

## **MINUTES**

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

#### **COMMITTEE ON APPROPRIATIONS**

**Call to Order:** By Chairman Bardanouve, on March 23, 1991, at 10 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, Principal Fiscal Analyst  
Sylvia Kinsey, Committee Secretary

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

**Note:** Chairing of the meeting alternated between the Chairman and Vice Chairman and is not always specified.

**Announcements/Discussion:** Mrs. Cohea said the committee asked them to research 5 areas yesterday and she would have her staff give reports.

**Carroll South, LFA** reported on HB 155, REP. STRIZICH's bill concerning county attorney salaries. With the fiscal notes available and the bill itself, he attempted to put some dollars to the 90% amendment and tie this bill to the increased salaries of the district court judges. The amendment yesterday took the percentage from 95 to 90 and he computed that as best he could with the fiscal notes available. He also computed the cost of

those salaries, given the fact that the district court judges are increasing significantly. The 90% relative to the 95% cut the fiscal note in half. The cost of a 90% tie with the county attorney salaries with district court judges would be about \$142,000 a year if the district court judges didn't increase. He understood they are going to increase and if so that increases the cost of this bill back to the point where it was in this fiscal note because the district court judges increased significantly more than the county attorney salaries would if they were not tied to the district court judges. The net effect is about \$300,000 over the biennium of general fund impact for this bill. There was another amendment that increased the misdemeanor charge by 50%, they reviewed that, and they don't believe that goes into the general fund. It goes into the county treasury and in some cases into the city treasury and had no way of estimating the increase because without coming into the general fund they did not have a base. It was their assumption that would go into the county treasury and would be available to pick up their share of the county attorney salaries which is 50%.

**REP. KADAS** said he was under the understanding that half of that misdemeanor fee goes to the general fund. **Mr. South** said he had talked to **Terry Johnson** who has been doing revenue estimates for a long time, and he was not aware of this money going into the general fund. He called the administrator of the Supreme Court who in turn, did not know anything about this money going into the general fund. He specifically said the money goes into the local treasury.

**CHAIRMAN BARDANOUVE** said we could not change the way the money channels in the bill. It would be a substantive change, and there would almost have to be a bill to change that, or could we do it by an amendment? **Mr. South** said it would be a significant change in the way the money was deposited once it was collected and he was not sure whether that would conflict with the title of the bill. There is no base to compare it with and no way to know what a 50% increase would produce. **CHAIRMAN BARDANOUVE** said, then any increase we put in here would come out of general fund and **Mr. South** said yes, that is his interpretation of the bill as amended.

**Mrs. Cohea** said the second issue the committee asked them to look into was how HB 103 interacted with SB 39 and 37. **Mr. South** said HB 103 and SB 37 are basically introduced at the request of the interim subcommittee on adult and juvenile detention. SB 37 deals only with juveniles and sheltered care and short term detention. There are no medicaid implications in SB 37. HB 103 is introduced at the request of the same committee and it is basically an attempt to keep people with serious mental illness out of jails, particularly in an emergency situation. It requires the Dept of Institutions to set up some crisis centers, but the bill was amended in such a way that the dept. doesn't have to do it unless there is an appropriation. There is a serious conflict with HB 103 and SB 391 which is the executive

bill to selectively expand medicaid services and relates to the definition of case management. In HB 103, page 9 line 20, places within our statutes target case management as part of our medicaid services we provide. SB 391 does exactly the same thing but it does it a very general sense, it simply says the Montana Medicaid Program will provide targeted case management services. Because this is so specific, it limits that ability to only this group of people. HB 103 gets much more specific and limits targeted case management services to adults who are seriously mentally ill and limits those services to those provided in crises intervention programs. Should both of these bills pass there would be a serious conflict with that particular section.

**Mrs. Cohea** said the next issue was HB 179 and how much the sprinkler would cost at the Veterans' Cemetery. **Doug Booker, Dept. of Military Affairs**, said it was his understanding this house bill was for maintenance and not for putting in a long term sprinkler system at the cemetery. **REP. BARDANOUVE** said they knew that, but were looking at the cost of alternatives to the bill that were the biggest crises now. **Mr. Booker** said he did not have the figure for the sprinkler system, they could not give him one as of last evening.

**REP. GRADY** said he talked to **REP. PHILLIPS** about the bill and he said the whole bill is critical for maintenance. It is really bare bones the way it is, and hoped the committee would support it since there is no money for upkeep of the cemetery.

**Mrs. Cohea** said the fourth issue was HB 415, **REP. STICKNEY's** bill that gave an increase to the teachers at Pine Hills and Mountain View. **REP. MENAHAN** asked what it would cost to give similar raises to the teachers at the other institutions. Based on some assumptions, the biennial cost of adding the additional teachers would be \$355,891 of general fund. She said the fiscal note on the bill says the cost of providing the pay increase to the teachers covered under the bill is \$355,891 for the biennium, however the bill itself appropriates over \$1 million, there is a drafting error in the bill. **REP. MENAHAN** said he was not going to introduce his amendment.

**Mrs. Cohea** referred to the last area--about a week ago the committee asked LFA, Dept. of Labor and the Legislative Auditor to prepare a report on the UI Admin tax. **Terry Perrigo LFA**, said she had been asked to give a report on the effect of pending legislation and lay-off through the timber and mining industries on taxes, specifically the contribution that the employers make to the unemployment insurance trust fund which is used to pay unemployment insurance benefits. If all pending legislation passes, excluding HB 124 that has not been included in the projections, and economic conditions are as projected, these will cause an increase in employer contributions to the UI Trust fund in the '93 biennium. However, employer contributions are projected to increase anyway in 1992, regardless of the impact of legislation and economic conditions.

REP. PECK asked if she was saying the rate would increase anyway and Ms. Perrigo said yes. She said there are options open to the Legislature to use the UI Admin tax fund to avoid or minimize that increase in employer contributions to the trust over the '93 biennium. The report prepared by the LFA in conjunction with the Governor's budget office, the Auditors and the agency details the findings. She reviewed the report, EXHIBIT 1.

REP. SWYSGOOD said if these bills all pass, where does the \$3 million come in that is in HB 2 that was put in to fund the cut backs in the federal JPTA? Ms. Perrigo said that the \$3 million is not included in current condition projections. Originally the \$3 million was proposed to be transferred by the agencies and has not been. They looked at the current condition of the trust as of Jan. 1, which did not include that \$3 million. At this point the \$3 million is just sitting there and not included in the report. The options included in the report do deal with the entire amount of funds from the UI Admin tax which includes that \$3 million.

Ms. Perrigo said one of the concerns the auditors raised is that UI Admin tax is restricted by statute to administrative uses. CHAIRMAN BARDANOUVE asked if she said it is not permitted, and Ms. Perrigo said under current statute U I Admin tax money is restricted to administrative uses within the dept.

REP. COBB asked if they put in language in HB 2 when they set up the reserve, that if it was used to put us into schedule 2 it would automatically revert that amount of money. Ms. Perrigo said that language was inserted in HB 2, however that scenario was not included in one of the options that was presented.

REP. COBB said if we did nothing and everything passed, and in the end if we needed \$3.8 million and whatever was needed would go over there? About \$3.4 million would go over to the UI trust and there would only be about \$400,000 left in the reserve. Ms. Perrigo said that was correct. Part of the language in the bill also provided for review by the Legislative Finance Committee.

REP. BRADLEY asked about # 2 of the concerns raised by the Auditors. Is this their conclusion that Job Service is administrative but training is not? Ms. Perrigo said although she cannot speak directly for the auditor, she believed their concern is that the provision of job training services to participants around a table constitutes direct benefits, which is not administration. They felt JOB service did fall under the guidelines of administrative use of those dollars.

REP. SWYSGOOD asked, in # 1 of the concerns, the \$6 million that has not been appropriated. Where is that in this whole scenario? Ms. Perrigo said on table 6, at the end of FY91 the \$6 million balance. That balance has been carried forward into the '92 biennium and at the current time a major portion of that \$6 million has been appropriated. If you look at the Legislative

Auditor's concern # 1, she thought they would feel that under existing statute that money should be transferred.

**CHAIRMAN. BARDANOUVE** asked how this money was appropriated and for what. **Ms. Perrigo** said it is included in table 6 and could go over them if the committee wished. She pointed out in the use of these monies in '92 - '93 biennium, in looking at the '91 and '92 biennium you will see that the New Horizon Day Care and the New Horizon Program and Dislocated Workers and Displaced Homemakers receive funding from this. Those programs are not receiving U I Admin. tax monies in the '93 biennium because those programs have been eliminated and replaced by other programs administered by other agencies or with other funds.

**CHAIRMAN BARDANOUVE** asked which one of those appropriations for the 92-93 biennium, in the opinion of the Auditor, would be eligible and which would be ineligible. **Ms. Perrigo** said based on the conversations and information presented at the group meeting, and looking at the Legislative Auditor's concern # 2, that non-administrative uses of those monies violate the statute, she would conclude that without the change in statute, none of the job training programs would be in accordance with this tax.

**REP. BARDANOUVE** asked her to review them and **Ms. Perrigo** said if she understood the Legislative Auditor's concern the Displaced Homemakers Program includes the cost of providing training services and therefore would not fall under administrative uses except for the portion of their funding possibly 15 to 20% that is used for administration. Project Work is the same situation and all of those are the same.

**REP. CODY** said according to the Auditor's concerns, JOB Service does fall into the use of the Admin. tax, and does that include on table 6, is that part of the agency administration? **Ms. Perrigo** said yes, it does. The JOB Service Reserve, which was established in HB 2 through language, of \$3,899,663, that money is appropriated, so that money would be proper, if in fact, an appropriation to a reserve fund is an appropriation under law, and she could not answer that.

#### EXECUTIVE ACTION ON HOUSE BILL 155

Generally Revise Salary of County Attorney

**Motion/Vote:** **REP. CODY** moved House Bill 155 be tabled. Second by Rep. Connelly. Motion passed 12 to 5 with 1 absent and Rep. Cobb, Menahan, Nisbet, Johnson and Quilici voting no.

#### EXECUTIVE ACTION ON HOUSE BILL 415

Adopt Pay Schedules for Teachers at Mountain View and Pine Hills Schools

**Mrs. Cohea** said the bill as it currently stands would cost \$355,891 and appropriates over \$1 million. If the bill should pass the appropriation would have to be changed.

**REP. CODY** asked if we would strike the \$1,310,334 general fund would we insert \$355,891? **REP. BARDANOUVE** said that is correct if we pass the bill. **REP. GRADY** said he had seen some schedules earlier where it was figured it would only cost \$182,852. There is an individual from MEA here if you want an explanation.

**Motion/Vote:** **REP. GRADY** moved to strike the \$1 million and insert \$355,891. Second by Rep. Swysgood. Motion passed unanimously.

**MOTION:** **REP. SWYSGOOD** moved HB 415 as amended, do pass. Second by Rep. Menahan.

**Discussion:** **Mrs. Cohea** said that would be \$355,891. **REP. CODY** said according to the figures that is too high. It should be \$182,852. **CHAIRMAN BARDANOUVE** asked if the budget office could give any further information on this. **Rod Sundsted, Budget Director**, said he was not convinced the \$355,000 is wrong but has not looked at what MEA has done. This says the teachers shall be placed at the level corresponding to their experience and because these teachers had their steps frozen in the past, some of them may get 4 or 5 steps on top of getting the schedule increase and in addition they still get the annual holiday leave so all those numbers were built into the factors in the fiscal note.

**Phil Campbell, MEA**, was asked for their viewpoint and said the difference according to their research dept. and the analysis they did was, this bill will take the current salary schedule of the local school district and apply it to the next biennium. The teachers at Pine Hills and Mountain View will be basically 2 years behind the local school district and would place people at the step on the salary schedule that would reflect their experience with the institution schools. They would not then be placed on the schedule and moved down on the step for the first year, they would move the second year. Their calculations for the biennium is about \$182,000. He could not explain the difference. The \$182,000 includes the percentage of the increase for benefits and thinks this figure would pay for this.

**CHAIRMAN BARDANOUVE** asked how these teachers would then compare with the ones in the Deaf and Blind school and **Mr. Campbell** said there is another bill that deals with that.

**Substitute Motion/Vote:** **REP. QUILICI** moved HB 415 be tabled. Second by Rep. Thoft.

**Discussion:** **REP. QUILICI** said the reason for his motion is that they are working for a pay plan now for all state employees and all state employees have been frozen longer than these. We bumped the teachers here up three steps last session, and while

they deserve it, the rest of the state employees are deserving the same kind of consideration.

