process for that evaluation that the Arts Council will use?



Mr. Nelson said at each session the Legislature receives a large book which contains the evaluation for the projects. They use professional evaluators, don't evaluate every grant since that is beyond the scope, but they set up a priority list, evaluate the largest grants and evaluate them in cycles so they may not be evaluated every time. Over a period of years anybody who receives a grant will eventually be evaluated. They usually evaluate 15 or 20 and that evaluation is part of the recommendation that goes to the Legislature. REP. KADAS asked if that would be a response to the criticism received and Mr. Nelson said no, this is done as part of the normal cycle. He said other issues such as speedier ways to evaluate, talk about issues of interest, etc. for which there is nothing budgeted for, they will still report back on.

#### EXECUTIVE ACTION ON HOUSE BILL 9

Motion: REP. CONNELLY moved all amendments (EXHIBITS 18 and 19) be adopted. Second by Rep. Kimberley. (This included the amendments on the list and also the ones passed out. EXHIBIT 20 was handed in from LFA, final amendments on HB 9.)

Discussion: REP. SWYSGOOD said he had no objection to the amendments, but would like to know where they go in the bill since it could get sticky when they are at the bottom of the list of and there may not be sufficient funds to complete them. He was assured the new ones went at the very end of the list and that Mr. Haubein knew where they went and would put them in the proper place. REP. SWYSGOOD agreed.

Vote: Motion passed unanimously.

REP. SWYSGOOD discussed his problem in locating where the amendments went, and was concerned with the two projects added. Mr. Haubein said they would be below the other action. He said all these amendments are on the Council system and Mr. Person has coordinated them for him. When you act on them they will be directly in the bill.

Motion/Vote: REP. THOFT moved HB 9 as amended do pass. Second by Rep. Johnson. Motion passed unanimously.

REP. SWYSGOOD said he was still having some problems with the amendments. Some make sense if you refer to the master bill and some if you refer to the gray bill which makes it confusing. REP. CONNELLY said the gray bill is the result of the amendments and perhaps this could be gone through in executive action.

REP. CONNELLY went through the bill and said HB 9 contains 96 grants totalling \$1.258 million and they reviewed 129 grants. She said the funding for the grants comes from 1/3 of the interest received from the Parks Acquisition Trust fund, and that comes from a portion of the Coal Severance Tax. There was \$17,936,701 in the trust fund June 30, 1990 and the Project

Advisory Committee received grant requests totalling \$3.3 million and prioritized and recommended grants totalling \$1.3 million. These grants are administered by the Montana Arts Council, reviewed by the Advisory Committee and then LRP committee reviews that work. The financial and in-kind services are required for most of the grants and they are funded in the priority in the bill. The revenue projections are such, that if all grants are funded at the level in the bill that was approximately \$58,000 and last nights addition would be another \$20,000 is funded, there would be \$38,000 left for FY '93. They added language which would allow up to \$150,000 of any of the money remaining in the fund to be matched with the National Endowment of the Arts because they quite often have programs we can use if we have matching money. They have a rural program they are promoting and would like to be able to take advantage of.

EXHIBIT 21 was given to the secretary.

#### HEARING ON HOUSE BILL 841

Exempt Alfalfa Seed Committee/Staff from State Pay Plan  
and State Appropriation Funds

#### Presentation and Opening Statement by Sponsor:

REP. BERGSAGEL, House District 17, Malta said these people are simply asking that they have the responsibility of their own actions. He said it was amended in the Agricultural Committee to alleviate the concerns of the state Personnel Division in State Administration. Left in the bill are the parts that will allow the Alfalfa Seed Committee to freely distribute funds for alfalfa research. Presently the funds are generated solely through producer check off and that will continue and those funds go through budgetary process. These people are asking that process be eliminated and this become a statutory appropriation.

Proponents' Testimony: Pete Reynolds, Winnet said he serves on the Alfalfa Seed Committee and this particular year he is the Chairman of the committee. They are in favor of this bill primarily because the irregularity of the weather conditions etc., the production of alfalfa seed varies from year to year. They think the flexibility of this bill would help to balance the funds out with the production.

Questions From Committee Members: REP. ZOOK asked if all the money that goes into this fund paid by the seed growers themselves? REP. BERGSAGEL said yes and these people are not going to do any wild things with this money and he could not see a need for budgetary review.

Closing by Sponsor: REP. BERSAGEL said he would appreciate the favorable consideration of the committee on this bill.

HEARING ON HOUSE BILL 894Tax Credit for Contribution to University  
System FoundationPresentation and Opening Statement by Sponsor:

REP. "BERV" KIMBERLEY, House District 90, Billings, said this bill has not been on the House floor, but had a full hearing in the House Taxation Committee. This has a funding mechanism for providing some funding for both the units of the Montana University System and includes 3 independent 4 year colleges. Carroll, the College of Great Falls and Rocky Mountain College are also included in the bill. A person would be allowed a tax credit for the amount of donation to an endowment or the trust fund of your favorite school. Small businesses, corporations and partnerships are also encouraged to participate and the tax credit would be limited to 10% of \$5,000, which means it would be a \$500 maximum. There is also a sunset for the bill. The fiscal note was passed around and he said the Dept. of Revenue told him it is expected to have minimal expenditure impact on the Dept.

Proponents' Testimony: Ken Heikes, Montana University System, said they are in favor of this bill and said it provides a linkage between the private and the public sector. The dire straights that higher education funding is in, and also the private colleges, this might encourage additional gifts to the endowment. The tax credit is only for those funds given to the endowments of the colleges or their foundations, it is not for the regular operating money that would go to those particular institutions for scholarships or athletics or things of that type.

Committee Questions: REP. JOHNSON asked if the term "University System" would also include the community colleges. Mr. Heikes said it is an endowment under the auspices of the University System and he was not sure. Dawson has an endowment and others may also. Vo-Techs currently do not have any, and one of the things those at Eastern are looking at is whether there should be linkages there but the question has not been resolved yet.

Sponsor Close: REP. KIMBERLEY said this is a good bill and the only other proponent they had in the other committee was Russ Ritter, the local mayor who served as a spokesman for the three independent colleges in the state. He said they had no opposition to this bill.

CHAIRMAN BARDANOUVE remarked that the committee did not have this bill yet, but had heard it without getting it.

HEARING ON HOUSE BILL 842

## Revise Cultural Grant Application and Award Procedure

Presentation and Opening Statement by Sponsor:

REP. MARY ELLEN CONNELLY, House District 8, Kalispell, said this bill cleans up the language they had discussed in subcommittee.

The Arts Council had asked if they could move the date from Sept. to Aug 1st so they would have more time to put together the projects they presented to the Advisory Committee. On the second page of the bill they added language which would clarify acceptance of county or municipality portion to prove they could be included in the project as part of their grant. She said she had an amendment on page 2, line 3, EXHIBIT 22, the word "project" should be "facility". The bill removes the private grant requesters from the requirement that they must have county or municipal support either in kind or financial. The requirement is maintained for a facility that is owned by a county or municipality.

**Proponents' Testimony:** Mr. Dave Nelson, Montana Arts Council, said originally the criteria for the grant set forth the fact that any private museum could receive one cultural and aesthetic grant but the next grant had to show governmental local support. This was done before I-105 and it was pointed out that even though they did not have local support they felt eligible for the grant process. He said they had pointed out the need for local support since the review committee would be unable to make the grants legally without it. All but two of the grants had local support. Because of I 105 and the need for clarification by the Legislature they would bring this amendment to the committee and it would relieve those grants which are not a part of local government, from that matching requirement.

#### **HEARING ON HOUSE BILL 10**

#### **Oil Overcharge Appropriation**

#### **Presentation and Opening Statement by Sponsor:**

REP. BARDANOUVE, House District 16, Harlem, said this is a bill the Long Range Planning Committee had worked on and Mr. Jamison had done most of the work on the bill. He handed out EXHIBIT 23, which is the revised copy of House Bill 10 which the committee would work from. He asked Mr. Jamison to explain the bill.

**Proponents' Testimony:** Van Jamison, Administrator Energy Division, DNRC, said HB 10 appropriates the oil overcharge money being paid to the state of Montana which either remains unexpended from the last biennium or is anticipated to be paid during the next biennium. He said the oil overcharge money contained in this bill comes from two categories, Exxon funds and stripper well funds. He explained the restrictions on the monies and went over the bill for the committee. He explained they are over appropriating the money coming in, and their revenue estimate was very conservative.

Steve Powell, Commissioner of Ravalli County and Chairman, Montana Local Government Energy Committee, said in section 8 of House Bill 10, they do stand in favor of the proposed amendments which appear in the gray bill which includes an increase in

funding for their operation. They would propose a minor amendment to the wording at the end of the section. The amendment addresses a little more flexibility in administering the program in order to adapt to the needs of the specific problem. The amendment is being worked on. Mr. Jamison said it would essentially strike the last sentence on page 7, line 7 of the gray bill and insert "this program will also provide general technical assistance to local jurisdictions and provide grants for specific energy conservation demonstration projects which provide opportunity for long term energy savings and require local jurisdictions to match the grants." Mr. Person is making the technical adjustments in the bill for them

Judy Carlson, HRDC, said they are involved in the weatherization and were involved in the subcommittee. They urged support of HB 10 as written.

Christine M. Paulson, Graduate Student, U of M, submitted written testimony. EXHIBIT 24.

Questions from Committee: REP. SWYSGOOD asked what impression the sponsor had of the earlier bill on the wind farm taking oil overcharge money and what effect that would have on these projects that are funded if the other bill was implemented. REP. BARDANOUVE said he did not know the relationship. Karen Barclay, Director, DNRC, said the plan from the executive is that there would be enough money to fund all of these, the only program on the bubble is the last one in DNRC. In making the amendment in HB 777 there is a \$100,000 reduction and that provides the \$70,000 for the wind proposal in HB 20 and allows all these projects to be funded as well. REP. SWYSGOOD said if the wind bill was put on the bottom of the list and not super-priority as stated by the sponsor, then there is probably funding for it. Mr. Jamison said that would put the wind on the bubble and make it the lowest priority project. Within DNRC, since both of those appropriations would be made to his agency, they took a look at which program in their mind should receive the higher priority and it is their opinion that the wind project, because of the long term development implications associated with it is a higher priority, but if it should be the highest priority is up to the committee.

REP. KADAS said he has the amendments Commissioner Powell spoke of, and asked if it should be handed out now or wait. REP. BARDANOUVE said to enable the LFA and the Legislative Council to have the time to work on these big bills he would like to have executive action on them today. REP. KADAS said these amendments would implement the gray copy with the change Commissioner Powell suggested. EXHIBIT 25.

#### EXECUTIVE ACTION ON HOUSE BILL 10

MOTION: REP. KADAS moved HB 10 do pass.

**Discussion:** REP. BARDANOUVE asked what this would change and REP. KADAS said it gives the local government office a little more flexibility in administering the grant.

**Motion/Vote:** REP. KADAS moved to amend House Bill 10 which would essentially strike the last sentence on page 7, line 7 of the gray bill and insert "this program will also provide general technical assistance to local jurisdictions and award matching grants to local jurisdictions for specific energy conservation demonstration projects which provide opportunity for long term energy savings." His amendment includes EXHIBIT 26 and changes the word "department" in the amendment would be stricken and the word "program" inserted. Second by Rep. Cody. Motion passed unanimously.

**SUBSTITUTE MOVTION/Vote:** REP. KADAS moved House Bill 10 do pass as amended. Second by Rep. Thoft. Motion passed 17 to 1 with Rep. Cobb voting no.

#### HEARING ON HOUSE BILL 934

##### Judicial District Alignment Study

##### Presentation and Opening Statement by Sponsor:

REP. FRED THOMAS, House District 62, Stevensville, said this bill would give Ravalli County a district court judge. He handed out EXHIBIT 26 and said the bill sets up a study commission. There is a discrepancy amongst district courts in population and in case loads across the state and they are proposing this be studied to see if any of the district lines should be redrawn. He said district 4 is comprised of 107,000 people and, with 4 judges in that district, their average population should be 89,000 and they are 20% high and the case loads 31% high.

**Proponents' Testimony:** George Corn, Ravalli County, County Attorney, said he supports HB 934. The Commissioners have asked that he speak for them on this bill, and said the question was why do they need a 21st Judicial District. He said the reason is they don't have enough judge time in Ravalli County to run an effective legal system down there, and are unable to deliver the basic services people come to expect from our system of government. He said the 4 judges sit in Missoula and the Missoula County court calendar is loaded. Missoula County alone had as many criminal cases filed as the 13th judicial district which is twice it's size. He handed out EXHIBIT 27.

REPS. BOB THOFT and CHARLES SWYSGOOD asked to be listed as proponents.

Charles Racht, Ravalli County Bar Association, said he favored the bill and told of an example of a trial he had which took 7 trial days and it took them 3 years to schedule a judge that could give them that much time. He told of days the Judge had to

leave the trial and when they finished, it took an entire month to get 7 trial days and they had a jury tied up for an entire month.

**Questions From Committee Members:** REP. CODY said in going through this list on the percentages over and under the average, (EXHIBIT 26) why haven't we done something about redistricting? Mr. Racht said that is in the first part of this bill which would set up a committee to analyze the question of redistricting.

REP. CODY said in spite of the fact that you need a judge, wouldn't it be wiser to put the commission in place and redistrict and then give them the judge? Mr. Racht said those questions were discussed and it was decided not to wait to ask for a judge but to ask now.

REP. KIMBERLEY said he had talked to the district judges in his district and they give him a different picture. They talk about their workload which is heavy, but also say if they could ever get lawyers off center when they travel to these out-going communities, they could get that workload accomplished. Mr. Corn said he could appreciate that from the judges in his district but thought the makeup of a district is pretty significant. He said their size, relative to the size of Missoula, is larger than the surrounding counties that are in the district with Billings. One of the things the lawyers in the more rural areas face is that the larger town controls the district so you can't get your cases together because you never have a definite time. If you have witnesses from out of state or that are involved in any kind of business, you need a little lead time, and you don't get that in our case.

REP. KIMBERLEY asked if it was a sort of 50-50 argument, that the judges are equally as correct in that a lot of lawyers are not prepared. Mr. Corn said he would hate to go on record of speaking for that. He did not think that was the case, and often the lawyer was chomping at the bit to get his case before a judge and it takes 3 years to do it was a perfect example.

REP. BARDANOUVE asked about the cost for a new judge which would mean that salary plus a secretary etc. REP. THOMAS said the fiscal note addresses the costs for the partial year and the full year of '93. He said for the state it would be \$25,000 and \$66,000 and a \$91,000 impact.

Mr. Racht asked to respond to REP. KIMBERLEY's question and said in some ways the characterization is somewhat unfair in regard to preparation. The reason is that their usual situation is that they get a trial calendar in March for the April trials and they are listed at the beginning of that trial calendar a number of criminal cases and many of them don't go. They have to wait until they know the cases are going to go. If you have a case like the one he had recently where there were 9 expert witnesses required to come into court, and it is a problem getting all

these witnesses together. The judge's secretary calls them and says some cases have folded and your case is ready to go next Tuesday and the judge will hear it next Tuesday. Many of these people may be all over the country and they start scrambling trying to get these people together. This happens because the judge can't give them a day certain, he just doesn't know when he can hear the case and they can't make the preparation referred to. He said on the trial period for his case which took the whole trial term for his 7 days of trial, there wasn't another lawyer that had a chance to present a case on those dates, yet they were all calling his office on a daily basis to see if they could get on the calendar.

**REP. BARDANOUVE** discussed some of the increased population in Ravalli County and the decrease in population in some of the eastern counties. He felt there was a real justification for a realignment of judges.

**Closing by Sponsor:** **REP. THOMAS** thanked the committee for a good hearing and said he looked forward to favorable action on the bill.

#### HEARING ON HOUSE BILL 718

Create Water Quality Special Revenue Account  
and Set Fees

#### Presentation and Opening Statement by Sponsor:

**REP. JIM ELLIOTT, House District 51, Trout Creek,** said this bill would permit the DHES to collect fees to offset the cost of the Water Quality Bureau when they go out to monitor discharge permits. He said this comes from his area where there is a good possibility of 3 major mining projects with tailings ponds, one of which is in excess of 400 acres. Currently the Water Quality Bureau has sufficient staff and sufficient money to go out and do pretty scattered monitoring. They have about 50 high priority areas to which they go and these would be the effluence coming out of the major cities sewage plants, and a couple of large companies like Stone Containers and Cenex at Laurel which they manage to hit once a year. He said of the 200 minor discharge permits they visit them on a catch as catch can basis and visit between 40 and 45 a year. Currently they do not visit the mines at all. The money provided by this bill would enable them to double their visits to the major dischargers and hit about 50 more minor ones and check the mines and check their discharges once a year. He said this is split level monitoring which compares the companies sample with the state's and then compare to see that everything is correct.

**Proponents' Testimony:** **Abe Horpestad, DHES, Water Quality Bureau** said he has been in this bureau for 17 years and in those 17 years their permitting staff has not increased. Their permit comes from the state but is buttressed by federal requirements.



The permitting rules they operate under now are 117 pages long and when he started they were 21 pages long. The number of dischargers have also increased and they have tried to get around some of the problems caused by exempting some classes of industries from requiring a ground water discharge permit. The majority of those are in the Dept. of State Lands, the Hard Rock Mines, and because of not requiring a permit, the DSL doesn't inspect for water quality and we say it is their permit and the mine is essentially over looked.

**Questions From Committee Members:** REP. COBB asked if the Department is supporting this bill and Mr. Horpestad said this bill came about because of some bad problems we had in REP. ELLIOTT's district with a mine. The citizens came in and were very upset and he drafted a bill, but by the time the bill was drafted and went through the administration process it was too late to be considered. The department does support the bill and would cover approximately 2 FTE plus analytical processing. REP. COBB asked the sponsor if he wanted this for monitoring. He said this is for the application, reviewing the application and also monitoring. Even though the fees are supposed to be for monitoring, on page 3 there is cost for processing an application as well as monitoring. He was concerned that this is a proprietary account they can charge the fees they want and add the people they want and was wondering how far it was to be expanded. REP. ELLIOTT said he would like to see both done. As he understood it the fee would be a process of the application and the fee would be used for monitoring. Industry was in on this bill and did not have any difficulty with the bill.

REP. SWYSGOOD said he felt the bill leaves the cost and fee structure is rather open ended to the determination of the department. REP. ELLIOTT said it is left to the board. REP. SWYSGOOD said they show in the bill they have costs associated with what they do currently. Why couldn't those fees be incorporated in the bill so people would know what they were looking at? This would eliminate the local entities coming in and saying it is unfair, we didn't know about this, etc. Mr. Horpestad said the numbers on the fiscal note are estimates and the kinds of these inspections to be visited are somewhat up in the air. At the present time they do not visit the big mines at all. State law prohibits the degradation of water quality to any degree and are starting to implement that requirement. At the present time they have at least 3 of those petitions before the Board of Health and do not know what those will cost yet. They are very lengthy.

**Closing by Sponsor:** REP. ELLIOTT said as a part of his campaign he had a brochure made up and one of the questions was how important is water quality to you. He said he was surprised at the results because out of 460 people responding, which is a mail back rate of 7%, 98% of those responding said it was extremely or highly important to them. Three people didn't care and no one said no. It is an important issue in his area and he felt water

is an important issue in the entire state of Montana. He urged passage of this bill.

The committee recessed for lunch and reconvened after 3 p.m.

The following exhibits were handed to the secretary. EXHIBIT 28 on HB 684, EXHIBIT 29 on HB 497, and EXHIBIT 30 on HB 514.

Tape 2, side 2

HEARING ON HOUSE BILL 6

Appropriate Funds for Water Development and  
Renewable Resource Grants/Loans

Presentation and Opening Statement by Sponsor:

REP. MARY ELLEN CONNELLY, House District 8, Kalispell, said this bill appropriates money to the Department of Natural Resources and Conservation for loans and grants under the Water Quality Development and Renewable Resources Development Program. It also authorizes loans from Water Development Bond proceeds and Resource Development Bond proceeds and appropriates funds to pay the debt service and to reauthorize grants and loans approved by the last legislature and reallocates some of the Trust Account interest income for water development grants. She said it puts certain conditions on some of the loans and grants. EXHIBIT 31, the gray bill for HB 6. EXHIBIT 32, proposed amendments. EXHIBIT 33, revised amendments from LFA. The bill includes 13 water development grants for \$889,812 in addition to one water development project loan of \$150,000. The grants are in priority order and will be funded in the order in which they appear in the bill. There are 18 RRD grants for \$1,276,966 and 3 RRD project loans for \$312,500. Reauthorization is given to 9 projects for \$1,403,780 and they appropriated to the department \$125,000 for emergency projects. A total of 60 grant requests for both programs were considered and 31 were approved which included both private and governmental agencies that are eligible for water development grants. Only governmental agencies are eligible for RRD grants. RRD grants included grants to DNRC for the Battle Creek Storage Unit which will be a joint project with the Canadian province of Saskatchewan. She said section 5 and 3 there is language included to address the Legislative Audit exception which questions some of the grants as being valid. The amended bill includes the intent language for the 53rd Legislature which states that a minimum of \$1 million be available for each of the programs for the '93 session. This was addressed because of amounts dwindling due to other projects coming in and taking more and more of the funds. She said the committee felt after the people had worked so long and hard to put together their applications they shouldn't get squeezed out because someone got in a bill at the last minute and took the project money. This would leave a minimum amount they could rely on each year. She said a lot of the money has been going to operating expense, and the committee did not feel that was right.

She said there were amendments (EXHIBITS 32) and the revised amendments (EXHIBIT 33) for the Committee to consider.

**Proponents' Testimony:** John Tubbs, Chief of Resource Development, Conservation and Resource Development Division, and in charge of these grants, gave out amendments EXHIBIT 34, which are amendments to the original bill and at the lower half of the page they refer to the gray bill. He said the first amendment to insert \$50,000 is the Ft. Shaw project on page 4 of the gray bill. He said they had asked for a \$100,000 water development grant and a \$50,000 RRD grant and the Dept. recommended the \$50,000 grant in water development and \$50,000 in RRD. With the grant they would also be authorized to get a \$50,000 loan at the bond rate so they would have their total of \$150,000 needed for the project. He said the next amendment which would be on page 5 of the gray bill would add 5 small loans, listed on the amendment. He said these were below the list, but in going over the list they were deemed to have repayment capabilities and could take a small loan out. The communities desired this option and this would allow the Dept. to issue loans at the bond rate.

REP. BARDANOUVE asked Mr. Tubbs if he would prepare about a 2 page summary for use on the floor in regard to these projects. Mr. Tubbs said he would do so.

**Questions From Committee Members:** REP. CODY asked what the rate is on the bonds now and Mr. Tubbs said a safe figure would be 7%. They saw a bond sale on the public market that was under 6% last month, but the market has gone up a little since then. REP. CODY asked if they determine the rate at the time they sell the bonds for the project and Mr. Tubbs said yes, and they do have some proceeds they would loan out for some of the loans but they are also at a good rate which would be about 7.2%. He said if the bond rate is 6% they can add at least a percent to the loan for the cost of closing, etc.

REP. BARDANOUVE said a couple of years ago they asked the Dept. to build up a little reserve in case of bad loans, and asked for Mr. Tubbs to clarify that. Mr. Tubbs said they do have a reserve fund that is building. The coal severance tax is the only vehicle to pay off a bad loan. If a community cannot make a semiannual payment, someone has to pay the bond holders and the state is obligated to make that payment. They would go back to those people and recoup lost interest and get the money since they have never had to foreclose on a public entity, they still have to meet the payment at the time.

REP. GRINDE said on page 4, line 7 and 8 of the gray bill, the Montana State Library Drought Monitoring System, he said he was curious as to what the State Library does in drought monitoring. Mr. Tubbs said that particular grant is one of the outcomes of the State Water Planning process and their drought plan. They went through and identified a number of things, one was that they needed to divide the state up into more areas because now there

is only 5 major regions that drought statistics are collected for and they will divide it up into water basins. The state libraries have the national resources informational system housed within it and that facility is there to disseminate information to the public and state agencies, and this would be additional work they would do. DNRC, in combination with USGS, would keep track of stream flow monitoring, SCS would get snow reporting information, the weather service would provide additional information, and DNRC has taken the lead in combining the information into one place and giving it to the national resource information system for dissemination.

REP. BARDANOUVE said about 4 sessions ago we passed a bill which basically put the Montana Library as a resource information center and we have been supporting that. They are building up a tremendous amount of information about so many aspects. If you have to have an EIS, an agency or a corporation can go there and get a tremendous amount of information they need and it is used by anyone who needs the resource information.

REP. GRINDE said when these go out, how well are they monitored, and are there any reversions? Mr. Tubbs said the first step is for the Dept. to approve the scope of work and assigns a grant agreement with each applicant which goes into detail of what their plan is, what they can purchase, and next they only disperse the grant funds as they become available because of the interest off the RIT account and the coal severance tax coming in. They make dispersals on a claim payment type of basis. They incur a debt, the Dept. checks to see that it is a valid cost and if so deemed, disperses the money for it. They do not give them an up-front check for the amount of the grant.

#### EXECUTIVE ACTION ON HOUSE BILL 6

**Motion/Vote:** REP. CONNELLY HB 6 be amended. Second by Rep. Swysgood. Motion passed unanimously.

**Motion/Vote:** REP. CONNELLY moved HB 6 do pass as amended. Second by Rep. Swysgood. Motion passed unanimously.

#### HEARING ON HOUSE BILL 7

Appropriate Money for Water Development Lands  
and Approve Bond Issuance

#### Presentation and Opening Statement by Sponsor:

REP. MARY ELLEN CONNELLY, House District 8, Kalispell, said the gray bill would be coming into committee soon EXHIBIT 35, but she could explain what the bill was about until it arrived. HB 7 appropriates money to the DNRC for loans under the Water Development Program and includes the issuance of Coal Severance Tax bonds to provide funds for loans to political subdivisions and local governments for water development projects. It

reauthorizes coal severance tax bonds for certain projects that were approved last session and also appropriates the coal severance tax income for debt service. It authorizes the creation of a state debt and places certain conditions on the loan. There are some funds available from previous sales of coal severance tax bonds and will use those as they are approved on projects also. The Board of Examiners issue the coal severance tax bonds in an amount not to exceed \$13,382,594. The funds appropriated for these costs come to a maximum of 4% of each bond sale and the interest rate for the project that are in group A, may be 2% below the long term bond rate for the first five years, and then up to the regular state bond rate for the next 15 years, assuming it is a 20 year loan. Group B would be 1% below the long term bond rate for the first 5 years and then at the regular state bond rate for the remaining 15 years. In group 3 the interest would be at the regular rate for the 10 years. REP. CONNELLY went on through the projects with a brief explanation of the project and financing for each. She asked the Dept. to explain why the Seeley Lake project was different.

**Proponents' Testimony:** John Tubbs, DNRC, said the Seeley Lake loan was amended to allow the deferment of principal for 3 years which was a request from Seeley Lake-Missoula County Water District because they questioned meeting the needed payments for the first 3 years. That does increase slightly the cost of the 50% of the Coal Severance Tax proceeds that flow into the pot because during that period those monies would be paid by the trust; however, in the following 17 years of the 20 year loan that principal is amortized out and by the end of the 20 year loan Seeley Lake will have paid back those monies.

**Questions From Committee Members:** REP. BARDANOUVE asked about the interest on the first 3 years? Mr. Tubbs said they would be making interest payments during those first 3 years, they are deferring the principal.

REP. CODY said the first 3 years of payments on principal are very minute anyway so it wouldn't have that much of an fiscal impact, does it? Mr. Tubbs said no, especially since it is less than a million dollars. The principal payments would be light.

REP. PECK said we passed a bill out of this committee to reauthorize the Evergreen Water and Sewer district in Kalispell and on page 7 you have another \$3.2 million for it. Is that a duplication? REP. CONNELLY said the gray bill is not the final bill and it will be correct in it. They found out the engineer had figured the wrong amount of money so the amount that was in the bill that passed was not quite enough. There is still a little in here, but nowhere near that amount. Mr. Tubbs said there was an error on the engineering part of the Evergreen project in estimating the state match and this is also over a \$10 million project. Most of the money is coming from either federal grants or a federal loan program that DNRC also administers. There are two parts of the amendment you will be able to see in

the gray bill, one is to amend it to the full amount of \$3,778,028 and that is the amount they will need to cover the state match. They have language in the bill that will come before you that says if HB 648 is passed and approved, strike the \$3,778,028 in line 8 and insert \$551,128, the difference between the \$377,028 and the \$3.2 million that is in that bill.

**Mr. Haubein** said HB 7 is still being copied. There are a lot of copying requests and they are having trouble keeping up.

**Mr. Tubbs** said there was one request that came in late from **REP. BOHARSKI** and they have been working with it in the last week and the Dept. Director has made a decision on her recommendation. He said they had been asked to bring the decision to the full committee. He said **REP. BOHARSKI** in his district, the Lakeside Water and Sewer project, they took out a loan from the Water Development Loan program in '87 and due to cost over runs and a very expensive project, plus over estimating the number of hook ups, they have extremely high sewer bills. If they were to pay the sewer bill full cost, they would be paying around \$83 a month for sewer at Lakeside, they are actually paying \$45 a month and have a tax assessment to collect the rest of the revenue. **REP. BOHARSKI** came before the LRP in the final executive decision process and asked for a loan of \$251,700 that would refinance a private loan they took out and a land payment they have up coming. He passed out an amendment, **EXHIBIT 36**, and said LRP asked that the Dept. make a recommendation on this loan. **REP. BOHARSKI** asked for this project to receive a 3% loan for 30 years, and upon review the Dept. Director said there is one other project that came in late, Mill Creek, and asked for a cost over run. LRP recommended, for that loan a 6% or bond rate up to 30 years. The DNRC recommendation for **REP. BOHARSKI's** request is that it also receives a 6% rate or at the bond rate up to 30 years for the \$251,000.

**REP. KIMBERLEY** asked where the East Bench irrigation district is and **REP. SWYSGOOD** said that is in his district.

**REP. CODY** asked about the amendment in Group E. She said you are adding \$251,700 and that is not a problem? **Mr. Tubbs** said it is not a problem in terms that they do have the bonding capacity to handle an additional \$251,000. **REP. CODY** said when someone comes in for something like this late after you have already considered the projects, it looks like the pressure is being brought to bear on the Dept. to approve this type of thing. If you had that flexibility in there before, why didn't the next project get funded? **REP. CONNELLY** said this was authorized in '87 and they reauthorized it in '89, but because they didn't have as many hook ups and the engineer had misjudged the amount of money needed, they got behind on their payments and finally got them caught up, but as a result, they are paying around \$40 a month for their water and the county had to come in and put another charge on top of it. Some of these people are paying up to \$180 a month for their water and sewer. The committee did not feel it was fair

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and tried to work out something on this. She said she had been working with Senator Himsl on this and when he was not re-elected REP. BOHARSKI took it over. It is not something new. Mr. Tubbs said it was somewhat new in that it was a cost over run and they had financed through a local bank during that time and are carrying an interest rate of about 13 1/2% on that loan. This will pay off that loan and give them a lower interest rate. He said except for feasibility reasons they did not turn any applicants away for this large public loan program so there isn't a competitive situation involved here.

REP. CODY asked if there is any government entity or any of these loans that have been going on through the loans that are not making their payments? Mr. Tubbs said Lakeside was the one public entity that was not making their payments and through a tax assessment they collected the 3 years they were behind. They collected 3 years of principal and interest, paid the Dept. and have collected the upcoming payment and partial for the Sept. payment. They are still under a pretty big burden. The real solution for the Lakeside problem is embodied in another loan such as the Somers project. They are going to hook up to the Lakeside Treatment Facility and it will expand the number of people using that facility and should provide a great deal of relief to Lakeside.

REP. CODY said should there ever be another problem like this, how are you going to address it? Mr. Tubbs said it is extremely difficult, but they would take any course of legal action they could.

EXECUTIVE ACTION ON HOUSE BILL 7

MOTION/Vote: REP. CONNELLY moved House Bill 7 be amended (the lakeside amendment, EXHIBIT 37). Second by Rep. Peck. Motion passed 17 to 1 with Rep. Menahan voting no.

MOTION/Vote: REP. CONNELLY moved amendments EXHIBIT 37. Second by Rep. Nisbet. Motion passed unanimously.

MOTION/Vote: REP. CONNELLY moved HB 7 as amended do pass. Second by Rep. Nisbet. Motion passed 17 to 1 with Rep. Menahan voting no.

HEARING ON HOUSE BILL 8

Appropriate Money for Reclamation and Development Grants

Presentation and Opening Statement by Sponsor:

REP. MARY ELLEN CONNELLY, House District 8, Kalispell, handed out EXHIBIT 38, the gray bill for HB 8 and EXHIBIT 39, proposed amendments to the bill. This bill appropriates money to DNRC for grants for designated projects under the Reclamation and Development Grant program. It also prioritizes grants and

amounts and establishes conditions for those grants. The money for this comes from the interest income from the Resource Indemnity Trust Fund (RIT) and the grants are made in the order of priority. Funds not accepted or used by the higher projects must be provided for projects that are lower on the list. A sponsor of a project who has applied for a grant other both the R&D and either the Water Development program or the RRD program may not receive this. If you are qualified and accepted under one program, you do not get the other. These projects are subject to certain conditions such as the scope of work and the budget and any other funds that might be required have to be documented. They have to show satisfactory completion of the conditions described on the recommendation and the agreement must be executed in a timely manner. There may be other requirements that are put on by the Dept. for a specific grant and any money not spent or unencumbered on June 30, 1993 would revert to the account to be used on other projects. They authorized 24 Reclamation and Development grants for \$4,160,992 and they have money available (\$2,675,797) so they are over-committed by about a million dollars, but this gives the Dept. authority to make additional grants if they should get more money or if some of the higher priority projects fall off. The Dept. received 39 grants in the amount of \$4,460,773 and those grants are available to state, local and tribal governmental agencies and may not exceed \$300,000, and in this case matching funds are not required. The revenue comes from 26% of the RIT interest earnings. She went on to explain parts of the bill which concerned the Berkley Pit water.

**Questions From Committee Members:** REP. BARDANOUVE said you sit in that committee and you realize how many problems Montana has with its land. Thousands of acres have been contaminated by salts, mining, oil wells etc. He said we may be big, but there is a tremendous amount of land that has real bad problems.

REP. CODY said under the Montana Board of Oil and Gas Conservation abandoned well plugging project "C", is there no other monies available outside of this for that type of project?

REP. BARDANOUVE said if they can establish the owner of the abandoned well, they can come back for that, but so often on these abandoned wells the well has changed hands several times and the owner is no longer the owner. The companies have been dissolved or bankrupt or whatever, and the oil companies think they have a right to some of the RIT money and get all the repairs of the wells from RIT funds because they pay in money and think that is their contribution to conservation. He said there is a bad situation developing in Sheridan County which can contaminate all the underground water and the land there from the big oil boom they had up there.

REP. CODY asked, on page 4, lines 25 and 26, why are the tribes scratched out here? Mr. Tubbs said it was withdrawn because the tribe received federal funds through the BIA.



REP. THOFT asked under the rehab money which is about \$800,000, he thought the Dept. does plug some oil wells with that money too and Mr. Tubbs said it is for the Engineering Bureau on dams. There is an oil and gas production damage litigation account which has about \$50,000 a biennium and it is used for emergency situations.