**Vote:** Motion passed 11 to 7 with Rep. Grady, Cody, Zook, Bradley, Menahan, Kimberley and Nisbet voting no.

**Mary Bryce, Legislative Auditor**, came in to answer questions. **Mrs. Cohea** referring to **EXHIBIT 1**, table 6, the question was in the opinion of the Legislative Auditor's office, which of these appropriations for the '92-'93 biennium would not comply with current law. **Ms. Bryce** said she understood they are appropriating monies from Unemployment Insurance Admin. fund, is that correct? **Mrs. Cohea** said on the next page, concern # 2 by the Legislative Auditor's office is the one referred to. **Ms. Bryce** said based upon her understanding of the issue that they made in the upcoming audit report, the only thing that would be allowable under current state law would be the administrative expenses. Any of the funding associated with the listed items, these monies would not be allowed to be used for expenditures of that nature. **REP. PECK** asked if only the first item was allowable, the agency administration? **Ms. Bryce** said that is her understanding.

#### EXECUTIVE ACTION ON HOUSE BILL 103

Prohibit Pretrial Detention of Mentally Ill Persons in Jail

**Mrs. Cohea** said the revised fiscal note shows significant general fund cost to the Dept. of Institutions of approximately \$1.8 million in FY93 and it also impacts SRS.

**Motion/Vote:** **REP. BRADLEY** move HB 103 be tabled. Second by Rep. Thoft. Motion passed 14 to 2 with 2 absent and Rep. Cobb and Menahan voting no.

#### EXECUTIVE ACTION ON HOUSE BILL 124

Require Employer Tax to be Used to Pay Expenses of Public Employment Offices

**Mrs. Cohea** said HB 124 was one of several bills involved with the UI Admin Tax.

**REP. CODY** said it appears there would not only be a decision on this bill, but from the information just received on the UI Admin Tax, this bill would be moot regarding existing law since it was explained to us that administration is the only place this money should be going. Until that law is changed this bill is redundant.

**REP. SWYSGOOD** said this bill establishes a reserve fund that will go toward paying for the Job Services Offices to stay open which is a legal operation so far as the auditor is concerned because

it is administrative. If the federal funds that are supporting these offices fall below a certain level the reserve money would be available. He felt the action on HB 2, plus other programs funded that are in question as to legality, this bill would be legal and ensure the Job Training offices stay open, and that was what the admin tax was for originally.

**CHAIRMAN BARDANOUVE** asked for the general fund impact. It says \$2.8 million, but is not clear what the impact is. **REP. BRADLEY** said she did not feel this bill was needed to accomplish what **REP. GILBERT** is trying to do. If he does not like our action he can carry an amendment to HB 2 on the floor.

**Motion:** **REP. BRADLEY** moved to table HB 124. Second by Rep. Cody.

**Discussion:** **REP. COBB** said if this bill just dies there will be a legal challenge on how the money is being spent. He felt it necessary to change the law to say "administrative purposes and Job Training Programs" to make our action legal. By keeping 124 alive, we can say on page 3, line 19 add "and Job Training Programs" and that would make everything we are doing legal.

**REP. BRADLEY** said she understood what **REP. COBB** was doing, but felt it did not follow the intent of the bill. **REP. GRINDE** said **REP. BRADLEY's** comments on the intent of **REP. GILBERT** going after these other programs he felt were well founded in the beginning of this. He felt if he could get this through and there was that other monies he would not have any problems with those programs, but if this bill is killed he will come after all those other programs.

**REP. PECK** said the thing that concerned him was the statement in the summary "if federal funds fall below '91 level", we in effect end up guaranteeing a level of federal funds and if we get into that we will really be in trouble.

**Vote:** Motion to table HB 124 passed 11 to 6, 1 absent, roll call vote # 1.

#### **EXECUTIVE ACTION ON HOUSE BILL 179**

##### **Appropriation for Maintenance of the Veterans' Cemetery**

**CHAIRMAN BARDANOUVE** said this is an appropriation for \$100,000 per biennium from now on. This is a statutory appropriation.

**Motion:** **REP. GRADY** moved HB 179 do pass. Second by Rep. Quillici.

**Substitute Motion/Vote:** **REP. KADAS** moved HB 179 be tabled. Second by Rep. Cody. Motion passed 9 to 8, 1 absent, roll call vote # 2.

**Mrs. Cohea** said the last bill the committee asked for research on was HB 349 and they were unable to reach **REP. GERVAIS** and did not



know what the amendment on the distribution mechanism would be. It was decided to defer action on the bill. **Mrs. Cohea** said if the committee wanted to resume the list where they were yesterday, the last bill acted on was HB 491 so HB 497 would be the next one. This bill has a cost of about \$.75 million general fund. **REP. BARDANOUVE** said it also has a significant impact on the counties. Discussion was held on state funding, setting salaries, their slot in the state pay plan since they are state employees, etc. It was decided to defer the bill and the LFA will review the bill to see if the County Attorneys could be amended out of this bill.

#### EXECUTIVE ACTION ON HOUSE BILL 498

Revising the Renewable Resource Development Bond and Loan Program

**Motion/Vote:** **REP. KADAS** moved HB 498 do pass. Second by Rep. Nisbet. Motion passed unanimously.

#### EXECUTIVE ACTION ON HOUSE BILL 508

Joining "The Pacific Northwest Economic Region";  
Appropriating Funds to Join

**Motion:** **REP. KADAS** moved HB 508 do pass. Second by Rep. Nisbet.

**Discussion:** **REP. COBB** asked if the general fund could be removed from the bill and use one-time money. In the DHES they have a weather modification special revenue fund with about \$7400 in it and never used it.

**Motion to amend:** **REP. COBB** moved to strike the general fund money and insert the balance of the Weather Modification Special Revenue fund in the Dept. of Natural Resources. Second by Rep. Kadas.

**Discussion:** **CHAIRMAN BARDANOUVE** asked if there were any special restrictions on how this money was used and **REP. COBB** said he could not find any.

**REP. THOFT** said we are creating another Forestry Task Force and nothing more than that. **REP. KADAS** said he would argue that this is considerably different since he has seen them in action. He would have no problem in eliminating the Forestry Task Force. **SEN. GAGE's** testimony was that this was a lot more worthwhile than CSG or NCSL or any of the others he has been involved in.

**Vote:** Motion to amend passed 16 to 2 with Rep. Thoft and Bardanouve voting no.

**MOTION/VOTE:** **REP. KADAS** moved HB 508 as amended do pass. 16 to 2 with Rep. Thoft and Bardanouve voting no.

**EXECUTIVE ACTION ON 512**

Balanced State Budget Based Upon Previous Years  
Revenues

**Motion/Vote:** REP. KADAS moved HB 512 be tabled. Second by Rep. Quillici. Motion passed 14 to 3 with Rep, Grinde absent, Rep. Swysgood, Peterson and Thoft voting no.

It was decided to defer HB 512 since REP. KADAS said there would be a subcommittee report on this later.

**EXECUTIVE ACTION ON HOUSE BILL 520**

Increasing per Diem and Lodging Expenses for State  
Employees

**Motion:** REP. GRADY moved HB 520 do pass. Second by Rep. Peterson.

**Discussion:** REP. GRINDE said he had amendments, EXHIBIT 2 and said this cost would be absorbed by the department. He had talked to REP. COCCHIARELLA and quite a few state employees that want more for meals. He had also talked to the Governor. He had no trouble with the \$30 for lodging and thought the meals were amended a little high. The state employees were more concerned about breakfast and lunch than dinner. This would be an increase of 50 cents for breakfast and lunch from what is in the statutes now, a decrease in the bill.

There was discussion on the lodging going from \$24.96 to \$30 and the 50 cents each for two meals would impact the general fund because there would be less reversions from the dept. to the general fund since this cost was to be absorbed by the agencies.

**Motion/Vote:** REP. GRINDE moved to amend page 2 lines 2 and 3, EXHIBIT 2. Second by Rep. Grady. Motion passed 16 to 2 with Rep. Menahan and Peterson voting no.

**MOTION:** REP. GRADY moved HB 520 as amended do pass. Second by Rep. Grinde.

**Discussion:** REP. THOFT said he would like to know what the impact of this will be on reversions. Mr. Sundsted said he could give some rough figures. In terms of general fund the lodging portion it would be about \$405,000 if you assumed they do the same amount of travel. The amount expended in '90 for meals was \$439,000 and if it would go up \$1 a day it would be around 7% and would be about \$35,000 or \$40,000 general fund and the total would be in the neighborhood of \$450,000 per year. CHAIRMAN BARDANOUE said this would be approximately \$1 million.

**Vote:** Motion passed 13 to 5, roll call vote # 3.

**EXECUTIVE ACTION ON HOUSE BILL 522**

SRS to Purchase Health Insurance for Children of Low-Income Families

**Motion:** REP. COBB moved HB 522 do pass, second by Rep. Bradley,

**Discussion:** CHAIRMAN BARDANOUVE asked what the impact on general fund was and REP. COBB said this just took private donations and fees they can get to buy insurance. There is a bill in Taxation to fund it; it is a separate bill and thought it would die. This would allow SRS to buy insurance for low income families with whatever donations or fees they collect from private parties.

CHAIRMAN BARDANOUVE asked where the \$10.6 million is and REP. COBB said that is if everyone below the 200% was funded and money had to be put in for the purpose of purchasing insurance. He was merely setting in the mechanism to use money that is donated.

Tape 1, side 2

REP. SWYSGOOD said this would be an optional program so far as medicaid was concerned that the state would be required to pay. REP. COBB said this is not involved with medicaid, this is straight donations. If they had the money they could fund more low income kids. REP. THOFT said he did not understand the bill because you get x number of dollars in donations and insure some kids and not others, who is going to determine which kids get insured? REP. COBB said SRS would decide. REP. THOFT said it could be discrimination against some kids and they would be back in for the money to fund it.

**Substitute Motion/Vote:** REP. THOFT moved HB 522 be tabled. Second by Rep. Swysgood. Motion passed 13 to 5 with Rep. Cobb, Menahan, Kadas, Connelly and Quilici voting no.

**EXECUTIVE ACTION ON HOUSE BILL 524**

Oil Overcharge Appropriation for Wind Farm Transmission Study

**Motion:** REP. BRADLEY moved HB 524 do pass, second by Rep. Cobb.

**Discussion:** REP. THOFT said he was having trouble with this bill because it puts it into # 1 priority. If this bill were to be passed he would hope it would be tail end priority. REP. BARDANOUVE said the money in Long Range has been pretty well allocated. REP. THOFT said this is an end run to get into first position. REP. SWYSGOOD said he had to agree, he did not have a problem with this program, but does have a problem in that it circumvents the process and takes first position. REP. QUILICI said unless the new section 6 which makes this the highest priority is amended out he could not vote for the bill.

It was decided to defer action on this bill and find the amendment which deals with the priority issue.

It was decided to defer HB 528 also.

**EXECUTIVE ACTION ON HOUSE BILL 544**

Proceeds of Sale of Dept of Justice Equipment to Be  
Retained by Dept.

**Mrs. Cohea** said there is zero impact on general fund in this bill.

**Motion/Vote:** REP. KADAS moved HB 544 do pass. Second by Rep. Menahan. Motion passed 15 to 3 with Rep. Quilici, Swysgood and Peck voting no.

**EXECUTIVE ACTION ON HOUSE BILL 553**

Provide Annual Increase to Monthly Benefits for Teacher  
Retirement System

**Mrs. Cohea** said there is a fiscal impact of \$25 million general fund.

**Motion/Vote:** REP. ZOOK moved HB 553 be tabled. Second by Rep. Peck. Motion passed 12 to 6 with Rep. Nisbet, Kimberley, Peterson, Johnson, Bradley and Menahan voting no.