**EXECUTIVE ACTION ON HOUSE BILL 8**

**MOTION/Vote:** REP. CONNELLY moved House Bill 8 be amended (EXHIBIT 39). Second by Rep. Menahan. Motion carried unanimously

**MOTION/Vote:** REP. CONNELLY moved HB 8 as amended do pass. Second by Rep. Nisbet. Motion passed 17 to 1 with Rep. Peck voting no.

REP. BARDANOUVE said 4 members of the House have agreed to have their bills moved from tomorrow to today. Mrs. Cohea handed out some updates on bills heard, to have executive action on and cost of the bill, as well as the revised copy of HB 2 that will be used on the House floor.

**HEARING ON 553**

Provide 2 Percent Annual Increase to Monthly Benefits -  
Teachers Retirement System

**Presentation and Opening Statement by Sponsor:**

REP. DAN HARRINGTON, House District 68, Butte, said this bill passed the floor of the House. This would set up a 2% annual increase in monthly benefits for the Teachers Retirement System and is funded at about \$2.6 million over the biennium for the teachers in retirement and then goes to 1.12 to the employers and 1.14 to the employees which would be an increase in their contributions to the pension.

**Proponents' Testimony:** Eric Feaver, Montana Education Association, said the regret the MEA had in placing this bill before you was that it is coming in to the very legislature that appears to be determined to tax retirement benefits for the first time in our state. He passed out EXHIBIT 40 and said this bill was never intended to be the answer to taxing retirement benefits. He explained the graph and tables on the exhibit and said TRS has declined since 1975.

**Questions From Committee Members:** REP. BARDANOUVE asked Mr. Feaver if most teachers have social security and was told most teachers do. There is only a handful of school districts in this state that do not and the only one he could think of was Ft. Benton. REP. BARDANOUVE said you referred to the Federal retirees system and Mr. Feaver said those do not include social security. REP. BARDANOUVE asked how many pension systems the

Federal retirees have and Mr. Feaver said to his knowledge there are two primary federal pensions. If he were a federal retiree, he would have one pension. REP. BARDANOUVE said he felt Mr. Feaver was not being fair, these teachers get full social security plus their pension and compare it to those who receive only one retiree system. REP. MENAHAN said the teachers would be paying nearly 16% on their pension to be matched by the others and the public employees only pay about 8% and their pensions are higher.

Closing by Sponsor: REP. HARRINGTON said the teachers get social security, but they also pay very high social security. We have made available to these teachers they may retire at the age of 54 to 56 so many of these people who have spent 30 years in the school system have some problems but go many years before being able to receive social security. He referred to EXHIBIT 41, the latest fiscal note.

#### HEARING ON HOUSE BILL 827

#### Appropriation for Certified Communities Program

#### Presentation and Opening Statement by Sponsor:

REP. HAL HARPER, House District 44, Helena, Speaker, said this bill would appropriate \$530,000 for the biennium to the Dept. of Commerce which would provide annual grants to certified communities at 50 cents per capita for the 1990 census for the area certified with the maximum amount being \$25,000 per community and a minimum of \$1,000. The match required is \$3 local dollars for every state dollar and is to benefit economic development in the state.

Proponents' Testimony: Evan Barrett, Butte Local Development Corporation, said they were expecting this bill tomorrow and, as a result, are waiting for a packet of support letters from different organizations around the state. EXHIBIT 42. The key element of this bill is that it has public support throughout the state both of rural and large communities of Montana.

Lori Shadoan, Bozeman Chamber of Commerce and Gallatin Development Corporation, the Belgrade Chamber, spoke in strong support of House Bill 827.

Questions From Committee Members: REP. ZOOK asked Mr. Barrett, under this bill what is defined as rural. Mr. Barrett said there is no definition of rural, it is each certified community could participate. At present there are about 68 communities in Montana that have the certified communities program already accredited by the Dept. of Institutions. REP. ZOOK asked what the smallest certified community he knew of was and Mr. Barrett said probably Bridger, but was not certain. The reason the floor was put into the bill at \$1,000 was so the matching monies could be meaningful and a small town like Bridger could raise the

match.

REP. CONNELLY asked where the money came from for the existing programs for the certified communities program and Mr. Heffner, Business Development Division, DOC, said the Certified Communities Program is in the Dept. of Commerce and is funded with general fund. It is a support program, not a financial relationship program and there is no money in there now that provides dollars in relationship. This would be a new element in the Communities Program that would not only do the support and preparation program but would also be able to provide some matching funds. It would use the existing program elements, and not require additional certification.

REP. JOHNSON asked about the population area, and asked if that would be confined only to the city limits? SPEAKER HARPER said no, it would not. REP. JOHNSON said he thought the community of Glendive itself was certified but was not sure it extends into the county. SPEAKER HARPER said there is a minimum in the bill and REP. JOHNSON was concerned that with 50 cents per capita the smaller areas would tend to lose. SPEAKER HARPER said there is also a maximum of \$25,000.

REP. BARDANOUVE asked if there were amendments and SPEAKER HARPER said there were a number of amendments put on in committee to assure that the money was specifically directed and the language on page 3 verifies what the certified communities lead organization means, but it is well defined with the Business Development Division in the DOC.

Closing by Sponsor: SPEAKER HARPER said in further answer to REP. JOHNSON's question, there is an entire reservation that is certified under this program, so it is not benefitted necessarily to cities. He said he realized this committee looks very closely at expenditures from the general fund and you want to make sure you get something back. He said he felt this is one area where a small amount invested would bring in a harvest, and if not, we are all in a "heap of trouble".

HEARING ON HOUSE BILL 282

Payment in Lieu of Taxes to Counties for  
Certain State Land

Presentation and Opening Statement by Sponsor:

REP. LINDA NELSON, House District 19, Medicine Lake, said this bill revises the formula that is used in computing payments to counties with more than 6% of state land. She said the gist of this bill is found on page 3 and 4 and the fiscal note is not valid since the bill has been amended to the point where there is no money in the bill. The money that would be prorated through this bill is contained in the budget of the State Lands Department. She said the counties are meeting today and will

decide if they even want this bill after all the amendments, and if the committee is to act on the bill she would request a delay until after the meeting to do so.

**Proponents' Testimony:** Gordon Morris, Executive Director, Association of Counties, said they had the bill introduced and the language in the bill at present was worked out after some comprehensive meetings with State Lands, the counties that would be impacted, the DOR and all parties concerned felt the formula that is in the bill was superior to the one that is in current law. MACP did come in and ask for an increased appropriation, but this is definitely not a money bill.

**Questions From Committee Members:** REP. BARDANOUE said, then you take the amount of money and if his county had a little more, so it would end up with less and a county with less would end up with more? Mr. Morris said the formula in the bill now computes an average value for that land and the new formula would then be used to distribute the \$235,000 that is budgeted. There would be some shifting among the 18 state land counties, but was not certain as to how significant that would be.

REP. THOFT asked if it were possible to get that shift on paper very soon and Mr. Morris said he thought it could be done. They could work with the DSL on it and come up with a demonstration using the formula in the bill. Mr. Kuchenbrod, DSL, said they could do that and have some figures put together they can use and have them ready tomorrow.

REP. SWYSGOOD said he was concerned about the shift. His county has more state land acres than any other county in the state, yet percentage wise according to land mass, is about 10% of their land area. He asked how this would affect the county where he has more acres but perhaps not as much percentage as Daniels County, for example. Mr. Morris said he thought the numbers would show that the money will shift relative to the high mill levy counties versus the low mill levy counties. The higher the mill levy is in the county, the likelihood is they will get less money under this bill, and a low mill levy would get more money. He thought Beaverhead County would probably get more under this bill. He said the imputed value is based on a state-wide average and those counties that are below the state-wide average will get more and those above will get less, based on this formula.

REP. SWYSGOOD said under the current formula used to dispense this money, anyone with state land in their county has never received the amount they had coming because there is no money. He asked if this is going to make them any better off or worse off by switching this formula? Mr. Morris said that is the irony in the bill, the state lands counties actually intended to try to get more monies, yet when we talked about this not resulting in more money, he felt they failed to understand that point.

REP. KADAS asked why should the counties that make less effort

get more money than the counties that make more effort? Mr. Morris said it is the case where in making a higher tax effort, and the money being calculated on the state average, the lower the tax effort they get more. REP. KADAS said he was more concerned about the philosophy of why it is done this way and Mr. Morris said it is not the case of why we want to do this, working with the DOR and DSL they felt this was the best and most readily calculatable formulas they could come up with.

REP. CODY asked what the taxable value of Daniels County is and said it was very poor because they have taxable land and that is why their mill levies are so low. Mr. Morris said Daniels County's taxable value as of FY '91 is \$6,434,211 with a population of 2,600. The percentage of state land is 24%. REP. BARDANOUVE said he was paying 522 mills in his county.

Closing by Sponsor: REP. NELSON said Sheridan County is not covered under this bill at all since they have a minimum amount of state lands, but she also represents Daniels County which does have a lot and they are not sure whether they are winners or losers under this bill, and if it will cause a lot of squabbling among the counties, they will not want to proceed with this anyway.

CHAIRMAN BARDANOUVE said if there was further information on this bill they would give time on it in the morning since she had advanced the bill in the interests of time. He said when Montana was given 2 sections out of every township, some of those 1,636 sections were already taken up by railroads, homesteaders, etc., and in order to get the full allocation of land for the state Montana picked land in the areas where there were big chunks of land. Where they took a big chunk of unclaimed unhomesteaded land and those counties had a much larger portion of state land in the other counties where they only had the section 1636 taken up. He mentioned Blaine County in the Bear Paw Mountains that was taken to make up for the loss of land in other counties. Daniels County also had a big chunk of unclaimed land that was taken up.

#### HEARING ON HOUSE BILL 923

#### Automatic Withholding for Child Support

#### Presentation and Opening Statement by Sponsor:

REP. PAULA DARKO, House District 2, Libby, said this bill is part of a package of 4 bills, 3 of them which are still alive which would conform our statutes with federal regulations to allow us to get child support enforcement service money and allow us to not be penalized on our AFDC from the federal government. The sanctions range from 1% to 5% on AFDC and \$470,000 for child support enforcement services. She said this was the most necessary of those and we either do it immediately or face the losses. She said the money to SRS allows for automatic income

withholding and the procedure for that and also a procedure to make sure these children who are a victim of divorce would have insurance provided for them either through a mandate through the support order or through the parent who has the child. She said this bill would need an amendment for an immediate effective date and David Niss has been preparing the amendment, but they expected the bill tomorrow and the amendment would get to you later.

**Proponents' Testimony:** John McRae, staff attorney with the Child Support Enforcement Division, SRS, spoke in favor of HB 923 and assumed the committee was primarily interested in the financial aspects of this bill and how it affected the state. Congress has declared that as a condition for the use of federal monies to finance AFDC, we must have a child care enforcement program within the state and as a part of that program they mandate certain procedures, techniques and remedies we must have and use. If we do not have them within the state available for use, we can suffer financial sanctions. If we don't perform those functions we can also be sanctioned. One of the remedies they have required the state of Montana to have is the income withholding and it originated back with the 1984 amendments with the social security act. It requires that an individual who is subject to a support order becomes delinquent in the payment of support in an amount equal to 30 days delinquency they were subject to immediate withholding for the amount of his wages to pay for child support. In 1988, Congress again amended the procedure which caused us in 1989 to enact immediate withholding, so we have the delinquency withholding plus, for all orders commencing in Jan. 1990. All new orders and modifications of existing orders are subject to immediate withholding unless the court found some exception to exempt them from the process. We have this in place in Montana, and now it is necessary to fine tune it. In 1989 the subject matter referenced in the federal sanction letter was omitted and this bill would correct that. Since passage of the 1988 Family Support Act new regulations came out last fall and have now added those new regulations to this bill to bring it into compliance. After putting immediate withholding into effect last year they ran into some practical problems in the application and those are some we also attempted to correct in this bill. He said the only thing that is really new in this bill is the withholding for medical insurance which is a requirement for receiving the federal money.

**Questions From Committee Members:** CHAIRMAN BARDANOUVE asked if there were actual dollar figures on this bill and Linus Carleton, Administrative Services Bureau Chief, CSED, SRS, said they put together the fiscal note for this bill. Their studies of this bill show the cost for application of this legislation is already taken care of in the modification to their current level budget they have asked for in HB 2. They asked for the addition of certain resources for the program and those resources in the modification they feel are sufficient to take care of any cost of implementing this legislation. The revenue expected to be

generated from this bill should be savings to the medicaid program because third parties will cover the cost of the medical services provided rather than the medicaid program. Based upon the current case load and the estimate of the case load in the second year of the biennium is \$108,575 in savings to the medicaid program in '92 and \$340,946 in savings in FY '93.

REP. CODY asked Mr. Carleton about the statement that we needed to reform our law to federal regulations, did you mean what was done last session did not allow SRS to collect for non-AFDC people? Rep. Carleton said that was not really a part of the problem. One of the things on regulations, they are primarily interested in the way the original version was worded. They did not have a standard as to how people could opt out of immediate withholding and the regulations have addressed the standard and provided some criteria as to what findings the court must have, and basically it comes down to the best interests of the child to opt out. REP. CODY said she had received calls from some of her constituents and they say unless you are on AFDC you can't get the Child Enforcement Bureau to help you collect that money and was wondering if that is addressed in this bill. Mr. Carleton said the problem of their getting to all of the cases is a different problem than this bill addresses.

REP. ZOOK said he understood there is no general fund impact in this bill and the Dept. will absorb what is expected. Mr. McRae said that is his understanding.

Closing by Sponsor: REP. DARKO said a lot of you had to fill out the little slips of paper that said you were not responsible for child support payments and this bill would get rid of that necessity. With no general fund impact and the return on the federal dollars, this is a good bill and would ask for favorable consideration and will need an immediate effective date.

#### EXECUTIVE ACTION ON HOUSE BILL 923

MOTION/Vote: REP. BRADLEY moved House Bill 923 be amended to reflect an immediate effective date. Second by Rep. Zook. Motion passed unanimously

MOTION/Vote: REP. CODY moved House Bill 923 do pass as amended. Second by Rep. Kadas. Motion passed unanimously.

HOUSE APPROPRIATIONS COMMITTEE

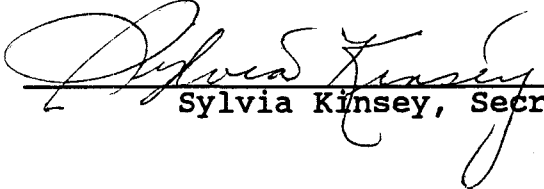
March 21, 1991

Page 40 of 40

ADJOURNMENT

Adjournment: 5:45 p.m.

  
FRANCIS BARDANOUE, Chair

  
Sylvia Kinsey, Secretary

FB/sk



## HOUSE OF REPRESENTATIVES

## APPROPRIATIONS COMMITTEE

ROLL CALL

DATE

3-21-91

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 STANDING COMMITTEE REPORT

March 21, 1991

Page 1 of 3

Mr. Speaker: We, the committee on Appropriations report that House Bill 9 (first reading copy -- white) do pass as amended .

Signed:   
Francis Bardanouve, Chairman

And, that such amendments read:

1. Page 3, line 2.

Strike: "50,000"

Insert: "73,400"

2. Page 3, line 25.

Following: line 24

Insert: "Lewistown Arts Center                      Operational Support 1,500"

3. Page 4, line 24.

Strike: "10,000"

Insert: "8,767"

4. Page 4, line 25.

Strike: "20,000"

Insert: "17,534"

5. Page 4, line 26.

Strike: "25,000"

Insert: "21,917"

6. Page 4, line 27.

Strike: "10,000"

Insert: "8,767"

7. Page 4, line 28.

Strike: "15,000"

Insert: "13,150"

8. Page 5, line 1.

Strike: "20,000"

Insert: "17,534"

9. Page 5, line 2.

Strike: "15,000"

Insert: "13,150"

10. Page 5, line 3.

Strike: "10,000"  
Insert: "8,767"

11. Page 5, line 4.

Strike: "20,000"  
Insert: "17,534"

12. Page 5, line 7.

Strike: "25,000"  
Insert: "21,918"

13. Page 5, line 8.

Strike: "19,770"  
Insert: "17,332"

14. Page 6, lines 8 and 9.

Strike: lines 8 and 9 in their entirety

15. Page 7, line 2.

Strike: "2,000"  
Insert: "4,000"

16. Page 7, line 12.

Following: "House"  
Insert: "or Director"

17. Page 7, lines 13 and 14.

Strike: lines 13 and 14 in their entirety

18. Page 7, line 19.

Strike: line 19 in its entirety

19. Page 7, line 20.

Strike: "1,000"  
Insert: "3,000"

20. Page 7, line 24.

Strike: "2,500"  
Insert: "4,000"

21. Page 7, line 25.

Following: line 24

Insert: "Museum of the Northern  
Great Plains

Visions From the Land 10,000

Old Trail Museum

Jesse Gleason Studio  
Acquisition

5,000

Helena Arts Council	Expansion of Holter Museum of Art Education Program	5,000
Helena Arts Council	Expansion of Holter Museum Endowment Project	5,000
Archie Bray Foundation	Save the Beehives - Historic Renovation Project	5,000
Archie Bray Foundation	Endowment Establishment	5,000"

22. Page 8, line 3.

Following: line 2

Insert: "(5) The amount of \$150,000 is appropriated to the Montana arts council from money that may revert from appropriations made in [section 1(2)] to match national endowment for the arts funds. The appropriation in this subsection may be used only for rural and other underserved programs throughout the state."

23. Page 8, line 4.

Following: "[section 1(2)]"

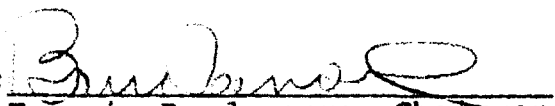
Insert: "less money appropriated in [section 1(5)]"

HOUSE STANDING COMMITTEE REPORT

March 21, 1991

Page 1 of 2

Mr. Speaker: We, the committee on Appropriations report that House Bill 10 (first reading copy -- white) do pass as amended

Signed: 

Francis Bardanouve, Chairman

And, that such amendments read:

1. Page 4, line 5.

Following: "and"

Strike: "\$600,000"

Insert: "\$550,000"

2. Page 6, line 8.

Following: "appropriated"

Strike: "\$126,000"

Insert: "\$235,000"

3. Page 6, lines 13 and 14.

Strike: "identifying energy conservation measures."

Insert: "developing a program for retrofitting local government buildings with energy conservation measures, similar to the state building energy conservation program established by Title 90, chapter 4, part 6, for state buildings. Priority must be given to developing a self-sustaining local government building energy conservation program. The program may be based upon mechanisms that include but are not limited to leveraging private and public funds, selling the energy savings to utilities, pooling groups of local government facilities into larger retrofit packages for financing or sale to utilities, and working with the department to pool state and local government retrofit packages for sale to utilities. The department shall submit to the 53rd legislature a report that is based upon the work completed by the local government entity and that includes options and recommendations for a self-sustaining local government building conservation program and the legislation necessary to implement the program. The department shall also provide general technical assistance to local jurisdictions and award matching grants for specific energy conservation demonstration projects that offer opportunities for long-term energy savings."

March 21, 1991  
Page 2 of 2

4. Page 8, line 7.  
Following: "appropriated"  
Strike: "\$700,000"  
Insert: "\$650,000"

HOUSE STANDING COMMITTEE REPORT

March 21, 1991

Page 1 of 4

Mr. Speaker: We, the committee on Appropriations report that House Bill 6 (first reading copy -- white) do pass as amended.

Signed: Francis Bardanoue  
Francis Bardanoue, Chairman

And, that such amendments read:

1. Page 1, line 24.

Strike: "\$106,508"

Insert: "\$72,208"

2. Page 4.

Following: line 15

Insert: "PRIVATE APPLICANT

Wastewater Collection and Treatment  
System

50,000 \$150,000"

3. Page 4, line 18.

Following: "50,000"

Insert: "50,000"

4. Page 4.

Following: line 20

Strike: line 21 through line 26 in their entirety

5. Page 5.

Following: line 2

Strike: line 3 through line 11 in their entirety

6. Page 5.

Following: line 11.

Insert: "PRIVATE APPLICANT

Sun River Water System

7,500

CHINOOK, TOWN OF

Milk River Weir Replacement

200,000

BELT, TOWN OF

Sewage System Improvements

100,000

GLASGOW, TOWN OF

Glasgow Water and Wastewater

80,950

MISSOULA CITY/COUNTY HEALTH DEPARTMENT  
Linda Vista Sewer Interceptor 100,000

FAIRFIELD, TOWN OF  
Fairfield Waterway 14,169

(5) To the entities listed in this section, this appropriation constitutes a valid obligation of these funds for purposes of encumbering the funds within the 1993 biennium pursuant to 17-7-302."

7. Page 6, line 26 through page 10 line 3.

Strike: page 6, line 26 through page 10, line 3 in their entirety

Insert: "YELLOWSTONE COUNTY CONSERVATION DISTRICT

Streambank Reinforcement \$ 100,000

JEFFERSON VALLEY CONSERVATION DISTRICT  
Cereal-Legume Energy Efficient  
Crop Rotations 48,677

NEIHART, TOWN OF  
Neihart Water System Improvements 50,000 \$150,000

EKALAKA, TOWN OF  
Water Supply and Storage Project 49,975 100,000

MONTANA STATE UNIVERSITY, MONTANA WATER RESOURCES CENTER  
Public Education in Water  
Management 100,000

STILLWATER CONSERVATION DISTRICT  
Evaluation of Plastic Lining and  
Fabrication Process 56,848

BROADWATER CONSERVATION DISTRICT  
Irrigation Water Management  
Demonstration Project 100,000

NATURAL RESOURCES AND CONSERVATION,  
DEPARTMENT OF, WATER MANAGEMENT BUREAU  
Beaverhead County Ground Water  
Study 100,000

POLSON, CITY OF  
Wellhead Protection Program 76,055

THREE FORKS, TOWN OF  
Water System Improvements 100,000



FORT SHAW IRRIGATION PROJECT	
Rehabilitation and Betterment Study	50,000
BUTTE-SILVER BOW, GOVERNMENT OF	
Blacktail Creek Restoration	100,000
LIBERTY COUNTY CONSERVATION DISTRICT	
Sweetgrass Hills Ground Water Study	100,000
MISSOULA COUNTY CONSERVATION DISTRICT	
Irrigation Diversion Alternatives	85,250
FALLON COUNTY	
Baker Lake Erosion Control and Recreation Path	15,361
DARBY SCHOOL DISTRICT NO. 9	
Darby School Park Project	25,300
MEAGHER COUNTY CONSERVATION DISTRICT	
South Side Canal Lining Project	37,500      62,500
NATURAL RESOURCES AND CONSERVATION, DEPARTMENT OF	
Battle Creek Storage Unit	82,000

(4) To the entities listed in this section, this appropriation constitutes a valid obligation of these funds for purposes of encumbering the funds within the 1993 biennium pursuant to 17-7-302."

8. Page 11, line 17.

Strike: "by 51st legislature"

Following: "."

Insert: "(1)"

9. Page 12, line 4.

Following: line 3

Insert: "(2) The 50th legislature, in House Bill No. 7, Laws of 1987, approved a grant from the renewable resource development account to Eastern Sanders Conservation District for \$86,300 for recharge enhancement of the Little Bitterroot Aquifer. Among the contingencies contained in the grant authorization was a requirement that a commitment

be obtained from the U.S. Bureau of Reclamation for federal matching funds. It has since been determined that the federal matching funds will not be forthcoming. The grant for the above described entity is hereby authorized for \$86,300, with the contingency for federal matching funding from the U.S. Bureau of Reclamation deleted. Further, the additional sampling of surface water and ground water for herbicides and pesticides must be conducted."

10. Page 14, line 15.

Following: "conservation."

Insert: "Grants to state entities from prior bienniums are reauthorized for completion of contract work."

11. Page 14, line 16.

Following: line 15

Insert: "NEW SECTION. Section 13. Funds available. It is the intent of the legislature that the water development grant program be a minimum of \$1 million and the renewable resources grant program be a minimum of \$1 million for the 1993 legislative session."

Renumber: subsequent sections

HOUSE STANDING COMMITTEE REPORT

March 21, 1991

Page 1 of 3

Mr. Speaker: We, the committee on Appropriations report that House Bill 7 (first reading copy -- white) do pass as amended.

Signed: Francis Bardanoue  
Francis Bardanoue, Chairman

And, that such amendments read:

1. Title, line 15.

Following: "DEBT,"

Insert: "TO AUTHORIZE THE ISSUANCE OF REVENUE BONDS,"

2. Page 2, line 4.

Strike: "\$13,382,594"

Insert: "\$ 7,975,583"

3. Page 2, line 22.

Following: line 21

Insert: "The principal portion of the debt service payment of the loan for the Seeley Lake-Missoula County water project may be deferred for a period of 3 years. The interest on the loan may be adjusted for the deferral."

4. Page 3, line 4.

Strike: "\$1,623,720"

Insert: "\$1,163,720"

5. Page 3, line 12.

Strike: "\$747,808"

Insert: "\$749,797"

6. Page 3, line 15.

Strike: "0%"

Insert: "3%"

7. Page 3, line 20.

Following: line 19

Insert: "GROUP E Notwithstanding the provisions of [section 5], the interest rate for the project in this group is 6% or the current bond rate, whichever is lower, for up to 30 years.

Loan Amount

MILK CREEK WATER AND SEWER DISTRICT

Milk Creek Gravity Sprinkler Irrigation  
Project

\$151,000

LAKESIDE WATER AND SEWER DISTRICT  
Lakeside Wastewater Facility

251,700"

8. Page 3, line 21 through page 4, line 12.

Strike: page 3, line 21 through page 4, line 12 in their entirety

9. Page 5, lines 4 through 6.

Strike: "\$5,100,000" on line 4 through "\$8,282,594" on line 6

Insert: "\$7,975,583"

10. Page 5, line 8.

Strike: "\$13,382,594"

Insert: "\$7,925,583"

11. Page 7, line 8.

Strike: "3,226,900"

Insert: "3,778,028"

12. Page 7, line 9.

Following: line 8

Insert: "(If House Bill No. 648 is passed and approved, strike  
3,778,028 in line 8 and insert 551,128.)"

13. Page 7.

Strike: line 21 through line 23 in their entirety

14. Page 8, line 1.

Strike: "250,000"

Insert: "272,500"

15. Page 11.

Following: line 3

Insert: "NEW SECTION. Section 8. Authorization to issue revenue bonds. (1) In addition to the authority contained in 17-5-716, the board of examiners may issue revenue bonds of the state to refund in whole or in part bonds issued to finance water development projects approved by the legislature pursuant to Title 17, chapter 5, part 7, and Title 85, chapter 1, part 6. The principal and interest on refunding bonds issued pursuant to this section are payable solely from the project or projects for which the refunded bonds were issued.

(2) The revenue bonds may be issued in an amount sufficient to refund all or a portion of the outstanding bonds, to pay costs incident to the issuance and sale of the refunding bonds, and to fund the establishment of necessary reserves. The refunding bonds must be designated as "State of Montana Water Development Revenue Bonds". All the power

and authority granted to the board of examiners and provisions with respect to the issuance of bonds under Title 17, chapter 5, part 7, except for the provision pledging the coal severance tax to the payment of the bonds, apply to the issuance of the revenue bonds. In authorizing the issuance of the revenue bonds, the board of examiners shall determine that the refunding of the outstanding bonds and the issuance of the revenue bonds are in the best interest of the state.

(3) Revenue bonds may not be issued under this section to refund bonds issued to fund a loan to a political subdivision or local government body unless the political subdivision or local government body whose loan repayments would be pledged to the payment of the refunding bonds has consented to the refunding.

(4) Revenue bonds issued pursuant to this section without the pledge of the coal severance tax to the payment of the bonds are not coal severance tax bonds or a state debt.

NEW SECTION. Section 9. Codification instruction. [Section 8] is intended to be codified as an integral part of Title 17, chapter 5, part 7, and the provisions of Title 17, chapter 5, part 7, apply to [section 8]."

Renumber: subsequent sections

HOUSE STANDING COMMITTEE REPORT

March 21, 1991

Page 1 of 2

Mr. Speaker: We, the committee on Appropriations report that House Bill 8 (first reading copy -- white) do pass as amended .

Signed:   
Francis Bardanoue, Chairman

And, that such amendments read:

1. Page 1, line 24.

Following: "(2)"

Strike: "(a)"

2. Page 3, lines 4 through 7.

Strike: lines 4 through 7 in their entirety

3. Page 4.

Following: line 5

Insert: "BUTTE-SILVER BOW, GOVERNMENT OF  
Upper Clark Fork River Basin Coordinator 60,000"

4. Page 4.

Strike: lines 6 and 7 in their entirety

5. Page 4, line 11.

Following: line 10

Insert: "STATE LANDS, DEPARTMENT OF  
Well Assessment and Abandonment 300,000"

6. Page 4, lines 21 through 24.

Strike: lines 21 through 24 in their entirety

7. Page 4.

Following: line 26

Insert: "YELLOWSTONE COUNTY  
Yellowstone Co. LIS/GIS Project 50,000

MSU BIOLOGY DEPARTMENT

Trout Stream Restoration 45,500

MONTANA SALINITY CONTROL ASSOCIATION

Supplemental Funding for Soil and Water  
Nonpoint Source Pollution Control and  
Management 62,500

March 21, 1991

Page 2 of 2

(3) To the entities listed in this section, this appropriation constitutes a valid obligation of these funds for purposes of encumbering the funds within the 1993 biennium pursuant to 17-7-302."

8. Page 5, line 24.

Following: line 23

Insert: "(5) The recipient of the water, air, soils testing, and evaluation center (WASTEC) grant shall consider the pilot plant treatment of contaminated water from the Berkeley pit project and the detoxification of acid mine drainage from the Berkeley pit waters project that were submitted for consideration as reclamation and development grants projects during the 52nd legislature."

Renumber: subsequent subsection

9. Page 6, line 7.

Following: "conservation."

Insert: "Grants to state entities from prior bienniums are reauthorized for completion of contract work."

10. Page 6, line 9.

Following: "to the"

Strike: "grants"

Following: "development"

Insert: "grants"

11. Page 6, line 12.

Following: line 11

Insert: "NEW SECTION. Section 7. Funds available. It is the intent of the 52nd legislature that the funds available for the reclamation and development grants program for the 1993 legislative session be a minimum of \$3 million."

Renumber: subsequent section


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3-22-91  
TDB

HOUSE STANDING COMMITTEE REPORT

March 22, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 923 (first reading copy -- white) do pass as amended

Signed: 

Francis Bardanouve, Chairman

And, that such amendments read:

1. Title, line 14.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 50, line 22.

Following: line 21

Strike: "NEW SECTION. Section 25. Effective date. [This act] is effective on passage and approval."



Ex A

3-21-91

Appropriation

## ◆ HOUSE APPROPRIATION COMMITTEE ◆

Daily Bill Summary  
March 21, 1991

BILL NO.	APPROPRIATION AMOUNT/FUND	COMMENTS
HB 9  Rep. Connelly Cultural and aesthetic project grants appropriation	\$1,258,080 Coal tax trust interest	The bill appropriates funds to the Montana Arts Council who shall award grants for projects authorized in the bill. Projects not funded in fiscal 1991 have priority and are reappropriated to fully cover the appropriations or until October 1, 1992. If any appropriations are reverted, \$11,000 is appropriated to the Montana Arts Council for project evaluations. If funds are insufficient to fund all the listed projects, the Montana Arts Council shall allocate the funds on a pro rata basis.
HB 10  R e p . Bardanouve Oil overcharge appropriation. Discussion of the oil overcharge appears on page G-9 of the Budget Analysis.	\$2,826,000 Oil overcharge	<p>The bill appropriates oil overcharge money to the following projects listed in priority order:</p> <ol style="list-style-type: none"> <li>1) \$1,200,000 to the Department of Social and Rehabilitation Services for home weatherization;</li> <li>2) \$100,000 to the Department of Social and Rehabilitation Services for energy assistance to low income persons;</li> <li>3) \$200,000 to the Department of Agriculture for biological control of leafy spurge and spotted knapweed;</li> <li>4) \$200,000 to DNRC for demonstration of vegetable oil fuel substitutes;</li> <li>5) \$126,000 to DNRC as a grant to identify energy conservation measures;</li> <li>6) \$100,000 to DNRC to fund local energy efficiency or renewable energy projects;</li> <li>7) \$200,000 to DHES to remove and replace leaking home heating oil tanks owned by low-income home energy assistance recipients; and</li> <li>8) \$700,000 to DNRC for use in the institutional conservation program for schools and hospitals.</li> </ol>

Ex. A

3-21-91

Appropriation

HB 13

Rep. Pavlovich  
Establish a Veteran's  
Home annex at Galen

The appropriation  
has not been  
specified

This bill would establish a 40-bed veteran's nursing home annex at Galen subject to the following provisions: 1) necessary renovation does not exceed \$300,000; and 2) the beds are eligible for federal veterans administration per diem payments. Renovation costs will be paid from the Long Range Building Program. The fiscal note estimates operating expenses at \$1,660,338 for the biennium.

HB 20

Rep. Pavlovich  
Appropriating funds to  
the Department of  
Military Affairs as  
Montana's contribution  
toward the construction  
of the national women  
in military service for  
America memorial

\$25,000  
General Fund

The memorial will be constructed at Arlington national cemetery. The appropriation is for fiscal 1993.

HB 179

Rep. Phillips  
Creating a statutory  
appropriation of \$50,000  
annually of lottery  
revenue to the  
Department of Military  
Affairs for upgrading  
and maintaining the  
veterans' cemetery at  
Fort Harrison

Biennial Impact  
\$100,000  
Proprietary Funds  
\$100,000  
General Fund  
impact due to  
revenue loss for  
school state  
equalization

Effective July 1, 1991, \$50,000 of lottery revenue would be paid to the Department of Military Affairs each fiscal year for maintenance of the veterans' cemetery. The effect of this statutory appropriation would be to reduce the revenue available for state equalization to schools as net lottery proceeds are statutorily appropriated to the Superintendent of Public Instruction for distribution as state equalization aid to schools. Although there are several fund sources which support public school funding, reductions in other fund sources are offset by general fund.

\$6m/92  
\$7m/93

HB 234

Rep. Pavlovich  
Appropriating capital  
projects funds and  
federal funds to the  
Department of  
Administration for the  
construction of a state  
veterans' nursing home

Biennial Impact  
\$1,991,897  
Capitol Projects  
Funds  
\$3,699,237  
Federal Funds

This bill reauthorizes construction of the veterans' nursing home. House bills 202 and 547, passed by the 1989 legislature, appropriated funds for the construction of a veterans' nursing home and raised cigarette taxes to fund the state share of costs. However, the bills appropriated funds for the 1991 biennium only and federal funding was not received during that time.