**EXECUTIVE ACTION ON HOUSE BILL 560**

Appropriate Motorcycle Endorsement Fee to Motorcycle  
Safety Training Account

**Motion:** REP. PECK moved HB 560 do pass. Second by Rep. Grady.

**Discussion:** REP. PECK said this consolidates the traffic safety and motorcycle safety programs into one account.

**Vote:** Motion passed unanimously.

**EXECUTIVE ACTION ON HOUSE BILL 569**

Appropriation to Family Services for an Information  
Management System

**Motion:** REP. COBB moved HB 569 do pass. Second by Rep. Cody.

**Motion to Amend:** REP. COBB moved to amend HB 569 on line 11 strike \$770,000 and add \$627,376. Second by Rep. Cody.

**Discussion:** REP. COBB recalled the special revenue fund the committee had "swiped" from him the other day and said TEAMS is going to use \$923,000 for the biennium and we will appropriate this \$627,376 after TEAMS project has been appropriated. That one time money would be taken and used for a biennium appropriation to fund this computer system which we will have to

fund sooner or later. This is the number 1 priority in Family Services, if they don't fix their system they don't know what is out there. There is a \$2.5 million unreconciled account and you took about \$900,000 and used it for TEAMS and the rest to the general fund. We are taking this balance to fund this appropriation. **REP. BARDANOUVE** said his point is that this was a budget modification which the committee turned down once. **REP. COBB** said this was a general fund appropriation, period.

**REP. SWYSGOOD** said the \$627,376 you amended down is what was left from that original "pot" you found. **REP. COBB** said yes and explained it once more to the committee. While the committee took the \$900,000 and said the remainder would go to the general fund, it had not been counted there yet and he was taking it to use for this project.

**REP. COBB** said he had language of intent, **EXHIBIT 3** if this bill passes it should be included.

**REP. CODY** asked for clarification on this bill in regard to the federal requirements on these kids and the possibility of the state being assessed a federal penalty of \$150,000 the first year of the biennium. **REP. BRADLEY** said she wanted **REP. COBB** to present the intent language. It clarifies the limitations they are trying to address. This is a different source of funding since we last met on this bill, and we have had tremendous cooperation with the dept. The need is desperate, and everyone is in agreement at this point on the cost of the system which was a problem last time we looked at it.

**REP. PETERSON** said if we can do one thing to straighten out the chaotic position we have gotten ourselves into, this is our best chance.

**Vote:** Motion passed 14 to 4, roll call vote # 4.

**Mrs. Cohea** said the amendment would have to be reworded slightly because the other amendment said the balance went into the general fund. This should not be an appropriation from the State Special Revenue fund, but actually a general fund appropriation of the amount deposited.

**Motion/Vote:** **REP. COBB** moved to adopt the Statement of Intent, **EXHIBIT 3**. Second by Rep. Menahan. Motion passed unanimously.

**Motion/Vote:** **REP. MENAHAN** moved HB 569 as amended, do pass. Second by Rep. Cody. Motion passed 13 to 5 with Rep. Bardanoue, Peck, Swysgood, Thoft and Grinde voting no.

The committee recessed for lunch and resumed at 1:15 p.m.

Tape 2

**EXECUTIVE ACTION ON HOUSE BILL 524****Oil Overcharge Appropriation for Wind Farm Transmission Study**

This bill was up for action earlier in the day with a do pass by Rep. Bradley and a second by Rep. Cobb.

**Motion:** REP. THOFT moved to amend HB 524 on page 3, EXHIBIT 4. Second by Rep. Swysgood.

**Discussion:** CHAIRMAN BARDANOUVE asked if this amendment puts this project at the end of the list and REP. THOFT said yes, if it reads right and he is taking the OBPP's word for it.

**Vote:** Motion passed unanimously.

**Motion/Vote:** REP. THOFT moved HB 524, as amended, do pass. Second by Rep. Swysgood. Motion passed unanimously.

**EXECUTIVE ACTION ON HOUSE BILL 497****Revise Salaries on Compensation for Various County Officers**

Lois Steinbeck, LFA, gave a report on the information requested by the committee earlier in the day on HB 497. She had two pieces of information, the first is that the salaries of the County Assessors and the Deputy Assessors are established in the section of law. If you remove reference to them there would have to be a new section of law written as to how they should be compensated and at what level. Prior to FY87 the state reimbursed 100% of the County Assessors and Deputy Assessors salaries. Beginning in FY86 the state reimbursed 70% of such salaries and that is not established in law, it is established in Appropriation practice. There have been several requests by the Dept. to increase that level back to 100% and they have not been brought forward by the Executive or passed by the Legislature.

REP. BARDANOUVE said this fiscal note was prepared on what level? Ms. Steinbeck said it was prepared on the 70% level and also assumed that the Co. Commissioners would give 100% of the salary increase outlined in the bill. Evidently they can give as little as 80% of the increase.

REP. KADAS asked if they are on the pay plan. Ms. Steinbeck said these positions are FTE, they are carried on the position payroll system of the state, and whatever the county pays them, that is the salary and 70% of that is what they are listed and paid on the pay plan. When the pay plan calculation is made, as last time with a 2 1/2% increase given to the DOR to distribute to those positions. In the past when the state pay was frozen the DOR did not pay these positions any additional monies, they froze the amount of reimbursement. This past biennium the dept. has

chosen to pay 70% of the county established salaries, so it would honor the cost of living adjustments that are authorized in the statutes. **REP. KADAS** said, if we increase the pay plan in this biennium there will be additional dollars in the DOR to raise the salary of these people? **Ms. Steinbeck** said yes. **REP. KADAS** said if the county puts in its share of the increase? **Ms. Steinbeck** said yes, the county is authorized to pass on cost of living adjustments and when they pass those on, the state will participate in 70% of that salary. Whatever the pay plan adds, if the DOR followed past practices, they would allocate the same percentage increase to a particular position that had been authorized in the pay plan by the Legislature. **REP. KADAS** asked how the step and grade is decided for these individuals? **Ms. Steinbeck** said they do not have step and grades per se. The amount that is out there for each position gives 70% reimbursement that the state pays to the county. **REP. KADAS** asked if the county sets the total amount and you have assessors at various levels all over? **Ms. Steinbeck** said there is a schedule laid out in the statute whereby the size of the county determines the salary. There is a certain floor salary plus money for each 100 people in the county plus cost of living adjustments since 1981. **REP. KADAS** asked if the Legislature could take all of those county assessors and give them a grade and a step and just put them into our matrix? **Ms. Steinbeck** said that could be done, but would not feel qualified to answer how it would be done and what the potential repercussions would be. **REP. BARDANOUVE** asked if that would be a substantive change in law and **Ms. Steinbeck** said yes, they would have to be taken out of this and write a new section on how the new salary was determined, or put them on the pay plan.

**CHAIRMAN BARDANOUVE** said the Appropriations Committee cannot make substantive change in law. **Ms. Steinbeck** said she thought you could change this bill since the bill is substantive law of statute.

**REP. KADAS** asked what the committee reaction would be to taking these people out and putting them in on a step and a grade in the pay matrix. **REP. PECK** asked what they would do with those county assessors that may be over that step and grade? **REP. QUILICI** asked how you would differentiate between 1st, 2nd and 3rd class counties? **CHAIRMAN BARDANOUVE** said he felt the committee was not ready to act on this bill and would defer action until Monday.

Action was deferred on this bill.

#### EXECUTIVE ACTION ON HOUSE BILL 595

Removing 50 Years of Age as an Eligibility Requirement  
for Police Retirement

**REP. CODY** asked if it would be out of order to amend this in this committee? She said practically all retirement systems in law enforcement have the 50 year age requirement and would not mind

supporting the 20 years of service, but the requirement of 50 years of age she had trouble with.

**REP. BRADLEY** asked if anyone knew what became of the alternative bill in the Senate which dealt with vesting funds. **Linda King, PERS**, said SB 222 by **SEN. VAN VALKENBURG** passed the Senate and passed out of House State Administration with coordinating instructions in case this bill passes. That bill will be heard on the House floor soon. It provides for vesting 10 years of service, so if a police officer terminated employment any time after having accumulated at least 10 years of service, they could quit but not start drawing a benefit until age 50.

**REP. CODY** asked what the fiscal impact would be if the part was amended out that said removing the requirement that a police officer be 50 years of age; 20 years of service but 50 years of age. **Ms. King** said this bill takes age 50 off. If you did not take age 50 off there would be no fiscal impact, and in fact, SB 222 would do just that. The crux of this bill is to remove age 50, it is not the 20 years of service.

**Motion/Vote:** **REP. THOFT** moved to table HB 595. Second by Rep. Peck. Motion passed 10 to 8, roll call vote # 5.

**EXECUTIVE ACTION ON HOUSE BILL 601**

Pay Judgment Against Highway Dept.

**Mrs. Cohea** said this bill has already been taken care of in the supplemental.

**Motion/Vote:** **REP. BRADLEY** moved to table HB 601. Second by Rep. Zook. Motion passed unanimously.

**EXECUTIVE ACTION ON HOUSE BILL 603**

Appropriation for Legislative Delegation visit to sister-state of Kumamoto

**Motion/Vote:** **REP. ZOOK** moved to table HB 603. Second by Rep. Swysgood. Motion passed unanimously.

**EXECUTIVE ACTION ON HOUSE BILL 609**

Bill Providing Salary Increase for State Tax Appeal Board

**Mrs. Cohea** said this bill of itself does not spend the funds, if this bill is approved the agency would have to absorb it in the budget unless you increase the budget in HB 2. **REP. BARDANOUVE** asked if they could have a lesser increase. **Mrs. Cohea** said this bill is the statute that sets the salaries. **REP. BARDANOUVE** asked what the actual salary is and **Mrs. Cohea** said the chairman, according to the bill is now paid \$29,809 in FY92 and \$40,000 in



FY93. The remaining members are paid \$29,034 and it would go to \$37,500 in '93.

**Motion:** REP. ZOOK moved HB 609 be tabled.

**Discussion:** REP. KADAS asked why we don't just put these positions on the matrix. Mrs. Cohea said currently their salaries are set in statute so you would need to amend the statute and assign them a place on the matrix. CHAIRMAN BARDANOUVE asked if we could do it in this bill. Mrs. Cohea said she thought it could be done, but she would have to find out how to assign them to the matrix.

REP. ZOOK withdrew his motion.

**Motion/Vote:** REP. KADAS moved to take the old salaries as they are in current law now and find the appropriate grade and step in the matrix, assign those grades for the positions and let them ride or die like everyone else. Second by Rep. Cody.

**Discussion:** REP. QUILICI said if the salaries are set by statute and we change that statute and put them in under a matrix, how do we classify members of a state tax appeals board. REP. THOFT asked about the insurance involved in the state pay plan. REP. PECK said he felt REP. KADAS said he felt this could be done and they would be placed on the matrix like the Legislators are.

Mrs. Cohea said she would need the committee to make a decision. The exact salary doesn't fall. Under the current statute the Chairman earns in FY91 \$29,809. A grade 16, step 6 is \$28,932 or if you went to a grade 15, step 11 it is \$29,447. CHAIRMAN BARDANOUVE said to make it the closest one without a cut in pay. The LFA will put in the proper language.

**Vote:** Motion failed 9 to 9 with Rep. Swysgood, Quilici, Thoft, Grady, Connelly, Menahan, Grinde, Peterson and Cobb voting no.

**Motion/Vote:** REP. BRADLEY moved to amend the positions up to whatever the dollar amounts are for a 5% each year. The same deal as the providers. Second by Rep. Kadas. Motion failed with only 3 members voting yes.

Mrs. Cody said one way it had been handled in the past was in the pay plan bill an adjustment was made to all officials whose salaries are set by statute the increase was comparable to whatever the Legislation agrees on. That was done in previous years. REP. SWYSGOOD said we would table this bill and put it in HB 514.

**Motion/Vote:** REP. CODY moved to table HB 609. Second by Rep. Zook. Motion passed 13 to 5 with Rep. Quilici, Bradley, Menahan, Kadas and Menahan voting no

**EXECUTIVE ACTION ON HOUSE BILL 616**

Appropriation to Crime Control Board for Grants to  
Crime Prevention Programs

**Motion/Vote:** REP. THOFT moved to table HB 616. Second by Rep. Cody. Motion passed 13 to 5 with Rep. Peck, Quillici, Grady, Peterson and Bradley voting no.

**EXECUTIVE ACTION ON HB 627**

Reimburse Expenses of the Local Senior Citizens'  
Ombudsman

**Motion/Vote:** REP. CODY moved HB 627 be tabled. Second by Rep. Grinde. Motion passed 15 to 3 with Rep. Connelly, Nisbet and Menahan voting no.