Ex. A

3-21-91

Appropriation

HB 455	Biennial Impact	This bill appropriates funds for the construction of an armory in Libby. The federal government will support 75% of approved construction costs. The state share for construction is about 40% because there are features of the planned armory that the federal government will not share in construction costs. Ongoing operational expenses would be fully supported by general fund. The department estimates annual operating costs of \$10,000.
Rep. Peterson	\$495,600	
Appropriation to the	General Fund	
Department of Military		
Affairs to construct an	\$704,000	
armory in Libby, MT	Federal Funds	
HB 524	\$70,000	This bill appropriates funds from the stripper well payments to the Department of Natural Resources and Conservation for a study to assess the ability of the present electrical transmission system in Montana and the Pacific Northwest to accommodate the development of wind farms in Montana. The appropriation must be matched at least \$2 to \$1 with private or federal revenue. The bill makes this project the highest priority of any programs funded from stripper well payments.
Rep. Raney	Oil overcharge	
Oil overcharge		
appropriation for wind		
farm transmission study		
HB 710	\$2,150,000	This bill appropriates funds to the Department of Administration for the planning and construction of remodeling the first floor of the capitol.
Rep. Bradley	Long range	
Appropriation for capitol	building fund	
first floor metamorphosis		
HB 777	\$550,000	This bill appropriates stripper well payments to the Department of Natural Resources and Conservation for the energy conservation program. This bill makes this appropriation the highest priority of any other appropriations by the legislature. Approval is given to 11 energy conservation projects. Authorization is given to the Board of Examiners to issue and sell bonds up to \$3 million to fund the approved energy conservation projects. The statutory appropriation transferring money authorized by the legislature for administrative expenditures from the energy conservation program account to a special revenue fund, is removed.
Rep. Quilici	Oil overcharge	
Approval of energy		
conservation projects and		
authorized bond issuance		
HB 842	No appropriation	The bill requires a grant for a facility owned by a county or municipality to have financial and in-kind support for the project from the county or municipality.
Rep. Connelly		
Revises the cultural		
grant application and		
award procedure		

DESIGN FEES

%

7.0

29.8

TOTAL:

425.8

\*\*\*\*\*

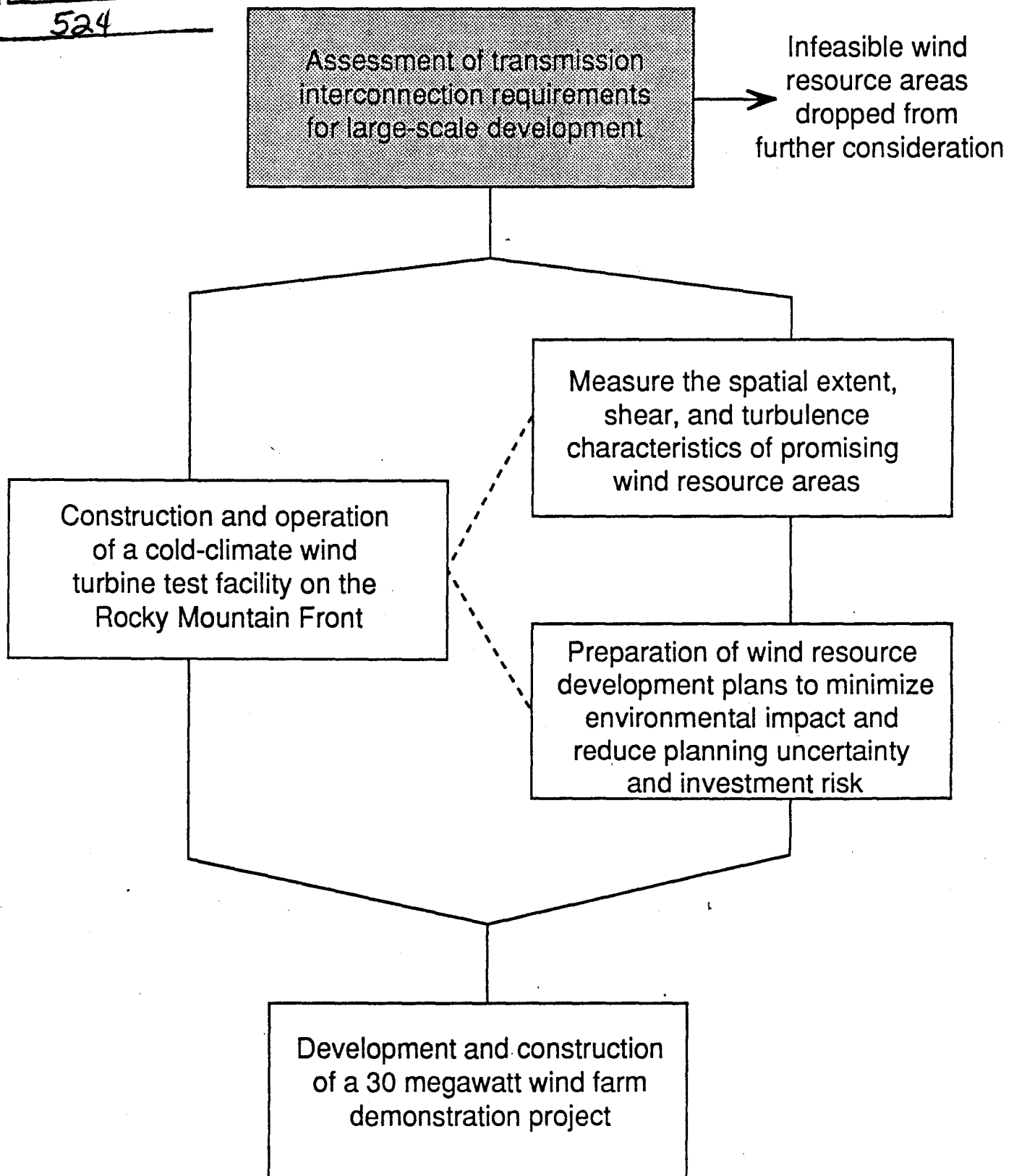
## PROPOSED PHASING OF FUNDING

ITEM	PHASE ONE COST	PHASE TWO COST	PHASE THREE COST	PHASE FOUR COST
BUILDING, TOTAL	0.0	24.9	0.0	0.0
ROADS 25%	18.9	37.8	56.7	37.8
FENCING 50%	9.5	22.4	0.0	0.0
WATER SYSTEM				
PUMP/WELL	4.4	0.0	0.0	0.0
2 IN PIPE 50%	12.5	12.5	0.0	0.0
1 1/2 PIPE 50%	0.0	0.0	25.4	25.4
TRENCHING	7.8	7.8	15.7	0.0
ELECTRICAL	2.9	0.0	0.0	0.0
WALKWAYS 25%	0.0	17.3	17.3	34.5
LANDSCAPING 25%	3.0	3.0	3.0	5.1
CONTINGENCY	3.0	6.4	5.9	5.1
DESIGN FEES	11.9	11.9	3.0	3.0
TOTAL:	74.0	146.1	126.8	110.8

EXHIBIT 1  
DATE 3-21-91  
HB 179

# Confirmation and Demonstration of Wind Power Along the Rocky Mountain Front of Montana

EXHIBIT 2  
DATE 3-21-91  
HB 524



17  
House Appropriations Committee EXHIBIT 3  
Montana House of Representatives DATE 3-21-91  
March 21, 1991 HB 524

I submit the following testimony in support of HB 524:

A wind farm transmission study will determine if wind generation is a feasible energy resource for Montana. The Northwest Power Planning Council, in their recent Draft 20-year Power Plan, lists wind as a "promising" resources which "may offer the potential for producing several thousand megawatts of cost-effective energy." The Plan recommends research as a way to address the uncertainty of wind generation. The Plan includes "developing a commercial-scale wind demonstration project " as a component of this research.

The Council identifies Bonneville, along with benefitting ratepayers, as possible funding sources for a wind confirmation study as proposed by this Bill. House Bill 524 allocates the much-needed matching funds for this work. These funds are drawn from an appropriate and available source, oil overcharge payments. But most importantly, this study helps provide for a long-term investment in Montana's economy and energy security. Thus, I also support Section 6, which gives this program priority over the other programs identified in HB 777 and HB 10.

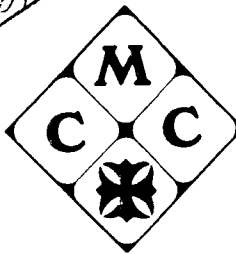
In closing, I urge the House Appropriations Committee to pass House Bill 524 as an essential building block in comprehensive Montana energy strategy.

Sincerely,

*Christine M. Paulson*

Christine M. Paulson  
Graduate Student  
Environmental Studies Program  
University of Montana

up 3



# Montana Catholic Conference

EXHIBIT 4  
DATE 3-21-91  
HB 950

HB 950

## THE MONTANA FAMILY POLICY ACT

### CHAIRMAN BARDANOUVE AND MEMBERS OF THE COMMITTEE

I am John Ortwein, representing the Montana Catholic Conference.

The family is our primary national resource. Its strength is our nation's strength. History demonstrates that the family is the most effective institution for nurturing children, and for developing within children all the biological, psychological, intellectual, and spiritual capacities which produce a mature, loving human being..

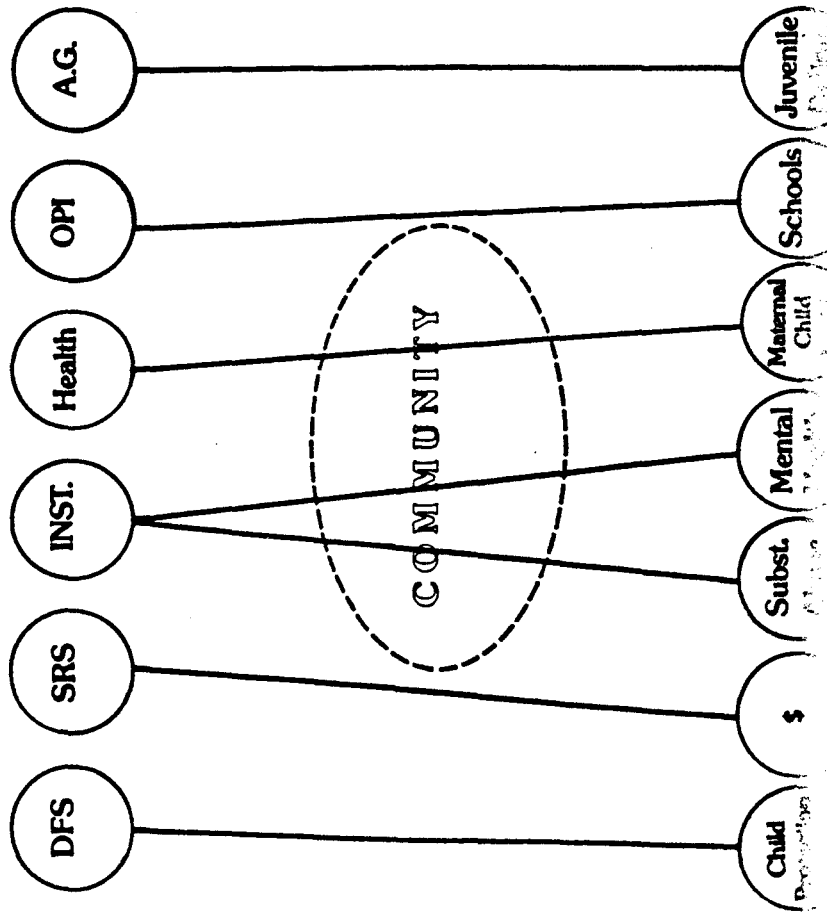
Today, the family is the victim of neglect. The family is not so much under attack as it is taken for granted. Where there has been governmental action which touched upon family life, it has usually been piecemeal, and ill-thought-out. The time has come to adopt a better approach. We should be bold about the central place of the family in our state's life.

HB 950, the Montana Family Policy Act, does just that.

The Montana Catholic Conference supports HB 950.

# Family Services: Vision for the 90's

## TRADITIONAL



## REFORMED

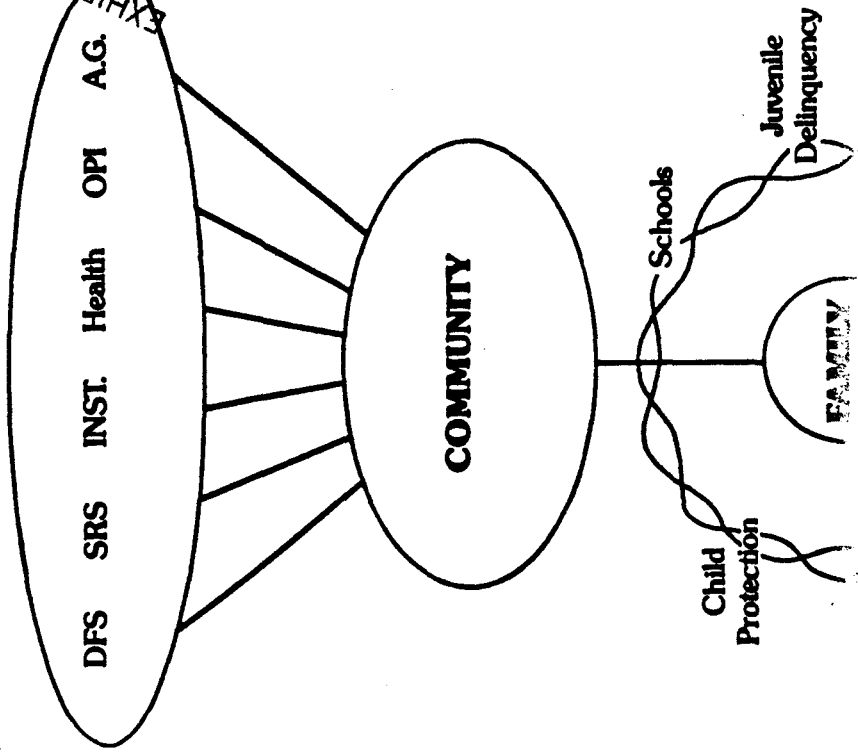


EXHIBIT  
DATE 3-21-91  
HB 950





TERESA OLCOTT COHEA  
LEGISLATIVE FISCAL ANALYST

STATE OF MONTANA  
*Office of the Legislative Fiscal Analyst*

STATE CAPITOL  
HELENA, MONTANA 59620  
406/444-2986

January 10, 1991

EXHIBIT 6A  
DATE 3-21-91  
HB 13 and 234

Representative John Johnson  
Montana State House of Representatives  
Seat #79  
Helena, MT 59620

Dear Representative Johnson:

House Bill 202 of the Fifty-first Legislature increased the cigarette sales tax from 16 cents to 18 cents per package containing 20 cigarettes. The bill also appropriated \$2,021,897 from the capital projects fund for the 1991 biennium for the following purposes:

- 1) \$30,000 to the Department of Military Affairs to pay costs of a study to consider locations for the construction of state nursing and domiciliary homes for veterans in Montana; and
- 2) \$1,991,897 to the Department of Administration for matching federal funds used for construction and remodeling of state nursing and domiciliary homes for veterans in Montana. The bill also provides authority for the department to expend the federal funds, should they become available.

During fiscal 1990, the state received \$856,672 from the two cent cigarette tax increase enacted in House Bill 202. Through December 31, 1990 or six months of fiscal 1991, the state has collected an additional \$683,821 for a total of \$1,540,493 since the enactment of the tax on November 1, 1989. It is estimated the state will collect another \$683,000 by the end of fiscal 1991 for a total of \$2,223,000 for the 1990-91 biennium.

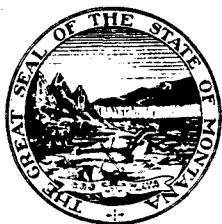
While the appropriations contained in House Bill 202 end on June 30, 1991, the bill contained no "sunset" date on the two cent tax increase.

If there is any further information that may be of assistance, please do not hesitate to contact me.

Sincerely,

*Terry W. Johnson*

Terry W. Johnson  
Principal Fiscal Analyst



LEGISLATIVE AUDITOR:  
SCOTT A. SEACAT

LEGAL COUNSEL:  
JOHN W. NORTHEY

STATE OF MONTANA  
Office of the Legislative Auditor

STATE CAPITOL  
HELENA, MONTANA 59620  
406/444-3122

EXHIBIT 6B  
DATE 3-21-91  
HB 13 & 234

DEPUTY LEGISLATIVE AUDITORS:

MARY BRYSON  
Operations and EDP Audit

JAMES GILLET  
Financial-Compliance Audit

JIM PELLEGRINI  
Performance Audit

January 17, 1991

Representative Robert Pavlovich  
House Chambers  
State Capitol  
Helena, MT 59620

Dear Representative Pavlovich:

The attached schedule shows the estimated revenue collected as a result of House Bill 202 from the previous legislative session as you requested. Cigarette taxes are deposited into long-range building program of the Debt Service Fund and the long-range building program fund in the Capitol Projects Fund. The two-cent cigarette tax increase is not deposited in a separate account so we could not locate a balance on SBAS that represents collections related to the tax increase. However, we are able to calculate the effect of the tax increase based on the total cigarette taxes collected, and differences between the past tax rate and the current rate. We calculated that an additional \$1,557,075 in cigarette tax revenue was collected between November 1, 1989, when the two-cent tax increase became effective, and December 30, 1990.

I hope this information is helpful to you. If you need additional information please call me.

Sincerely,

A handwritten signature in cursive script, reading "Wayne D. Guazzo".

Wayne D. Guazzo  
Audit Manager

WDG/j/f9.1r

Attachment

SCHEDULE OF CIGARETTE TAX COLLECTIONS  
Between November 1, 1989 and December 31, 1990

EXHIBIT 6C  
DATE 3-21-91  
HB 13 & 234

	Capital Project F. Distrib.	Debt Service F. Distrib.	1 Agency Fund	Total Cigarette Tax Collected
FYE 90	\$3,028,489	\$8,538,592		\$11,567,081
<sup>2</sup> Oct. 89	774,090	3,048,577	84,229	3,906,895
Dec. 90	1,799,528	4,382,292	3,213	6,185,033
<sup>3</sup> Total Collected	\$4,053,927	\$9,872,308	\$87,442	\$14,013,677

Source: SBAS form 631 for object of rev. 0655 for agency 5801.

- NOTES: 1. Agency Fund amounts are periodically distributed to the Cap. Projects and Debt Service Funds by statutory formula.
2. Amounts collected thru October 31, 1989 are deducted because November 1, 1989 was the effective date of the 2 cent tax increase.
3. The total collected represents the total cigarette tax collected since the 2 cent increase took effect.

Actual amount of tax collected at 18 cents per pack.	\$14,013,677
Minus estimated amount if the tax were collected at 16 cents per pack rate.	12,456,601
	-----
Estimated revenue collected since the new 2 cent cigarette tax increase took effect--thru December 31, 1990.	\$1,557,075 =====



STATE OF MONTANA

Office of the Legislative Auditor

STATE CAPITOL  
HELENA, MONTANA 59620  
406/444-3122

EXHIBIT 61  
DATE 3-21-91  
HB 5 13 & 234

DEPUTY LEGISLATIVE AUDITORS:

MARY BRYSON  
Operations and EDP Audit  
JAMES GILLET  
Financial-Compliance Audit  
JIM PELLEGRINI  
Performance Audit

LEGISLATIVE AUDITOR:  
SCOTT A. SEACAT

LEGAL COUNSEL:  
JOHN W. NORTHEY

January 17, 1991

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House Chambers  
State Capitol  
Helena, MT 59620

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Sincerely,

A handwritten signature in cursive script that reads "Wayne D. Guazzo".

Wayne D. Guazzo  
Audit Manager

WDG/j/f9.1r

Attachment

EXHIBIT 6E  
 DATE 3-21-91  
 HB 13#234

**SCHEDULE OF CIGARETTE TAX COLLECTIONS**  
 Between November 1, 1989 and December 31, 1990

	Capital Project F. Distrib.	Debt Service F. Distrib.	<sup>1</sup> Agency Fund	Total Cigarette Tax Collected
FYE 90	\$3,028,489	\$8,538,592		\$11,567,081
<sup>2</sup> Oct. 89	774,090	3,048,577	84,229	3,906,895
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Estimated revenue collected since the new 2 cent cigarette tax increase took effect--thru December 31, 1990.	\$1,557,075
	=====

# State of Montana

## Proclamation

EXHIBIT 8

DATE 3-21-96

HB 20

WHEREAS, women have served in the United States Military from the earliest days of our republic, as well as in the Continental Army of the American Revolution, as nurses, spies and soldiers on the front lines; and

WHEREAS, women served in the War of 1812; and

WHEREAS, women played increasingly important roles in the Civil War as exemplified by Doctor Mary Walker, an Army surgeon who was awarded the Congressional Medal of Honor, and Dorothea Dix and Clara Barton formed a nursing service corps; and

WHEREAS, women nurses successfully served under a civilian contract to meet emergency needs during the Spanish-American War; and

WHEREAS, the Army Nurse Corps was formed in 1901 and the Navy Nurse Corps was formed in 1908; and

WHEREAS, approximately 35,000 women served during World War I -- 296 American Nurses gave their lives -- 100 of whom were buried in France; and

WHEREAS, 400,000 women served in World War II, more than eighty were imprisoned in enemy camps and over 200 gave their lives; and

WHEREAS, some 50,000 women served during the Korean War; and

WHEREAS, approximately 7,500 served in Vietnam from 1962 to 1973; eight gave their lives; and

WHEREAS, 400,000 serve in the active military services, National Guard, and Reserves of our country; and

WHEREAS, there are approximately 1.2 million living women veterans, 5,000 of whom reside in the State of Montana; and

WHEREAS, the contributions and sacrifices of these women have not received due recognition.

NOW, THEREFORE, I, STAN STEPHENS, Governor of the State of Montana, do hereby proclaim March 29, 1991 as

### WOMEN IN MILITARY SERVICE FOR AMERICA DAY

and encourage all Montanans to recognize women who have served in the Armed Forces of the United States of America.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the GREAT SEAL OF THE STATE OF MONTANA to be affixed. DONE at the City of Helena, the Capital, this fourteenth day of January, in the year of our LORD, one thousand nine hundred and ninety-one.

ATTEST:



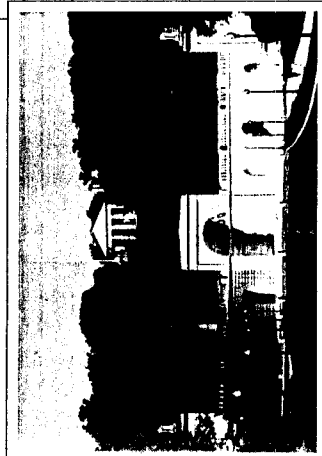
MIKE COONEY

Secretary of State

*Stan Stephens*

STAN STEPHENS  
Governor of Montana

# The Winning Design.



## Information.

All contributions and requests for information should be sent to:

Women in Military Service Memorial Foundation  
Dept. 560  
Washington, DC 20042-0560  
703-533-1155  
or

1-800-222-2294

Brochure designed and produced by  
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8201 Corporate Drive, Landover, MD 20785  
301-479-1800

TN&C

Underwritten by Prudential Preferred Properties.

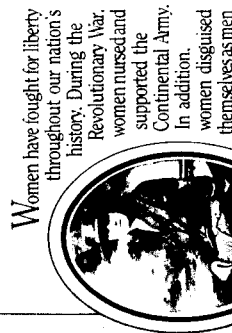
The Prudential Preferred Properties is proud to support the Women in Military Service for America Memorial. If you plan to move within the Washington, DC, Metro area or anywhere else in the United States, call the office nearest you for full time professional assistance, or call 1-800-999-7357.

# America's Best Kept Military Secret: It's Servicewomen.



Finally! A Salute To Military Women.  
A Monumental Tribute To  
Service, Sacrifice And Achievement.

# ...Whenever America has needed her, she's answered the call.



Women have fought for liberty throughout our nation's history. During the Revolutionary War, women nursed and supported the Continental Army. In addition, women disguised themselves as men

to get the job done. Deborah Sampson posed as Robert Sutcliffe in the Massachusetts Regiment. She was wounded in combat three times before a doctor discovered her secret.

In the Civil War, many women — both black and white — served as nurses, saboteurs, scouts and couriers. They led troops into battle as color bearers, blew up bridges, cut telephone wires, burned arsenals and warehouses, and helped prisoners and slaves escape.

The invaluable service of female nurses during the Spanish American War led to the creation of the Army and Navy Corps. When World War I erupted, nurses braved the front lines over and over again, treating the sick and the wounded. Other women enlisted in the Navy and Marine Corps or worked as



Women took on new military roles during World War II due to the urgency of protecting our nation. About 400,000 women served in all branches of the military, performing a wide range of assignments, from nurse, stenographer and translator to pilot and gunner's mate. For the first time, female officers were given military rank.

In 1948, the Women's Armed Services Integration Act gave women a permanent place in the armed forces. Since that time, in Korea, Vietnam, Panama, and in peacetime, women have served with honor.

We've all grown up with the expression "a few good men." The Women in Military Service for America Memorial will be the first major national memorial to recognize that there have been more than a few good women



Toddy

(over 1.6 million) serving right alongside.



Vietnam



Korea

6  
**IT'S ABOUT TIME!**

**A MEMORIAL  
FOR ALL MILITARY WOMEN,  
ALL SERVICES, ALL TIME ...**



EXHIBIT 10  
DATE 3-21-91  
HB 20

**ALL WE NEED IS YOU.**

**REGISTER**

take your place in history.

**SPONSOR**

assure her patriotism  
is never forgotten.

**CONTRIBUTE**

Help build the memorial  
for our Military Women  
past and present.

**CALL 1-800-222-2294**

**WRITE:**

**Women In Military Service Memorial  
Dept 560**

**Washington, DC 20042-0560**

*Please Post*



(16)

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
TESTIMONY ON HOUSE BILL 777

EXHIBIT 11  
DATE 3-21-91  
HB 777

INTRODUCTION

My name is Tom Livers. I'm representing the Department of Natural Resources and Conservation, and I'm here to support House Bill 777.

Two years ago the Montana Legislature unanimously established a bond-financed energy conservation program for state buildings. This program uses the proceeds from general obligation bonds to pay for energy efficiency improvements, then uses the energy cost savings to pay the debt service on the bonds.

Under this program, the Department of Natural Resources and Conservation is directed each biennium to present to the Governor's Office, and subsequently to the Legislature, a proposed energy retrofit package. House Bill 777 contains the retrofit package proposed by DNRC and the Governor's Office for the 1992-93 biennium.

WHAT HOUSE BILL 777 DOES

House Bill 777 does four things:

1. It authorizes up to \$3 million in general obligation bonds for energy conservation projects for the coming biennium.
2. It drops from the existing legislation the statutory appropriation to the Department of Natural Resources and Conservation for a portion of the bond proceeds.
3. It withdraws the \$3 million bond authorization approved for this program last biennium.
4. It reappropriates \$400,000 in oil overcharge money to the Department as seed money for the program.

I'll speak briefly to each of these actions.

1. \$3 million bond authorization for 1992-1993 biennium

The \$3 million in bond proceeds will fund energy efficiency improvements at the University of Montana in Missoula, Eastmont Human Services Center in Glendive, the Pine Hills School in Miles City, and the Cogswell Building here on the capitol complex. I've included in your packet a summary of these projects, and I would be happy to answer questions on them at the end of the testimony.

## 2. Removing the statutory appropriation

The statutory appropriation in the existing law is not necessary to the operation of this program; it is being dropped at the request of the Legislative Fiscal Analyst.

Each biennium, a portion of the bond proceeds is set aside to pay for next biennium's engineering analyses, design work, training and administration. DNRC will submit a package similar to this one for approval by each Legislature. Each session, the Legislature will have the authority to approve DNRC's appropriation for the coming biennium, rather than these funds being appropriated statutorily.

## 3. Withdrawal of bond authorization for 1990-1991 biennium

The previous Legislature authorized DNRC to sell up to \$3 million in general obligation bonds for energy work at the Montana Developmental Center in Boulder, the Montana State Hospital at Galen and Warm Springs, the Center for the Aged in Lewistown, and the School for the Deaf and Blind in Great Falls. Because of major changes proposed at the large institutions, DNRC put much of this work on hold. The Galen project was delayed until further notice, and the Boulder project was scaled down from over \$1.3 million to about \$130,000. The remaining projects, including Warm Springs, were scaled back slightly or came in under budget.

With these projects scaled back, DNRC was able to proceed with the remaining work without selling bonds, relying instead entirely on oil overcharge money appropriated by the 1987 Legislature. The uncertainty surrounding Boulder, Galen and Warm Springs raised questions about whether the savings would pay off the bonds before changes took place. As a result, DNRC chose not to put the state in debt for these projects; instead, we're funding only those measures that pay for themselves quickly and that can be funded through existing oil overcharge funds.

We have not and do not intend to sell bonds during this current biennium, fiscal years 1990 and 1991. The withdrawal of last session's bond authorization for the current biennium merely formalizes DNRC's intent.

## 4. Reappropriation of oil overcharge funds

Last session the Legislature appropriated \$550,000 of oil overcharge money to DNRC to pay for engineering analyses, design work, training of state building operators and program administration. Because of the delays and changes mentioned above, DNRC has only spent \$150,000 of this money, to pay for

Ex. 11

3-21-91

HB 777 3

the engineering analyses at the University, Eastmont, Pine Hills and the Cogswell Building. The remaining \$400,000 has not been spent. This bill would reappropriate this money to DNRC to use for the same purposes for which it was originally approved.

This oil overcharge seed money enables us to complete all the front-end work -- administration, energy analyses and design -- before we sell bonds. Bonds are not sold until we're ready to do the actual installation of the energy improvements. This drastically reduces the time period between when we start incurring interest charges on the bonds and when the revenue stream from the savings is realized. In the future, this seed money will come directly from bond sales. Once established, the program requires no additional infusion of funds other than the bonds themselves, which will be repaid through savings.

#### SAVINGS

The documentation is solid that this program will provide needed improvements to state buildings and save the state money. The projected energy and cost savings are based on a range of very conservative economic and engineering assumptions. The projects are structured so that measures with longer payback can be dropped if financing terms at the time of the bond sale demand a higher return on investment.

I'd like to call your attention to the chart I've handed out. The top line shows current utility costs for the four facilities, projected over twenty years. This is the projected cost to the state if we do none of this work.

The lower line shows the projected annual cost if the bonds are sold and the energy conservation work is done. It includes both the reduced utility costs and the bond repayment. In this example, the bonds are retired in ten years, which accounts for the sharp drop halfway through on the lower line.

The area between the two lines represents the estimated savings to the state. As you can see, the state realizes a small net savings, even while the bonds are being repaid, and considerably greater savings once the bonds are retired.

I think this chart clearly points out that there is a significant cost to the state associated with not doing this work. In other words, the cost of doing nothing is greater than the cost of doing the work proposed in this bill. We're reaching the point where we can't afford the cost of doing nothing. State government already spends more than \$13 million per year to heat, light and cool its buildings.

Ex. 11

3-21-91

HB 777<sub>4</sub>

In selecting the projects being presented today, DNRC looked both to energy savings potential and to relative stability in long-term use. Our experience with Boulder, Warm Springs and Galen proved that facilities with a high degree of uncertainty in future use are not good candidates for bond investments. The University of Montana constitutes the bulk of the work for the next round and represents a shift toward facilities with more predictable futures.

#### SUMMARY

- The program that this bill would fund increases the efficiency and reduces the cost of state government. It saves both energy and money.
- It provides needed improvements at the University of Montana, Eastmont, Pine Hills, and the Cogswell Building.
- It saves general fund dollars, especially in the long term.
- The retrofit projects provide work in the private sector, utilizing local engineers, architects, craftsmen and suppliers.

This program was seen as a good idea two years ago when it was unanimously approved by both houses of the Legislature. The program was designed so that the Legislature has an opportunity to review and approve the work proposed each biennium. House Bill 777 represents your opportunity to review and approve the work for the coming biennium. I urge you to support this bill, and I will try to answer any questions you have. Thank you.

EXHIBIT 12  
 DATE 3-21-91  
 HB 717 *Reported from Rardin Hearing*

Ntl Gas Savings Valley View School, Gt Fls, 1990-91

	1	2	3	4	5	6	7	8
<b>October</b>								
550 DD								
Building	Sq Footage	Current BTU/ Sq ft/DD	Last year BTU/ Sq ft/DD	% Change this yr vs. last year	1973/74 Base use BTU/Sq ft/DD	% Change this yr vs. base year	Dollar savings this yr vs base	Current cost
Valley Vw	41223	2.82	6.27	-55	9.1	-69	-635.09	286.19
<b>November</b>								
768 DD								
Building	Sq Footage	Current BTU/ Sq Ft/DD	Last year BTU/ Sq ft/DD	% Change this yr vs. last year	1973/74 Base use BTU/SQ ft/DD	% Change this yr vs. base year	Dollar savings this yr vs base	Current cost
Valley Vw	41223	4.19	7.71	-45.7	12.4	-66.2	-1144.88	583.52
<b>December</b>								
1325 DD								
Building	Sq Footage	Current BTU/ Sq Ft/DD	Last year BTU/ Sq ft/DD	% Change this yr vs. last year	1973/74 Base use BTU/Sq ft/DD	% Change this yr vs. base year	Dollar savings this yr vs base	Current cost
Valley Vw	41223	5.58	10.3	-45.8	12.35	-54.8	-1614.41	1328.92
<b>January</b>								
1421 DD								
Building	Sq Footage	Current BTU/ Sq Ft/DD	Last year BTU/ Sq ft/DD	% Change this yr vs. last year	1973/74 Base use BTU/Sq ft/DD	% Change this yr vs. base year	Dollar savings this yr vs base	Current cost
Valley Vw	41223	5.92	9.33	-36.6	12.38	-52.2	-1607.77	1473.03
<b>February</b>								
906 DD								
Building	Sq Footage	Current BTU/ Sq Ft/DD	Last year BTU/ Sq ft/DD	% Change this yr vs. last year	1973/74 Base use BTU/Sq ft/DD	% Change this yr vs. base year	Dollar savings this yr vs base	Current cost
Valley Vw	41223	4.87	10.36	-53	10.98	-55.6	-114.41	70.2

House Appropriations Committee  
Montana House of Representatives  
March 21, 1991

EXHIBIT 13  
DATE 3-21-91  
HB 777

I submit the following testimony in support of HB 777:

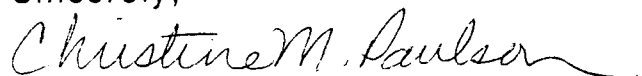
The state energy conservation program is an important component to Montana's energy strategy. Since the legislature has direct control over, and accountability for, public buildings, this is a logical place to begin large-scale energy efficiency improvements.

The benefits of retrofitting state buildings are at least threefold. Energy savings in public facilities can serve as a model to the rest of the Montana community. Secondly, the efficiency improvements will curtail the cost of operating public facilities. Money saved is money earned for other government programs and lower rates for Montana taxpayers. In addition, projects sited for efficiency improvements will create jobs for experienced Montana retrofitters.

Section 3, for bond authorization, is an essential to the survival of this program. Although it creates a state debt, this is an investment in Montana's economic and energy future. Moreover, the bonds are repaid by the energy savings in these public buildings.

This program deserves a portion of the oil overcharge payments as allocated in Section 1. In the event that these funds are unavailable, the energy conservation program could be funded entirely by general obligation bonds. Therefore, I submit an amendment to HB 777, Section 1 (3) as follows, "HB 524, if passed, will receive priority over HB 777 for appropriations from stripper well payments for the fiscal years 1992-93."

Sincerely,



Christine M. Paulson  
Graduate Student  
Environmental Studies Program  
University of Montana

(17)

EXHIBIT 14  
DATE 3-21-91  
HB 777

**SUMMARY OF ENERGY PROJECTS PROPOSED FOR BOND FUNDING**

The following summarizes the energy conservation projects proposed at state facilities for the 1992-1993 biennium.

**UNIVERSITY OF MONTANA (MISSOULA)**

Engineering studies have been completed on the central plant and the following buildings: Health Science, Science Complex, Music, Math, and the Mansfield Library. Studies of the Chemistry-Pharmacy Building and the Pharmacy-Psychology building are underway, and DNRC is now identifying additional buildings to include in the retrofit package.

**Electrical efficiency improvements** -- Lighting system improvements include installing controls to turn off or reduce lighting when not needed, replacing ballasts in fluorescent fixtures with more efficient models, and upgrading lighting fixtures with more energy efficient systems that also provide higher quality of lighting. Inefficient fans will be replaced with more efficient and more controllable systems.

A cogeneration system is proposed at the central boiler plant. This system will use waste steam from the campus boilers to generate electricity, reducing the amount purchased from the utility.

**Heating efficiency improvements** -- Steam is used to heat, cool, and provide hot water for most of the buildings on campus. The following measures have been identified: installing more efficient heating controls, reducing heat loss from the buildings by insulating and by reducing unnecessary exhaust, replacing inefficient heating equipment, modifying systems to more effectively deliver conditioned air to the occupants, and reducing heat wasted in the hot water distribution system.

Steam for most of the campus is produced in gas-fired boilers at the central heating plant. In addition to the cogeneration discussed above, equipment will be installed to capture lost energy at the boiler plant.

**Additional building improvements** -- Studies to be completed by the end of this year will identify improvements to lighting, heating, cooling, domestic hot water, and ventilation systems in three to four more buildings on campus.

**Cost and savings estimates** -- The total cost of the proposed measures in the studies completed to date is just under \$1.4 million, with an estimated annual savings of approximately \$280,000, for a simple payback of just under 5 years. DNRC anticipates leveraging federal funds in excess of \$500,000, which lowers the cost to the state to less than \$900,000. The work that will be proposed in the additional studies is expected to raise the total state investment to an estimated \$1.7 million, with a similar payback period.

**PINE HILLS SCHOOL (MILES CITY)**

Energy conservation work is proposed for 16 buildings, including the central heating plant. Projects include updating temperature control systems, converting incandescent lighting to fluorescent, retrofitting the gym lighting system for more efficient and higher quality lighting, converting the heating systems in some of the shop space to gas-fired infrared heating for improved efficiency and comfort, and converting to more efficient heating, ventilation and air conditioning systems in Range Rider and Sundance Lodges.

Proposed energy conservation measures related to the central heating plant and distribution system include insulating steam lines and condensate return lines, installing a pony boiler for meeting the reduced summer time loads of the campus, and installing small point-of-use water heaters for buildings with small domestic hot water loads.

Energy improvement cost: \$190,000  
Estimated annual savings: \$ 27,000  
Simple payback: 7 years

**EASTMONT HUMAN SERVICES CENTER (GLEN DIVE)**

The energy improvements proposed for the five buildings on this campus include converting from incandescent lighting to fluorescent, upgrading temperature control systems to include night setback, and installing electronic ignition systems on the furnaces.

Energy improvement cost: \$8,600  
Estimated annual savings: \$5,000  
Simple payback: 1.75 years

**COGSWELL BUILDING (HELENA)**

Efficiency improvements -- Steam heating, controls, lighting, and boiler efficiency improvements will be installed on one or two major buildings at the Capitol Complex. Improvement costs and savings are pre-study estimates.

Estimated energy improvement costs: \$200,000  
Estimated annual savings: \$ 25,000  
Simple payback: 8 years



STATUS OF 1989 STATE BUILDING ENERGY CONSERVATION PROJECTS  
January 18, 1991

15  
EXHIBIT 3-21-91  
DATE 777

MONTANA STATE HOSPITAL AT WARM SPRINGS HB

The design phase is complete. Temporary boilers were placed in the Receiving Hospital Building when the existing boilers failed. Work is underway installing the new permanent boilers, and the smaller boilers will be placed in residential units, replacing the older, inefficient units there.

The next step is to bid the remaining work, which includes boiler plant improvements, temperature control improvements, and various heating improvements throughout the campus. The Department of Institutions has requested a hold on the project, so the bid date is not known.

MONTANA DEVELOPMENT CENTER (BOULDER)

The design for the campus energy conservation work is scheduled to be completed before spring so the retrofit can be complete before next heating season. The scope of work has been reduced from the original project, due to major changes at the campus proposed by the Department of Institutions. The retrofit now will be limited to those measures that will pay for themselves within three to four years.

MONTANA STATE HOSPITAL AT GALEN

The Department of Institutions requested this project be put on hold due to uncertainty about the future use of the facility. The energy study was completed, but no design or retrofit work was done.

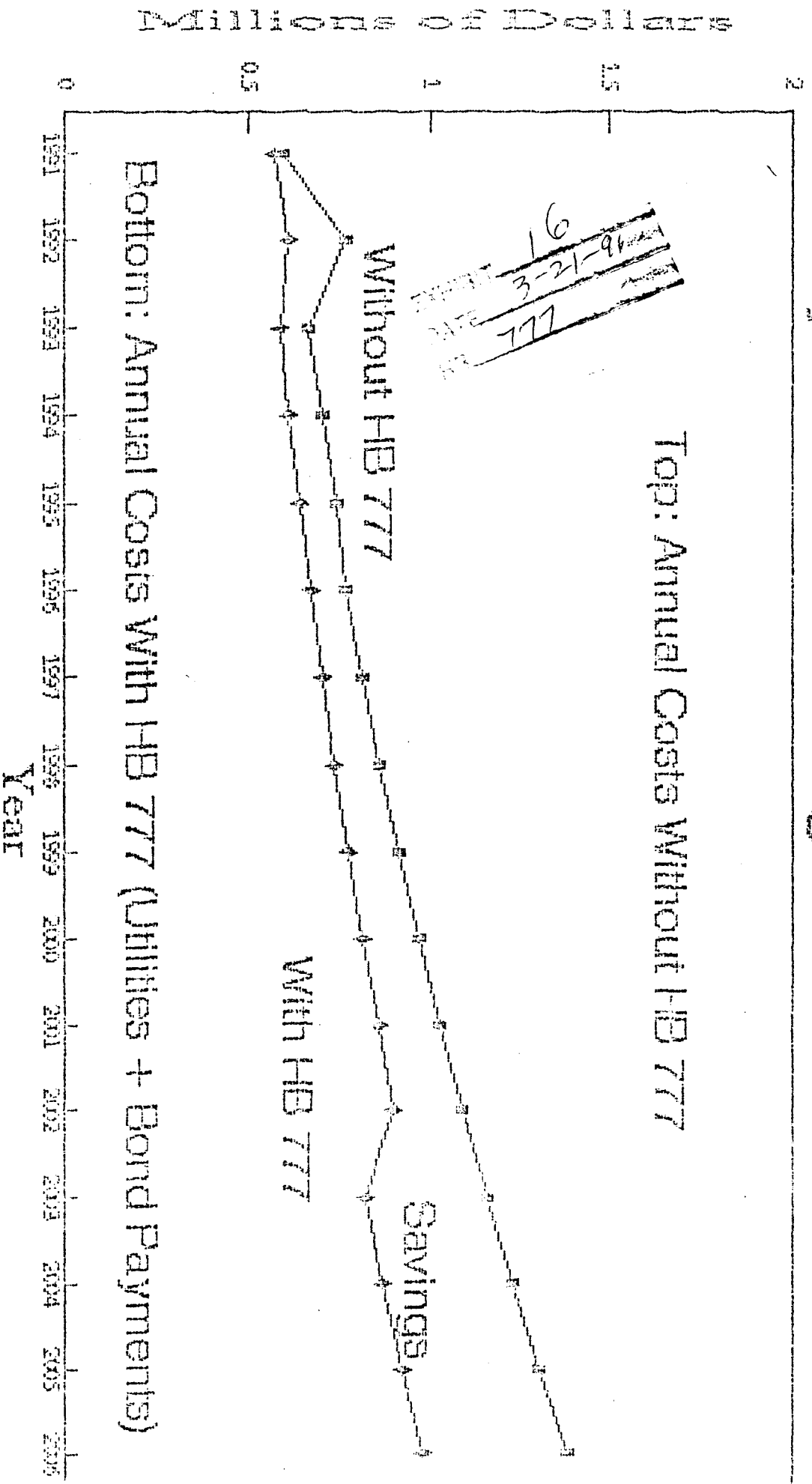
CENTER FOR THE AGED (LEWISTOWN)

The energy study is complete; the design and specifications have been prepared and are now being reviewed by engineers from DNRC and the Architecture & Engineering Division. The design estimates for several measures were higher than the study estimates, so DNRC is reevaluating the cost effectiveness of completing those items. The retrofit is planned for completion before next heating season.

MONTANA SCHOOL FOR DEAF AND BLIND (GREAT FALLS)

The design for this project is near completion. Current plans call for completing the cooling improvements before the hot summer weather, and the remaining work by the end of this year.

# Projected Savings From HB 777



14



# MONTANA COAL COUNCIL

406-442-6223

2301 COLONIAL DRIVE · HELENA, MONTANA 59601

EXHIBIT 17  
DATE 3-21-91  
HB 702

HB 701 and HB 702  
House Taxation Committee, 3/8/91  
James D. Mockler, Montana Coal Council

It is with regret that scheduling conflicts prohibit me from appearing before this committee in support of HB 701 and HB 702.

Since 1975 the coal industry has paid in excess of \$1.4 billion in taxes on coal mined in Montana, and to my knowledge, this is the first time anyone has proposed legislation to directly enhance the industry through development of technology.

On behalf of those involved with the production of Montana coal, I wish to thank the sponsors of these two bills and urge the committee to act favorably on them.

HOUSE BILL NO. 9

INTRODUCED BY CONNELLY

BY REQUEST OF THE MONTANA ARTS COUNCIL

EXHIBIT  
DATE 3-21-91  
HB 9

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING PRIORITIES FOR CULTURAL AND AESTHETIC GRANT AWARDS; APPROPRIATING MONEY FOR CULTURAL AND AESTHETIC GRANTS; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Appropriation of cultural and

aesthetic grant money -- priority of disbursement. (1) The Montana arts council shall award grants for projects authorized by and limited to the amounts appropriated by this section. Money must be disbursed in priority order, first to projects covered under subsection (2), and second to projects listed in subsection (3). The Montana arts council shall disburse money to projects authorized by [sections 1 through 4] through grant contracts between the Montana arts council and the grant recipient. The award contract must bind the parties to conditions, if any, listed with the appropriation in subsection (3).

(2) If the money in the cultural and aesthetic projects account is insufficient in the biennium ending June 30, 1991, to fund projects in the amount for which they were approved, the approved amount for the projects is reappropriated from the account until money has been disbursed to fully cover appropriations or

until October 1, 1992, whichever comes first.

(3) The following projects are approved and the following amounts are appropriated to the Montana arts council for the biennium ending June 30, 1993, from the cultural and aesthetic projects account:

<u>Benefiting Organization</u>	<u>Project</u>	<u>Amount</u>
MSU Shakespeare in the Parks	Operational Support	\$27,500
Montana Arts Council	Montana Folklife Programs	50,000

Conditions: For projects dealing with Native American culture, the relevant tribal cultural committees or nonreservation organizations should be contacted and involved in project planning.

Montana Institute of the Arts Foundation	Operational Support	15,000
Helena Presents	Expansion of Programs & Staff for Myrna Loy Center	30,000
Vigilante Theatre Company	Operational Support	15,500
Montana Performing Arts Consortium	Dance on Tour/Underwriting Assist./Admin. Support	40,000

Conditions: Grant funds may be used as follows: \$25,000 for operations and \$15,000 for dance on tour. No grant funds may be used to support tour coordinators.

Yellowstone Art Center	Facility Expansion	50,000
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Conditions: In view of this major fundraising task, the organization shall contact the state historic preservation office early in the process, as use of federal funds will require review of the project according to the secretary of the interior's standards on historical rehabilitation. Funds may not be released until documentation of consultation with the state historic preservation office is received by the Montana arts council.

UM Montana Repertory Theatre	Montana Repertory Theatre Tour	50,000
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Conditions: Grant funds may be used only to support in-state touring to help build up the Montana repertory theatre's in-state constituency.

MSU KUSM Public Television	Native Voices Public Television Workshop	32,500
Native American Cultural Institute	Big Sky Indian Market	9,000

1	Alberta Bair Theater Corporation	Development of Programming and Marketing	10,000
2	Montana Historical Society	Oral History Office	<del>50,000</del> 73,400
3	Hockaday Center for the Arts	Operational Support	15,000
4	Montana Arts Council	Rural Arts Org. Development & Artists in Schools	35,000
5	Young Audiences of Western MT	Young Audiences Outreach	10,000
6	Missoula Children's Theatre	Building Capital Campaign	35,000
7	Montana Art Gallery Director's Association	Exhibition Fee Support for Montana Art Galleries	25,000
8	Conditions: Grant funds may not be used for board travel.		
9	International Choral Festival	Development and Marketing for 1993 Choral Festival	5,000
10	Montana Committee for the Humanities	Speakers Bureau	25,000
11	Watershed Foundation	The Sacred Bear in Two Worlds	27,500
12	Town of Sunburst	Film - The Invisible Border	10,000
13	Conditions: Grant funds may not be released until receipt of documentation of governmental status by the		
14	Montana arts council. Grant funds may be used only for post-production work to complete the film. Grant		
15	funds may not be used for marketing.		
16	Dull Knife Memorial College Library	Northern Cheyenne Photographic Art/Archive Project	20,000
17	Conditions: Grant funds may not be released until receipt of documentation of governmental status by the		
18	Montana arts council.		
19	Aleph Movement Theatre	Leonardo Project	10,000
20	Beall Park Art Center	Exhibition/Performance Space Development	3,500
21	Conditions: Each dollar in grant funds must be matched by three dollars in cash or in-kind goods and services,		
22	or both.		
23	Custer County Art Center	Operational Support	15,000
24	Bigfork Center for the Performing Arts	The 3rd and 4th Annual Gathering at Bigfork	15,000
25	<u>LEWISTOWN ARTS CENTER</u>	<u>OPERATIONAL SUPPORT</u>	<u>1,500</u>
26	Missoula Children's Theatre	Operational Support	15,000
27	Conditions: Grant funds may be used only to support in-state touring.		
28	Northern Lights Institute	Support for Artists and Writers	10,000

1 Conditions: Grant funds may be used only for Montana artists and writers.

2 Helena Civic Center Auditorium Renovation Program 10,000

3 Conditions: Documentation of discussion with state historic preservation office regarding resolution of any  
4 design problems must be submitted to the Montana arts council prior to release of funds.

5 Western Heritage Center The Real West: Farming & Ranching Families 15,000

6 Paris Gibson Square Exterior Sculpture 5,000

7 Montanans for Quality TV Animal of the Mind Series 10,000

8 Fort Peck Fine Arts Council Northeastern Montana Satellite Development Project 20,000

9 Conditions: Grant funds may be used only for strengthening the Fort Peck fine arts council's satellite network  
10 --performing arts series and touch project. The council shall endeavor to include more Native Americans in its  
11 decisionmaking process.

12 Montana Indian Art & Cultural Association American Indian Contemporary Arts Symposium 3 & 4 10,000

13 Conditions: Grant funds are to be used to support honorarium and travel. Funds may not be used for  
14 videotaping.

15 Great Falls Symphony Association Cascade Quartet Outreach 10,000

16 String Orchestra of the Rockies Small Community Tour 10,000

17 Yellowstone Chamber Players Concerts for Outlying Communities in Montana 10,000

18 Blackfeet Community College Revival of Blackfeet & Plains Indian Games 2,000

19 Fox Comm. for the Performing Arts Operational Support 10,000

20 Conditions: Grant funds may be used solely for educational programs and personnel. Clerical staff may not  
21 be supported with these funds.

22 Hellgate Writers, Inc. Literary Center, Phase II 13,000

23 Conditions: Grant funds may not be used for printing and mailing of the corporation's newsletter or to support  
24 travel for fundraising purposes.

25 Alberta Bair Theater Corporation Expansion of a Permanent Endowment ~~10,000~~ 8,767

26 Bigfork Center for the Performing Arts Permanent Endowment Expansion ~~20,000~~ 17,534

27 Glacier Orchestra and Chorale Establish Permanent Endowment ~~25,000~~ 21,917

28 Beall Park Art Center Challenge Grant ~~10,000~~ 8,767

EXHIBIT 18  
DATE 3-21-91  
HB 9

52nd Legislature

HB 0009/gray

1	Billings Symphony Society	Expansion of Endowment	<del>45,000</del> <u>13,150</u>
2	Yellowstone Art Center	Endowment Expansion	<del>20,000</del> <u>17,534</u>
3	Clack Museum Foundation	Establish Endowment	<del>45,000</del> <u>13,150</u>
4	Gallatin County Historical Society	Endowment Expansion	<del>10,000</del> <u>8,767</u>
5	MSU Shakespeare in the Parks	Expansion of Permanent Endowment	<del>20,000</del> <u>17,534</u>

6 Conditions: Release of grant funds is contingent upon obtaining all matching funds for the FY 1990-91  
7 challenge grant.

8	Great Falls Symphony Association	Endowment Expansion	<del>25,000</del> <u>21,918</u>
9	Bitterroot Public Library Foundation	Establishment of a Permanent Endowment	<del>19,770</del> <u>17,332</u>

0 Conditions: Income from the endowment may not be used to reduce county mill levy support. The income  
11 must be used to fund additional services not otherwise available.

2	Carbon County Arts Guild	Special Expansion Project	5,000
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13 Conditions: Grant funds may not be used to purchase a computer.

4	Montanans for Quality TV	The Montana Media Catalog	10,000
15	Grandstreet Theatre	Lighting Expansion and Update	10,000
6	Powder River Historical Society	Preservation of Powder River County History	2,000
17	Livingston Depot Foundation	Education Coordinator for Depot Center	12,000

18 Conditions: Grant funds may be used only for staff involved with arts education. Clerical staff may not be  
19 supported with these funds.

20	Montana Ballet Company	Operational Support for Montana Ballet Company	7,500
21	Garden City Ballet	Administrative & Artistic Support	7,500
22	Montana Agriculture Center of Ft. Benton	Harvest Time in Those Early Years	4,000

23 Conditions: An original application must be received prior to release of funds.

24	Garfield County Library	Preservation and Usage of County Newspapers	5,000
25	Custer County Art Center	Artist-in-Residence/Schools Pilot Program	7,000
26	Helena Symphony Society	Director of Development	10,000
27	Missoula Symphony Association	Professional Manager, Office Space, Software	5,000

28 Conditions: Grant funds may be used only for the manager's salary.



1	Montana Assn. of Symphony Orchestras	Artistic Leadership Project	10,000
2	Conditions: Grant funds may be used as follows: \$7,500 for conference and \$2,500 for musicians.		
3	Montana State Theatre Association	Operational Support	3,000
4	Conditions: Grant funds may not be used to pay for meals.		
5	Montana Public TV Association	Community Video Production Project	10,000
6	Montana Dance Arts Association	Operational Support	5,000
7	Billings Preservation Society	Moss Mansion Kitchen Restoration	30,000
8	Daly Mansion Preservation Trust	Administrative & Financial Development Project	15,000
9	<del>Conditions: Grant funds may be used to contract with a financial consultant provided the trust matches the</del>		
10	<del>grant in cash on not less than a one to one match.</del>		
11	Blackfeet Community College	Pottery/Ceramics Art Lab	2,000
12	Growth Thru Art, Inc.	Stabilize Organization by Increasing/Adding Staff	10,000
13	Broadway 215	Administrative Support	4,000
14	Conditions: Grant funds must be used for the facility manager's first year's salary. The organization shall		
15	submit a fundraising plan by June 30, 1992.		
16	Very Special Arts Montana	Administrative & Artistic Support	10,000
17	Celebrate Missoula	Administrative & Artistic Support	10,000
18	Copper Village Museum	Director of Programming & Education	5,000
19	Custer County Art Center	Architectural Plans	3,000
20	Conditions: Grant funds may be used only to fund half of architectural and structural engineering services.		
21	Gallatin County Historical Society	Photographic Archives	2,500
22	Treasure County 89ers	Folklife Addition	3,000
23	Conditions: The state historic preservation office shall evaluate plans for soda fountain restoration prior to		
24	release of funds.		
25	Granite County Museum/Cultural Center	Rehabilitate Historic Building for Center	5,000
26	Conditions: Grant funds may be released only upon receipt of documentation that the organization is working		
27	with the state historic preservation office as they develop their construction plan.		
28	Montana Alliance for Arts Education	General Manager	5,000

1 Stevensville Museum Stevensville Museum 2,500

2 Bitterroot Community Band Purchase Music and Equipment 1,000

3 Montana Puppet Guild Blanche Harding - Montana's Puppet Lady ~~2,000~~ 4,000

4 Conditions: Grant funds may be used only to support the documentation of Harding's personal and professional  
5 life and her artistry as a teacher and puppeteer. Funds may not be used to support production of "Lewis and  
6 Clark's Adventures".

7 Daly Mansion Preservation Trust Restoration & Stabilization Project 15,000

8 Conditions: Grant funds must be used for restoration of aspects of building directly related to public safety.

9 MSU School of Art Backgrounds - Interaction of Culture & Visual Arts 18,000

10 Conditions: Grant funds may be used to support six visiting artist lectures. Grant funds may be released only  
11 upon documentation that the lectures are significantly marketed to the general public and held at a time and  
12 place convenient to the general public.

13 Garnet Preservation Association Restoration - Kelley Saloon & Hannifen House  
14 OR DIRECTOR 5,000

15 ~~Conditions: The United States department of the interior, bureau of land management, shall provide \$15,000~~  
16 ~~each in matching funds prior to release of funds.~~

17 Big Sky Association for the Arts Artistic Support for Big Sky Music Festival 10,000

18 Dillon Depot Restoration Committee Railroad Depot Restoration 2,000

19 UM KUFM Radio Music Library Enhancement 3,000

20 Biddle Community Heritage Center Construction of Community Hall 1,000

21 ~~Bitterroot Valley Public TV Self Sustaining Community Television 5,000~~

22 Prairie County Museum Restore Burlington Northern Depot ~~1,000~~ 3,000

23 Conditions: The recipient shall submit the project director's resume, budget narrative, and a letter from the  
24 state historic preservation office prior to release of funds.

25 Bannack State Park Oral History Program at Bannack State Park 2,310

26 Milwaukee Rode Cultural Project Montana Memories - Volume II ~~2,500~~ 4,000

27 ~~TOWN OF FORT BENTON -~~ VISIONS FROM THE LAND 10,000  
*Museum of the Northern Great Plains*  
*Jesse Gleson Studio Acquisition*

28 ~~OLD TRAIL MUSEUM~~ TOWN OF CHOTEAU OLD TRAIL MUSEUM 5,000

1           (4) The amount of \$11,000 is appropriated from money that may  
2           revert from appropriations made in subsection (3) to the Montana  
3           arts council for project evaluations. The evaluations must be  
4           performed after July 1, 1992, and the results must be included in  
5           a report on projects funded by [sections 1 through 4] to be  
6           submitted to the 53rd legislature.

7           (5) THE AMOUNT OF \$150,000 IS APPROPRIATED TO THE MONTANA  
8           ARTS COUNCIL FROM MONEY THAT MAY REVERT FROM APPROPRIATIONS MADE IN  
9           [SECTION 1(2)] TO MATCH NATIONAL ENDOWMENT FOR THE ARTS FUNDS. THE  
10          APPROPRIATION IN THIS SUBSECTION MAY BE USED ONLY FOR RURAL AND  
11          OTHER UNDERSERVED PROGRAMS THROUGHOUT THE STATE.

12          NEW SECTION. Section 2. Reversion of granted money. (1)  
13          On October 1, 1992, money reappropriated in [section 1(2)] LESS  
14          MONEY APPROPRIATED IN [SECTION 1(5)], but not disbursed, reverts to  
15          the cultural and aesthetic projects account provided for in 15-35-  
16          108.

17          (2) On July 1, 1993, the unencumbered balance of the 1993  
18          biennium grants reverts to the cultural and aesthetic projects  
19          account provided for in 15-35-108.

20          NEW SECTION. Section 3. Pro rata reduction of grant  
21          awards. If money in the cultural and aesthetic project account is  
22          insufficient to fund projects at the appropriation levels contained  
23          in [section 1(3)], the Montana arts council shall allocate the  
24          available money on a pro rata basis to the authorized projects.

25          NEW SECTION. Section 4. Effective date. [This act] is

2nd Legislature

effective July 1, 1991.

EXHIBIT 18  
DATE 3-21-91  
HB 9

HB 0009/gray

-END-

HB0009

Amendments to House Bill No. 9  
First Reading Copy

Requested by Long-Range Planning Subcommittee  
For the Committee on Appropriations

Prepared by Robert Person and Jim Haubein  
February 7, 1991

1. Page 3, line 2.

Strike: "50,000"

Insert: "73,400"

2. Page 3, line 25.

Following: line 24

Insert: "Lewistown Arts Center                      Operational Support 1,500"

3. Page 4, line 24.

Strike: "10,000"

Insert: "8,767"

4. Page 4, line 25.

Strike: "20,000"

Insert: "17,534"

5. Page 4, line 26.

Strike: "25,000"

Insert: "21,917"

6. Page 4, line 27.

Strike: "10,000"

Insert: "8,767"

7. Page 4, line 28.

Strike: "15,000"

Insert: "13,150"

8. Page 5, line 1.

Strike: "20,000"

Insert: "17,534"

9. Page 5, line 2.

Strike: "15,000"

Insert: "13,150"

10. Page 5, line 3.

Strike: "10,000"

Insert: "8,767"

11. Page 5, line 4.

Strike: "20,000"

Insert: "17,534"

12. Page 5, line 7.

Strike: "25,000"

EXHIBIT 18  
DATE 3-21-91  
PAGE 9

Insert: "21,918"

13. Page 5, line 8.

Strike: "19,770"

Insert: "17,332"

14. Page 6, lines 8 and 9.

Strike: lines 8 and 9 in their entirety

15. Page 7, line 2.

Strike: "2,000"

Insert: "4,000"

16. Page 7, line 12.

Following: "House"

Insert: "or Director"

17. Page 7, lines 13 and 14.

Strike: lines 13 and 14 in their entirety

18. Page 7, line 19.

Strike: line 19 in its entirety

19. Page 7, line 20.

Strike: "1,000"

Insert: "3,000"

20. Page 7, line 24.

Strike: "2,500"

Insert: "4,000"

21. Page 7, line 25.

Following: line 24

Insert: "~~Town of Fort Benton~~

~~Town of Choteau~~

Old Trail Museum

Visions From the Land 10,000

Old Trail Museum 5,000"

Jesse Cheson Studio Acquisition

22. Page 8, line 3.

Following: line 2

Insert: "(5) The amount of \$150,000 is appropriated to the Montana arts council from money that may revert from appropriations made in [section 1(2)] to match national endowment for the arts funds. The appropriation in this subsection may be used only for rural and other underserved programs throughout the state."

23. Page 8, line 4.

Following: "[section 1(2)]"

Insert: "less money appropriated in [section 1(5)]"

246 15  
Amendments to House Bill No.  
First Reading Copy

EXHIBIT 19  
DATE 3-21-91  
HB 9

Requested by Representative Mary Ellen Connelly

Prepared by Jim Haubein  
March 21, 1991

1. Page 7, following line 24.

Insert: "Helena Arts Council	Expansion of Holter Museum of Art Education Program	5,000
Helena Arts Council	Expansion of Holter Museum Endowment Project	5,000
Archie Bray Foundation	Save the Beehives - Historic Renovation Project	5,000
Archie Bray Foundation	Endowment Establish- ment"	5,000

Amendments to House Bill No. 9  
First Reading Copy

EXHIBIT 20  
DATE 3-21-91  
HB 9

Requested by Long-Range Planning Subcommittee  
For the Committee on Appropriations

Prepared by Robert Person and Jim Haubein  
February 7, 1991

1. Page 3, line 2.  
Strike: "50,000"  
Insert: "73,400"
2. Page 3, line 25.  
Following: line 24  
Insert: "Lewistown Arts Center                      Operational Support 1,500"
3. Page 4, line 24.  
Strike: "10,000"  
Insert: "8,767"
4. Page 4, line 25.  
Strike: "20,000"  
Insert: "17,534"
5. Page 4, line 26.  
Strike: "25,000"  
Insert: "21,917"
6. Page 4, line 27.  
Strike: "10,000"  
Insert: "8,767"
7. Page 4, line 28.  
Strike: "15,000"  
Insert: "13,150"
8. Page 5, line 1.  
Strike: "20,000"  
Insert: "17,534"
9. Page 5, line 2.  
Strike: "15,000"  
Insert: "13,150"
10. Page 5, line 3.  
Strike: "10,000"  
Insert: "8,767"
11. Page 5, line 4.  
Strike: "20,000"  
Insert: "17,534"
12. Page 5, line 7.  
Strike: "25,000"



EXHIBIT 20  
 DATE 3-21-91  
 PAGE 9

Insert: "21,918"

13. Page 5, line 8.

Strike: "19,770"

Insert: "17,332"

14. Page 6, lines 8 and 9.

Strike: lines 8 and 9 in their entirety

15. Page 7, line 2.

Strike: "2,000"

Insert: "4,000"

16. Page 7, line 12.

Following: "House"

Insert: "or Director"

17. Page 7, lines 13 and 14.

Strike: lines 13 and 14 in their entirety

18. Page 7, line 19.

Strike: line 19 in its entirety

19. Page 7, line 20.

Strike: "1,000"

Insert: "3,000"

20. Page 7, line 24.

Strike: "2,500"

Insert: "4,000"

21. Page 7, line 25.

Following: line 24

Insert: "Museum of the Northern

Great Plains

Visions From the Land 10,000

Old Trail Museum

Jesse Gleason Studio  
Acquisition 5,000

Helena Arts Council

Expansion of Holter  
Museum of Art  
Education Program 5,000

Helena Arts Council

Expansion of Holter  
Museum Endowment  
Project 5,000

Archie Bray Foundation

Save the Beehives -  
Historic Renovation  
Project 5,000

Archie Bray Foundation

Endowment Establishment 5,000"

22. Page 8, line 3.

Following: line 2

Insert: "(5) The amount of \$150,000 is appropriated to the Montana arts council from money that may revert from appropriations made in [section 1(2)] to match national endowment for the arts funds. The appropriation in this subsection may be used only for rural and other underserved programs throughout the state."

23. Page 8, line 4.

Following: "[section 1(2)]"

Insert: "less money appropriated in [section 1(5)]"

EXHIBIT 20  
DATE 3-21-91  
HB 9

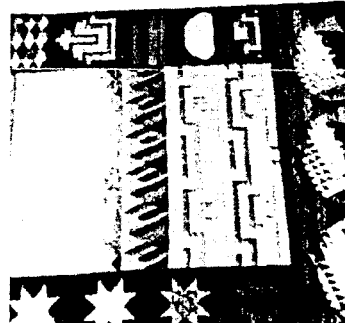
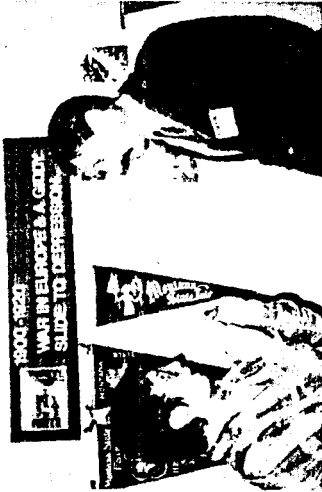
The Holter Museum of Art opened its doors in December, 1987, after months of renovation of the historic stone building in downtown Helena which once housed a heavy machinery business. Built about the turn of the century, this stone edifice has evolved into a place of lasting beauty whose purpose it is to provide a suitable setting for the visual arts. Its influence has gone far beyond the immediate vicinity of Helena, and its future is assured, with the help of patrons and members and a dedicated staff and board of governance.

The Holter Museum is located one block off Last Chance Gulch, and is in the shadow of the St. Helena Cathedral, one of the most beautiful gothic structures of its kind in the Northwest. There is ample parking all around the museum, and there is handicap access to all of the 10,000 square feet of floor space. A full sixty percent of the footage is given over to galleries for display of art and dissemination of information about it. In addition, there is storage and office space as well as a public lobby and small sales area. Security, fire control, temperature and humidity control systems utilize the latest technological methods.

This is a special invitation to become a member of the Holter or to renew your present membership as this fine facility begins another year of serving cultural needs of this community and beyond. We invite your inquiries, by telephone or in person at 12 East Lawrence. Extra forms for renewing or instituting membership are always available, along with information about current and future exhibits at the Holter.

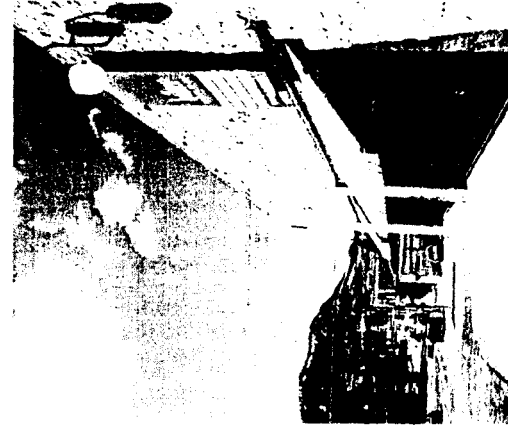
**HOLTER MUSEUM OF ART**  
12 East Lawrence Street  
Helena, Montana 59601  
(406) 442-6400

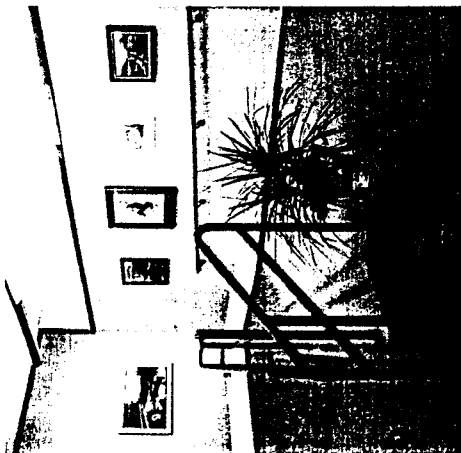
**A CENTENNIAL EXHIBITION**  
**HELENA:**  
**AN ILLUSTRATED HISTORY**  
**A Century**  
**Of Art**  
**& Artifacts**  
CURATED BY ROBERT E. MORGAN  
**MARCH 8 - APRIL 18**



Partial funding for printing of the membership and annual fund brochure was provided by:  
Century Lithographers  
David Brown & Joe Hrella / Hair Hair, the Salon  
Schlenger & McKinnick Architects  
Dick & Mary Duffly / Montana Gallery

**THE VISUAL ARTS**  
**COMMITMENT TO**  
**AN ENDURING**





Introductory panel from the Museum's permanent collection.

Adhering to its policy of maintaining an active education program, the Holter Museum of Art has dedicated itself to countless hours of instruction, lectures, hand-on demonstrations and workshops for the benefit of students and adults of all ages. All of this has been free to the public, also in keeping with the Museum's purpose of providing a setting for the visual arts without the use of public moneys and without admission fees.

#### ADMISSION IS FREE

##### HOURS:

Tuesday-Saturday, 10 a.m. - 5 p.m.

Sunday, noon - 5 p.m.

Closed Mondays

##### WINTER HOURS:

Tuesday-Sunday, noon - 5 p.m.

#### BECAUSE OUR MEMBERS

##### MAKE IT POSSIBLE....

The Holter Museum was built and mostly maintained by DONATION. Without state or federal funding, OUR MEMBERS MAKE IT POSSIBLE.

#### THE HOLTER MUSEUM MEANS

##### BIG BUSINESS....

Each year the museum is attracting over 15,000 visitors, many from out-of-state. The Holter Museum has added top-notch art viewing and has strengthened Helena's tourist attractiveness.



#### FUNCTIONS OF THE HOLTER

To present exhibitions of the visual arts in the form of paintings, sculpture, drawings, original prints, ceramics, weavings and other appropriate visual art forms.