**EXECUTIVE ACTION ON HB 645**

Appropriate Money to OPI for Grants to Districts that  
Experience a Disaster

**Motion:** REP. CODY moved HB 645 do pass. Second by Rep. Cobb.

**MOTION to Amend:** REP. CODY moved to amend HB 645 on page 1, EXHIBIT 5. Second by Rep. Cobb.

**Discussion:** REP. COBB said this amendment would allow schools to go to the Board of Investments for a loan and get the same rate of interest as other loans. This amendment would strike the appropriation. Mr. Lewis said there was a question as to whether they could get a loan for a building, and if they were approved they would be eligible. REP. CODY said she would like to see the amendment put on and the bill passed, but there is the possibility there may be lower interest monies for schools in some other areas and they may not even apply through the Board of Investments. She would like to see the bill and the amendment passed to assure that possibility.

**Vote:** Motion to amend passed unanimously.

**Motion/Vote:** REP. COBB moved HB 645 do pass as amended. Second by Rep. Cody. Motion passed unanimously.

**EXECUTIVE ACTION ON HB 656**

Allow OPI to Provide Education Options for "At-Risk"  
Students

**Motion:** REP. MENAHAN moved HB 656 do pass. Second by Rep. Cody.

**Discussion:** REP. PECK said everyone knew the need was there but he could not see where this amount of money would solve anything

and it establishes a new program. **REP. MENAHAN** said if a program were started data could be used as a point to go forward. **REP. PETERSON** asked if schools can devise a program for a group of children that don't seem to fit into the school mainstream. **REP. PECK** said they can and many of them do.

**Vote:** Motion failed 5 to 12 with 2 absent, roll call vote # 6

**Motion/Vote:** **REP. COBB** moved to HB 656 be tabled. Second by Rep. Bradley. Motion passed 12 to 5, reverse of roll call # 6.

#### **EXECUTIVE ACTION ON HB 662**

Creating the Office of Rural Health within DHES

**REP. SWYSGOOD** reminded the committee that **REP. BROWN** said the money could come out of this bill. There was discussion on it creating a new program.

**Motion/Vote:** **REP. PECK** moved HB 662 be tabled. Second by Rep. Quilici. Motion passed 12 to 6 with Rep. Bradley, Cody, Peterson, Grinde, Cobb and Johnson voting no.

#### **EXECUTIVE ACTION ON HB 664**

Fund Medical Research Facilities Projects

**REP. BRADLEY** said this bill could be tabled because another Senate Bill has passed unanimously that takes care of this.

**Motion/Vote:** **REP. BRADLEY** moved to table HB 664. Second by Rep. Quilici. Motion passed unanimously.

#### **EXECUTIVE ACTION ON HB 681**

Generally Revise the Laws Relating to Residential Treatment Facilities

**Motion/Vote:** **REP. BRADLEY** moved HB 681 be tabled. Second by Rep. Menahan. Motion passed unanimously.

#### **EXECUTIVE ACTION ON HB 702**

Coal Tax for Clean Coal Technology

**Motion:** **REP. KIMBERLEY** moved HB 702 do pass. Second by Rep. Quilici.

**Discussion:** **CHAIRMAN BARDANOUVE** asked what the fiscal impact was on this bill and **Steve Huntington, MHD Development Corporation**, told him \$1 million a year in coal revenue that is non-trust revenue for a clean coal technology program and establishes the way that program would be run. Amendment **EXHIBIT 6** would reduce that amount to \$250,000 for the MHD project.

**MOTION:** REP. KIMBERLEY moved to amend HB 702, EXHIBIT 6. Second by Rep. Quilici.

**Discussion:** CHAIRMAN BARDANOUVE asked with the amendment what is the fiscal impact to the general fund and Mr. Huntington said the bill would be \$1 million a year over 6 years and the amendment would be a single \$250,000 impact in the first year. CHAIRMAN BARDANOUVE asked if there was any more after that. Mr. Huntington said if the amendment is adopted, that is correct. He said the money would be general fund money.

**Vote:** Motion on amendment passed 15 to 3 with Rep. Peck, Swysgood and Cobb voting no.

**Motion/Vote:** REP. KIMBERLEY moved HB 702 as amended do pass. Second by Rep. Quilici. Motion failed 7 to 11, roll call # 7.

**Motion/Vote:** REP. GRINDE moved HB 702 be tabled. Second by Rep. Peterson. Motion passed 13 to 5 with Rep. Menahan, Connelly, Kimberley, Nisbet and Quilici voting no.

#### EXECUTIVE ACTION ON HB 684

Encumber Local Impact Funds for Study of Infrastructure  
& Clean Coal Center

**Motion:** REP. BRADLEY moved HB 684 do pass. Second by Rep. Menahan.

**Motion:** REP. BRADLEY moved to amend HB 684, EXHIBIT 7. Second by Rep. Menahan.

**Discussion:** REP. COBB asked what happened to the million dollars that was there. Where is that going to go then? Mr. Huntington said the bill as it stands takes the million dollars that would be left in the local impact account and disperses it to two projects. REP. BRADLEY's amendment sends \$750,000 of that million to the school equalization account, which is where the money goes if it is not used in the local impact account and it takes \$250,000 of that million and does the same thing with it that was being sought in HB 702, which is the appropriation to the NR to make a loan to the MHD project.

REP. CODY said this is not giving them anything, we are talking about a loan at 12% compounded annually unless she was reading something wrong. Mr. Huntington said the bill appropriates \$250,000 to DNR and they are empowered to make a loan to the project. The loan is contingent upon the project being successful. If it gets financing and finds a way to either license or sell technology or the project in the future they repay the loan, and if that does not occur, there is no repayment of the loan. It is a contingent loan and there is no mortgage or collateral.

**REP. KADAS** asked if this is a loan they can get through the Board of Investments. **Mr. Huntington** said the language "loan" in this bill is like how a loan is treated in the Research and Development Program with the Science and Technology Alliance. These R & D style loans that do not have security associated with them, and the only kind of loan the Board of Investment makes is a bankable loan.

**REP. SWYSGOOD** asked if this bill passes, the \$250,000 loan coming out of the state equalization would shorten the state equalization \$250,000? Would that have a general fund impact then?

**REP. JOHNSON** said now that we turned down 702 which was part of that and we have another part, 684 which go together, how are they tied together? **REP. BRADLEY** said 684, originally was to divide the \$1 million for which part would be for a study and the other part an information center. There being less interest in support for those, this now takes that fund, drops off those two projects and is still trying to get the focus on MHD where the biggest interest lies. **REP. JOHNSON** said then 684 is transferring this to 702? **REP. BRADLEY** answered yes.

**REP. COBB** asked why they didn't go to Science and Technology and try to get a loan? **REP. BRADLEY** said one reason is that R & D program has been defunct for a couple of years because we never funded it last time. It was carried on by some small funds left over, but has not been an ongoing program. The program coming out of the Senate, whenever we table **REP. SOUTHWORTH's** bill because there is a R & D program coming over that is endeavoring to broaden that whole thing. This has gone through on its own because of the importance and new interest in the state for clean coal technology.

**Vote:** Motion passed 15 to 3 with Rep. Peterson, Cobb and Swysgood voting no.

**Motion/Vote:** **REP. BRADLEY** moved HB 684 as amended do pass. Second by Rep. Quilici. Motion passed 11 to 7, roll call vote #8.

#### **EXECUTIVE ACTION ON HB 661**

Providing a Guaranteed Annual Increase to Monthly Benefits Under PERS

**Mrs. Cohea** said this bill has a general fund impact of \$29 million.

**Motion/Vote:** **REP. PECK** moved HB 661 be tabled. Second by Rep. Thoft. Motion passed 13 to 5 with Rep. Nisbet, Menahan, Grady, Kimberley and Johnson voting no.

**EXECUTIVE ACTION ON HB 692**

School of Pharmacy Account from Increased Pharmacy-  
Related Licensure Fees

**Motion:** REP. KADAS moved HB 692 do pass. Second by Rep. Kimberley.

**MOTION:** REP. KADAS moved to amend HB 692. EXHIBIT 8

**Discussion:** REP. KADAS said there are two corrections he would like to note. On the 6th amendment it says page 12, line 17, it should be page 12, line 7. The other is in the bill; on page 13 Section 10 appears again following section 15. Section 10 is in once on page 11 and we don't need to have it twice.

REP. BARDANOUVE asked what this does to the general fund and REP. KADAS said this does not impact the general fund in any way, it just generates \$140,000 a year to go to the pharmacy program at the UM. It does not encumber any general fund. REP. BARDANOUVE said he thought when the bill was presented there was a general fund impact. REP. KADAS said at one point they asked that if this bill passes, the state would guarantee an additional \$70,000 in HB 2. The committee did not do this, and he felt they were willing to accept that position.

REP. CONNELLY asked if the amendment includes a sunset and REP. KADAS said it has a July 1, 1993 termination and thought that ought to be discussed. If we get this on and keep the pharmacy school afloat, he said he would come back next session and try to remove that sunset. He appreciated what they were doing here, would like to see them continue, and felt it was good for the school.

REP. ZOOK asked about the fees each pharmaceutical is going to pay and asked what they are. REP. KADAS said there is a \$1,000 fee on major pharmaceutical manufacturers. REP. ZOOK said that was enough, he had received a letter from one manufacturer who felt there was a more fair way of doing that. They said there were 1500 companies licensed to sell pharmaceuticals in the state of Montana and thought they could raise that amount of money with a much lower fee if it were applied to all 1500 companies that sell pharmaceutical products in Montana. REP. KADAS said he thought the distinction is that this \$1,000 fee applies to some pretty large companies and is not a considerable dent in their pockets. REP. PECK said he had looked into this too, since he had the same letter. They said it is a very difficult enforcement procedure if they don't have a representative in the state. REP. BARDANOUVE said a gentleman from Denver, Colorado flew up here, a Mr. Yost who represented Eli Lilly Co. and visited in his office. He was from the same company that wrote the letter, and he had the same proposal. He said by lowering it to \$50 or \$100 it would generate the same amount of revenue, but as you point out, it would be difficult to collect. REP. ZOOK said

the pharmacists are going to contribute to this also? **REP. KADAS** said their licensure fee goes up. **REP. ZOOK** asked if this would be coming out of their pocket or will they up prescription prices? **REP. KADAS** said the general economic theory is that with something like that, the consumer pays for part of it and the individual pharmacist would also share a part of it. He felt it would probably be shared. **REP. PECK** said he thought that was correct since pharmacists want to maintain that school, not so much to produce more pharmacists but to get that continuing education requirement they have. If they had to bring it in from out of state it would increase their costs tremendously.

**Vote:** Motion on the amendment passed unanimously.

**MOTION:** **REP. KADAS** moved HB 692 do pass as amended. Second by Rep. Johnson.

**Discussion:** **REP. BRADLEY** said she has strongly protested this kind of tax in the past because she felt it was a bad precedent and feels this is getting into medical products. She had received a letter from **Mr. Tippy** saying he felt she was wrong with regard to what this would do in the school and asked if he could give that information to the committee. **Roger Tippy** said a lot of what this bill really wants to do is set up a drug information center which we do not have now. There is a terrific mass of information which comes out every year which the pharmacists have to digest, with all the new drugs, the interactions and the technical information to absorb. To fund this drug information center over the next 2 years after which they think they can find a way of more equitably doing it, the school of pharmacy in operating a drug information center is functioning somewhat like the extension service to the Agricultural community. In Ag the fertilizer manufacturer pays an assessment that goes to extension and experiment station, and we think this works in much the same manner. **REP. BRADLEY** said that makes sense to her but asked what it has to do with the problem of accreditation? **Mr. Tippy** said the problem comes from a national accrediting body which says they have to have 20 FTE on the faculty. They are really getting along pretty well with their 17 FTE, but there is the national standard. This would say in this bill is augment your program with something of an extension service nature for the pharmacists, hire a couple more faculty and get into some new areas that will serve the profession, not just educate the students. This is asking the school to step outside its traditional role and interact more with the manufacturers, the prescribing pharmacists, the wholesalers, the over-the-counter stores and everyone else involved. It is expanding the school's role in a very information intensive part of the information society we are getting into.

**REP. SWYSGOOD** said when the testimony was presented on this bill he had asked that a questionnaire be sent around to all the small stores to see whether they supported this bill or not. They were not in support. They will be imposed a fee to dispense those

drugs. The fee is not that great, but it is an additional business cost. The pharmacists that were surveyed were almost split as to support or not. He realized there is a problem with accreditation in regard to this school and thinks the Regents should have made it one of their priorities in their funding cycle. He felt this was a bad precedence because we are having private industry supporting a branch of the university system.