The visual arts, composed of traveling and permanent collections shall be both contemporary and historic art from local, regional, national and international sources. These exhibits will not be limited to style or concept but to QUALITY AND PUBLIC INTEREST.

To provide through lectures, demonstrations and workshops a broad program of service to the public which will enhance their knowledge of the visual arts through art education and appreciation.



*Your membership is an investment in the future of visual arts in our community.*

#### YOUR SUPPORT DOES MAKE THE

##### DIFFERENCE. YOUR INTEREST

##### ASSURES OUR SUCCESS....

As a non-profit museum, we rely on your membership and donation for the operation and maintenance of the museum. Without it we would cease to exist.

#### THANKS....

We thank you in advance for your membership and contribution, making you a part of our "ENDURING COMMITMENT TO THE VISUAL ARTS" membership drive.

#### AN ENDURING COMMITMENT TO THE VISUAL ARTS

Versatility is the key when it comes to planning and executing shows at the Holter. Since its opening date in 1987, this fine arts facility has displayed, in its three spacious galleries, a wide variety of the visual arts. There has been something for everyone in such shows as the annual Youth Electrum, many showings by individual artists, and the August classic, the Western Rendezvous of Art which features works notable for variety by the Northwest Rendezvous Group of Artists.

Expressions in many media, including the stunning "explosion" stainless steel art of the late Dr. Jeff Holter, and pieces from the Poindexter collection in Sherman Gallery.



Amendments to House Bill No. 842  
First Reading Copy

EXHIBIT 22  
DATE 3-21-91  
HB 842

Requested by Representative Connelly  
For the Committee on Appropriations

Prepared by Greg Petesch  
March 5, 1991

1. Page 2, line 3.  
Strike: "project"  
Insert: "facility"

EXHIBIT 23  
DATE 3-21-91  
HB 10

rev.  
HB 10

HOUSE BILL NO. 10

INTRODUCED BY BARDANOUVE

BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING OIL OVERCHARGE MONEY FOR PROGRAMS ADMINISTERED BY THE STATE OF MONTANA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Policy.** As a result of overcharges on sales of domestic crude oil, the federal courts have ordered or approved settlements requiring the repayment of the total amount of overcharges, plus interest, into escrow accounts to be distributed by the U. S. treasury to the states, territories, and possessions of the United States. It is the policy of this state to use the oil overcharge money distributed to the state to supplement state and federal programs that the state administers and to use the money in a manner consistent with federal court orders establishing or approving the payment of the funds to the state of Montana.

NEW SECTION. **Section 2. Definitions.** As used in [this act], the following definitions apply:

(1) "Cities service payments" means the oil overcharge payments and any interest accrued on the payments made to

1 the U.S. treasury for distribution to the state of Montana  
2 pursuant to the consent agreement between cities service oil  
3 and gas and the U. S. department of energy as affirmed by  
4 the federal energy regulatory commission.

5 (2) "Exxon payments" means the oil overcharge payments  
6 made by the exxon corporation to the U. S. treasury for  
7 distribution to the state of Montana pursuant to the order  
8 of the U. S. district court for the District of Columbia in  
9 Civil Action No. 78-1035.

10 (3) "Getty oil payments" means the oil overcharge  
11 payments made to the U. S. treasury for distribution to the  
12 state of Montana pursuant to the order of disbursement  
13 issued in Civil Action No. 77-347 (MMS) in the U. S.  
14 district court for the district of Delaware and any interest  
15 accrued on the payments.

16 (4) (a) "Stripper well payments" means the oil  
17 overcharge payments made to the U. S. treasury for  
18 distribution to the state of Montana as the result of the  
19 final settlement agreement in the U. S. district court for  
20 the district of Kansas, Cause No. M.D.L. 378, and any  
21 interest accrued on the payments. The term also includes but  
22 is not limited to cities service payments, as defined in  
23 subsection (1), getty oil payments, as defined in subsection  
24 (3), texaco payments, as defined in subsection (5), and any  
25 unspent project funds, as defined in subsection (6).

1 (b) The term does not include stripper well payments  
2 that have been expended or legally obligated or that have  
3 been incorporated into any of the existing federal energy  
4 programs as the result of prior appropriations by the  
5 legislature.

6 (5) "Texaco payments" means the oil overcharge payments  
7 made to the U. S. treasury for distribution to the state of  
8 Montana pursuant to the texaco final consent order, 53 Fed.  
9 Reg. 32929, August 29, 1988, and any interest accrued on the  
10 payments.

11 (6) "Unspent project funds" means stripper well  
12 payments that were not expended or otherwise legally  
13 obligated during the 1991 biennium but that were  
14 appropriated for the 1991 biennium in Chapter 597, Laws of  
15 1989, in:

- 16 (a) section 4;  
17 (b) section 6(1);  
18 (c) section 7;  
19 (d) section 8(1); and  
20 (e) section 9(1).

21 NEW SECTION. **Section 3.** Deposit of oil overcharge  
22 revenue. All funds from stripper well and exxon payments  
23 must be deposited by the state treasurer in the federal  
24 special revenue fund. All interest earned on these funds or  
25 payments must also be deposited in the federal special



1 revenue fund.

2 NEW SECTION. **Section 4.** Low-income home weatherization  
3 -- appropriation. There is appropriated \$600,000 from the  
4 exxon payments contained in the federal special revenue fund  
5 and ~~\$600,000~~ \$550,000 from the stripper well payments  
6 contained in the federal special revenue fund to the  
7 department of social and rehabilitation services for use in  
8 the home weatherization program created in 90-4-201.

9 NEW SECTION. **Section 5.** Matching funds for low-income  
10 energy assistance -- appropriation. (1) There is  
11 appropriated \$100,000 from the stripper well payments  
12 contained in the federal special revenue fund to the  
13 department of social and rehabilitation services for the  
14 purpose described in subsection (2).

15 (2) The department of social and rehabilitation  
16 services shall match private contributions to energy share,  
17 inc., to be used to assist persons not eligible for federal  
18 low-income energy assistance whose income is less than 150%  
19 of the federal poverty threshold published by the U. S.  
20 bureau of the census in the most recent edition of its  
21 publication, Poverty in the United States. All of the funds  
22 appropriated under subsection (1) must be used for clients'  
23 fuel bills or other energy needs.

24 NEW SECTION. **Section 6.** Biological agents for weed  
25 control -- findings -- appropriation. There is appropriated

1 \$200,000 from the stripper well payments contained in the  
2 federal special revenue fund to the department of  
3 agriculture to continue the collection and distribution of  
4 biological agents to control leafy spurge and spotted  
5 knapweed. The project will reduce energy consumption by  
6 reducing the need for repeated chemical applications and  
7 will build upon the accomplishments derived from the funding  
8 provided in section 8, House Bill 621, Laws of 1987, and in  
9 section 7, Chapter 597, Laws of 1989.

10 NEW SECTION. **Section 7. Safflower oil as diesel fuel**  
11 **substitute or extender -- appropriation.** There is  
12 appropriated \$200,000 from the stripper well payments  
13 contained in the federal special revenue fund to the  
14 department of natural resources and conservation for the  
15 demonstration of vegetable oil fuel substitutes or extenders  
16 designed to reduce petroleum consumption and result in a new  
17 potential cash crop for Montana farmers. Stripper well funds  
18 must be matched at least dollar for dollar with private or  
19 federal revenue, or both. The appropriation must be used to:

20 (1) contract with Montana farmers to grow high oleic  
21 safflower strains such as montola 2000, which was developed  
22 by the Montana state university agricultural experiment  
23 station through previous research funded by the department  
24 of natural resources and conservation;

25 (2) field-test lube oil additive mixes to minimize

1 polymerization in diesel engines that use vegetable oil  
2 fuel;

3 (3) evaluate engine testing results from safflower fuel  
4 oil use; and

5 (4) perform preliminary market development for montola  
6 2000 or other high oleic strains.

7 NEW SECTION. **Section 8.** Technical assistance to local  
8 governments -- appropriation. There is appropriated \$126,000  
9 \$235,000 from the stripper well payments contained in the  
10 federal special revenue fund to the department of natural  
11 resources and conservation to award a grant to a public or  
12 private entity to provide technical assistance to local  
13 government entities for the purpose of ~~identifying--energy~~  
14 ~~conservation-measures.~~ DEVELOPING A PROGRAM FOR RETROFITTING  
15 LOCAL GOVERNMENT BUILDINGS WITH ENERGY CONSERVATION  
16 MEASURES, SIMILAR TO THE STATE BUILDING ENERGY CONSERVATION  
17 PROGRAM ESTABLISHED BY TITLE 90, CHAPTER 4, PART 6, FOR  
18 STATE BUILDINGS. PRIORITY MUST BE GIVEN TO DEVELOPING A  
19 SELF-SUSTAINING LOCAL GOVERNMENT BUILDING ENERGY  
20 CONSERVATION PROGRAM. THE PROGRAM MAY BE BASED UPON  
21 MECHANISMS THAT INCLUDE BUT ARE NOT LIMITED TO LEVERAGING  
22 PRIVATE AND PUBLIC FUNDS, SELLING THE ENERGY SAVINGS TO  
23 UTILITIES, POOLING GROUPS OF LOCAL GOVERNMENT FACILITIES  
24 INTO LARGER RETROFIT PACKAGES FOR FINANCING OR SALE TO  
25 UTILITIES, AND WORKING WITH THE DEPARTMENT TO POOL STATE AND

leaking home heating oil tanks or lines.

NEW SECTION. **Section 11.** Institutional conservation program -- appropriation. There is appropriated ~~\$700,000~~ \$650,000 from the stripper well payments contained in the federal special revenue fund to the department of natural resources and conservation for use in the institutional conservation program for schools and hospitals administered by the department pursuant to 10 CFR 455.

NEW SECTION. **Section 12.** Conditions applied to appropriations. The appropriations made in [sections 4 through 11] are biennial appropriations subject to the following conditions:

(1) One-half of the total amount appropriated to each program in [sections 4 through 11] is appropriated in fiscal year 1992 and one-half is appropriated in fiscal year 1993. As biennial appropriations, the unexpended funds appropriated in fiscal year 1992 may be carried forward within each program to the second year of the 1993 biennium.

(2) The exxon payments appropriated in [section 4] are to be authorized in fiscal year 1992 and in fiscal year 1993 to the extent they are available before any stripper well payments appropriated in [section 4] are authorized.

NEW SECTION. **Section 13.** Appropriations prioritized. The appropriations in [sections 4 through 11] are approved in order of priority as they appear in [sections 4 through

1 11], with the appropriation in [section 4] having the  
2 highest priority and the appropriation in [section 11]  
3 having the lowest priority. If the U.S. department of energy  
4 does not approve one or more of the programs that are funded  
5 by [sections 4 through 11], any stripper well payments that  
6 are not used to fund higher priority programs must be  
7 provided to lower ranked programs up to the amounts  
8 appropriated in [sections 4 through 11]. If stripper well  
9 payments are insufficient to fully fund the appropriations  
10 made in [sections 4 through 11], the lowest ranking program  
11 must have its appropriation reduced until the deficiency is  
12 eliminated. If the deficiency is in excess of the  
13 appropriation to the lowest ranking program, the next lowest  
14 ranking program must have its appropriation reduced until  
15 the deficiency is eliminated, and so forth as the programs  
16 are prioritized. These priorities must be applied to  
17 one-half of the total amount appropriated in [sections 4  
18 through 11] for fiscal year 1992 and to the remaining  
19 appropriation for fiscal year 1993. In order to provide  
20 continuity for the programs when establishing the  
21 appropriations for each fiscal year of the 1993 biennium,  
22 anticipated stripper well payments that will be received  
23 under terms of the agreements during the biennium may be  
24 considered as available to fund the activities. If [LC 904]  
25 \_\_ Bill No. \_\_ is passed and approved, the stripper well

LOCAL GOVERNMENT RETROFIT PACKAGES FOR SALE TO UTILITIES.  
THE DEPARTMENT SHALL SUBMIT TO THE 53RD LEGISLATURE A REPORT  
THAT IS BASED UPON THE WORK COMPLETED BY THE LOCAL  
GOVERNMENT ENTITY AND THAT INCLUDES OPTIONS AND  
RECOMMENDATIONS FOR A SELF-SUSTAINING LOCAL GOVERNMENT  
BUILDING CONSERVATION PROGRAM AND THE LEGISLATION NECESSARY  
TO IMPLEMENT THE PROGRAM. THE DEPARTMENT SHALL AWARD ANY  
MONEY REMAINING AFTER DEVELOPING THE PROGRAM TO LOCAL  
GOVERNMENTS IN THE FORM OF GRANTS FOR SMALL ENERGY  
CONSERVATION DEMONSTRATION PROJECTS. The grant must be  
approved pursuant to 10 CFR 465.8.

NEW SECTION. **Section 9.** Agricultural energy  
conservation program -- appropriation. There is appropriated  
\$100,000 from the stripper well payments contained in the  
federal special revenue fund to the department of natural  
resources and conservation for use by the conservation  
districts in funding local energy efficiency or renewable  
energy projects, such as solar livestock watering systems,  
stock water tank insulation and solar heating, and farming  
techniques to more efficiently use irrigation water,  
pesticides, and fertilizers.

NEW SECTION. **Section 10.** Low-income leaking  
underground home heating oil tank replacement assistance  
program -- appropriation. (1) There is appropriated \$200,000  
from the stripper well payment contained in the federal

1 special revenue fund to the department of health and  
2 environmental sciences for the purpose described in  
3 subsection (2).

4 (2) The department of health and environmental sciences  
5 shall remove and replace home heating oil tanks and lines  
6 that are losing fuel to the ground or that were over 30  
7 years old in 1986 as reported pursuant to Rule 16.45.901,  
8 Administrative Rules of Montana, and that serve residences  
9 occupied by low-income home energy assistance recipients.  
10 The department of health and environmental sciences shall  
11 supply the most economical and environmentally safe  
12 alternative to replace the systems it removes and shall  
13 consider fuel-switching options in choosing among  
14 replacement alternatives.

15 (3) The department of health and environmental sciences  
16 shall consult with the department of natural resources and  
17 conservation when it evaluates the economics of various  
18 replacement alternatives. The department of health and  
19 environmental sciences shall, whenever possible, supplement  
20 the funding provided in this section by using heating  
21 conversion or furnace repair or replacement funds provided  
22 through the federal low-income home energy assistance or  
23 weatherization assistance programs.

24 (4) The funds appropriated in this section may not be  
25 spent to clean soil or water contaminated by fuel lost from

1 payments appropriated in [LC 904] \_\_ Bill No. \_\_ have a  
2 higher priority than any appropriation of stripper well  
3 payments in [sections 4 through 11]. The expenditures  
4 authorized by [sections 4 through 11] may not exceed the  
5 amount of the stripper well and exxon payments available in  
6 the biennium.

7 NEW SECTION. **Section 14.** Effective date. [This act] is  
8 effective July 1, 1991.

-End-



(13)  
House Appropriations Committee  
Montana House of Representatives  
March 21, 1991

EXHIBIT 24  
DATE 3-21-91  
HB 10

I submit the following testimony in support of HB 10:

HB 10 provides funds for a diversity of projects which seek to conserve energy and identify new fuel sources.

I especially support the allocations mandated in Section 4, 5, and 10. Energy issues profoundly affect the livelihood of low-income families. Retrofitting low-income housing will reduce energy payments by residents, as well as long-term expenditures by the state and federal agencies which assist them. Because these Sections provide for both conservation, which is the cheapest form of energy savings, and low-income assistance, I submit an amendment to Section 13 changing the existing ranking so that projects in Section 10 are ranked **directly after** those in Section 5.

In addition, Section 10 addresses an energy problem which is also an environmental problem. Leaking underground heating tanks are not only inefficient, but pose a health hazard to all residents. True, other state and federal funds should be used for water and soil clean-up. But the oil overcharge payments, in the spirit of energy efficiency and pollution source-reduction, should be used to assist in replacing all leaky home oil heating tanks. Thus, I submit that Section 10, (2) be amended to delete the following portion of line 12-13, **"...and that serve residences occupied by low-income home energy assistance recipients."**

Overall, HB 10 is an innovative and far-reaching appropriation bill . I urge you to pass HB 10.

Sincerely,



Christine M. Paulson  
Graduate Student  
University of Montana

28

Amendments to House Bill No. 10  
First Reading Copy

Requested by Rep Mike Kadas  
For the Committee on Appropriations

Prepared by Robert Persona and Jim Haubein  
March 21, 1991

1. Page 4, line 5.  
Following: "and"  
Strike: "\$600,000"  
Insert: "\$550,000"

2. Page 6, line 8.  
Following: "appropriated"  
Strike: "\$126,000"  
Insert: "\$235,000"

3. Page 6, lines 13 and 14.  
Strike: "identifying energy conservation measures."  
Insert: "developing a program for retrofitting local government buildings with energy conservation measures, similar to the state building energy conservation program established by Title 90, chapter 4, part 6, for state buildings. Priority must be given to developing a self-sustaining local government building energy conservation program. The program may be based upon mechanisms that include but are not limited to leveraging private and public funds, selling the energy savings to utilities, pooling groups of local government facilities into larger retrofit packages for financing or sale to utilities, and working with the department to pool state and local government retrofit packages for sale to utilities. The department shall submit to the 53rd legislature a report that is based upon the work completed by the local government entity and that includes options and recommendations for a self-sustaining local government building conservation program and the legislation necessary to implement the program. The department shall also provide general technical assistance to local jurisdictions and award matching grants for specific energy conservation demonstration projects that offer opportunities for long-term energy savings."

4. Page 8, line 7.  
Following: "appropriated"  
Strike: "\$700,000"  
Insert: "\$650,000"

*Strike / and insert "program"*

EXHIBIT 25  
DATE 3-21-91  
HB 10

EXHIBIT 26  
 DATE 3-21-91  
 HB 934

TABLE A  
 JUDICIAL DISTRICT COURTS  
 COMPARISON OF STATE AVERAGE TO DISTRICTS  
 FISCAL YEAR 1989-90

JUDICIAL DISTRICT COUNTY	NUMBER OF JUDGES	POPULATION	TOTAL COURT COSTS	FY '90 *	FILED**	STATE AVERAGE POPULATION FOR JUDGES IN DISTRICT(1)	DISTRICT ABOVE (BELOW) AVERAGE	PERCENT DIFFERENCE FROM AVERAGE	STATE AVERAGE CASES FOR JUDGES IN DISTRICT(2)	DISTRICT ABOVE (BELOW) AVERAGE	PERCENT DIFFERENCE FROM AVERAGE
1 LEWIS AND CLARK BROADWATER		47,000	\$800,357.25		2,352						
		3,500	\$92,395.12		129						
Total	3	50,500	\$892,752.37		2,481	67,067	(16,567)	-25%	2,244	237	11%
2 BUTTE-SILVER BOW		33,200	\$672,881.78		1,068						
Total	2	33,200	\$672,881.78		1,068	44,711	(11,511)	-26%	1,496	(428)	-29%
3 ANACONDA-DEER LODGE POWELL GRANITE		10,000	\$177,182.14		467						
		6,800	\$97,600.32		231						
		2,600	\$62,624.15		113						
Total	1	19,400	\$337,406.61		811	22,356	(2,956)	-13%	748	63	8%
4 MISSOULA RAVALLI MINERAL		78,300	\$1,400,359.20		3,098						
		25,700	\$397,487.74		734						
		3,400	\$60,367.64		79						
Total	4	107,400	\$1,858,214.58		3,911	89,422	17,978	20%	2,992	919	31%

EXHIBIT 26  
 DATE 3-21-91  
 HB 934

TABLE A  
 JUDICIAL DISTRICT COURTS  
 COMPARISON OF STATE AVERAGE TO DISTRICTS  
 FISCAL YEAR 1989-90

JUDICIAL DISTRICT COUNTY	NUMBER OF JUDGES	POPULATION	TOTAL COURT COSTS FY '90 *	TOTAL CASES FILED**	STATE AVERAGE POPULATION FOR JUDGES IN DISTRICT(1)	DISTRICT - ABOVE (BELOW) AVERAGE	PERCENT DIFFERENCE FROM AVERAGE	STATE AVERAGE CASES FOR JUDGES IN DISTRICT(2)	DISTRICT ABOVE (BELOW) AVERAGE	PERCENT DIFFERENCE FROM AVERAGE
5 BEAVERHEAD		8,300	\$162,847.41	324						
JEFFERSON		8,300	\$146,420.40	227						
MADISON		5,600	\$57,344.73	142						
Total	1	22,200	\$366,612.54	693	22,356	(156)	-1%	748	(55)	-7%
6 PARK		12,300	\$152,174.21	466						
SWEET GRASS		3,200	\$53,227.48	87						
Total	1	15,500	\$205,401.69	553	22,356	(6,856)	-31%	748	(195)	-26%
7 DAWSON		10,100	\$179,881.62	352						
RICHLAND		11,800	\$80,085.00	373						
MCONE		2,500	\$49,581.46	72						
WYBAUX		1,300	\$48,541.06	33						
PRAIRIE		1,600	\$22,916.33	31						
Total	2	27,300	\$381,005.47	861	44,711	(17,411)	-39%	1,496	(635)	-42%
8 CASCADE		78,200	\$1,066,904.88	2,706						
Total	3	78,200	\$1,066,904.88	2,706	67,067	11,133	17%	2,244	462	21%

EXHIBIT 26  
 DATE 3-21-91  
 HB 934

TABLE A  
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 COMPARISON OF STATE AVERAGE TO DISTRICTS  
 FISCAL YEAR 1989-90

JUDICIAL DISTRICT COUNTY	NUMBER OF JUDGES	POPULATION	TOTAL COURT COSTS FY '90 *	TOTAL CASES FILED**	STATE AVERAGE POPULATION FOR JUDGES IN DISTRICT(1)	DISTRICT ABOVE (BELOW) AVERAGE	PERCENT DIFFERENCE FROM AVERAGE	STATE AVERAGE CASES FOR JUDGES IN DISTRICT(2)	DISTRICT ABOVE (BELOW) AVERAGE	PERCENT DIFFERENCE FROM AVERAGE
9 TETON		6,100	\$177,004.88	135						
PONDERA		6,700	\$108,990.87	124						
TOOLE		5,100	\$99,223.36	217						
GLACIER		11,100	\$171,145.03	299						
Total	1	29,000	\$556,364.14	775	22,356	6,644	30%	748	27	4%
10 FERGUS		12,100	\$194,233.62	426						
JUDITH BASIN		2,500	\$63,756.67	59						
PETROLEUM		600	\$15,567.50	18						
Total	1	15,200	\$273,557.79	503	22,356	(7,156)	-32%	748	(245)	-33%
11 FLATHEAD		58,600	\$789,868.30	1,658						
Total	2	58,600	\$789,868.30	1,658	44,711	13,889	31%	1,496	162	11%
12 HILL		17,600	\$349,996.00	552						
CHOUTEAU		5,800	\$68,269.17	145						
LIBERTY		2,300	\$40,851.00	45						
Total	1	25,700	\$459,116.17	742	22,356	3,344	15%	748	(6)	-1%

EXHIBIT 26  
DATE 3-21-91  
HB 934

TABLE A  
JUDICIAL DISTRICT COURTS  
COMPARISON OF STATE AVERAGE TO DISTRICTS  
FISCAL YEAR 1989-90

JUDICIAL DISTRICT COUNTY	NUMBER OF JUDGES	POPULATION	TOTAL COURT COSTS FY '90 *	TOTAL CASES FILED**	STATE AVERAGE		DISTRICT		PERCENT DIFFERENCE FROM AVERAGE	
					POPULATION FOR JUDGES IN DISTRICT(1)	ABOVE (BELOW) AVERAGE	CASES FOR JUDGES IN DISTRICT(2)	ABOVE (BELOW) AVERAGE		
<b>13 YELLOWSTONE</b>										
BIG HORN		116,400	\$1,679,005.00	4,422						
CARBON		10,900	\$174,525.60	326						
STILLWATER		8,300	\$123,950.00	245						
		6,300	\$83,582.39	139						
		*****								
Total	5	141,900	\$2,061,062.99	5,132	111,778	30,122	3,740	1,392	27%	37%
<b>14 MUSSELSHELL</b>										
MEAGHER		4,300	\$107,699.74	136						
GOLDEN VALLEY		2,000	\$43,303.00	41						
WHEATLAND		1,100	\$16,988.54	22						
		2,200	\$14,639.50	62						
		*****								
Total	1	9,600	\$182,630.78	261	22,356	(12,756)	748	(487)	-57%	-65%
<b>15 ROOSEVELT</b>										
SHERIDAN		11,100	\$47,636.27	190						
DANIELS		5,200	\$99,432.02	128						
		2,600	\$46,399.75	53						
		*****								
Total	1	18,900	\$193,468.04	371	22,356	(3,456)	748	(377)	-15%	-50%

EXHIBIT 26  
 DATE 3-21-91  
 HB 934

TABLE A  
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 FISCAL YEAR 1989-90

JUDICIAL DISTRICT COUNTY	NUMBER OF JUDGES	POPULATION	TOTAL COURT COSTS FY '90 *	TOTAL CASES FILED**	STATE AVERAGE POPULATION FOR JUDGES IN DISTRICT(1)	DISTRICT ABOVE (BELOW) AVERAGE	PERCENT DIFFERENCE FROM AVERAGE	STATE AVERAGE CASES FOR JUDGES IN DISTRICT(2)	DISTRICT ABOVE (BELOW) AVERAGE	PERCENT DIFFERENCE FROM AVERAGE
16 CUSTER		12,700	\$225,071.60	439						
ROSEBUD		12,200	\$178,638.09	252						
FALLON		3,300	\$60,386.22	100						
POWDER RIVER		2,200	\$55,521.85	64						
CARTER		1,600	\$34,979.94	31						
GARFIELD		1,600	\$24,811.24	23						
TREASURE		900	\$13,011.49	22						
		*****	*****	*****						
Total	2	34,500	\$592,420.43	931	44,711	(10,211)	-23%	1,496	(565)	-38%
17 VALLEY		8,400	\$134,289.14	202						
BLAINE		7,000	\$109,344.89	161						
PHILLIPS		5,400	\$109,408.50	138						
		*****	*****	*****						
Total	1	20,800	\$353,042.53	501	22,356	(1,556)	-7%	748	(247)	-33%
18 GALLATIN		48,500	\$741,651.75	1,385						
		*****	*****	*****						
Total	2	48,500	\$741,651.75	1,385	44,711	3,789	8%	1,496	(111)	-7%
19 LINCOLN		18,700	\$363,264.00	626						
		*****	*****	*****						
Total	1	18,700	\$363,264.00	626	22,356	(3,656)	-16%	748	(122)	-16%

EXHIBIT 26

DATE 3-21-91

HB 934

TABLE A  
JUDICIAL DISTRICT COURTS  
COMPARISON OF STATE AVERAGE TO DISTRICTS  
FISCAL YEAR 1989-90

JUDICIAL DISTRICT COUNTY	NUMBER OF JUDGES	POPULATION	TOTAL DISTRICT COURT COSTS FY '90 *	TOTAL CASES FILED**	STATE AVERAGE		DISTRICT ABOVE (BELOW) AVERAGE	PERCENT DIFFERENCE FROM AVERAGE	STATE AVERAGE		DISTRICT ABOVE (BELOW) AVERAGE	PERCENT DIFFERENCE FROM AVERAGE
					POPULATION FOR JUDGES IN DISTRICT(1)	CASES FOR JUDGES IN DISTRICT(2)			CASES FOR JUDGES IN DISTRICT(2)			
20 LAKE		21,100	\$366,446.86	686								
SANDERS		8,600	\$105,933.31	270								
		*****										
Total	1	29,700	\$472,380.17	956	22,356	7,344		-33%	748	208		28%
STATE TOTAL	36	804,800	\$12,820,007.01	26,925	804,800	0		0%	26,925	0		0%

\*Total FY 90 District Court expenditures from all county funds  
as reported by County Clerk & Recorders

\*\*Total cases filed according to Caseload Statistics Report, Annual Report 1990  
converted to Fiscal Year. Obtained from Judicial Branch

Population according to Local Population Estimates (1988 Population)  
U.S. Bureau of Census. Obtained from Dept. of Commerce Census and  
Economic Information Center.

(1) State average population per district judge of 22,356 (total state population divided by 36 judges)  
multiplied by number of judges in district

(2) State average cases per district judge of 748 (total state cases divided by 36 judges)  
multiplied by number of judges in district



EXHIBIT 27  
DATE 3-21-91  
HB 934

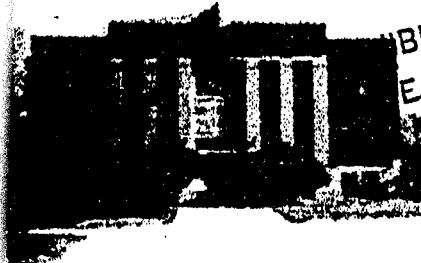
STATISTICS ON SELECTED JUDICIAL DISTRICTS \*

District and County	Population 1990	Criminal Filings 1990	Civil Filings 1990	Domestic Relations 1990	Adoption 1990	Sanity 1990	Juvenile 1990	Probate 1990	Number of Judges
PROPOSED 21st Judicial Dist. Ravalli County	25,004 **	101	302	144	30	8	53	66	None at Present 1 Proposed
3rd Judicial Dist. Deer Lodge, Granite and Powell Counties	19,326	101	314	150	7	108	76	125	One
5th Judicial Dist. Beaverhead, Jefferson and Madison Counties	22,338	124	268	110	20	15	69	122	One
6th Judicial Dist. Park and Sweetgrass Counties	17,609	44	226	151	9	11	43	80	One
12th Judicial Dist. Chouteau, Hill and Liberty Counties	25,305	77	301	151	29	5	45	143	One
19th Judicial Dist. Lincoln County	17,454	135	247	136	20	7	44	63	One

The 7th, 10th, 14th and 15th Judicial Districts also have less population and less case load than Proposed Judicial District 21. Each of these Districts has its own Judge.

\* These figures, except the Ravalli County figures, were taken from the 1990 judicial report entitled "Montana Courts" prepared by the Court Administrator for the Montana Supreme Court. The Ravalli County figures were supplied by Jane Hayden, the Data Control Clerk for the Montana Supreme Court.

\*\* 1990 U.S. Census figure supplied by the Ravalli County Clerk and Recorder's Office.



BIT 28  
3-21-91  
684



# County of Musselshell

ROUNDUP, MONTANA

BOARD OF COUNTY COMMISSIONERS

M. D. BREWER  
 SUE M. OLSON  
 KELLY GEBHARDT

*684*  
*March 31*

March 5, 1991

JANE E. MANG  
 Clerk & Recorder  
 MARY C. NELSON  
 Treasurer  
 Supt. of Schools  
 Assessor  
 G. PAUL SMITH  
 Sheriff  
 VICKI KNUDSEN  
 County Attorney  
 DONA G. ROBSON  
 Clerk of District Court  
 JOHN RAE  
 Coroner  
 COLETTE Y. MADISON  
 Public Administrator  
 ROBERT E. MIHALOVICH  
 Justice of the Peace

House Appropriations Committee  
 Room 104 State Capitol  
 Helena, Mt 59620

Dear Committee Member:

I appeared and testified this morning in support of HB-684 at your committee hearing. I can appreciate the workload you people have to deal with in such a short time. At the hearing, a few questions were asked that in the interest of time, were given relatively short answers. I would like to offer a bit broader explanation from the perspective of the Musselshell County Commissioners.

1) How are you going to keep this program running after the money runs out?

The Natural Resource/Infrastructure Inventory analysis takes one major effort of collecting the data from all agencies, organizations, etc. and digitizing it into one compatible format. Once that time consuming and expensive process is complete, maintenance of data is done annually at relatively minor costs. Those costs can easily be borne through subscriptions, participating agencies, information users, etc. Many inventoried items would not significantly change in the short run, i.e., mineral deposits, forests, water resources. There are many opportunities to leverage this funding through existing federal programs, especially D.O.E. Clean Fuels Programs. An easily accessible, single source information system which provided accurate, up-to-date data on the existence of natural resources and compatible infrastructure, which allows some early measure of regional acceptance, and which translates and indexes economical technologies and identifies marketing opportunities and strategies does not exist in Montana. It would be a high demand capability for industry.

2) Isn't this an awfully expensive study?

Actually only half the requested appropriation is for a "study". The main expense is in man hours to assemble and digitize all the many information sources into a compatible format. This process would include a seven county area of Montana. Costs are based on actual experience in Musselshell County. The potential return to Montana in leverage dollars and additional resource production can be enormous when compared to initial

EXHIBIT 38  
DATE 3-21-91  
HB 684

3) Why is this center to be at EMC instead of Tech?

This program would not duplicate anything currently being conducted at Montana Tech. It would in fact compliment Tech by providing the opportunity to check the validity of technologies identified and translated by the Information Center. Tech also may provide technology information that need marketing assistance.

EMC is located in the heart of coal, oil, and other mineral production areas and has direct international airport capabilities and applied fossil fuel use technologies next door.

We believe this is an excellent program. We again encourage your support of HB-684.

MUSSELSHELL COUNTY COMMISSIONERS

*Sue M. Olson*

Sue M. Olson  
Chairman

MONTANA  
ASSOCIATION OF  
COUNTIES

EXHIBIT 29  
DATE 3-21-91  
HB 497

2711 Airport Road  
Helena, Montana 59601  
(406) 442-5209  
FAX (406) 442-5238

TO: Representative Francis Bardanoue

FROM: John E. Witt, President  
Montana Association of Counties  
Chouteau County Commissioner

RE: HB 497 - County Officials Salaries

DATE: March 18, 1991

On behalf of the Montana Association of Counties I strongly urge your support of HB 497, sponsored by Rep. Paula Darko.

The bill sets up a new salary schedule for elected county officials, and allows for individual counties to manage their salary budgets by continuing current statutory language regarding freezing salaries, and by allowing county commissioners to fund the new schedules at the full 100%, or to fund the new schedule at no less than 80%.

The salary schedule for elected county officials last was addressed in 1982. Cost of living raises were limited to 70% of the CPI. In a recent comparison study conducted by the Local Government Center of Montana State University, Montana's county officials were shown to have fallen woefully behind their peers in neighboring states.

The Department of Revenue already has adjusted its budget projections to accommodate the small anticipated increase in assessors' salaries (the state pays 30%, the county 70%.)

Please give this bill your favorable consideration.

MACo

23

EXHIBIT 30  
DATE 3-21-91  
HB 514

March 19, 1991:

URGENT!!!!!!

TO: The State Appropriations Committee  
Rep. Francis Bardanouve, Chairman, D-Harlem  
Rep. Ray Peck, Vice Chairman, D-Havre  
Rep. Dorothy Bradley, D-Bozeman  
Rep. Mike Kadas, D-Missoula  
Rep. Bob Thoft, R-Stevensville  
Rep. John Cobb, R-Augusta

FROM: Classified State Employees at The University of Montana

MESSAGE: As classified State employees we ask you not to cut H.B. 514 and to fully fund it as it is currently written. Please remember that the decisions you are making now have a great impact on the quality of our lives and the lives of our families.

Just the same as your consituents -- we are registered voters and pay taxes too.