**REP. KIMBERLEY** said in the discussion it was also brought out this would do a lot toward applying accreditation to the pharmacy and thinks it is an important item that should be considered.

**REP. KADAS** said he knew having the fee to support a particular industry concerns many of us, but in his relationship with the university system and watching it as he traveled over the state last year trying to study the university system, one of the things that struck him as well as many on the commission, is that there is a lack of ownership by the people of the system. He felt this is the kind of thing that brings about ownership of the system and is important for particular industries to feel some ownership to their part of the institutions. He said he felt that was good and would help the system over the long term.

**REP. GRINDE** said what was done in passing this bill was to take the University System off the hook for a problem that is theirs. He realizes a lot of it has to do with formula funding and is our fault, but doing this will cause the same thing. Every session they come in and say the school of pharmacy will not be here any more and we keep patching it up. We now did it again.

**Vote:** Motion passed 14 to 4, roll call vote # 9.

**CHAIRMAN BARDANOUVE** said we have about 44 bills left in committee and almost no time Monday unless we meet after session. There are new bills that came in that have not been heard. After some discussion it was decided to recess at 5:30 and come back at 7.

**REP. QUILICI** requested HB 777 and 786 come up next since he had to leave for Butte.

#### **EXECUTIVE ACTION ON HB 777**

Approve Energy Conservation Projects and Authorize Bond Issuance

**REP. QUILICI** said this is the energy conservation bill and he had told the committee during testimony that he would submit some amendments to strike \$550,000 and insert \$400,000 saving the Oil Overcharge money \$150,000.

**Motion:** **REP. QUILICI** moved HB 777 do pass. Second by Rep. Nisbet.

**Motion/Vote:** **REP. QUILICI** moved to amend HB 777, **EXHIBIT 9**. Second by Rep. Grinde. Motion passed unanimously.



**Motion:** REP. QUILICI moved HB 777, as amended do pass. Second by Rep. Grinde.

**Discussion:** REP. CONNELLY asked if this would take any money away from the existing projects under the oil overcharge money and REP. QUILICI said it would put \$150,000 back.

REP. PETERSON asked if we deleted Galen and Boulder from this last time? REP. QUILICI said the reason they didn't retrofit them is because of the situation with Boulder and Galen. They did a mini retrofit at Boulder because that is still in partial operation, but Galen is on hold.

**Vote:** Motion passed unanimously.

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EXECUTIVE ACTION ON HB 786

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

**Motion:** REP. QUILICI moved HB 786 do pass. Second by Rep. Cobb.

**Discussion:** REP. PECK said this is the bill where people have to go out of state for medical services. This would be an estimated cost of \$192,000 for the biennium.

REP. KADAS asked if there is anything for this in the current budget? REP. BRADLEY said no additional that she could recall. REP. PECK said there is some travel money in but the rates are so terrible. This bill would correct the rates. REP. QUILICI said that is correct. They are getting \$22.44 per day and this asks it be brought up to the same as state employees. These are medicaid recipients going out of state for medical treatment.

REP. SWYSGOOD asked if this was setting up another optional program on medicaid? REP. QUILICI said no, it is just changing the rates currently in effect. REP. GRADY asked if the raise just given to the state employees would tie in with this and they would get that raise too and REP. PECK said no relation to that. Mrs. Cohea said it is not "less than the respective reimbursement for meals, lodging and travel authorized for the state of Montana". REP. QUILICI said yes, it would give that raise. REP. PECK said it changes the rate, but only brings it up to the rate you changed it to. If the other bill passes dealing with per diem and travel, then it would bring these people up to that amount. The impact would be greater than originally.

REP. PETERSON asked if we are bringing them up to the in-state rate or to the out-of-state rate. REP. QUILICI said if in state it would be in-state rate, if out of state the out-of-state rate.

REP. KADAS asked if there is a point where we lose the federal match? John Donwen, SRS said there is no cap on the amount of

money expended. The medicaid program is an entitlement program. If you increase the program they still pay the same rate. REP. BARDANOUE asked at what rate is the reimbursement and Mr. Donwen said approximately 70-30.

**Vote:** Motion for a do pass carried 10 to 8, roll call vote # 10.

**EXECUTIVE ACTION ON HB 696**

Increase and Extend Funding for Statewide Genetics Program

**Motion:** REP. BRADLEY moved HB 696 do pass. Second by Rep. Peck.

**Discussion:** REP. PECK referred to EXHIBIT 10 from the DOI. He said he felt there were some interesting points in it. They are basically opposing the increase in the Genetics program pointing out it is taxing the state employee and retiree compensation dollars and they don't seem to have an appropriate funding source. This is a 2/3 increase in that premium which seemed to be a very significant amount of money.

**Motion to amend:** REP. BRADLEY moved to take the tax for the fees back down to the 45 cents. Second by Rep. Peck. Motion passed unanimously.

**Motion/Vote:** REP. BRADLEY moved HB 696 as amended, do pass and the appropriation reflect the amendment. Second by Rep. Grady.

REP. GRADY said he thought they could handle this without the added appropriation. It is a program that has proven itself and hoped that they could eventually get this worked into the Health budget. REP. THOFT asked if this is current level now. REP. BARDANOUE said yes, it would be current level.

**Vote:** Motion 14 to 3, Rep. Quilici absent and Rep. Swysgood, Grinde and Peterson voting no.

**EXECUTIVE ACTION ON HB 704**

Appropriation to Fund Apprenticeship Instruction programs for 1992 and 1993

**Motion:** REP. BRADLEY moved HB 704 do pass and said she would amend it. Second by Rep. Nisbet.

**Motion to Amend:** REP. BRADLEY moved to amend HB 704, EXHIBIT 11. Second by Rep. Nisbet.

**Discussion:** She said after this is funded the remainder would go for the Dept. enforcement activities. There was a lot of discussion as to whether this could come out of the UI Admin tax and the decision was reached to have this ongoing program come out of the penalty and interest.

**REP. CODY** said she needed some clarification. She asked if Human Services had given this program \$43,000 under the Admin tax and we are changing it to the penalty and interest? **REP. BRADLEY** said yes, they have taken it completely out of the Admin. **REP. CODY** asked if the amount was changed to \$57,000 in '92 and \$57,000 in '93? **Brian McCullough, DOLI** said this amendment is moving the language that was in SB 385 into HB 704. The purpose of the funding is to provide for 3 collection positions in the Unemployment Insurance Division to expand their collection activities and they feel there will not be adequate federal funding to cover these positions. This would provide the penalty and interest revenues to be used to the extent they are available after the apprenticeship program is funded, to be provided. The 3 positions were added in the subcommittee.

**REP. KADAS** asked if the \$120,000 is the appropriate amount or should it be \$57,000? **Mr. McCullough** said the figure that has been used has been \$110,000 and \$120,000. The \$57,000 was in HB 2 in committee action and has been pulled out, so the amount identified here for apprenticeship is the full amount of the \$110,000 and the \$120,000. There is nothing in HB 2 for the apprenticeship program at this point in time.

**Mrs. Cohea** asked to clarify this for the staff person. She said, when you are saying revenues are available for use, are you seeking an appropriation of those revenues or are you only seeking an appropriation of \$120,000? The language here does not appropriate the remainder. **Mr. McCullough** said he understood, this amendment does the same as in 385, if the federal revenues, so far as the unemployment insurance grant are not adequate, they will have federal appropriation authority that, as he understands it, will be allowable to go ahead and use the penalty and interest revenue in lieu of the lack of the appropriation. **Mrs. Cohea** said she is fairly certain those funds would have to be appropriated here and then have coordinating language, but simply saying they are available for use, she did not believe appropriates them. **Mr. McCullough** said they might have to identify something in HB 2. He thought they could do it in either place to make it clear because of the nature of the tax.

**REP. CODY** said she is still confused. Where does the \$57,000 come from? Where did we go from \$120,000 to \$57,000? **Mr. McCullough** said there were two different issues involved in that. **REP. KADAS** said this bill was heard quite a while ago and they had essentially made a deal to get \$40,000 from the UI Admin and the rest of it here. That is when **REP. WANZENRIED** asked us to amend this to \$57,000 since they only want \$120,000 total. Then we decided not to give them any UI Admin and so this needs to go back up to \$120,000 if we are going to keep the program whole.

**REP. KIMBERLEY** said he had in his notes Carl Perkins money to be replaced with state dollars. **REP. KADAS** said that is what created the whole problem in the first place. They can no longer get Carl Perkins for this. **REP. BARDANOUE** asked if we were

replacing Carl Perkins money with general fund dollars and was told no. Mr. McCullough said the revenues are UI penalty and interest revenues. It is the revenues that come in from the penalties of employers who are not paying their UI benefits. It is that penalty and is not a general fund balance. The apprenticeship program was funded by Carl Perkins money.

REP. CODY said she has a note that penalty and interest money currently goes to the trust fund and brings in \$150,000 per year. Is it correnct that they want \$120,000 of that \$150,000 to fund the program. REP. KADAS said the figure of \$150,000 came out in some committee discussion when the individual providing the information was thinking it was about \$150,000. The fiscal note on HB 385, which is the language going into 704, has the revenues projected as being \$265,000 in '92 and \$240,000 in '93.

REP. BRADLEY said as we progressed through that it was not so complicated, even though it looks it now. She said as Chair of that committee she was always aware of the full dollar amount they wanted to get for the apprenticeship program.

REP. SWYSGOOD asked the department regarding the bill, the excess amount of revenue needed to fund the apprenticeship program collected from the interest and penalty was to revert to the trust. This amendment changes that and allows you to use this for a collection? On being told yes, he said we are then jeopardizing to a further degree the problems we have with rates and the trust because that will not be going in.

Chuck Hunter, Dept. of Labor, said the funding of the collection effort will return more dollars than we spend in penalty and interest money. If we spend this money which will be around \$100,000, we will return to the trust fund about \$250,000, so this bill puts more money back in the trust fund than is taken out by expenditure.

REP. SWYSGOOD said he understands and agrees with that, the language says now that all monies in excess of what is used to fund the apprentice program reverts to the trust and this amendment says with the exception of what we need here to cover the missing federal funds. You are in essence, taking some money away from the trust with this amendment. Mr. Hunter said that is correct, but more will be returned than is taken out.

**Vote:** Motion to amend passed 13 to 4, Rep. Quilici absent, Rep. Swysgood, Grinde, Peterson and Peck voting no.

**Motion to Amend:** REP. COBB moved to amend HB 704 on page 2, lines 16 through 17, reinstate the stricken language and insert the word "and" to read "to train and retrain unemployed and underemployed persons and to fund apprenticeship instruction program pursuant to 39-6-103". Second by Rep. Kadas.

**Discussion:** At present we are saying this money first goes to apprentice instruction for one group of people who need jobs and then the rest goes to the trust fund. He would like it the way it was before plus the apprenticeship program so everybody can try to appropriate that money for job training programs.

**REP. MENAHAN** asked if there aren't other programs now that train and retrain unemployed? This is an apprenticeship program which is not the same as retraining someone. **REP. COBB** said the old language said to train and retrain, we struck that language and now would only be used for apprenticeship instruction programs. The way the law is now, they are going to hire people to collect unpaid contributions and any penalty goes into this fund. The penalty and fines come from a bigger group than the singled out apprenticeship program and would like to leave the bill as is.

**REP. SWYSGOOD** this does in effect eliminate any money ever going into the trust under this program because you set up not only the new program, the apprenticeship program, but continued what we have been funding, and they will not have any money for collections even.

**Vote:** Motion to amend failed 6 to 11 with Rep. Quilici absent and Rep. Peck, Bradley, Grady, Grinde, Johnson, Kimberley, Menahan, Nisbet, Swysgood, Thoft and Bardanouve voting no.

**Motion/Vote:** **REP. NISBET** moved HB 704, as amended do pass. Second by Rep. Menahan. Motion failed on a tie vote, roll call vote # 11.

**Motion/Vote:** **REP. GRINDE** moved HB 704 be tabled. Second by Rep. Peck. Motion failed since a reverse vote was still 9 to 9, and the bill was left in limbo.

**EXHIBIT 12** was submitted but no action was taken on it.

#### **EXECUTIVE ACTION ON HB 710**

##### **Appropriation for Capitol First Floor Metamorphosis**

**Motion:** **REP. BRADLEY** moved HB 710 do pass. Second by Rep. Cody.

**Discussion:** **REP. BRADLEY** asked how can one get a planning grant, does it go through Long Range? **REP. BARDANOUVE** said planning money goes through Long Range.

**Substitute Motion/Vote:** **REP. ZOOK** moved HB 710 be tabled. Second by Rep. Nisbet. Motion passed 10 to 7 with Rep. Quilici absent and Rep. Connolly, Grady, Cody, Bradley, Menahan and Swysgood voting no.

**REP. GRINDE** suggested the committee send a thank you to those young men and women who worked on this project for a good job.

**EXECUTIVE ACTION ON HB 717**

Allow Attorney General Anti-Trust Authority

**Motion/Vote:** REP. CODY moved HB 717 be tabled. Second by Rep. Zook. Motion passed 12 to 5 with Rep. Quilici absent and Rep. Connelly, Bardanouve, Bradley, Kadas and Menahan voting no.

**EXECUTIVE ACTION ON HB 718**

Create Water Quality Special Revenue Account and Set Fees

**Motion/Vote:** REP. GRINDE moved HB 718 be tabled. Second by Rep. Swysgood. Motion passed 13 to 4 with Rep. Quilici absent and Rep. Kimberley, Bardanouve, Menahan and Kadas voting no.

**EXECUTIVE ACTION ON HB 727**

Reducing the Age Requirement for Eligibility under PERS

**Motion:** REP. MENAHAN moved HB 727 do pass. Second by Rep. Kadas.

**Discussion:** REP. MENAHAN said REP. QUILICI had some information from the Legislative Auditor's office on this. He had not had time to go over the information EXHIBIT 13 with REP. QUILICI before he left, but there are some amendments attached as EXHIBIT 14. James Gillett, Legislative Auditor, gave information on this bill. He said he was speaking as a concerned employee. At some point so far as a benefit in PERS program, he referred to A-3 on EXHIBIT 13, and said this shows the fund as becoming very sound and that is a real tribute to the PERS program. In this bill, relative to the early retirement, there is a point to consider of whether or not the fund is able to provide an additional benefit without having to pay for the whole thing out of it. He said REP. WYATT was also aware that the pay plan bill is a real serious issue and priorities get involved in looking at that issue. The amendment being looked at here was to consider whether 1/2 of the cost of this bill would be absorbed by the program which would affect the unfunded liability of the program, but at some point you will see that the program is continuing to improve its financial position, and he would request consideration to HB 727.

REP. CODY asked why did the unfunded liability go from \$275 million in '86 to \$298 million in '88 and then down to \$277 million in '90. Mrs. Cohea said this report was presented by the Legislative Auditor's office and she had not had a chance to see this. REP. BARDANOUVE said he could be wrong, but thinks it is because we are using current value of investments, not what we bought them for, but what the market value is.

REP. PETERSON said in her notes she noted Larry Nachtsheim spoke to the committee and they were opposing this bill at the time.

**Motion to amend:** REP. BARDANOUVE moved to amend HB 727 on pages 1 and 2, EXHIBIT 14. Second by Rep. Kadas.

**Discussion:** Linda King said the general fund impact of the bill before these amendments was \$4.206 million for the biennium. If you cut that in half the general fund impact would be \$2.103 for the biennium and the other state funds would be \$2.103 million and the local would be \$3.5 million for the biennium.

**Vote:** Motion to amend passed unanimously.

**Motion/Vote:** REP. MENAHAN moved HB 727 do pass as amended. Second by Rep. Kadas. Motion failed 4 to 13 with all members voting no except Rep. Bradley, Kadas, Menahan and Nisbet.

**Motion/Vote:** REP. ZOOK moved HB 727 be tabled. Second by Rep. Nisbet. Motion passed 16 to 1 with Rep. Menahan voting no.

#### **EXECUTIVE ACTION ON HB 728**

Provide for Accessibility to Food Programs and  
Nutrition Services

**Motion:** REP. KADAS moved HB 728 do pass. Second by Rep. Johnson.

**Motion:** REP. KADAS moved to amend HB 728, EXHIBIT 15. Second by Rep. Johnson.

**Discussion:** REP. KADAS said these amendments strike the general fund, then will allow the Hunger Coalition to work with the DEHS and SRS to get federal funds and other funds to continue this.

**Vote:** Motion to amend passed unanimously.

REP. BRADLEY questioned the need of a law to do this and asked Mr. Huntington to be his witness. Gene Huntington said the answer to the question is, there are some substantive parts of the bill that don't require appropriations. In the most general way we have taken out the general fund. One portion was funded with federal fund and the funding of the nutritionist is the only part that would still require general fund. The other general fund was money to start the WIC program in the 8 or 9 counties that aren't served now, and the solution there was to ask the dept. to come back next time and tell the committee how they can extend it into those counties and bring a plan rather than using general funds for start up of a federally funded program.

REP. COBB asked Ray Hoffman, DHES, on the budget amendment bill there was some WIC money. Are you going to use some of that money to fund this? Mr. Hoffman said no, the amendment was to take existing level of services and continue those through this fiscal year. REP. COBB asked if they weren't going to buy some computer equipment or chairs or something and Mr. Hoffman said yes, that is to automate the process of accounts.

**Motion/Vote:** REP. KADAS moved HB 728 do pass as amended. Second by Rep. Menahan. Motion passed 12 to 5 with Rep. Swysgood, Zook, Peterson, Grinde and Cobb voting no.

**EXECUTIVE ACTION ON HB 755**

Appropriation for Museum of the Rockies

**Motion:** REP. MENAHAN moved HB 755 do pass. Second by Rep. Bradley.

**Discussion:** REP. BARDANOUVE said this would be \$9,000. REP. BRADLEY said two years ago when they went through this there was a lot of talk about what the museum could do to try to raise more of its own money. They have really worked hard to follow that directive. She sits on the Board of Trustees and that is almost a completely voluntary measure. They have so many volunteers running the place that it counts for 14 staff right now that do regular hours every day of the week. They have really upgraded the store and the dollars they get from store sales go to help with lease payments. They have entrance fees that are as high as possible where you can still let the school kids in. They have done everything this committee directed them to do. REP. KIMBERLEY said he agreed, the area is becoming known throughout the world, they have a number of books and periodicals that are published and feels this is a project we should support.

REP. GRINDE asked if this bill would put it in the base and REP. BARDANOUVE said as the bill is written he understands it will be a part of the base.

**Vote:** Motion failed 7 to 10 with 1 absent, roll call vote # 12.

**Motion/Vote:** REP. GRINDE moved HB 755 be tabled. Second by Rep. Johnson. Motion passed 11 to 5 with 1 absent, roll call vote # 13.

**EXECUTIVE ACTION ON HB 759**

Tactical Incident Assistance Funding

**Motion/Vote:** REP. COBB moved HB 759 be tabled. Second by Rep. Grady. Motion passed unanimously.

**EXECUTIVE ACTION ON HB 760**

To Equalize Disability Retirement in Unified  
Firefighters' Retirement System

**Motion:** REP. KIMBERLEY moved HB 760 do pass. Second by Rep. Nisbet.

**Discussion:** REP. KIMBERLEY said there was discussion of the fiscal note. It was determined there would be 3 members that



would become disabled, 2 in '92 and 1 in '93. In the past 5 years there has been 1 disabled. They argue with the fiscal note. This would bring them up to the amount of those disabled since 1981. It is a small amount and involves such few people.

REP. PECK said it just makes sense. Why should we have an arbitrary day that says if you were hired before that date you get less than if you were hired after that date if you are disabled. REP. KADAS asked what the consequences were that led to the 1981 date. REP. BARDANOUVE said in order to get these bills passed all these groups say this is just for the old retirees and not for the new ones and it doesn't sound so bad. Linda King, PERS, said in 1981 when the new system was started, there was a final average salary calculation used instead of the final monthly compensation for everyone who joined the system after that. The people that came into the system that were already members of the individual firefighters' system had in their previous plans, used the final months salaries. This bill proposes to change for the disabled retiree only, for those hired after July 1, 1981 the final monthly compensation for those disability retirements instead of final average salary which is the average of the last 36 months. There were 3 new disabilities last year.

REP. BARDANOUVE said if there were 3 in the biennium, what is the fiscal impact and Linda King said the assumption of the actuary in determining the actuarial cost of this proposal was that the additional percent of salary as now currently in the bill would be needed and the cost of that bill for the biennium is projected to be \$64,295 from tax premium funds which would then be an offset to general fund revenues.

REP. BARDANOUVE asked if this is accumulative over the years? Ms. King said it is a percent of salaries that is being required to fund this benefit enhancement over the next biennium; it is expected to be \$64,295 and as their salaries increase the percent of the contributions will increase. REP. BARDANOUVE asked if it is \$64,000 this year then with 3 more will it be \$128,000 the next biennium? Ms. King said no, this cost is the additional percentage of salaries that is required. It should be fairly flat. They assume firefighters' salaries have been increasing by 3% a year, so it will probably only increase the 3%.

**Vote:** Motion passed 14 to 4 with Rep. Grinde, Grady, Kadas and Swysgood voting no.

#### EXECUTIVE ACTION ON HB 775

Creating a College Savings Bond Program

**Motion:** REP. CONNELLY moved HB 775 do pass. Second by Rep. Menahan.

**Discussion:** REP. COBB asked if they already have this in one of

the programs. REP. CONNELLY said they had a long hearing on it, they just talked about it. It would be the same as the old bonds except it would set up a funding program for people to save money for their kids to go to college. REP. COBB asked if the committee hadn't appropriated that in one of her bills and REP. CONNELLY said this would set it up and would allow them to use that type of bonds in some of the building projects.

Substitute Motion: REP. PECK moved HB 775 be tabled. Second by Rep. Swysgood.

REP. BRADLEY said REP. RICE's whole argument was trying to create a vehicle that helps families deal with the future higher cost of education. REP. CONNELLY said testimony in the bonding programs told of Oregon where they had one bond issue and sold out \$15 million in 3 hours because they are in smaller amounts. They could be set up to be less than the \$5,000. REP. PECK said one of the criticisms was that a \$5,000 bond is pretty involved for a many people to get involved in and get a college cost program established.

REP. KIMBERLEY said some of the opponents that testified thought there should be an amendment that would make it applicable to individuals by lowering the amount.

Vote: Motion passed 11 to 5 with 2 absent, roll call vote #13 A.

#### EXECUTIVE ACTION ON HB 784

Require Secretary of State to Maintain a List of Registered Electors

Motion/Vote: REP. PECK moved HB 784 do pass. Second by Rep. Kadas. Motion failed 8 to 10. Roll call vote # 14.

Motion/Vote: REP. GRADY moved HB 784 be tabled. Second by Rep. Swysgood. Motion passed, reverse roll call vote.

REP. SWYSGOOD asked to defer action on HB 800 until after discussion with OPI.

#### EXECUTIVE ACTION ON HB 804

Providing Benefits for Employees Terminated Through a Reduction in Force

Motion/Vote: REP. MENAHAN moved HB 804 do pass. Second by Rep. Nisbet. Motion failed 4 to 13 with Rep. Quilici being absent and all members except Rep. Menahan, Connelly, Nisbet and Grady voting no.

Motion/Vote: REP. GRINDE moved HB 804 be tabled. Second by Rep. Swysgood. Motion passed, reverse of above vote.

**EXECUTIVE ACTION ON HB 815**

## Planning and Implementation Requirements

**Motion/Vote:** REP. CONNELLY moved HB 815 be tabled. Second by Rep. Swysgood. Motion passed 12 to 6 with Rep. Cobb, Grinde, Kadas, Bardanouve, Bradley and Menahan voting no.

**EXECUTIVE ACTION ON HB 827**

## Appropriation for Certified Communities Program

**Motion/Vote:** REP. BRADLEY moved HB 827 do pass. Second by Rep. Cody. Motion failed 5 to 12 with one absent and all members except Rep. Cody, Johnson, Bradley, Menahan and Kimberley voting no.

**Motion/Vote:** REP. SWYSGOOD moved HB 827 be tabled. Second by Rep. Zook. Motion passed, voice vote, no count.

**EXECUTIVE ACTION ON HB 830**

## Revising Supplemental Benefit Calculation for the Police Retirement System

**Motion:** REP. MENAHAN moved HB 830 do pass. Second by Rep. Kadas

**Discussion:** REP. KADAS said the increased appropriation will decline in the future because this is the pre-1975 retirees and there is a limited number of them which gets smaller every year. REP. PECK said they had a good deal, they get the previous year on which they retire and most people have to take the average of the previous 3 years. Now they want to move it up to where it is the current year they retire on.