NAME	DEPARTMENT
Michael Patterson	Lodge Food Service
Lee Terry	Purchasing
Anna B. Halton	A/P
Patrick Roe	A/P
Melanie Corey	A/P
Sandy Russo	A/P
Janae Erickson	Payroll
Capita Brown	Payroll
David Carey	Plant Funds
Ginger Meyer	Controller's Office
Ella M. Lyle	Controller's Office
Bobbie S. Morrison	Controller's Office
Anne A. Schenberg	Controller's Office
Meggy L. Wickes	Controller's Office

NAME

Michael Maloux  
Shirley Smith  
Brenda K. Moes  
Monica Becker  
Lorna LaBuff  
Mona A. Weer  
Barry McGuigan  
Franne Zogel  
Grace E. Welch  
Cynthia Keating  
Theri Hubbard  
Rose Hausman  
Ing. Lantz  
Liz Stahl  
Norma Geben  
Kristie Anderson  
Margaret Beckman  
Cyd Kravus  
Donna M. Overton  
Letcher H. McBroom  
Phil Bowman  
Liz Leechamps  
Laine L. Beyer  
Mary T. Scott  
Susan Herba

EXHIBIT 30 3/21/91

DATE HB 514  
DEPARTMENT \_\_\_\_\_

<sup>HB</sup>  
~~Cont. Education~~  
Controller's Office - Student Loans  
Student Loans  
Controllers Office  
Controllers Office  
Controller's Office  
Controller's Office  
Controller's Office  
Controller's Office  
Controller's Office  
Controller's Office  
Controller's Office  
Controller's Office  
Controller's Office  
Controller's Office  
Controller's Office  
Controller's Office  
Controller's Office  
IMS  
Controller's Office  
Animal Resources  
Lodge Food Service  
Lodge Food Service  
Lodge Food Service  
Purchasing

NAME

DEPARTMENT

Carol Whitworth  
Marilyn Caster  
Verline Esquivel  
Karen Bass  
Joann Krogashy  
Eileen Nelson  
Shelley Neelsen  
Celia H. Finsted  
Lugh M. Addison  
Robert. P. Litch  
Smiley Cuglin  
Dorothy Deschamps  
Alita Phelps  
P. Bloom  
J. Adams  
Karen Steinmann  
Kate S. Nelson  
Jeanne Franz  
Janet Stuzelmeier  
Catherine M. Cohen  
Timothy R. Carlson  
Inda K. Goolley  
Nancy R. DeWine  
Barbara B. Johnson  
J. Herman

Purchasing  
Purchasing  
Computer Center  
Career Services  
Cooperative Education  
New Student Services  
New Student Services  
New Student Services  
Registrar's Office  
Registrar's Office  
Registrar's Office  
Registrar's Office  
Registrar's Office  
Reg. office  
Reg. Office  
Reg. Office  
Admissions  
Admissions  
Admissions  
Admissions  
FINANCIAL AID  
Financial Aid  
FAO  
Financial Aid

EXHIBIT 30  
DATE 3-21-91

NAME

Quinn D. Matter

Kathryn Dehertadt

Michael Walsh

Jerald J. Perman

Douglas Senceler

Julia Rudin

John M. Spitzer

Sharon K. Batt

Elaine F. Thurman

Kathy Galloway

Robin M. Giotto

Cale M. Foe

Mary Hamill

Roma Gould

Shirley Symone

Margie Blom

Shirley Hughes

Marilyn Huston

Ron Payne

John H. Herman

DEPARTMENT 514

Financial Aid

Financial Aid "

Controller's Office

Registrar's Office

Registrar's Office

Registrar's "

Lodge Food Service

Lodge Food Service

Lodge Food Service

Lodge Food Service

Lodge Food Service

Lodge Food Service

Lodge Food Service

Lodge Food Service

Lodge Food Service

Lodge Food Service

Lodge Food Service

Lodge Food Service

" " "

Lodge Food Service

These signatures  
represent only one  
building - would you  
like us to get more?

Please help us.  
The University of  
Staff Senate



HOUSE BILL NO. 6

INTRODUCED BY CONNELLY

BY REQUEST OF THE DEPARTMENT OF NATURAL RESOURCES  
AND CONSERVATION

A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR LOANS AND GRANTS UNDER THE WATER DEVELOPMENT PROGRAM AND THE RENEWABLE RESOURCE DEVELOPMENT PROGRAM; TO AUTHORIZE LOANS FROM WATER DEVELOPMENT BOND PROCEEDS, RENEWABLE RESOURCE DEVELOPMENT BOND PROCEEDS, AND APPROPRIATE FUNDS FOR DEBT SERVICE; TO REAUTHORIZE GRANTS AND LOANS APPROVED BY THE 51ST LEGISLATURE; TO REALLOCATE CERTAIN RESOURCE INDEMNITY TRUST ACCOUNT INTEREST INCOME FOR WATER DEVELOPMENT PROGRAM GRANTS DURING THE BIENNIUM ENDING JUNE 30, 1993; TO PLACE CERTAIN CONDITIONS UPON GRANTS AND LOANS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Appropriations from the water development state special revenue account. (1) Because the legislature cannot appropriate individual grants to private entities, there is appropriated to the department of natural resources and conservation ~~\$106,500~~ \$72,208 from the water development state special revenue account during the 1992-93

1 biennium for grants to private persons for water development  
2 projects and activities pursuant to the provisions of Title 85,  
3 chapter 1, part 6. This appropriation is from money available in  
4 the water development state special revenue account for grants for  
5 water development projects and activities under 85-1-604(3)(c) and  
6 according to priorities established in subsections (3) and (4) of  
7 this section.

8 (2) There are appropriated to the department the interest  
9 earnings from the proceeds of water development bonds and renewable  
10 resource development bonds issued to finance loans authorized by  
11 [sections 1 through 12]. Interest earnings must be deposited in the  
12 water development debt service fund and the renewable resource  
13 development account, respectively.

14 (3) There are appropriated to the department all other funds  
15 not appropriated under subsection (1) and available for grants to  
16 political subdivisions and local government entities from the water  
17 development state special revenue account during the 1992-93  
18 biennium. This appropriation is from money available in the water  
19 development state special revenue account and renewable resource  
20 development account for grants and from the water development or  
21 renewable resource accounts for loans for water development  
22 projects and activities under 85-1-604(3)(c) and [sections 1  
23 through 12]. The funds appropriated in this section must be awarded  
24 by the department to the named entities for the described purposes  
25 and in the described grant amounts set out in subsection (4),  
26 subject to the conditions set forth in [sections 1 through 12] and

the contingencies described in the renewable resource and water development program's January 1991 report. The legislature, pursuant to 85-1-605, approves the grants listed in subsection (4), with grants to be made in the order indicated in the prioritized list of projects and activities. Funds must be awarded up to the amounts approved in this section in order of priority until available funds are expended. Funds not accepted or used by higher ranked projects and activities must be provided for projects and activities further down the priority list that would not otherwise receive funding. If the total expenditure of funds appropriated under this section results in a cutoff that ends at a point at which more than one project or activity is ranked equal in priority, the decision regarding which project or projects will receive funding must be made by the department. Any projects that are funded by the reclamation and development grants program may not be funded under [sections 1 through 12]. Actual rank and score of the various projects and activities are contained within the renewable resource and water development program's project evaluations and recommendations report for the 1992-93 biennium.

(4) The following are the grant and loan prioritized projects and activities:

## WATER DEVELOPMENT PROGRAM

Recommended FundingApplicant\ProjectGrantLoan

## CHINOOK IRRIGATION DISTRICT

Milk River Water Supply Project

\$100,000

1	LOWER MUSSELSHELL CONSERVATION DISTRICT		
2	River Management Tools	72,539	
3	GLASGOW IRRIGATION DISTRICT		
4	Improving Water Use Efficiency	100,000	
5	GREENFIELDS IRRIGATION DISTRICT		
6	Greenfields Gravity Sprinkler Planning	100,000	
7	MONTANA STATE LIBRARY		
8	Drought Monitoring System	58,364	
9	JOCKO, MISSION, AND FLATHEAD IRRIGATION		
10	DISTRICTS, JOINT BOARD OF CONTROL		
11	Flathead Irrigation Information System	92,000	
12	LEWIS AND CLARK COUNTY CONSERVATION DISTRICT		
13	Nilan Water Conservation Project	100,000	
14	PRIVATE APPLICANT		
15	Ruby Creek Dam Feasibility Study	14,708	
16	<u>PRIVATE APPLICANT</u>		
17	<u>WASTEWATER COLLECTION AND</u>		
18	<u>TREATMENT SYSTEM</u>	<u>50,000</u>	<u>150,000</u>
19	FORT SHAW IRRIGATION DISTRICT		
20	Rehabilitation of Headworks and "A"		
21	System Diversion	50,000	
22	DUTTON, TOWN OF		
23	Dutton Water Storage Reservoir	91,319	
24	<del>PRIVATE APPLICANT</del>		
25	<del>Wastewater Collection and</del>		
26	<del>Treatment System</del>	<del>50,000</del>	<del>\$150,000</del>

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~~PRIVATE APPLICANT~~

~~Fishery Improvement and Sediment~~

~~Reduction~~ ~~15,000~~

PHILLIPS CONSERVATION DISTRICT

Moisture Monitoring Project 53,382

~~MONTANA BUREAU OF MINES AND GEOLOGY~~

~~Hydrogeologic Controls on Selenium~~

~~Mobility in Southcentral Montana~~ ~~98,778~~

~~GRANITE CONSERVATION DISTRICT~~

~~Demonstration Ice Block~~ ~~67,787~~

~~PRIVATE APPLICANT~~

~~Cherry Creek Flood Control~~ ~~21,880~~

~~PRIVATE APPLICANT~~

~~River Road Stabilization~~ ~~5,000~~

PRIVATE APPLICANT

SUN RIVER WATER SYSTEM 7,500

(5) TO THE ENTITIES LISTED IN THIS SECTION. THIS  
APPROPRIATION CONSTITUTES A VALID OBLIGATION OF THESE FUNDS FOR  
PURPOSES OF ENCUMBERING THE FUNDS WITHIN THE 1993 BIENNIUM PURSUANT  
TO 17-7-302.

NEW SECTION. Section 2. Appropriations under renewable  
resource development program -- eligibility. (1) There are  
appropriated to the department of natural resources and  
conservation all available funds from the renewable resource  
development account during the 1992-93 biennium for projects under

1 the renewable resource development program.

2 (2) The department shall award grants to the named entities  
3 for the described purposes and in the described amounts set out in  
4 subsection (3). The legislature, pursuant to 90-2-111, approves the  
5 listed grants, with grants to be made in order of priority ranking,  
6 except renewable resource development grants for water development  
7 projects and activities that must be made in the order of priority  
8 listed in [section 1]. Projects and activities sponsored by public  
9 entities listed in [section 1] that do not receive water  
10 development funding are eligible for renewable resource development  
11 funds on the basis of the renewable resource development program  
12 priority ranking criteria. Any project or activity listed in  
13 [section 1] that receives water development funds is not eligible  
14 to compete for renewable resource development funds. Projects and  
15 activities listed in this section that do not receive renewable  
16 resource development funding are eligible for water development  
17 funds on the basis of the water development program priority  
18 ranking criteria. A project or activity listed in this section that  
19 receives renewable resource development funds is not eligible to  
20 compete for water development funds. Funds not accepted or used by  
21 higher ranked projects must be provided for projects further down  
22 the priority list that would not otherwise receive funding. If the  
23 total expenditure of funds appropriated under this section results  
24 in a cutoff that ends at a point at which more than one project is  
25 ranked equal in priority, the decision regarding which project or  
26 projects will receive funding must be made by the department.

Actual rank and score of the various projects are contained within the renewable resource and water development program's project evaluations and recommendations report for the 1992-93 biennium.

(3) The following are the grant and loan prioritized projects and activities:

# RENEWABLE RESOURCE DEVELOPMENT PROGRAM

## Recommended Funding

<u>Applicant\Project</u>	<u>Grant</u>	<u>Loan</u>
<del>JEFFERSON VALLEY CONSERVATION DISTRICT</del>		
<del>Cereal-Legume Energy Efficient</del>		
<del>Crop Rotations</del>	<del>\$ 48,677</del>	
<del>YELLOWSTONE COUNTY CONSERVATION DISTRICT</del>		
<del>Streambank Reinforcement</del>	<del>100,000</del>	
<del>MONTANA STATE LIBRARY, NATURAL RESOURCE INFORMATION SYSTEM</del>		
<del>Montana Water Information System</del>	<del>99,866</del>	
<del>NEIHART, TOWN OF</del>		
<del>Neihart Water System Improvements</del>	<del>50,000</del>	<del>\$150,000</del>
<del>MONTANA STATE UNIVERSITY, MONTANA WATER RESOURCES CENTER</del>		
<del>Public Education in Water Management</del>	<del>100,000</del>	
<del>EKALAKA, TOWN OF</del>		
<del>Water Supply and Storage Project</del>	<del>49,975</del>	<del>100,000</del>
<del>MONTANA STATE LIBRARY, NATURAL RESOURCE INFORMATION SYSTEM</del>		
<del>Montana Natural Heritage Program</del>	<del>99,760</del>	

1	<del>POLSON, CITY OF</del>	
2	<del>Wellhead Protection Program</del>	<del>76,055</del>
3	<del>STILLWATER CONSERVATION DISTRICT</del>	
4	<del>Evaluation of Plastic Lining and</del>	
5	<del>Fabrication Process</del>	<del>56,848</del>
6	<del>THREE FORKS, TOWN OF</del>	
7	<del>Water System Improvements</del>	<del>100,000</del>
8	<del>BUTTE SILVER BOW, GOVERNMENT OF</del>	
9	<del>Blacktail Creek Restoration</del>	<del>100,000</del>
10	<del>BROADWATER CONSERVATION DISTRICT</del>	
11	<del>Irrigation Water Management</del>	
12	<del>Demonstration Project</del>	<del>100,000</del>
13	<del>FALLON COUNTY</del>	
14	<del>Baker Lake Erosion Control and</del>	
15	<del>Recreation Path</del>	<del>15,361</del>
16	<del>MONTANA STATE UNIVERSITY, LOCAL</del>	
17	<del>GOVERNMENT CENTER</del>	
18	<del>Solid Waste Information and</del>	
19	<del>Assistance Center</del>	<del>88,000</del>
20	<del>NATURAL RESOURCES AND CONSERVATION,</del>	
21	<del>DEPARTMENT OF, WATER MANAGEMENT BUREAU</del>	
22	<del>Beaverhead County Ground Water Study</del>	<del>100,000</del>
23	<del>FORT SHAW IRRIGATION DISTRICT</del>	
24	<del>Rehabilitation and Betterment Study</del>	<del>50,000</del>
25	<del>DARBY SCHOOL DISTRICT NO. 9</del>	
26	<del>Darby School Park Project</del>	<del>25,300</del>



EXHIBIT 31  
DATE 3-21-91  
HB 6~~LIBERTY COUNTY CONSERVATION DISTRICT~~~~Sweetgrass Hills Ground Water Study 100,000~~~~MISSOULA COUNTY CONSERVATION DISTRICT~~~~Irrigation Diversion Alternatives 85,250~~~~OUTLOOK COUNTY WATER AND SEWER DISTRICT~~~~Water Well Connection 7,875~~~~MILES CITY, CITY OF~~~~Miles City Community Recycling Program 96,513~~~~MISSOULA COUNTY~~~~Aquifer Monitoring and Remediation 85,929~~~~CARBON COUNTY, STILLWATER COUNTY,~~~~AND BIG TIMBER, CITY OF~~~~Integrated Waste Management in~~~~Southcentral Montana 45,437~~~~MEACHER COUNTY CONSERVATION DISTRICT~~~~South Side Canal Lining Project 37,500 62,500~~~~BELT, TOWN OF~~~~Belt Sewage System Improvements 25,000 75,000~~~~TETON COUNTY CONSERVATION DISTRICT~~~~Alternative Diversion Sites 11,780~~~~CHINOOK, CITY OF~~~~Milk River Weir Replacement 50,000 150,000~~~~COLUMBUS, TOWN OF~~~~Columbus Recreation Project 99,906~~~~GLASGOW, TOWN OF~~~~Water and Wastewater Comprehensive Plan 80,950~~

~~BIG SKY SEWER DISTRICT~~~~County Water and Sewer District 33,750~~~~MISSOULA CITY-COUNTY HEALTH DEPARTMENT~~~~Linda Vista Sewer Interceptor Project 100,000~~~~CASCADE AND TETON COUNTY CONSERVATION~~~~DISTRICTS~~~~Muddy Creek Erosion Control Project 100,000~~~~FAIRFIELD, TOWN OF~~~~Fairfield Waterway/Pipeline 14,169~~~~MONTANA STATE UNIVERSITY EXTENSION SERVICE~~~~Natural Resource Management Education~~~~Program 49,280~~YELLOWSTONE COUNTY CONSERVATION DISTRICTSTREAMBANK REINFORCEMENT \$100,000JEFFERSON VALLEY CONSERVATION DISTRICTCEREAL-LEGUME ENERGY EFFICIENTCROP ROTATIONS 48,677NEIHART, TOWN OFNEIHART WATER SYSTEM IMPROVEMENTS 50,000 \$150,000EKALAKA, TOWN OFWATER SUPPLY AND STORAGE PROJECT 49,975 100,000MONTANA STATE UNIVERSITY, MONTANA WATER RESOURCES CENTERPUBLIC EDUCATION IN WATER MANAGEMENT 100,000STILLWATER CONSERVATION DISTRICTEVALUATION OF PLASTIC LININGAND FABRICATION PROCESS 56,848

EXHIBIT 31  
 DATE 3-21-91  
 HB 6

BROADWATER CONSERVATION DISTRICTIRRIGATION WATER MANAGEMENTDEMONSTRATION PROJECT100,000
NATURAL RESOURCES AND CONSERVATION, DEPARTMENT OF, WATER MANAGEMENT  
BUREAU
BEAVERHEAD COUNTY GROUND WATER STUDY100,000POLSON, CITY OFWELLHEAD PROTECTION PROGRAM76,055THREE FORKS, TOWN OFWATER SYSTEM IMPROVEMENTS100,000FORT SHAW IRRIGATION PROJECTREHABILITATION AND BETTERMENT STUDY50,000BUTTE-SILVER BOW, GOVERNMENT OFBLACKTAIL CREEK RESTORATION100,000LIBERTY COUNTY CONSERVATION DISTRICTSWEETGRASS HILLS GROUND WATER STUDY100,000MISSOULA COUNTY CONSERVATION DISTRICTIRRIGATION DIVERSION ALTERNATIVES85,250FALLON COUNTYBAKER LAKE EROSION CONTROLAND RECREATION PATH15,361DARBY SCHOOL DISTRICT NO. 9DARBY SCHOOL PARK PROJECT25,300MEAGHER COUNTY CONSERVATION DISTRICTSOUTH SIDE CANAL LINING PROJECT37,50062,500NATURAL RESOURCES AND CONSERVATION, DEPARTMENT OF

BATTLE CREEK STORAGE UNIT

82,000

(4) TO THE ENTITIES LISTED IN THIS SECTION, THIS APPROPRIATION CONSTITUTES A VALID OBLIGATION OF THESE FUNDS FOR PURPOSES OF ENCUMBERING THE FUNDS WITHIN THE 1993 BIENNIUM PURSUANT TO 17-7-302.

NEW SECTION. Section 3. Opportunity to receive loans for projects that do not receive grants. Sponsors of recommended projects and activities on the prioritized lists in [sections 1 and 2] that are not recipients of available grant funds must be offered the opportunity to receive loan funds for up to the total recommended project amount, subject to the conditions described in [sections 1 through 12]. The interest rate applicable to these loans must be the rate paid on bonds issued pursuant to [sections 1 through 12].

NEW SECTION. Section 4. Approval of loans from bond proceeds and completion of appropriation. (1) The legislature, pursuant to 85-1-605, 85-1-606, and 90-2-107, hereby approves loans to private sponsors approved by the department of natural resources and conservation during the 1992-93 biennium and the loans for projects and activities identified and described in [section 1] to public entities from water development bond proceeds, interest earnings on such proceeds deposited in the water development debt service fund, and loans from renewable resource development bond proceeds deposited in the renewable resource development account.

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DATE 3-21-91  
HB 6

Bond proceeds may be used for the payment of bond issuance costs. Funds are appropriated for these costs to a maximum of 4% of the amount of each bond sale.

(2) The approval of specific loans completes an appropriation of the coal severance tax proceeds allocated by 15-35-108 to the water development bond account for the purpose of paying, in the manner established by 85-1-619, principal of and interest and redemption premiums on any water development bonds issued to provide the proceeds for the loans to private and public entities for projects and activities approved in [section 1], and it also completes an appropriation to the renewable resource debt service fund for the purpose of paying, in the manner established by 90-2-123, principal of and interest and redemption premiums on any renewable resource development bonds issued to provide the proceeds for the loans to political subdivisions and local government entities for projects and activities approved in [sections 1 and 2].

NEW SECTION. Section 5. Reauthorization of loans and grants approved by ~~51st legislature~~. (1) The 51st legislature, in House Bill No. 775, Laws of 1989, approved loans and grants from the water development and renewable resource development bond accounts for the Cascade County RID No. 26, Sun Prairie, in the amount of \$200,000; Carbon County/Roberts Water System Improvements in the amount of \$142,500; City of Shelby in the amount of \$100,000; Sage Creek County Water District in the amount of

1 \$158,600; Town of Cascade in the amount of \$200,000; City of  
2 Belgrade in the amount of \$200,000; Town of Hysham in the amount of  
3 \$200,000; and East Glacier Water and Sewer District in the amount  
4 of \$116,380. Loans and grants for the entities described in this  
5 section are hereby reauthorized.

6 (2) THE 50TH LEGISLATURE, IN HOUSE BILL NO. 7, LAWS OF 1987,  
7 APPROVED A GRANT FROM THE RENEWABLE RESOURCE DEVELOPMENT ACCOUNT TO  
8 EASTERN SANDERS CONSERVATION DISTRICT FOR \$86,300 FOR RECHARGE  
9 ENHANCEMENT OF THE LITTLE BITTERROOT AQUIFER. AMONG THE  
10 CONTINGENCIES CONTAINED IN THE GRANT AUTHORIZATION WAS A  
11 REQUIREMENT THAT A COMMITMENT BE OBTAINED FROM THE U.S. BUREAU OF  
12 RECLAMATION FOR FEDERAL MATCHING FUNDS. IT HAS SINCE BEEN  
13 DETERMINED THAT THE FEDERAL MATCHING FUNDS WILL NOT BE FORTHCOMING.  
14 THE GRANT FOR THE ABOVE DESCRIBED ENTITY IS HEREBY AUTHORIZED FOR  
15 \$86,300, WITH THE CONTINGENCY FOR FEDERAL MATCHING FUNDING FROM THE  
16 U.S. BUREAU OF RECLAMATION DELETED. FURTHER, ~~THE~~ ADDITIONAL  
17 SAMPLING OF SURFACE WATER AND GROUND WATER FOR HERBICIDES AND  
18 PESTICIDES MUST BE CONDUCTED.

19 NEW SECTION. Section 6. Reallocation of resource indemnity  
20 trust account interest income. Except for special departmental  
21 appropriation and notwithstanding any provisions of 85-1-604 to the  
22 contrary, all remaining interest income allocated to the water  
23 development state special revenue account from the resource  
24 indemnity trust fund by 15-38-202(2) during the 1992-93 biennium  
25 may be used only for the purposes set out in 85-1-604(3)(c).

31  
3-21-91  
6

NEW SECTION.

Section 7. Emergency grants. There is

appropriated to the department of natural resources and conservation up to \$125,000 from the water development state special revenue account to be used for emergency projects. If these funds are not needed for emergencies, they may be used for grants approved in [section 1].

NEW SECTION.

Section 8. Conditions of loans and grants.

Disbursement of funds under [sections 1 through 12] for both loans and grants is subject to the following conditions that must be met by project sponsors:

(1) approval of a scope of work and budget for the project by the department of natural resources and conservation. Reductions in a scope of work or budget may not affect priority activities or improvements.

(2) documented commitment of other funds required for project completion;

(3) satisfactory completion of conditions described in the recommendation section of the project narrative in the renewable resource and water development program's project evaluations and recommendations report for the 1992-93 biennium or, in the case of emergency applications, conditions specified at the time of written notification of approved loan authority;

(4) execution of a loan or grant agreement with the department; and

(5) accomplishment of other specific requirements considered

1 necessary by the department to accomplish the purpose of the loan  
2 or grant as evidenced from the application to the department or  
3 from the proposal to the legislature.

4 NEW SECTION. Section 9. Conditions for grants.

5 Notwithstanding the conditions described in [section 1], grant  
6 funds are disbursed in the order of priority listed in [section 1]  
7 as coal tax and resource indemnity trust account interest income  
8 revenues are received. No project approved by [sections 1 through  
9 12] is entitled to receive grant funds not collected and allocated  
10 to the water development state special revenue account or the  
11 renewable resource development account.

12 NEW SECTION. Section 10. Conditions for loans. Each

13 sponsor authorized for a loan from water development bond proceeds  
14 or renewable resource development bond proceeds may be required to  
15 pay to the department of natural resources and conservation a pro  
16 rata share of the bond issuance costs and the administrative costs  
17 incurred by the department to complete the loan transaction.

18 NEW SECTION. Section 11. Private and discount purchase of

19 loans. Loans to political subdivisions and local government  
20 entities and bonds, warrants, and notes issued in evidence thereof  
21 may be made and purchased by and sold to the department of natural  
22 resources and conservation at a discount and at private negotiated  
23 sale, notwithstanding the provisions of any other law applicable to  
24 such political subdivisions or local government entities.



EXHIBIT 31  
DATE 3-21-91  
HB 6

1        NEW SECTION.    Section 12.    Appropriations established. For  
2 any entity of state government that receives a grant or loan under  
3 [sections 1 through 12], an appropriation is established for the  
4 amount of the grant or loan upon award of the grant or loan by the  
5 department of natural resources and conservation. GRANTS TO STATE  
6 ENTITIES FROM PRIOR BIENNIUMS ARE REAUTHORIZED FOR COMPLETION OF  
7 CONTRACT WORK.

8        NEW SECTION.    Section 13.    FUNDS AVAILABLE. IT IS THE INTENT  
9 OF THE LEGISLATURE THAT THE WATER DEVELOPMENT GRANT PROGRAM BE A  
10 MINIMUM OF \$1 MILLION AND THE RENEWABLE RESOURCES GRANT PROGRAM BE  
11 A MINIMUM OF \$1 MILLION FOR THE 1993 LEGISLATIVE SESSION.

12        NEW SECTION.    Section 14.    Severability. If a part of [this  
13 act] is invalid, all valid parts that are severable from the  
14 invalid part remain in effect. If a part of [this act] is invalid  
15 in one or more of its applications, the part remains in effect in  
16 all valid applications that are severable from the invalid  
17 applications.

18        NEW SECTION.    Section 15.    Effective date.    [This act] is  
19 effective on passage and approval.

20                                -END-

Amendments to House Bill No. 6  
First Reading Copy

EXHIBIT 32  
DATE 3-21-91  
HB 6

Requested by Long-Range Building Subcommittee  
For the Committee on Appropriations

Prepared by Robert Person and Jim Haubein  
March 14, 1991

1. Page 1, line 24.  
Strike: "\$106,508"  
Insert: "\$72,208"

2. Page 4.  
Following: line 15  
Insert: "PRIVATE APPLICANT  
Wastewater Collection and Treatment  
System 50,000 150,000"

3. Page 4.  
Following: line 20  
Strike: line 21 through line 26 in their entirety

4. Page 5.  
Following: line 2  
Strike: line 3 through line 11 in their entirety

5. Page 5.  
Following: line 11.  
Insert: "PRIVATE APPLICANT  
Sun River Water System 7,500

(5) To the entities listed in this section, this appropriation constitutes a valid obligation of these funds for purposes of encumbering the funds within the 1993 biennium pursuant to 17-7-302."

6. Page 6, line 26 through page 10 line 3.  
Strike: page 6, line 25 through page 10, line 3 in their entirety  
Insert: "YELLOWSTONE COUNTY CONSERVATION DISTRICT  
Streambank Reinforcement \$ 100,000

JEFFERSON VALLEY CONSERVATION DISTRICT  
Cereal-Legume Energy Efficient  
Crop Rotations 48,677

NEIHART, TOWN OF  
Neihart Water System Improvements 50,000 \$150,000

EKALAKA, TOWN OF  
Water Supply and Storage Project 49,975 100,000

MONTANA STATE UNIVERSITY, MONTANA WATER RESOURCES CENTER  
Public Education in Water  
Management 100,000

STILLWATER CONSERVATION DISTRICT		
Evaluation of Plastic Lining and		
Fabrication Process	56,848	
BROADWATER CONSERVATION DISTRICT		
Irrigation Water Management		
Demonstration Project	100,000	
NATURAL RESOURCES AND CONSERVATION,		
DEPARTMENT OF, WATER MANAGEMENT BUREAU		
Beaverhead County Ground Water		
Study	100,000	
POLSON, CITY OF		
Wellhead Protection Program	76,055	
THREE FORKS, TOWN OF		
Water System Improvements	100,000	
FORT SHAW IRRIGATION PROJECT		
Rehabilitation and Betterment		
Study	50,000	
BUTTE-SILVER BOW, GOVERNMENT OF		
Blacktail Creek Restoration	100,000	
LIBERTY COUNTY CONSERVATION DISTRICT		
Sweetgrass Hills Ground Water		
Study	100,000	
MISSOULA COUNTY CONSERVATION DISTRICT		
Irrigation Diversion		
Alternatives	85,250	
FALLON COUNTY		
Baker Lake Erosion Control		
and Recreation Path	15,361	
DARBY SCHOOL DISTRICT NO. 9		
Darby School Park Project	25,300	
MEAGHER COUNTY CONSERVATION DISTRICT		
South Side Canal Lining		
Project	37,500	62,500
NATURAL RESOURCES AND CONSERVATION,		
DEPARTMENT OF		
Battle Creek Storage Unit	82,000	

(4) To the entities listed in this section, this appropriation constitutes a valid obligation of these funds for purposes of encumbering the funds within the 1993 biennium pursuant to 17-7-302."

7. Page 11, line 17.  
Strike: "by 51st legislature"  
Following: "."  
Insert: "(1)"

EXHIBIT 32  
DATE 3-21-91  
FILE 6

8. Page 12, line 4.  
Following: line 3  
Insert: "(2) The 50th legislature, in House Bill No. 7, Laws of 1987, approved a grant from the renewable resource development account to Eastern Sanders Conservation District for \$86,300 for recharge enhancement of the Little Bitterroot Aquifer. Among the contingencies contained in the grant authorization was a requirement that a commitment be obtained from the U.S. Bureau of Reclamation for federal matching funds. It has since been determined that the federal matching fund will not be forthcoming. The grant for the above described entity is hereby authorized for \$86,300, with the contingency for federal matching funding from the U.S. Bureau of Reclamation deleted. Further, the additional sampling of surface water and ground water for herbicides and pesticides must be conducted."

9. Page 14, line 15.  
Following: "conservation."  
Insert: "Grants to state entities from prior bienniums are reauthorized for completion of contract work."

10. Page 14, line 16.  
Following: line 15  
Insert: "NEW SECTION. Section 13. Funds available. It is the intent of the legislature that the water development grant program be a minimum of \$1 million and the renewable resources grant program be a minimum of \$1 million for the 1993 legislative session."  
Renumber: subsequent sections

EXHIBIT 33  
DATE 3-21-91  
HB 6  
Revised Version  
from LFA

Amendments to House Bill No. 6  
First Reading Copy

Requested by Long-Range Building Subcommittee  
For the Committee on Appropriations

Prepared by Robert Person and Jim Haubein  
March 14, 1991

1. Page 1, line 24.  
Strike: "\$106,508"  
Insert: "\$72,208"

2. Page 4.  
Following: line 15  
Insert: "PRIVATE APPLICANT  
Wastewater Collection and Treatment  
System 50,000 150,000"

3. Page 4, line 18.  
Following: "50,000"  
Insert: "\$50,000"

4. Page 4.  
Following: line 20  
Strike: line 21 through line 26 in their entirety

5. Page 5.  
Following: line 2  
Strike: line 3 through line 11 in their entirety

6. Page 5.  
Following: line 11.  
Insert: "PRIVATE APPLICANT  
Sun River Water System 7,500  
CHINOOK, TOWN OF  
Milk River Weir Replacement 200,000  
BELT, TOWN OF  
Sewage System Improvements 100,000  
GLASGOW, TOWN OF  
Glasgow Water and Wastewater 80,950  
MISSOULA CITY/COUNTY HEALTH DEPARTMENT  
Linda Vista Sewer Interceptor 100,000  
FAIRFIELD, TOWN OF  
Fairfield Waterway 14,169

(5) To the entities listed in this section, this appropriation constitutes a valid obligation of these funds for purposes of encumbering the funds within the 1993 biennium pursuant to 17-7-302."

7. Page 6, line 26 through page 10 line 3.

Strike: page 6, line 25 through page 10, line 3 in their entirety

Insert: "YELLOWSTONE COUNTY CONSERVATION DISTRICT

Streambank Reinforcement \$ 100,000

JEFFERSON VALLEY CONSERVATION DISTRICT  
Cereal-Legume Energy Efficient  
Crop Rotations

48,677

NEIHART, TOWN OF

Neihart Water System Improvements 50,000 \$150,000

EKALAKA, TOWN OF

Water Supply and Storage Project 49,975 100,000

MONTANA STATE UNIVERSITY, MONTANA WATER RESOURCES CENTER

Public Education in Water  
Management 100,000

STILLWATER CONSERVATION DISTRICT

Evaluation of Plastic Lining and  
Fabrication Process 56,848

BROADWATER CONSERVATION DISTRICT

Irrigation Water Management  
Demonstration Project 100,000

NATURAL RESOURCES AND CONSERVATION,  
DEPARTMENT OF, WATER MANAGEMENT BUREAU

Beaverhead County Ground Water  
Study 100,000

POLSON, CITY OF

Wellhead Protection Program 76,055

THREE FORKS, TOWN OF

Water System Improvements 100,000

FORT SHAW IRRIGATION PROJECT

Rehabilitation and Betterment  
Study 50,000

BUTTE-SILVER BOW, GOVERNMENT OF

Blacktail Creek Restoration 100,000

LIBERTY COUNTY CONSERVATION DISTRICT

Sweetgrass Hills Ground Water  
Study 100,000

MISSOULA COUNTY CONSERVATION DISTRICT

Irrigation Diversion  
Alternatives 85,250

FALLON COUNTY

Baker Lake Erosion Control

and Recreation Path	15,361	
DARBY SCHOOL DISTRICT NO. 9		
Darby School Park Project	25,300	
MEAGHER COUNTY CONSERVATION DISTRICT		
South Side Canal Lining		
Project	37,500	62,500
NATURAL RESOURCES AND CONSERVATION,		
DEPARTMENT OF		
Battle Creek Storage Unit	82,000	

(4) To the entities listed in this section, this appropriation constitutes a valid obligation of these funds for purposes of encumbering the funds within the 1993 biennium pursuant to 17-7-302."

8. Page 11, line 17.  
Strike: "by 51st legislature"  
Following: "."  
Insert: "(1)"

9. Page 12, line 4.  
Following: line 3  
Insert: "(2) The 50th legislature, in House Bill No. 7, Laws of 1987, approved a grant from the renewable resource development account to Eastern Sanders Conservation District for \$86,300 for recharge enhancement of the Little Bitterroot Aquifer. Among the contingencies contained in the grant authorization was a requirement that a commitment be obtained from the U.S. Bureau of Reclamation for federal matching funds. It has since been determined that the federal matching fund will not be forthcoming. The grant for the above described entity is hereby authorized for \$86,300, with the contingency for federal matching funding from the U.S. Bureau of Reclamation deleted. Further, the additional sampling of surface water and ground water for herbicides and pesticides must be conducted."