REP. KIMBERLEY said if you retired in '75 and it was based on your previous 3 years it can't be a lot of money as compared to what they are now. This would just bring that old category up to half the salary of what a beginning policeman gets now? REP. MENAHAN said yes, that is correct. REP. BARDANOUE said this bill changes the less to not less than 1/2 of the base salary in the current year. REP. MENAHAN said it just puts the ones before '75 up to those after '75, there are not so many of them and it is not too costly. REP. PECK said his retirement fund was not based on that present salary, his annuity should be based on what he contributed, not on what someone else is getting.

REP. PETERSON said if this program costs the general fund about \$200,000 a biennium, does that \$200,000 continue or is that a one time appropriation. She was told it will continue but decrease as the number of living decrease. These people have been retired for 15 or 16 years now. REP. BARDANOUE said the other part of this bill is that all police will get based on the current salary. Ms. King said there is a minimum retirement benefit in

the police system. The pre-'75 retirees get a minimum benefit that is half the current pay of a uniformed police officer in the previous calendar year and those who retired after '75 get that same pay but as it is in the current fiscal year. The pre-'75 retirees are about a year and a half behind so far as the pay concerned to calculate the minimum benefit. This would put them on the same basis. It would calculate it on the current fiscal year basis for both the pre and post '75 retirees. She said it would not give them a new minimum benefit, it would use the same fiscal year period for calculating what the minimum is.

**Tape 3**

**REP. BARDANOUVE** asked for an explanation of "current" fiscal year and **Ms. King** said for that particular group of people, they look at what they paid a new police officer last calendar year and for those who retired after '76 we look at what they are going to pay their people in the current fiscal year.

**REP. GRINDE** said all these retirement bills should be looked at and something has to be done. Every biennium this comes up, and it is something we have to get a handle on.

**Vote:** Motion passed 11 to 7, roll call vote # 15.

#### **EXECUTIVE ACTION ON HB 841**

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

**Motion/Vote:** **REP. THOFT** moved HB 841 do pass. Second by Rep. Grinde. Motion passed 15 to 3 with Rep. Bardanouve, Peck and Kadas voting no.

#### **EXECUTIVE ACTION ON HB 842**

Revise Cultural Grant Application and Award Procedure

**Motion:** **REP. CONNELLY** moved HB 842 do pass. Second by Rep. Grady.

**Motion to Amend/Vote:** **REP. CONNELLY** moved to amend HB 842 page 2, line 3, strike the word "project" and insert "facility". Second by Rep. Swysgood. Motion passed unanimously.

**Motion/Vote:** **REP. CONNELLY** moved HB 842 as amended do pass. Second by Rep. Swysgood. Motion passed unanimously.

#### **EXECUTIVE ACTION ON HB 843**

Fund Flathead Lake Biological Station

**Motion:** **REP. CONNELLY** moved HB 843 do pass. Second by Rep. Cobb.

**Discussion:** **REP. CONNELLY** said **REP. LEE** asked her to amend the amount in the bill to \$94,742 because that was the amount the Governor had asked for and he was not sure how this other amount came about. Discussion was held on the \$329,000 and whether this was an annual or biennial appropriation. **REP. CONNELLY** said the reason for the request was because they get a lot of grant money

but some of those receiving the grants are getting concerned because they have to spend so much time doing service type things instead of research. This was \$94,742 each year of the biennium.

**Motion/Vote:** REP. CONNELLY moved to amend the amount to \$94,742 each year of the biennium. Motion passed unanimously

**Motion/Vote:** REP. CONNELLY moved HB 843 do pass as amended. Motion failed 6 to 11 with Rep. Quilici absent and Rep. Peck, Cody, Grady, Grinde, Johnson, Kadas, Kimberley, Peterson, Swysgood, Thoft and Zook voting no.

**Motion/Vote:** REP. PECK moved HB 843 be tabled. Motion passed 12 to 5 with Rep. Quilici absent and Rep. Nisbet, Connelly, Menahan and Bardanouve voting no.

#### **EXECUTIVE ACTION ON HB 845**

Requiring Underground Storage Tank and Pipes to Have Double Walls

**Motion:** REP. KADAS moved HB 845 do pass. Second by Rep. Kimberley.

**Motion:** REP. KADAS moved to amend HB 845, EXHIBITS 16 and 17. Second by Rep. Kimberley.

**Discussion:** REP. KADAS said REP. BROOKE asked him to submit these amendments. The main effect of the amendments is that it delays the effective date for 2 years.

**Vote:** Motion passed 17 to 1 with Rep. Menahan voting no.

**Motion:** REP. KADAS moved HB 845 as amended do pass.

**Substitute Motion/Vote:** REP. ZOOK moved HB 845 be tabled. Second by Rep. Thoft. Motion passed 11 to 6 with Rep. Quilici absent and Rep. Bardanouve, Connelly, Peck, Bradley, Menahan and Kadas voting no.

#### **EXECUTIVE ACTION ON HB 876**

Revise and Continue the MIAMI Project

**Motion:** REP. BRADLEY moved HB 876 do pass. Second by Rep. Cody.

**Discussion:** REP. SWYSGOOD said REP. WYATT indicated in her testimony the general fund could be taken down to \$14,000. CHAIRMAN BARDANOUE asked how much money was in Human Services and REP. BRADLEY said \$278,058 is the amount here. REP. SWYSGOOD said we strike the \$1.8 million and insert \$14,000. This will let them continue on the program. Taryn Purdy, LFA, said in the Dept. of Health the MIAMI program was increased by \$241,000 general fund. This increase, under the original bill, would be

in the medicaid program. CHAIRMAN BARDANOUVE asked what this does that the other appropriation doesn't? Why do we need this? REP. COBB asked if page 11 has to be taken off if the 185% down? They want to add one person from an Indian Tribe. This is a morbidity review and once that is added to 135 or whatever it is supposed to be, there is no cost in it except for the money you put into it. REP. SWYSGOOD said if you reduce it to 135 it is where it is at now and then they need either \$9750 minimum to institute the continuation of the mortality by adding 3 new counties, infant mortality low weight review pilot in those 3 counties was \$5,000 and the MIAMI Advisory Board Training Consultant Service with the Indian Minority Maternal was \$750 on the minimum and to add up those 3 programs it would be \$14,000.

Motion to Amend/Vote: REP. NISBET moved to amend HB 876 on page 11, line 12, strike 185% and insert 133%, and amend the title. Second by Rep. Cody. Motion passed unanimously

Motion/Vote: REP. SWYSGOOD moved to amend HB 876 to put \$14,000 in the bill. Second by Rep. Cody. Motion passed 13 to 4 with Rep. Quilici absent and Rep. Peterson, Bardanouve, Peck and Thoft voting no.

Motion/Vote: REP. NISBET moved HB 876 as amended do pass. Second by Rep. Cody. Motion passed 13 to 4 with Rep. Quilici absent and Rep. Peterson, Thoft, Bardanouve and Peck voting no.

#### EXECUTIVE ACTION ON HB 894

Tax Credit for Contribution to University System  
Foundation

MOTION: REP. KIMBERLEY moved HB 894 do pass. Second by Rep. Nisbet.

Discussion: CHAIRMAN BARDANOUVE asked what the cost in credits was. REP. KIMBERLEY said there is no appropriation and the tax credit is limited to \$500 and you can go 10% of \$5,000 and there is a sunset date of 1996. It is a good way to help the University System and includes the private 4 year colleges. CHAIRMAN BARDANOUVE said he did not feel the state should get involved in private colleges. REP. CODY said this is not funding those systems, it is giving a tax credit to people who donate to their foundation.

REP. KADAS said to clarify this, it only applies to foundations of the Montana University System and other 4 year colleges.

Vote: Motion failed 8 to 9 with Rep. Quilici absent and Rep. Swysgood, Zook, Bardanouve, Peterson, Grinde, Cobb, Nisbet, Thoft and Kadas voting no.

Motion/Vote: REP. KADAS moved HB 894 be tabled. Second by Rep. Zook. Motion passed 9 to 8, reverse of above vote.

EXECUTIVE ACTION ON HB 906

## Funding For Forestry Extension Service

**Motion:** REP. CONNELLY moved HB 906 do pass. Second by Rep. Grady.

**Discussion:** REP. CONNELLY said she had the additional signatures that did not get on the bill and has copies for the committee. This is the Extension Forestry program and they are asking for one more Extension Forester through the University System, and briefly went over the reasons. REP. THOFT said for the past 18 months the Timber Industry has been telling him that 7 1/2 cents to fund the log scaling bill would bankrupt the industry. Now they come back and are willing to spend twice that much because there is a big issue of mandatory forest practices versus voluntary. These people can get a professional person in their camp, and if they are paying for it, he will be in their camp, they are going to resist any mandatory forestry practices. While he agrees with that he feels they should have to clean up their act under the current method rather than throw a lot of smoke with an individual that he would assume had a good deal of credibility. He felt the voluntary is fine and should be audited and they should be made to clean up their act, but disagreed with this method of taking them off the hook.

**Substitute Motion:** REP. THOFT moved HB 906 be tabled. Second by Rep. Swysgood.

REP. CONNELLY said there is currently one extension forester and they only spend about \$55,000 a year to help the forest product industry. She did not feel that was enough considering it is the second largest industry in the state and brings in between \$500 and \$700 million. They need help and this is one way to do it. REP. THOFT said he agreed completely, but did not want the industry controlling the individual. REP. GRADY said he did not necessarily agree with REP. THOFT. He knew there was a problem with log scaling but did not feel it had anything to do with this issue. There is a real problem with small landowners getting advice on how to log their land, and that is one of the reasons we are seeing the push for mandatory practices. The Legislature made a mistake by not putting enough people out there, and we don't have enough in State Lands now to get that information and give these people help.

REP. CODY asked about this being an industry person, and REP. THOFT said when you contribute that amount of money to his salary, you control him. REP. CODY said this would go through the University System, it is federal money, state money, and business money. Her understanding was this person would come under the University System extension service? REP. PETERSON said she had been to a number of meetings with the Extension Forester and will agree the impetus of this bill is for the volunteer for best management practices. That Extension Forester in her area talks to small tract owners, like 40 acre timber

sales about how to maximize the money coming in so they are not burning what could be rails, posts and other useful items.

REP. GRINDE said in looking at the bill and fiscal note, it says the bill would have the effect of producing \$80,000 to \$100,000 per year in special revenue etc., but in the upper part of the bill the capital outlay for this program is \$75,000 a year. This bill would bring in more than the actual expenditure. Where is the extra money going? REP. CONNELLY said at the bottom it says it would go into a special fund but had also talked about reducing the amount since they had no idea how much the slash fund might bring in since it could vary depending on how much timber was sold. She had talked to Mr. Casey and he said they were expecting a lot of federal funding because of the new Forest act. REP. GRINDE asked if this would be reverted back to general fund, and REP. CONNELLY said they would set up this extension fund, which would be part of the co-op extension budget. REP. GRINDE said there would not be a year by year specific number you can put to this? REP. CONNELLY said once they set up the budget there would be, but it would be determined by how much each landowner would put in based on the production for the year.

Mr. Sundsted said as they looked at the bill it creates \$80,000 to \$100,000 special revenue and the expenditures are only \$75,000 plus the general fund appropriation so it appears there is more revenue than will be expended. Part of that appropriation, either the fees or the general fund, would not need to be in there. CHAIRMAN BARDANOUVE asked if the general fund were removed would it be able to operate and Mr. Sundsted said yes, in their estimate it will.

**Motion to Amend:** REP. GRINDE moved to remove section 4 of the bill. Second by Rep. Swysgood.

**Discussion:** REP. GRADY asked if this program would be hindered by taking the general fund out now? He thought it would be returned after the program is up and running, but we might need it to get the program going. Mr. Sundsted said they don't believe they would be hindered.

**Vote:** Motion to amend passed 14 to 3 with Rep. Quilici absent and Rep. Peterson, Grady and Connelly voting no.

REP. CODY asked if the budget office would address the fiscal note, No. 2 on the pink copy. It says if the University System does not use the special revenue fund designation, therefore the section 3 reference to the state special revenue fund should be changed to the current restricted fund. Does that need to be amended into the bill? Mr. Sundsted said yes, it should be.