10. Page 14, line 15.  
Following: "conservation."  
Insert: "Grants to state entities from prior bienniums are reauthorized for completion of contract work."

11. Page 14, line 16.  
Following: line 15  
Insert: "NEW SECTION. Section 13. **Funds available.** It is the intent of the legislature that the water development grant program be a minimum of \$1 million and the renewable resources grant program be a minimum of \$1 million for the 1993 legislative session."  
Renumber: subsequent sections

(25)  
EXHIBIT

34

DATE

3-21-91

HB

6

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

Amendment to House Bill No. 6

Amendment: To provide loan funding to public grant applications approved but not funded under the Water Development and Renewable Resource Development Program.

Ref. Introduced Bill -

Page 4, line 18.  
Line 18, following "50,000"  
Insert: "50,000"

Page 5, following line 11.

Insert: "CHINOOK, TOWN OF		
Milk River Weir Replacement	--	200,000
BELT, TOWN OF		
Sewage System Improvements	--	100,000
GLASGOW, TOWN OF		
Glasgow Water and Wastewater	--	80,950
MISSOULA CITY/CO HEALTH DEPT.		
Linda Vista Sewer Inceptor	--	100,000
FAIRFIELD, TOWN OF		
Fairfield Waterway	--	14,169"

Ref. Gray Bill -

The insertions outlined above for page 4 should follow,

"FORT SHAW IRRIGATION DISTRICT Rehabilitation of  
Headworks and "A" System Diversion 50,000"

The insertions outlined above for page 5 should follow,

"PRIVATE APPLICANT Sun River Water System  
7,500"

and should precede,

"(5) To the entities listed in [Section 1] this appropriation constitutes a valid obligation of these funds for purposes of encumbering the funds within the 1993 biennium pursuant to MCA 17-7-302."



EXHIBIT 35  
DATE 3-21-91  
HB 7

HOUSE BILL NO. 7

INTRODUCED BY CONNELLY

BY REQUEST OF THE DEPARTMENT OF NATURAL  
RESOURCES AND CONSERVATION

A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY TO THE  
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR LOANS UNDER  
THE WATER DEVELOPMENT PROGRAM; TO APPROVE THE ISSUANCE OF COAL  
SEVERANCE TAX BONDS TO PROVIDE FUNDS FOR LOANS TO POLITICAL  
SUBDIVISIONS AND LOCAL GOVERNMENTS FOR CERTAIN APPROVED WATER  
DEVELOPMENT PROJECTS; TO REAUTHORIZE COAL SEVERANCE TAX BONDS FOR  
CERTAIN PROJECTS APPROVED BY THE 51ST LEGISLATURE; TO APPROPRIATE  
COAL SEVERANCE TAX INCOME FOR DEBT SERVICE; TO AUTHORIZE THE  
CREATION OF A STATE DEBT; TO AUTHORIZE THE ISSUANCE OF REVENUE  
BONDS; TO PLACE CERTAIN CONDITIONS UPON LOANS; AND PROVIDING AN  
IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION.

Section 1. Coal severance tax bonds

authorized. (1) The legislature finds that Title 17, chapter 5,  
part 7, provides for the issuance of coal severance tax bonds for  
financing specific approved water resource development projects and  
activities as part of the state water development program.  
Available funds from previous sales of coal severance tax bonds may

1 also be used for the projects approved in [sections 1 through 7].  
2 The legislature finds that the water development projects in  
3 [sections 1 through 7] meet the provisions of 17-5-702. The board  
4 of examiners may issue coal severance tax bonds in an amount not to  
5 exceed ~~\$13,382,594~~ <sup>7</sup> \$7,945,583 for the purpose of making loans and  
6 financing state projects, establishing a reserve for the bonds, and  
7 paying the costs of issuance. Funds are appropriated for these  
8 costs of issuance to a maximum of 4% of the amount of each bond  
9 sale.

10 (2) The board of examiners may issue coal severance tax bonds  
11 for loans to political subdivisions and local government entities  
12 not to exceed the loan amount listed for the project.

13  
14 GROUP A Notwithstanding the provisions of [section 5], the  
15 interest rate for the projects in this group may be 2% below the  
16 long-term bond rate at which the state bond is sold for the first  
17 5 years of an anticipated 20-year term and must be at the rate at  
18 which the state bond is sold for the remaining 15 years.

	<u>Loan Amount</u>
19 FORSYTH, CITY OF	
20 Water Treatment Plant Improvements	\$1,948,916
21 SEELEY LAKE-MISSOULA COUNTY WATER DISTRICT	
22 Water Treatment Plant	922,150
23 <u>THE PRINCIPAL PORTION OF THE DEBT SERVICE PAYMENT OF THE LOAN FOR</u>	
24 <u>THE SEELEY LAKE-MISSOULA COUNTY WATER PROJECT MAY BE DEFERRED FOR</u>	
25 <u>A PERIOD OF 3 YEARS. THE INTEREST ON THE LOAN MAY BE ADJUSTED FOR</u>	

EX. 35  
DATE 3-21-91  
HB 0007/gray

THE DEFERRAL.

GROUP B Notwithstanding the provisions of [section 5], the interest rate for the project in this group may be 1% below the long-term bond rate at which the state bond is sold for the first 5 years of an anticipated 20-year term and must be at the rate at which the state bond is sold for the remaining 15 years.

Loan Amount

COLUMBIA FALLS, CITY OF

Water Improvements

\$1,623,720

\$1,1<sup>6</sup>~~8~~3,720

GROUP C Notwithstanding the provisions of [section 5], the interest rate for the project in this group must be sold at the rate at which the state bond is sold for 20 years.

Loan Amount

HUNTLEY IRRIGATION DISTRICT

Rehabilitation and Reconstruction of

Diversion Structure and Main Canal

~~\$ 747,808~~

\$ 749,797

GROUP D Notwithstanding the provisions of [section 5], the interest rate for the project in this group is 0% 3% for 30 years.

Loan Amount

BEAVERHEAD COUNTY, RED ROCK RIVER WATER

AND/OR SEWER DISTRICT

Lima Dam Rehabilitation

\$3,040,000

GROUP E NOTWITHSTANDING THE PROVISIONS OF [SECTION 5], THE INTEREST RATE FOR THE PROJECT IN THIS GROUP IS 6% OR THE CURRENT BOND RATE, WHICHEVER IS LOWER, FOR UP TO 30 YEARS.

LOAN AMOUNT

MILL CREEK WATER AND SEWER DISTRICT

Mill Creek Gravity Sprinkler Irrigation Project  
WATER TREATMENT SYSTEM

\$ 151,000

~~(3) (a) The legislature finds that the following state water project for rehabilitation and repair for which coal severance tax bonds were authorized by the 51st legislature in House Bill No. 778, Laws of 1989, has not been completed. The board of examiners is authorized to issue coal severance tax bonds for this project to a maximum amount listed in this section. The state bond rate must be paid on this loan.~~

Loan Amount

~~MIDDLE CREEK DAM REHABILITATION~~ ~~\$5,100,000~~

~~(b) Bonds may be issued by the board of examiners after the water users for this project have entered into contractual agreements providing for the repayment of the cost of repair and rehabilitation at a rate of interest equal to that which must be paid on bonds issued pursuant to this section. The repayment money from this project is pledged, dedicated, and appropriated to the~~

EX 35  
3-21-91  
1 special debt service bond account established in the state treasury  
2 for the benefit of the bonds approved for such projects.

3 NEW SECTION. Section 2. Appropriation -- creation of debt  
4 for coal severance tax bonds. (1) The legislature, through the  
5 enactment of this section by a vote of three-fourths of the members  
6 of each house of the legislature as required by Article IX, section  
7 5, of the Montana constitution, pledges, dedicates, and  
8 appropriates from the coal severance tax bond fund all money  
9 necessary for the payment of principal and interest not otherwise  
10 provided for on the coal severance tax bonds authorized by  
11 [sections 1 through 7] to be issued pursuant to Title 17, chapter  
12 5, part 7, and pursuant to the provisions of [sections 1 through 7]  
13 and the general resolution for this bond program that has been  
14 adopted by the board of examiners under the authority provided in  
15 Title 17, chapter 5, part 7.

16 (2) The legislature, through the enactment of this section,  
17 in accordance with Article VIII, section 8, of the Montana  
18 constitution, authorizes the creation of a state debt in an amount  
19 not to exceed ~~\$5,100,000 for the rehabilitation of state water~~  
20 ~~projects approved in [sections 1 through 7] and an amount not to~~  
21 ~~exceed \$8,262,594~~ <sup>7</sup> \$7,985,583 for loans to political subdivisions  
22 and local government entities for water development projects  
23 approved in [sections 1 through 7], all for the issuance of up to  
24 <sup>7,975,593</sup> ~~\$13,382,594~~ in coal severance tax bonds authorized by [sections 1  
25 through 7].

Needs to be  
amended

1           (3) In connection with the issuance of coal severance tax  
2 bonds, the board of examiners may pay the principal and interest on  
3 the bonds when due from the debt service account and in all other  
4 respects manage and use the funds within each special bond account  
5 for the benefit of the bonds. The board of examiners shall exercise  
6 its discretion to enhance the marketability of the bonds and to  
7 secure the most advantageous financial arrangements for the state.

8           (4) Earnings on bonds proceeds prior to the completion of any  
9 loan must be allocated to the debt service account to pay the debt  
10 service on the bonds during this period. Earnings in excess of debt  
11 service, if any, must be allocated to the water development state  
12 special revenue account and may be used for the purposes allowed  
13 under 85-1-604(3)(b).

14           (5) Loan repayments from loans financed with coal severance  
15 tax bonds, loan principal, interest, and bond issuance fees  
16 borrowed from bond proceeds are pledged, dedicated, and  
17 appropriated to the debt service account in the state treasury for  
18 the benefit of bonds approved for loans under this section.

19           NEW SECTION.           Section 3. Projects not completing  
20 requirements -- loans reauthorized. The legislature finds that the  
21 following water development projects for which coal severance tax  
22 bonds were authorized to be issued by the 51st legislature in House  
23 Bill No. 778, Laws of 1989, may not complete the requirements  
24 necessary for the loan transaction prior to June 30, 1991. Coal  
25 severance tax bonds for the projects described in this section are

1 reauthorized in the amounts listed at the interest rates authorized  
2 by the 51st legislature in House Bill No. 778, Laws of 1989, and  
3 described in this section to enable financing during the 1992-93  
4 biennium, if necessary.

5  
6 GROUP A Notwithstanding the provisions of [section 5], the  
7 interest rate for the project in this group must be 4% over a 30-  
8 year term or 3% if the lower interest rate is necessary to secure  
9 the federal loan.

10  
11 Loan Amount

12 EAST BENCH IRRIGATION DISTRICT

13 Gravity Sprinkler Irrigation No. 3 \$ 431,000  
14

15 GROUP B Notwithstanding the provisions of [section 5], the  
16 interest rate for projects in this group may be 3% below the long-  
17 term bond rate at which the state bond is sold for the first 5  
18 years of an anticipated 20-year term and must be at the rate at  
19 which the state bond is sold for the remaining 15 years.

20  
21 Loan Amount

22 SOMERS COUNTY WATER AND SEWER DISTRICT

23 Somers Sewer \$3,151,960

24 EVERGREEN WATER AND SEWER DISTRICT

25 Wastewater Facilities ~~3,226,900~~

26 3,778,028

(IF HOUSE BILL NO. 648 IS PASSED AND APPROVED, STRIKE 3,778,028 IN  
LINE 8 AND INSERT 551,128.)

## LAKE COUNTY/BIG ARM SEWER DISTRICT

Big Arm Sewer	2,283,893
---------------	-----------

GROUP C Notwithstanding the provisions of [section 5], the  
interest rate for projects in this group may be 2% below the long-  
term bond rate at which the state bond is sold for the first 5  
years of an anticipated 20-year term and must be at the rate at  
which the state bond is sold for the remaining 15 years.

Loan Amount

## GLENDIVE, CITY OF

Water Treatment Plant	\$4,075,000
-----------------------	-------------

~~NOXON, COMMUNITY OF~~~~Gravity Water Company Water System~~~~Improvement 222,550~~

## WHITEFISH, CITY OF

Water Treatment and Distribution	6,035,800
----------------------------------	-----------

## WIBAUX, TOWN OF

Water Storage Reservoir/Transmission Line	250,000
-------------------------------------------	---------

272,500

## EAST GLACIER, TOWN OF

Water System	484,270
--------------	---------

## PONDERA CONSERVATION DISTRICT

Irrigation System Rehabilitation	750,000
----------------------------------	---------



1 GROUP D Notwithstanding the provisions of [section 5], the  
2 interest rate for projects in this group must be sold at the rate  
3 at which the state bond is sold for 20 years.

4  
5 Loan Amount

6 BROWNING, TOWN OF

7 Sewage Treatment Facility Improvements \$ 447,014

8 ANACONDA-DEER LODGE COUNTY

9 Wastewater Treatment Plant Effluent Disposal 500,000  
10

11 GROUP E Notwithstanding the provisions of [section 5], the  
12 interest rate for the project in this group may be 4% below the  
13 long-term bond rate at which the state bond is sold for the first  
14 5 years of an anticipated 20-year term and must be at the rate at  
15 which the state bond is sold for the remaining 15 years.

16  
17 Loan Amount

18 DUTTON, TOWN OF

19 Water Supply Construction \$ 150,000  
20

21 NEW SECTION. Section 4. Conditions of loans. (1)

22 Disbursement of funds under [sections 1 through 7] for loans is  
23 subject to the following conditions that must be met by project  
24 sponsors:

25 (a) approval of a scope of work and budget for the project by

1 the department of natural resources and conservation. Reductions  
2 in a scope of work or budget may not affect priority activities or  
3 improvements.

4 (b) documented commitment of other funds required for project  
5 completion;

6 (c) satisfactory completion of conditions described in the  
7 recommendations section of the project narrative in the renewable  
8 resource and water development program project evaluations and  
9 recommendations report for the 1992-93 biennium or, in the case of  
10 emergency applications, conditions specified at the time of written  
11 notification of approved loan authority;

12 (d) execution of a loan agreement with the department of  
13 natural resources and conservation; and

14 (e) accomplishment of other specific requirements considered  
15 necessary by the department to accomplish the purpose of the loan  
16 as evidenced from the application to the department or from the  
17 proposal to the legislature.

18 (2) Each sponsor authorized for a loan from coal severance  
19 tax bond proceeds may be required to pay to the department a pro  
20 rata share of the bond issuance costs and the administrative costs  
21 incurred by the department to complete the loan transaction.

22 NEW SECTION. Section 5. Interest rates on loans. Loans  
23 made from proceeds of coal severance tax bonds must be at interest  
24 rates specified in [section 1] except that when loan requests are  
25 reduced, interest rates must be recalculated based on the

1 methodology described in the renewable resource and water  
2 development program project evaluations and recommendations report  
3 for the 1992-93 biennium. If the bonds or notes bear interest at an  
4 adjustable rate, the department of natural resources and  
5 conservation shall establish, at the time of the sale of each bond,  
6 an assured rate of interest thereon as if the bond bore interest at  
7 a fixed rate. The assured rate of interest so established must be  
8 the rate of interest on the bonds for the purpose of calculating  
9 the interest rates on the loans pursuant to [section 1].

10 NEW SECTION. Section 6. Private and discount purchase of  
11 loans. Loans to political subdivisions and local government  
12 entities and bonds, warrants, and notes issued in evidence of the  
13 loans may be made and purchased by and sold to the department of  
14 natural resources and conservation at a discount and at private  
15 negotiated sale, notwithstanding the provisions of any other law  
16 applicable to such political subdivisions or local government  
17 entities.

18 NEW SECTION. Section 7. Appropriations established. For  
19 any entity of state government that receives a loan under [sections  
20 1 through 7], an appropriation is established for the amount of the  
21 loan upon award of the loan by the department of natural resources  
22 and conservation.

23 NEW SECTION. SECTION 8. AUTHORIZATION TO ISSUE REVENUE  
24 BONDS. (1) THE BOARD OF EXAMINERS IS AUTHORIZED TO ISSUE BONDS TO

1 FINANCE OR TO REFUND BONDS ISSUED TO FINANCE WATER DEVELOPMENT  
2 PROJECTS PURSUANT TO TITLE 17, CHAPTER 5, PART 7, AND TITLE 85,  
3 CHAPTER 1, PART 6, PAYABLE IN WHOLE OR IN PART FROM REVENUE  
4 GENERATED FROM THE PROJECT, WITHOUT PLEDGING THE COAL SEVERANCE TAX  
5 TO THE PAYMENT OF THE BONDS.

6 (2) BONDS ISSUED PURSUANT TO THIS SECTION WITHOUT THE PLEDGE  
7 OF THE COAL SEVERANCE TAX MAY NOT BE CONSIDERED COAL SEVERANCE  
8 BONDS OR A DEBT OF THE STATE.

9 NEW SECTION. Section 9. Severability. If a part of [this  
10 act] is invalid, all valid parts that are severable from the  
11 invalid part remain in effect. If a part of [this act] is invalid  
12 in one or more of its applications, the part remains in effect in  
13 all valid applications that are severable from the invalid  
14 applications.

15 NEW SECTION. Section 10. Requirements for approval of  
16 state debt. Because [section 2] authorizes the creation of a state  
17 debt and appropriates money that would otherwise be deposited in  
18 the coal severance tax permanent fund, a vote of three-fourths of  
19 the members of each house is required for enactment of [section 2].

20 NEW SECTION. Section 11. Effective date. [This act] is  
21 effective on passage and approval.

22 -END-

Amendments to House Bill No. 7  
First Reading Copy

EXHIBIT 35  
DATE 3-21-91  
HB 7

Requested by Long-Range Building Subcommittee  
For the Committee on Appropriations

Prepared by Robert Person and Jim Haubein  
March 14, 1991

1. Title, line 15.

Following: "DEBT;"

Insert: "TO AUTHORIZE THE ISSUANCE OF REVENUE BONDS;"

2. Page 2, line 4.

Strike: "\$13,382,594"

Insert: "\$ 7,975,583"

3. Page 2, line 22.

Following: line 21

Insert: "The principal portion of the debt service payment of the loan for the Seeley Lake-Missoula County water project may be deferred for a period of 3 years. The interest on the loan may be adjusted for the deferral."

4. Page 3, line 4.

Strike: "\$1,623,720"

Insert: "\$1,163,720"

5. Page 3, line 12.

Strike: "\$747,808"

Insert: "\$749,797"

6. Page 3, line 15.

Strike: "0%"

Insert: "3%"

7. Page 3, line 20.

Following: line 19

Insert: "GROUP E Notwithstanding the provisions of [section 5], the interest rate for the project in this group is 6% or the current bond rate, whichever is lower, for up to 30 years.

Loan Amount

MILK CREEK WATER AND SEWER DISTRICT

Milk Creek Gravity Sprinkler Irrigation  
Project

\$151,000"

8. Page 3, line 21 through page 4, line 12.

Strike: page 3, line 21 through page 4, line 12 in their entirety

9. Page 5, lines 4 through 6.

Strike: "\$5,100,000" on line 4 through "\$8,282,594" on line 6

Insert: "\$7,975,583"

10. Page 7, line 8.

Strike: "3,226,900"

Insert: "3,778,028"

11. Page 7, line 9.

Following: line 8

Insert: "(If House Bill No. 648 is passed and approved, strike 3,778,028 in line 8 and insert 551,128.)"

12. Page 7.

Strike: line 21 through line 23 in their entirety

13. Page 8, line 1.

Strike: "250,000"

Insert: "272,500"

14. Page 11.

Following: line 3

Insert: "NEW SECTION. Section 8. Authorization to issue revenue bonds. (1) In addition to the authority contained in 17-5-716, the board of examiners may issue revenue bonds of the state to refund in whole or in part bonds issued to finance water development projects approved by the legislature pursuant to Title 17, chapter 5, part 7, and Title 85, chapter 1, part 6. The principal and interest on refunding bonds issued pursuant to this section are payable solely from the project or projects for which the refunded bonds were issued.

(2) The revenue bonds may be issued in an amount sufficient to refund all or a portion of the outstanding bonds, to pay costs incident to the issuance and sale of the refunding bonds, and to fund the establishment of necessary reserves. The refunding bonds must be designated as "State of Montana Water Development Revenue Bonds". All the power and authority granted to the board of examiners and provisions with respect to the issuance of bonds under Title 17, chapter 5, part 7, except for the provision pledging the coal severance tax to the payment of the bonds, apply to the issuance of the revenue bonds. In authorizing the issuance of the revenue bonds, the board of examiners shall determine that the refunding of the outstanding bonds and the issuance of the revenue bonds are in the best interest of the state.

(3) Revenue bonds may not be issued under this section to refund bonds issued to fund a loan to a political subdivision or local government body unless the political subdivision or local government body whose loan repayments would be pledged to the payment of the refunding bonds has consented to the refunding.

(4) Revenue bonds issued pursuant to this section without the pledge of the coal severance tax to the payment of the bonds are not coal severance tax bonds or a state debt.

EXHIBIT 35

DATE 3-21-91

NEW SECTION. Section 9. Codification instruction. [Section 8] is intended to be codified as an integral part of Title 17, chapter 5, part 7, and the provisions of Title 17, chapter 5, part 7, apply to [section 8]."

Renumber: subsequent sections

25  
EXHIBIT 36  
DATE 3-21-91  
HB 7  
REF: BOHARSKI -- LAKESIDE WATER AND SEWER DISTRICT LOAN

AMENDMENT TO HOUSE BILL NO. 7  
Introduced Bill (White) Copy

Page 3.

Following: line 20

Insert: "Group E Notwithstanding the provisions of [section 5],  
the interest rate for the project in this group is 6% or at the  
bond rate, whichever is lower for the term up to 30 years.

Loan Amount

LAKESIDE WATER AND SEWER DISTRICT  
Lakeside Wastewater Facility

\$251,700"



Amendments to House Bill No. 7  
First Reading Copy

Requested by Long-Range Building Subcommittee  
For the Committee on Appropriations

Prepared by Robert Person and Jim Haubein  
March 14, 1991

1. Title, line 15.

Following: "DEBT;"

Insert: "TO AUTHORIZE THE ISSUANCE OF REVENUE BONDS;"

2. Page 2, line 4.

Strike: "\$13,382,594"

Insert: "\$ 7,975,583"

3. Page 2, line 22.

Following: line 21

Insert: "The principal portion of the debt service payment of the loan for the Seeley Lake-Missoula County water project may be deferred for a period of 3 years. The interest on the loan may be adjusted for the deferral."

4. Page 3, line 4.

Strike: "\$1,623,720"

Insert: "\$1,163,720"

5. Page 3, line 12.

Strike: "\$747,808"

Insert: "\$749,797"

6. Page 3, line 15.

Strike: "0%"

Insert: "3%"

7. Page 3, line 20.

Following: line 19

Insert: "GROUP E Notwithstanding the provisions of [section 5], the interest rate for the project in this group is 6% or the current bond rate, whichever is lower, for up to 30 years.

Loan Amount

MILK CREEK WATER AND SEWER DISTRICT

Milk Creek Gravity Sprinkler Irrigation  
Project

\$151,000

LAKESIDE WATER AND SEWER DISTRICT

Lakeside Wastewater Facility

251,700"

8. Page 3, line 21 through page 4, line 12.

Strike: page 3, line 21 through page 4, line 12 in their entirety

9. Page 5, lines 4 through 6.

Strike: "\$5,100,000" on line 4 through "\$8,282,594" on line 6

Insert: "\$7,975,583"

EXHIBIT 37  
DATE 3-21-91  
HB 7

10. Page 5, line 8.  
Strike: "\$13,382,594"  
Insert: "\$7,925,583"

11. Page 7, line 8.  
Strike: "3,226,900"  
Insert: "3,778,028"

12. Page 7, line 9.  
Following: line 8  
Insert: "(If House Bill No. 648 is passed and approved, strike  
3,778,028 in line 8 and insert 551,128.)"

13. Page 7.  
Strike: line 21 through line 23 in their entirety

14. Page 8, line 1.  
Strike: "250,000"  
Insert: "272,500"

15. Page 11.  
Following: line 3  
Insert: "NEW SECTION. Section 8. Authorization to issue revenue  
bonds. (1) In addition to the authority contained in 17-5-  
716, the board of examiners may issue revenue bonds of the  
state to refund in whole or in part bonds issued to finance  
water development projects approved by the legislature  
pursuant to Title 17, chapter 5, part 7, and Title 85,  
chapter 1, part 6. The principal and interest on refunding  
bonds issued pursuant to this section are payable solely  
from the project or projects for which the refunded bonds  
were issued.

(2) The revenue bonds may be issued in an amount  
sufficient to refund all or a portion of the outstanding  
bonds, to pay costs incident to the issuance and sale of the  
refunding bonds, and to fund the establishment of necessary  
reserves. The refunding bonds must be designated as "State  
of Montana Water Development Revenue Bonds". All the power  
and authority granted to the board of examiners and  
provisions with respect to the issuance of bonds under Title  
17, chapter 5, part 7, except for the provision pledging the  
coal severance tax to the payment of the bonds, apply to the  
issuance of the revenue bonds. In authorizing the issuance  
of the revenue bonds, the board of examiners shall determine  
that the refunding of the outstanding bonds and the issuance  
of the revenue bonds are in the best interest of the state.

(3) Revenue bonds may not be issued under this section  
to refund bonds issued to fund a loan to a political  
subdivision or local government body unless the political  
subdivision or local government body whose loan repayments  
would be pledged to the payment of the refunding bonds has  
consented to the refunding.

EXHIBIT 37  
DATE 3-21-91  
RE 7

(4) Revenue bonds issued pursuant to this section without the pledge of the coal severance tax to the payment of the bonds are not coal severance tax bonds or a state debt.

NEW SECTION. **Section 9. Codification**

**instruction.** [Section 8] is intended to be codified as an integral part of Title 17, chapter 5, part 7, and the provisions of Title 17, chapter 5, part 7, apply to [section 8]."

Renumber: subsequent sections

## HOUSE BILL NO. 8

INTRODUCED BY CONNELLY

A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR GRANTS FOR DESIGNATED PROJECTS UNDER THE RECLAMATION AND DEVELOPMENT GRANTS PROGRAM; PRIORITIZING GRANTS AND AMOUNTS; AND ESTABLISHING CONDITIONS FOR GRANTS."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Appropriations for reclamation and development grants. (1) There is appropriated to the department of natural resources and conservation from the reclamation and development grants special revenue account all funds allocated for appropriation from the interest income of the resource indemnity trust fund set forth in Title 15, chapter 38, with the exception of those allocations made in 15-38-202 and 75-1-1101.

(2) The funds appropriated in this section must be awarded by the department to the entities listed in [section 2] for the prescribed purposes and in the prescribed grant amounts, subject to the conditions provided in [sections 3 and 4].

NEW SECTION. Section 2. Approved grant projects. (1) The legislature approves the grants listed in subsection (2)(a), to be made in the order of priority as indicated within the following

list of projects and activities. If conditions in [sections 3 and 4] are met, funds must be awarded up to the amounts approved in this section in order of priority until available funds are expended. Funds not accepted or used by higher ranked projects and activities must be provided for projects and activities lower on the priority list that would otherwise not receive funding. Descriptions of the various projects and activities and specific conditions established for each project and activity are contained within the department of natural resources and conservation's Montana reclamation and development grants program project evaluations and recommendations report for the 1992-93 biennium.

(2) The following are the grants program prioritized projects and activities:

<u>Applicant/Project</u>	<u>Grant Amount</u>
BUTTE-SILVER BOW, GOVERNMENT OF	
Water, Air, Soils Testing and	
Evaluation Center (WASTEC)	\$296,113
CHINOOK IRRIGATION DISTRICT	
Milk River Water Supply Project,	
Rehabilitation and Betterment Element	300,000
JUDITH BASIN CONSERVATION DISTRICT	
Community-Led Rural Development in Montana	170,000
HEALTH AND ENVIRONMENTAL SCIENCES, DEPARTMENT	
OF, AND CENTRAL MONTANA HEALTH DISTRICT	
Arro Refinery Sludge Cleanup	300,000
MONTANA BOARD OF OIL AND GAS CONSERVATION	

52nd Legislature

HB 0008/gray

1	Abandoned Well Plugging Project "A"	300,000
2	MONTANA BOARD OF OIL AND GAS CONSERVATION	
3	Abandoned Well Plugging Project "B"	295,000
4	<del>MONTANA STATE LIBRARY</del>	
5	<del>Natural Resource Information System</del>	
6	<del>Program, Emphasis on the Natural Heritage</del>	
7	<del>Program and GIS</del>	<del>227,600</del>
8	MONTANA SALINITY CONTROL ASSOCIATION	
9	Soil and Water Nonpoint Source Pollution	
10	Control and Management	137,500
11	MONTANA STATE UNIVERSITY, RECLAMATION	
12	RESEARCH UNIT	
13	Effect of Sodium, Chlorine, and Total Salts	
14	from Treated Cyanide Solutions on Soils	82,885
15	CARBON COUNTY, STILLWATER COUNTY, AND THE CITY	
16	OF BIG TIMBER	
17	Integrated Waste Management in Southcentral	
18	Montana	45,437
19	HEALTH AND ENVIRONMENTAL SCIENCES, DEPARTMENT	
20	OF, WATER QUALITY BUREAU	
21	Nonpoint Pollution Control Project in	
22	Montana	146,620
23	MONTANA BUREAU OF MINES AND GEOLOGY	
24	Downhole Geophysical Logging Techniques	39,749
25	MONTANA BOARD OF OIL AND GAS CONSERVATION	
26	Abandoned Well Plugging Project "C"	144,000

1	TOOLE COUNTY	
2	North Toole County Reclamation Project	105,000
3	CARBON COUNTY, CHOUTEAU COUNTY, CUSTER COUNTY,	
4	DAWSON COUNTY, AND LAKE COUNTY	
5	Pesticide Contamination Cleanup	300,000
6	<u>BUTTE-SILVER BOW, GOVERNMENT OF</u>	
7	<u>UPPER CLARK FORK RIVER BASIN COORDINATOR</u>	<u>60,000</u>
8	<del>STATE LANDS, DEPARTMENT OF</del>	
9	<del>Well Assessment and Abandonment</del>	<del>300,000</del>
10	NATURAL RESOURCES AND CONSERVATION,	
11	DEPARTMENT OF, WATER MANAGEMENT BUREAU	
12	Arsenic in Upper Missouri River Basin	179,330
13	<u>STATE LANDS, DEPARTMENT OF</u>	
14	<u>WELL ASSESSMENT AND ABANDONMENT</u>	<u>300,000</u>
15	STATE LANDS, DEPARTMENT OF	
16	Comet Mine Wetlands Development	250,700
17	GLACIER COUNTY CONSERVATION DISTRICT	
18	Comprehensive Evaluation of Ground Water	
19	Contamination	197,453
20	HEALTH AND ENVIRONMENTAL SCIENCES, DEPARTMENT	
21	OF, WATER QUALITY BUREAU	
22	Hydrogeology, Land Use, and Chemical Quality	
23	of Water Resources in the Clark's Fork	
24	Yellowstone River Basin	218,250
25	<del>FORT PECK ASSINIBOINE AND SIOUX TRIBES</del>	
26	<del>Extent, Magnitude, and Movement of</del>	

~~Contamination in Aquifers In and Near the~~

~~East Poplar Oil Field~~ ~~290,400~~

SHERIDAN COUNTY CONSERVATION DISTRICT

Extent of Oil Field Waste Contamination 134,736

YELLOWSTONE COUNTY

YELLOWSTONE CO. LIS/GIS PROJECT 50,000

MSU BIOLOGY DEPARTMENT

TROUT STREAM RESTORATION 45,500

MONTANA SALINITY CONTROL ASSOCIATION

SUPPLEMENTAL FUNDING FOR SOIL AND WATER

NONPOINT SOURCE POLLUTION CONTROL AND

MANAGEMENT 62,500

(3) TO THE ENTITIES LISTED IN THIS SECTION, THIS

APPROPRIATION CONSTITUTES A VALID OBLIGATION OF THESE FUNDS FOR

PURPOSES OF ENCUMBERING THE FUNDS WITHIN THE 1993 BIENNIUM PURSUANT

TO 17-7-302.

NEW SECTION. Section 3. Coordination of fund sources for grants program projects. A sponsor of a grants program project who has applied for a grant for that project under both the reclamation and development grants program and either the water development program or the renewable resource development program may not receive duplicative funding.

NEW SECTION. Section 4. Conditions of grants. Disbursement of grant funds under [sections 1 through 6] is subject to the following conditions that must be met by the project sponsor:



1           (1) A scope of work and budget for the project must be  
2 approved by the department of natural resources and conservation.  
3 Reduction in a scope of work or budget may not affect priority  
4 activities or improvements.

5           (2) Other funds required for project completion must have  
6 been committed, and the commitment must be documented.

7           (3) The project sponsor shall show satisfactory completion of  
8 conditions described in the recommendations section of the project  
9 narrative of the reclamation and development grants program report  
10 for the 1992-93 biennium.

11           (4) An agreement between the department and the grant  
12 applicant must be executed in a timely manner, taking into  
13 consideration any changed conditions or circumstances that govern  
14 the administration and disbursement of funds.

15           (5) THE RECIPIENT OF THE WATER, AIR, SOILS TESTING, AND  
16 EVALUATION CENTER (WASTEC) GRANT SHALL CONSIDER THE PILOT PLANT  
17 TREATMENT OF CONTAMINATED WATER FROM THE BERKELEY PIT PROJECT AND  
18 THE DETOXIFICATION OF ACID MINE DRAINAGE FROM THE BERKELEY PIT  
19 WATERS PROJECT THAT WERE SUBMITTED FOR CONSIDERATION AS RECLAMATION  
20 AND DEVELOPMENT GRANT<sup>S</sup> PROJECTS DURING THE 52ND LEGISLATURE.

21           ~~(5)~~ (6) Any other specific requirements considered necessary  
22 by the department must be met to accomplish the purpose of the  
23 grant as evidenced from the application to the department or as  
24 defined by the legislature.

25           NEW SECTION. Section 5. Appropriations established. For

1 any entity of state government that receives a grant under  
2 [sections 1 through 6], an appropriation is established for the  
3 amount of the grant upon award of the grant by the department of  
4 natural resources and conservation. GRANTS TO STATE ENTITIES FROM  
5 PRIOR BIENNIUMS ARE REAUTHORIZED FOR COMPLETION OF CONTRACT WORK.

6 NEW SECTION. Section 6. Reversion of funds. All funds  
7 allocated to the grants reclamation and development special revenue  
8 account under [sections 1 through 6] that are unspent and  
9 unencumbered on June 30, 1993, revert to that account.

10 NEW SECTION. Section 7. FUNDS AVAILABLE. IT IS THE INTENT  
11 <sup>52<sup>nd</sup></sup> OF THE LEGISLATURE THAT THE FUNDS AVAILABLE FOR THE RECLAMATION AND  
12 DEVELOPMENT GRANT PROGRAM FOR THE 1993 LEGISLATIVE SESSION BE A  
13 MINIMUM OF \$3 MILLION.

14 NEW SECTION. Section 8. Severability. If a part of [this  
15 act] is invalid, all valid parts that are severable from the  
16 invalid part remain in effect. If a part of [this act] is invalid  
17 in one or more of its applications, the part remains in effect in  
18 all valid applications that are severable from the invalid  
19 applications.

20 -END-

EXHIBIT 39  
DATE 3-21-91  
HB 8

Amendments to House Bill No. 8  
First Reading Copy

Requested by Long-Range Building Subcommittee  
For the Committee on Appropriations

Prepared by Robert Person and Jim Haubein  
March 14, 1991

1. Page 1, line 24.  
Following: "(2)"  
Strike: "(a)"

2. Page 3, lines 4 through 7.  
Strike: lines 4 through 7 in their entirety

3. Page 4.  
Following: line 5  
Insert: "BUTTE-SILVER BOW, GOVERNMENT OF  
Upper Clark Fork River Basin Coordinator 60,000"

4. Page 4.  
Strike: lines 6 and 7 in their entirety

5. Page 4, line 11.  
Following: line 10  
Insert: "STATE LANDS, DEPARTMENT OF  
Well Assessment and Abandonment 300,000"

6. Page 4, lines 21 through 24.  
Strike: lines 21 through 24 in their entirety

7. Page 4.  
Following: line 26  
Insert: "YELLOWSTONE COUNTY  
Yellowstone Co. LIS/GIS Project 50,000

MSU BIOLOGY DEPARTMENT  
Trout Stream Restoration 45,500

MONTANA SALINITY CONTROL ASSOCIATION  
Supplemental Funding for Soil and Water  
Nonpoint Source Pollution Control and  
Management 62,500

(3) To the entities listed in this section, this  
appropriation constitutes a valid obligation of these funds  
for purposes of encumbering the funds within the 1993  
biennium pursuant to 17-7-302."

8. Page 5, line 24.  
Following: line 23  
Insert: "(5) The recipient of the water, air, soils testing, and  
evaluation center (WASTEC) grant shall consider the pilot  
plant treatment of contaminated water from the Berkeley pit

2x 51  
3-21-91  
4B 8

project and the detoxification of acid mine drainage from the Berkeley pit waters project that were submitted for consideration as reclamation and development grants projects during the 52nd legislature."

Renumber: subsequent subsection

9. Page 6, line 7.

Following: "conservation."

Insert: "Grants to state entities from prior bienniums are reauthorized for completion of contract work."

10. Page 6, line 9.

Following: "to the"

Strike: "grants"

Following: "development"

Insert: "grants"

11. Page 6, line 12.

Following: line 11

Insert: "NEW SECTION. Section 7. **Funds available.** It is the intent of the 52nd legislature that the funds available for the reclamation and development grants program for the 1993 legislative session be a minimum of \$3 million."

Renumber: subsequent section

-MEA-

TRS BENEFITS, AD-HOC ADJUSTMENTS & INFLATION  
IMPACT ON AN "AVERAGE" 1975 TRS RETIREE WITH 25 YRS SERVICE

DATE 3-21-91  
Feb-91  
553

TEACHER RETIREMENT SYSTEM							6/1975 \$	
YEAR	AVG FY'75 RETIREE BENEFIT \$	PLUS AD HOC ADJUSTMENTS	AD HOC BENEFIT	BENEFIT \$ (1975 \$)	ANNUAL \$ LOST TO INFLATION	TOTAL \$ LOST TO INFLATION	PURCHASING POWER INDEX	ANNUAL CPI-U* (DEC)
1974-75	\$4,332	BASE	\$4,332	\$4,332	BASE	----	1.000	9.1
1975-76	11	FORMULA(\$145)	\$4,777	\$4,713	(\$119)	1	0.947	5.8
1976-77	11	FORMULA(\$147)	\$5,126	\$4,542	(\$290)	1	0.386	6.5
1977-78	11	0	\$5,126	\$4,229	(\$603)	1	0.325	7.6
1978-79	11	0	\$5,126	\$3,314	(\$1,018)	1	0.744	11.3
1979-80	11	0	\$5,126	\$3,337	(\$1,495)	1	0.651	13.5
1980-81	11	0	\$5,126	\$3,045	(\$1,787)	1	0.594	10.3
1981-82	11	FORMULA(\$252)	\$5,388	\$2,990	(\$1,942)	1	0.555	6.2
1982-83	11	0	\$5,388	\$2,915	(\$1,917)	(\$27,047)	0.541	3.2
1983-84	11	0	\$5,388	\$2,797	(\$2,035)	1	0.519	4.3
1984-85	11	0	\$5,388	\$2,700	(\$2,132)	1	0.501	3.6
1985-86	11	FORMULA(\$300)	\$5,688	\$2,753	(\$2,039)	1	0.491	1.9
1986-87	11	0	\$5,688	\$2,691	(\$2,141)	1	0.473	3.6
1987-88	11	0	\$5,688	\$2,582	(\$2,250)	1	0.454	4.1
1988-89	11	0	\$5,688	\$2,457	(\$2,375)	1	0.432	4.3
1989-90	11	"PRBA"(\$115)	\$5,813	\$2,401	(\$2,431)	1	0.413	6.1
1990-91	11	"PRBA"(\$117)	\$5,930	\$2,259	(\$2,573)	----	0.381	5.5

SOURCE DATA: TRS FILES & US-DOL/SLB (JUNE-1975 PURCHASE POWER BASE & DECEMBER CPI-U) 1991 ESTIMATED.

-MEA-

PERS BENEFITS, AD-HOC ADJUSTMENTS & INFLATION  
IMPACT ON AN "AVERAGE" 1975 PERS RETIREE WITH 20 YRS SERVICE

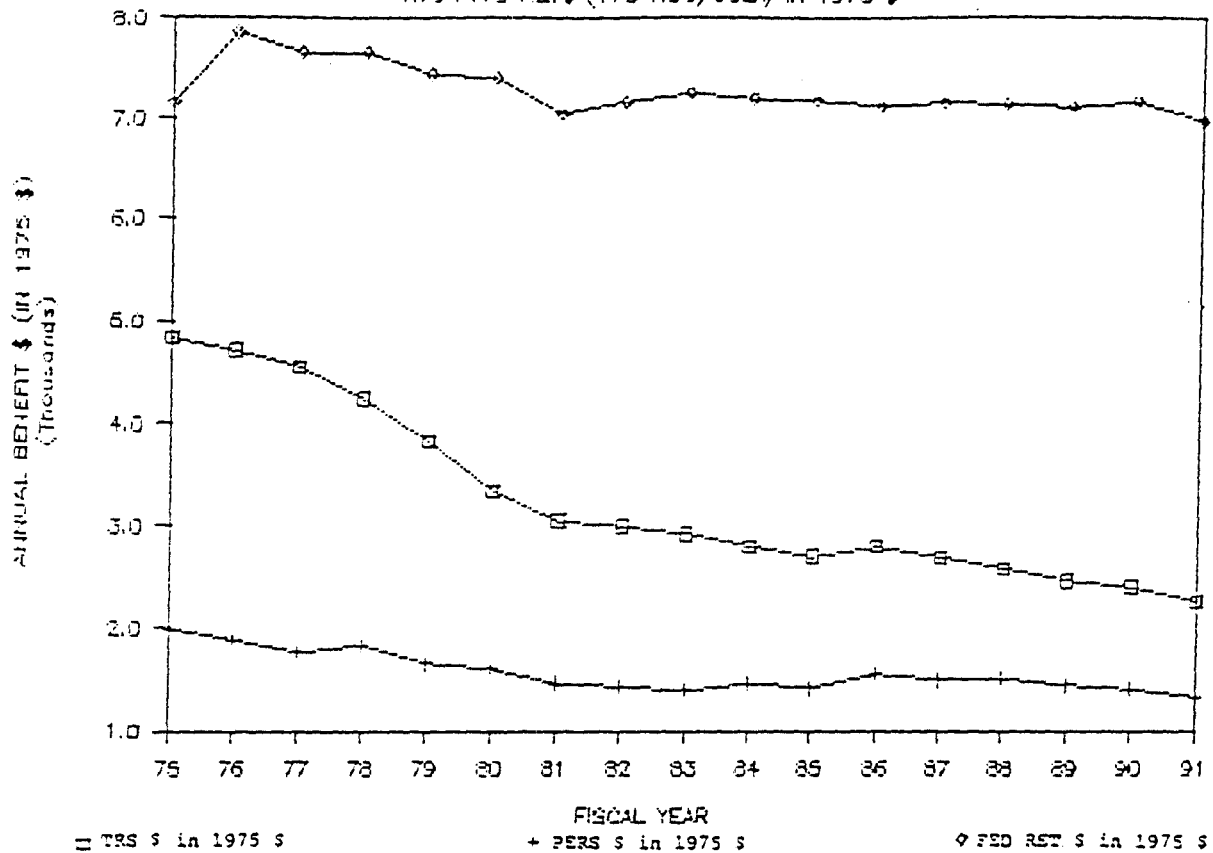
Feb-91

PUBLIC EMPLOYEES RETIREMENT SYSTEM							6/1975 \$	
YEAR	AVG FY'75 RETIREE BENEFIT \$	PLUS AD HOC ADJUSTMENTS	AD HOC BENEFIT	BENEFIT \$ (1975 \$)	ANNUAL \$ LOST TO INFLATION	TOTAL \$ LOST TO INFLATION	PURCHASING POWER INDEX	ANNUAL CPI-U* (DEC)
1974-75	\$1,993	BASE	\$1,993	\$1,993	BASE	----	1.000	9.1
1975-76	11	0	\$1,993	\$1,887	(\$106)	1	0.947	5.3
1976-77	11	0	\$1,993	\$1,766	(\$227)	1	0.886	6.5
1977-78	11	FLAT % (\$231)	\$2,224	\$1,934	(\$159)	1	0.325	7.6
1978-79	11	0	\$2,224	\$1,654	(\$339)	1	0.744	11.3
1979-80	11	FLAT % (\$240)	\$2,464	\$1,604	(\$389)	1	0.651	13.5
1980-81	11	0	\$2,464	\$1,463	(\$530)	1	0.594	10.3
1981-82	11	FORMULA(\$120)	\$2,584	\$1,434	(\$559)	1	0.555	6.2
1982-83	11	0	\$2,584	\$1,393	(\$595)	(\$6,757)	0.541	3.2
1983-84	11	FORMULA(\$240)	\$2,324	\$1,466	(\$527)	1	0.519	4.3
1984-85	11	0	\$2,324	\$1,415	(\$573)	1	0.501	3.6
1985-86	11	FORMULA(\$509)	\$3,333	\$1,637	(\$356)	1	0.491	1.9
1986-87	11	0	\$3,333	\$1,577	(\$416)	1	0.473	3.6
1987-88	11	FORMULA(\$174)	\$3,516	\$1,576	(\$397)	1	0.454	4.1
1988-89	11	0	\$3,516	\$1,519	(\$474)	1	0.432	4.3
1989-90	11	"PRBA"(\$73)	\$3,594	\$1,484	(\$509)	1	0.413	6.1
1990-91	11	"PRBA"(\$68)	\$3,666	\$1,397	(\$596)	----	0.331	5.5

SOURCE DATA: PERS FILES & US-DOL/SLB (JUNE-1975 PURCHASE POWER BASE & DECEMBER CPI-U) 1991 ESTIMATED.

# CPI ADJUSTED TRS, PERS & FED PENSIONS

AVG FY75 RET\$ (+AD HOC/COLA) IN 1975 \$



## FEDERAL CIVIL SERVICE RETIREMENT SYSTEM COLA ADJUSTMENTS & THE IMPACT OF INFLATION ON AVG 1975 FED RETIREE BENEFITS

YEAR	AVG 1975 FEDERAL RET BENEFIT	ANNUAL FED COLA	CPI ADJUSTED BENEFIT	CPI ADJUSTED BENEFIT
1974-75	\$7,164	1.051	7,529	7,164
1975-76	(BASE)	1.102	8,297	7,353
1976-77		1.043	8,654	7,662
1977-78		1.073	9,236	7,661
1978-79		1.078	10,010	7,448
1979-80		1.137	11,382	7,409
1980-81		1.044	11,382	7,053
1981-82		1.087	12,316	7,168
1982-83		1.039	13,420	7,350
1983-84		1.035	13,390	7,209
1984-85		1.033	14,348	7,188
1985-86		1.013	14,534	7,136
1986-87		1.042	15,145	7,164
1987-88		1.04	15,751	7,151
1988-89		1.047	16,491	7,124
1989-90		1.054	17,331	7,177
1990-91		1.053	18,337	6,987

TRS  
&  
PERS  
DATA TABLES  
ON BACK

STATE OF MONTANA - FISCAL NOTE  
Form BD-15

EXHIBIT 41  
DATE 3-21-91  
compliance with a written request, there is hereby submitted a Fiscal Note for HB0553, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act providing a guaranteed annual increase in monthly benefits paid by the Teachers' Retirement System; providing a statutory appropriation; amending section 17-7-502, MCA; and providing an effective date.

ASSUMPTIONS:

1. Annual compensation reported to the Teachers' Retirement System (TRS) is \$420,010,000 in FY92 and \$445,210,000 in FY93.
2. TRS can not afford the proposed increase within its current rates. The proposed legislation does not authorize TRS to increase its contribution rates.
3. The state treasurer must contribute an amount equal to 2.96% of the total members' compensation to TRS to fund the proposed increase. The source of the funds transferred to TRS will be the general fund.
4. Benefits paid to retirees eligible for the proposed annual increase as of June 30, 1990, was \$42.115 million and will increase 2% in each fiscal year.
5. Data processing enhancements required for TRS to make the proposed annual adjustment will be \$12,500 in one-time FY92 costs.

FISCAL IMPACT:


Teachers' Retirement System

	FY 92			FY 93		
	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
<u>Expenditures:</u>						
Operating Costs	0	12,500	12,500	0	0	0
Benefits	0	862,300	862,300	0	1,767,973	1,767,973
Total	0	874,800	874,800	0	1,767,973	1,767,973
<u>Funding:</u>						
General Fund	0	874,800	874,800	0	1,767,973	1,767,973

TECHNICAL NOTE:

Section 2(2) does not designate the funding source from which the state treasurer will make the transfer.

NOT FOR  
DISTRIBUTION

  
ROD SUNDSTED, BUDGET DIRECTOR  
Office of Budget and Program Planning  
DATE 2-6-91

DAN W. HARRINGTON, PRIMARY SPONSOR  
DATE

Fiscal Note for HB0553, as introduced.

From : GALLATIN DEVELOPMENT CORP.

PHONE No. : 406 587 9565

Mar.21 1991 3:05PM P01



EXHIBIT 42  
DATE 3-21-91  
HB 827

## FAX TRANSMISSION SHEET

TO:

Name: Evan BarnettPhone: ( ) 444 - 5238

FROM:

Name: Gallatin Development Corp.  
Dixie SwensonPhone: ( )Date: 3/21 Time: 2:30Number of pages including this page: 2

FAX PHONE (406)587-9565

VOICE PHONE (406)587-3113



AR-21-91 THU 14:42

EXHIBIT 42

DATE 3-21-91

HB 827

**ANACONDA**  
LOCAL DEVELOPMENT CORPORATION

P.O. BOX 842  
ANACONDA,  
MONTANA 59711  
TELEPHONE (406) 563-5538

March 21, 1991

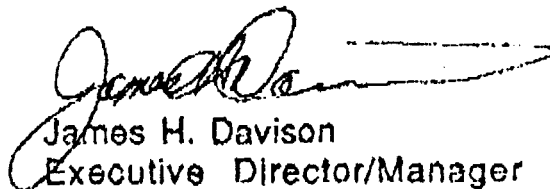
Rep. Francis Bardenouvo, Chairman  
House Appropriations Committee Members  
Montana House of Representatives  
Capitol Station  
Helena, MT 59624

Dear Representative Bardenouvo and Committee Members:

We would take this means to respectfully request your support of HB 827 which would appropriate funds on a matching basis to assist communities in carrying out the grass roots efforts of the State economic development plan.

Without local planning and implementation, the State is without a local vehicle to bring their vital assistance to the local level. This appropriation will help do that and help the State/local partnership of economic development grow.

Respectfully,

  
James H. Davison  
Executive Director/Manager

JHD:re

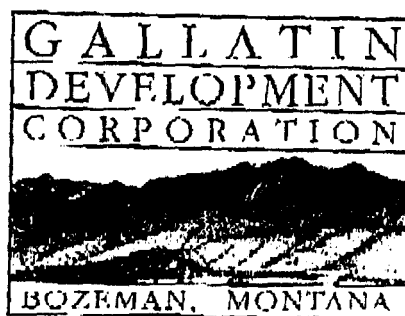


EXHIBIT 42  
DATE 3-21-91  
HB 827

TO: Members of the House Appropriations Committee

FROM: Ed Brandt, President  
Gallatin Development Corporation *EB*

RE: HB827

Gallatin Development Corporation strongly supports HB827 and urges you to vote in favor of this legislation.

Local economic development organizations provide the ongoing business retention and recruitment efforts on behalf of communities throughout Montana. These organizations, funded largely through the private sector, are the front-line troops in diversifying and strengthening the Montana economy and providing jobs for Montana citizens.

The appropriation called for in HB827 provides funding which will greatly assist local development organizations in continuing their efforts. In the case of many small communities, these funds will provide the base for funding a viable organization.

Thank you for your favorable consideration.

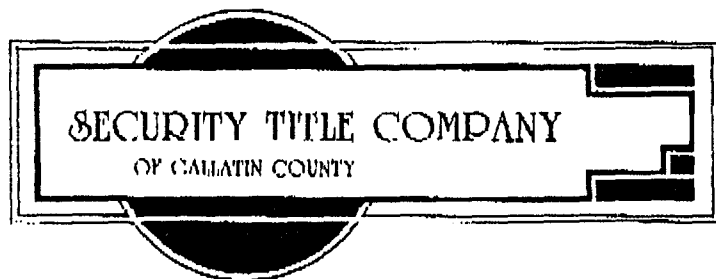


EXHIBIT 42  
DATE 3-21-91  
HB 827

March 21, 1991

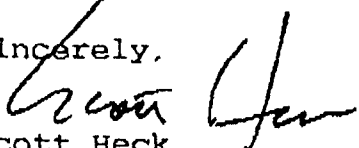
To: Members of the House Appropriation Committee

Re: House Bill 827

Jobs in Montana are created by a coordinated effort of many people and organizations. But the foundation of the recruitment and retention effort comes from the local economic organizations. These organizations, working mostly on privately raised funds have had and will continue to have a significant impact on Montana's tax base. The investment by the State, recognizing the 3:1 match that is required under HB 827, will make the State a minority financial partner and at the same time, the majority benefactor. Not a bad "deal" in anyone's book.

House Bill 827 should be passed.

Sincerely,

  
Scott Heck  
President

SH/BH

MAR-21-91 THU 10:10

EXHIBIT 42  
DATE 3-21-91  
HB 827 P.02



# BUTTE LOCAL DEVELOPMENT CORPORATION

DATE: March 21, 1991  
TO: Members of the House Appropriations Committee  
FROM: Evan Barrett, Executive Director  
SUBJ: House Bill 827 -- Matching State Funds for Local Economic Development Organizations

WE URGE THE COMMITTEE TO APPROVE THE APPROPRIATION AS SUBMITTED BY THE BILL SPONSOR AND APPROVED BY THE HOUSE COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT.

The Butte Local Development Corporation believes that a strong state local partnership must exist if we are to accomplish economic development in Montana. Currently, that relationship exists only in the area of information and coordination, with some small amounts in technical assistance. The state, through the legislature and ultimately through the Department of Commerce, helps set the direction and tone of economic development. However, the actual implementation of economic development takes place at the local level -- where the rubber meets the road.

Local economic development corporations, operating under the Certified Communities program, are the delivery vehicle for effective economic development. They all struggle to make ends meet. The money in House Bill 827 would be of significant assistance to all of the economic development entities at the local level.

Lip service regarding the need for economic development is easy, but not effective. If the legislature wants to truly serve the needs of economic development, it should provide this type of financial assistance.

We urge approval of the appropriation in House Bill 827.

Thank you.

03/21/91 10153

406 454 1590

HFDA

P.02

**HIGH PLAINS  
DEVELOPMENT  
AUTHORITY, INC.**

P.O. Box 2508 • Great Falls, MT 59403-2508 • 406-464-1934

March 21, 1991

EXHIBIT 42  
DATE 3-21-91  
HB 827

Montana State Legislators  
Capital Station  
Helena, Montana 59601

RE: HB 827 - An Act Appropriating Money to the Department of  
Commerce for the Certified Communities Program.

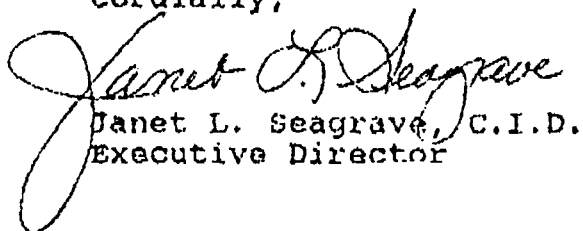
The High Plains Development Authority, ask for your support of HB  
827, which will provide much needed monetary support for Montana's  
certified communities to continue a strong economic program.

The Montana Department of Commerce can only be as effective as our  
economic development programs within our communities. This bill  
will provide our certified communities with much needed financial  
assistance which will enable them to continue to support the  
state's economic development programs.

The idea of a state fostering financial support in a match form to  
local economic development programs is not a new concept, it has  
been done for many years in a number of states across the country.

Please support and pass HB 827 - appropriating money for the  
certified communities.

Cordially,

  
Janet L. Seagrave, C.I.D.  
Executive Director

03/21/91

10:56

JOB SERVICE LIVINGSTON MT.

002

**Park County Economic  
Development Corporation**

P.O. Box 606

Livingston, MT 59047

Phone (406) 222-6

EXHIBIT 42  
DATE 3-21-91  
HB 827

March 21, 1991

Dear Legislator:

The Park County Economic Development Corporation (PCEDC) is asking for your support regarding HB 827. This bill would assist Certified Communities at all phases of economic development, especially ones like ours. PCEDC is in the early stages of building the development corporation structure, currently dealing with the funding needed to employ staff to accomplish basic functions that can generate income and support.

HB 827 will assist smaller Certified Communities like ours in all phases of operation as well as larger Certified Communities across the State. This legislation could be the best investment in Montana's future of economic development. Your support is being requested by your constituency from Park County, Montana.

Respectfully,



Dale Siegle, Director  
Park County Economic  
Development Corporation

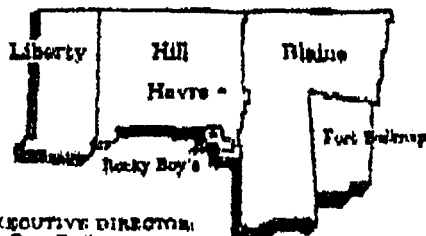
SENT BY:

: 3-21-91 11:08AM :

62379-

406 587 9565

**BEAR PAW  
ECONOMIC DEVELOPMENT DISTRICT**



EXECUTIVE DIRECTOR:  
Tony Pratt  
DEPUTY DIRECTOR:  
Dale King  
ADMINISTRATIVE ASSISTANT:  
Jenny Morris

**Bear Paw Development Corporation**

**Northern Montana**

P.O. BOX 1549 HAVRE, MONTANA 59501

TELEPHONE: 406-265-9226  
406-265-5602

**BOARD OF DIRECTORS**

Don Driscoll, President  
Art Kleinjan, Vice President  
Robert Moog, Secretary  
Ray Gehlen, Treasurer  
Richard Gengrey

Raymond Parker, Jr.  
Joseph Archaumbault  
Jim Coffman  
Nora Nelson

Lloyd Wolery  
John Ellis  
Victor Miller  
Jim Heberty

FAX NO. 587-9565

TO: MONTANA LEGISLATORS  
FROM: BEAR PAW ECONOMIC DEVELOPMENT DISTRICT  
SUBJECT: HB 827 - CERTIFIED COMMUNITIES PROGRAM

Dear Legislators:

Please be advised that we very strongly support HB 827. We have contacted you on several occasions in support of this legislation, so, therefore, this will be just a brief reminder.

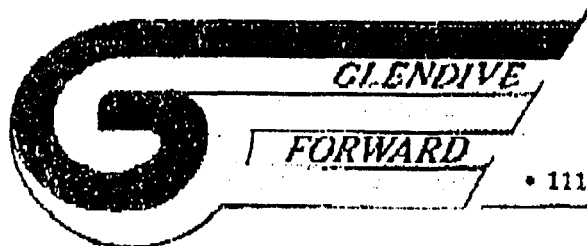
As noted in prior communications, all political entities of our District including Hill, Blaine and Liberty Counties, along with the communities of Havre, Chinook, Chester and Harlem strongly support this legislation.

Please contact us if you desire further comment.

03/21/91 11:04 A 406 365 6473

B055

P.01



• An Economic Development Corporation •

• 111 W. Towne • P.O. Box 1202 • Glendive, Montana 59330 • (406) 365-8612

EXHIBIT 42  
DATE 3-21-91  
827

March 20, 1991

*copy*

Sent to:  
Betty Law Kester, Rep  
Betty Brunk, Sen.  
C. Wieders, Sen.

Representative John Johnson  
Capitol Station Box 68  
Helena, MT 59620

Re: House Bill 827

Dear John:

We have written to the House Appropriations Committee, but neglected to also drop a line to all our representatives at Helena regarding the above bill.

Please do everything possible to see that this comes to pass. It is about the only way that funds would be available for any projects that qualify for grants of this type.

We will appreciate all your help.

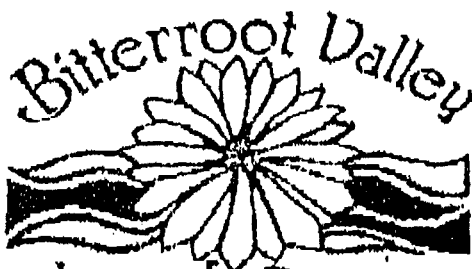
Yours very truly,

*Maxine Erickson*  
Maxine Erickson,  
Administrator



MAR-21-91 THU 12:47 THE PAPER CLIP INC.

P.01



## Chamber of Commerce

105 E. Main Street • Hamilton, Montana 59840 • (406) 363-2400

TO: Legislature  
FROM: Bitterroot Valley Chamber of Commerce  
SUBJECT: House Bill 827  
DATE: March 4, 1991

The Bitterroot Valley Chamber of Commerce supports House Bill 827 which will provide 1-3 funds to committees that are certified with the Department of Commerce.

These funds will enhance the goals and objectives of the certified communities 1 and 5 year plans. It will also allow us to better meet our objectives as one of our basic needs is funding sources. With Ravalli County's high unemployment rate we feel funds that can be generated for economic development will provide consistency and stability to the long range planning process for diversification of our local economy.

MAR-21-91 THU 12:19 CVR, INC.

P. 01




EXHIBIT 42  
DATE 3-21-91  
HB 827

Marc 21, 1991

I would like to take this opportunity to express my support for the Gallatin Development Corporation. Without the assistance that they provide, small companies like mine do not have the access they need to business support and information.

In December of 1989, a fire destroyed my company. With the assistance of the Gallatin Development Corporation and others, I was able to secure a loan from the Community Development Block Grant Program to re-tool, re-capitalize and create jobs for over 30 local craftsmen. Without this assistance, I would not have had the opportunity to take advantage of the Block Grant Program. Even if I was aware that the program existed, I would have had a very hard time securing the loan due to the relatively complicated process involved. Without the assistance and support of the Gallatin Development Corporation, I would not be back in business to the level I am currently operating.

It is unfortunate, but there exists a number of organizations that are not as qualified as the Gallatin Development Corporation, and the service they provide to small businesses may be either expensive and cost prohibitive; or due to the quality of assistance may be the contributing factor to the denial or compromise of the economic assistance they need. I support the existence of the Gallatin Development Corporation and organizations like them due to the fact that they offer a great service to small business and the communities in which they operate. Their support has been invaluable to me and should continue to be available to growing businesses like mine.

  
Jim Over, president  
CVR, Inc.

BANK OF BRIDGER

TEL No. 14066623580

Mar. 21, 91 12:25 P.02



# ***Bridger Development Corporation***

101 South Main • Phone (406)662-3388 • Bridger, Montana 59014

EXHIBIT 42  
DATE 3-21-91  
HB 827

Date: March 21, 1991

To: House Appropriations Committee

From: Bridger Development Corporation

RE: HB 827

The Bridger Development Corporation would like to request your vote in support of HB 827 to provide funding for the certified cities organizations in Montana. Small communities like Bridger have no means for funding to cover any operating expenses. We operate with volunteers and donations which really limits any type of recruiting programs for new business or help we can provide our existing businesses.

Thank you for your support !

Sincerely,

A handwritten signature in cursive script, appearing to read "Betty J. Little".

Betty J. Little, Sec/Treas.  
Bridger Development Corporation  
P.O. Box 246  
Bridger, MT. 59014



March 22, 1991

EXHIBIT

42

DATE

3-21-91

HB 827

TO: HOUSE APPROPRIATIONS COMMITTEE

FM: RONALD L. KLAPHAKE, PRESIDENT  
MISSOULA ECONOMIC DEVELOPMENT CORPORATION

RE: HB 827

Throughout this and previous legislative sessions, there has been talk about supporting "economic development." Economic development doesn't just happen by itself. It takes a lot of people - many of whom are volunteers - and a lot of hard work at the local levels to cause business start-ups, expansions and/or relocations to occur in the State of Montana.

Most of the existing 42 certified communities (cities and counties) that have organized themselves to make economic development happen are consistently struggling to raise money to operate.

What HB 827 does is recognize that local economic development efforts are important to the state and further recognizes that local organizations in certified communities are the delivery arm for several state government programs and efforts. HB 827 formally acknowledges that the local-state partnership is important by providing to each of the local certified communities, not a large sum of money, but a meaningful match to local fundraising efforts.

Please show your support for local economic activities throughout the state by supporting Speaker Harper's bill.

MAR 21 '91 14:46 JEM INC.

P.1/1

**THE FLATHEAD ECONOMIC DEVELOPMENT CORPORATION**

777 GRANDVIEW DRIVE - KALISPELL, MONTANA 59901 - (406) 756-8548 FAX: (406) 752-5739

EXHIBIT 42  
DATE 3-21-91  
HB 827

TO : Dixie Swenson, Director  
Gallatin Development Corp. FAX 587-9565

FROM : Carol Daly, Executive Director, FEDC

DATE : March 21, 1991

PAGES : One, including this cover sheet

The Flathead Economic Development Corporation is the overall economic development organization for Flathead County. The county has three Certified Communities -- Columbia Falls, Kalispell, and Whitefish. All have active local development groups who provide assistance to businesses already in or considering relocating to those communities. Columbia Falls and Whitefish operate with totally volunteer groups, although we do provide staff support to them. Our ability to provide effectively all the needs of those development groups, however, is drastically constrained by our very limited budget -- which is almost entirely derived from private sector sources. Every year it gets harder and harder to support development activities totally from private sources, since the businesses would like to see a similar commitment to the state's/county's economic well being from the State of Montana.

Although HB827 will not begin to meet the needs of the Certified Communities of the state, it is at least a token demonstration of the State's commitment to the effort. I urge the Appropriations Committee -- and the entire Legislature -- to pass this bill.

MAR 22 1991 10:47 AM BIG MT. 862 1040

## WHITEFISH COMMUNITY DEVELOPMENT CORPORATION

P.O. BOX 1955 • MOUNTAIN MALL • WHITEFISH, MONTANA 59937 • (406) 862-3000

3/21/91

House Appropriations Committee  
Francis Bardanoue  
House of Representatives  
State Capital  
Helena, MT 59620

EXHIBIT 42  
DATE 3-21-91  
HB 827

Dear Chairman Bardanoue,

The Whitefish Community Development Corporation's Board of Directors would like to go on record in favor of House Bill #827.

The certified communities program is very worthwhile. The economic impact on all Montana communities may be significant in the future and this proposed bill will assist in promoting healthy communities throughout our state.

Thank you for allowing us to voice our support of HB #827. The Whitefish Community Development Corporation will be awaiting the final decision.

Sincerely,



Michael Collins, President  
The Whitefish Community Development Corporation  
Board of Directors

cc: Mary Ellen Connolly

**An exhibit was submitted for HB 827 on 3/22/91 and was included with the minutes for that day as Exhibit 7.**

## VISITOR'S REGISTER

1065

**BILL NO.**

DATE 5-21-91 SPONSOR(S) \_\_\_\_\_

**PLEASE PRINT**

NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
Franklin D. Roosevelt	1st 1st			✓
Sam Brown	1st 1st			✓
Katherine Tegen	Women's 1st 1st			X
John F. Kennedy	Women's 1st 1st			
William F. Buckley	Women's 1st 1st			
Shirley Pate	Women's 1st 1st			✓
Kate Brown	Women's 1st 1st			X
Lincoln Adams	Women's 1st 1st			X
William F. Buckley	Women's 1st 1st			X
<del>William F. Buckley</del>	<del>Women's 1st 1st</del>	<del>50</del>		
Bill Brown	1st 1st (NCL)	100		
George C. Davis	1st 1st (NCL)	100		
James H. Brown	1st 1st (NCL)	100		✓
James H. Brown	1st 1st (NCL)	100		✓

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



## HOUSE OF REPRESENTATIVES

206 5

## VISITOR'S REGISTER

APPROPRIATIONS

COMMITTEE

BILL NO.

DATE

3-21

SPONSOR(S)

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
T. D. Duff	VEW	13		✓
	VEW	20		✓
	VEW	179		✓
	VEW	234		✓
George Foster	Individual	10		✓
		20		✓
		20		✓
		20		✓
HARLEY WARRICK	MTLA	10		X
Michael Shevasood	MTLA	934		✓
KEITH GENDLER	MTLA			
ONE S. S. S.	Self	10		✓
Dr. S. S. S.	Self	10		✓

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

## HOUSE OF REPRESENTATIVES

3 of 5

## VISITOR'S REGISTER

APPROPRIATIONS COMMITTEE BILL NO. \_\_\_\_\_  
 DATE 3-21 SPONSOR(S) \_\_\_\_\_

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
<i>James C. ...</i>	<i>...</i>	<i>...</i>		
<i>James ...</i>	<i>...</i>	<i>...</i>		
<i>John ...</i>	<i>...</i>	<i>...</i>		✓
<i>" "</i>	<i>" "</i>	<i>...</i>		✓
<i>" "</i>	<i>" "</i>	<i>...</i>		✓
<i>" "</i>	<i>" "</i>	<i>...</i>		✓
<i>Sara McClellan</i>	<i>...</i>	<i>...</i>		
<i>...</i>	<i>...</i>	<i>...</i>		✓
<i>Margaret ...</i>	<i>...</i>	<i>...</i>		✓
<i>...</i>	<i>...</i>	<i>...</i>		✓
<i>...</i>	<i>...</i>	<i>...</i>		✓
<i>Galen McKibben</i>	<i>...</i>	<i>...</i>		
<i>...</i>	<i>...</i>	<i>...</i>		

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

## HOUSE OF REPRESENTATIVES

4065

## VISITOR'S REGISTER

APPROPRIATIONS

COMMITTEE

BILL NO.

DATE

3-21

SPONSOR(S)

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
TOM OLSEN	DFS	950		✓
Jack Sherick	DNSE	701/702		✓
Robert Van Der Pene	Self	13/20 30/284		✓
Christine Paulson	Self	10 117 524		✓
		934		✓
JAMES TUTWILER	MT Chamber	H3 701/ 702		✓
JUDITH CARLSON	HRDCS	HB 10		X

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

APPROVED

5 of 5

DATE 7-21-77

SPONSOR \_\_\_\_\_

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PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.