**Motion to amend/Vote:** REP. CODY moved to amend section 3 to change the reference from state special revenue fund designation to current restricted fund. Second by Rep. Grinde. Motion passed unanimously.



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REP. THOFT reminded the committee he had made a motion earlier to table this bill which was a non-debatable motion. The committee was rather surprised and REP. THOFT said he would re-state his motion.

Motion/vote: REP. THOFT moved HB 906 be tabled. Second by Rep. Swysgood. Motion failed with 4 to 13 with Rep. Quilici absent and all members except Rep. Cobb, Grinde, Thoft and Swysgood voting no.

Motion: REP. KIMBERLEY moved HB 906 as amended do pass. Second by Rep. Grady.

Discussion: REP. SWYSGOOD said on page 2 of the bill on line 9 through 12 it says "the legislature strongly urges Montana State University to match these commitments by earmarking \$54,000 annually." Has that commitment been firmed up? REP. BARDANOUVE said it is a desire on the part of the Legislature, but will no doubt be ignored. REP. KADAS said he felt that was the intent upon the appropriation amount. REP. CONNELLY said no, that is the amount that is currently going in to the existing forester that is there now and it is all federal money.

REP. NISBET said he thought there was some problem with the statement of intent, the language that refers to section 4 which we removed. He requested the Fiscal Analyst clean up the language and this was agreed to by the committee.

Vote: Motion to pass as amended passed 13 to 4 with Rep. Quilici absent and Rep. Thoft, Swysgood, Grinde and Cobb voting no.

EXECUTIVE ACTION ON HB 907

Revision of Membership and Premium Tax Contributions,  
Volunteer Firefighters

Ms. King said the fiscal impact is \$745,000 for the biennium but another bill that has already been passed and signed by the Governor, HB 599 pegs the volunteer fire pension at \$120 per month for both years of the next biennium. Putting this money into the fund will not do anything.

Motion/Vote: REP. PECK moved to table HB 907. Second by Rep. Johnson. Motion passed unanimously.

EXECUTIVE ACTION ON HB 916

Appropriation for Purchase of Elkhorn College Historic  
District Property

Mrs. Cohea said the sponsor had requested this bill be tabled.

Motion/Vote: REP. NISBET moved to table HB 916. Second by Rep. Grinde. Motion passed unanimously

AP032391.HM1

EXECUTIVE ACTION ON HB 927Vocational Specialist to Determine the Employability of  
GA Recipients

REP. BARDANOUVE said there had been some incorrect information provided and Marcia Dias requested the opportunity to give a correct figure, and she had met with the LFA to work this out. She said it was necessary to do another fiscal note because there were several hundred thousand dollars of operating costs added on. This bill provides a vocational specialist and extends time limits for people with employment barriers. If this is only for people with drug and alcohol problems, that is already in the law but is not being implemented.

REP. PECK asked if the LFA agrees with the fiscal note or does the budget office agree with it? Ms. Diaz said she had gone around to several places in the LFA and then she talked to Mr. Furois in the budget office. She asked if he could come down and state that on the original fiscal note those things were not correct. She did not see him here, but he did agree that operating costs of \$177,000 were incorrect. She said they had never really wanted a certified "vocational specialist" which would mean a new position and new training. The other thing they discussed was the alcohol problem. They had assumed everyone in the program had an alcohol problem and multiplied that across the board in the first fiscal note. Only 45% of the people in that program have an alcohol problem.

CHAIRMAN BARDANOUVE asked the budget office for their opinion on the proposed revised fiscal note. Mr. Sundsted said he did not have the information to respond.

CHAIRMAN BARDANOUVE asked to defer action on this bill until Monday and to get further information.

Executive Action on HB 927 was deferred until Monday.

EXECUTIVE ACTION ON HB 933Appropriate Money to Increase Salaries of Direct Care  
Workers in DD Program

Motion: REP. MENAHAN moved HB 933 do pass. Second by Rep. Nisbet.

Substitute Motion/Vote: REP. ZOOK moved HB 933 be tabled. Second by Rep. Grinde. Motion passed 10 to 7 with Rep. Quilici being absent and Rep. Menahan, Connelly, Bradley, Johnson, Cobb, Kimberley and Nisbet voting no.

EXECUTIVE ACTION ON HB 934

## Judicial District Alignment

**Motion:** REP. COBB moved HB 934 do pass. Second by Rep. Thoft.

**Discussion:** REP. COBB said the judge should be struck and just fund the study or strike the study and fund the judge. REP. THOFT said he would like to have the judge since they need them desperately. CHAIRMAN BARDANOUVE said if we give them the judge nothing else will be done. REP. CODY said this was an area the committee needed to be firm on, since it is obvious there has to be a reapportionment in the districts. She knew these folks needed a judge, but felt it necessary to reapportion first, then go for the judge.

**Motion to Amend:** REP. Cody moved on page 4, line 19 to strike line 19 and also --. (At this point no one was sure, and REP. THOFT requested the LFA do the work on it). REP. CODY agreed and REP. THOFT seconded the motion. The motion was to amend the bill so only the study was done.

**Vote:** Motion passed 10 to 7 with Rep. Quilici absent and Rep. Swysgood, Bradley, Menahan, Kadas, Peterson, Grady and Grinde voting no.

**Motion/Vote:** REP. COBB moved HB 934 do pass as amended. Second by Rep. Swysgood. Motion passed 16 to 1 with Rep. Quilici absent and Rep. Grinde voting no.

#### **EXECUTIVE ACTION ON HB 936**

Transfer of Unused Sick Leave Credits to Retirement Account

**Motion/Vote:** REP. COBB moved HB 936 be tabled. Second by Rep. Cody. Motion passed 13 to 4 with Rep. Quilici absent and Rep. Grady, Menahan, Nisbet and Connelly voting no.

#### **EXECUTIVE ACTION ON HB 937**

Revise and Continue Programs Under the Montana Child Care Act

**Motion:** REP. KADAS moved HB 937 do pass. Second by Rep. Nisbet.

**Motion to Amend:** REP. KADAS moved to amend HB 937 on page 2, EXHIBIT 18. Second by Rep. Nisbet.

**Discussion:** REP. KADAS said this gets the bill back to where they thought they had it in the first place. This bill does leverage quite a bit of federal money. Mrs. Cohea said this bill would be \$155,000 because sub section 2 is stricken.

Kate Cholewa, Women's Lobby Fund , said it brings in about \$750,000 in match money for nearly \$1 million.

**Vote:** Motion passed unanimously.

**Motion/Vote:** REP. KADAS moved HB 937 as amended do pass. Second by Rep. Nisbet.

REP. PETERSON said she disliked deleting the sunset clause. REP. KADAS said he didn't think it needed a sunset clause since it is just an appropriation and once you are out of money that's that. It is one biennial appropriation. REP. BRADLEY said she would like to bring attention to the language on 19. They have gone around and around on the Family Services Budget trying to figure out if they have continued exactly what we had previously or whether there needed to be more dollars to fill in the gap until the federal block grant comes in in October. She said relying on Ms. Whitney and with the dollars in HB 2, they believe continues the R & R through that gap prior to the time the federal grant comes in. Then we have that \$5 million coming in that was left open with very broad authority as to how Family Services and the others who use those dollars can spend them over the next 2 years. They tried to ensure that everything continued with the R & R program and where possible directed the dollars to be used to increase the day care rates.

REP. THOFT asked if she was saying this is already in HB 2? REP. BRADLEY said that was their effort, but she thinks this would be an expansion.

Ms. Cholewa said they dropped \$100,000 out of this bill for the interim funding since the only thing that is not covered is the training and they decided to let that go and not do it during the interim rather than ask for money that would not bring in match money. We are still asking for the \$105,000 which will be \$120,000 with what has already been appropriated, is because the federal money coming in, the child care people would like to see it used to expand to see this through. \$120,000 is what you appropriated last biennium and is what they would like to see continued. The funding in HB 2 is using the block grant coming in, which the spirit of that law is to expand it.

**Vote:** Motion to pass as amended failed 7 to 10 with Rep. Quillici being absent and Rep. Peck, Cobb, Cody, Grady, Grinde, Peterson, Swysgood, Thoft, Zook and Peterson voting no.

**Motion/Vote:** REP. THOFT moved HB 937 be tabled. Second by Rep. Swysgood. Motion passed unanimously.

The meeting recessed for dinner and the committee was asked to be back at 7 p.m. to continue executive action on 23 more bills.

Tape 3, side 2

EXECUTIVE ACTION ON HB 939

Urban Reforestation Grant program

Motion/Vote: REP. COBB moved HB 939 be tabled. Second by Rep. Peterson. Motion passed unanimously.

EXECUTIVE ACTION ON HB 944

Create Higher Education Challenge Endowment Fund

Motion/Vote: REP. BRADLEY moved HB 944 do pass. Second by Rep. Johnson. Motion failed 2 to 15 with Rep. Quilici absent and all members **except** Rep. Bradley and Connelly voting no.

Motion/Vote: REP. JOHNSON moved HB 944 be tabled. Second by Rep. Thoft. Motion passed 14 to 3 with Rep. Quilici absent and Rep. Bradley, Connelly and Nisbet voting no.

EXECUTIVE ACTION ON HB 950

Montana Family Policy Act

Motion/Vote: REP. ZOOK moved HB 950 be tabled. Second by Rep. Cody. Motion passed 13 to 4 with Rep. Quilici absent and Rep. Bradley, Connelly, Kadas and Cobb voting no.

EXECUTIVE ACTION ON HB 963

Long-Range Building Bonds for Montana Developmental Center

Motion/Vote: REP. COBB moved HB 963 do pass. Second by Rep. Cody. Motion passed unanimously.

EXECUTIVE ACTION ON HB 964

Generally Revising pesticides Statutes and Repealing Herbicide Surcharge

Motion: REP. NISBET moved HB 964 do pass. Second by Cody.

Motion to Amend: REP. NISBET moved to amend HB 964 on pages 4 and 10, **EXHIBIT 19**. Second by Rep. Cody.

Discussion: REP. SWYSGOOD said the amendment strikes the \$90 and inserts \$70 on the fees and puts in a little language. REP. GRADY said he was not sure we should be doing this. He felt the \$90 was needed. REP. NISBET said he thought they wanted the \$70.

Carl Schweitzer, OBPP, said REP. GRADY showed him the amendments before the break. The budget, as passed in subcommittee for the environmental position in the Agriculture Dept., it seemed like we needed these fees to be at the \$90 level to support the mods

that were approved by this committee. If you reduce the fees we will have to look at funding for some of the mods that were put in the budget. REP. GRADY asked to segregate the amendment and not act on the fee since it could be done on the floor if necessary. We could pass it as it is and amend it on the floor.

REP. NISBET withdrew his motion. REP. KADAS suggested do not change the fee, but do adopt the second part of the amendment.

Motion to Amend/Vote: REP. NISBET moved No. 2 on the amendment, EXHIBIT 19, page 10 line 16. Second by Rep. Cody. Motion passed unanimously

Motion/Vote: REP. GRADY moved HB 964 as amended do pass. Second by Rep. Nisbet. Motion passed 12 to 5 with Rep. Quilici absent and Rep. Swysgood, Peck, Thoft, Grinde and Cobb voting no.

#### EXECUTIVE ACTION ON HB 967

Appropriate Funds to Implement Peer Funding Levels for  
Higher Education

Motion: REP. BRADLEY moved HB 967 do pass. Second by Rep. Nisbet.

Discussion: REP. BRADLEY said she was in an awkward position on this bill because she argued it without reading the title on the previous page and doesn't know whether to re-argue it or argue the previous one we killed.

REP. KADAS said he introduced a bill today that essentially does what REP. BRADLEY is trying to do but takes into account what we have done thus far in the session and it also has a revenue source behind it so it would not be impacting the general fund.

?????motion....

Motion/Vote: Second by Rep. Nisbet. Motion failed 5 to 13 with all members except Rep. Bradley, Connelly, Menahan, Nisbet and Quilici voting no.

Motion/Vote: REP. PECK moved HB 967 be tabled. Second by Rep. Thoft. Motion passed 13 to 5 with Rep. Bradley, Connelly, Quilici, Nisbet and Menahan voting no.

#### EXECUTIVE ACTION ON HB 968

Authorize DHES to Adopt and Administer Do Not  
Resuscitate Identification

Motion: REP. KADAS moved HB 968 do pass. Second by Rep. Nisbet.

Motion to Amend: REP. KADAS moved to amend HB 968 Title, line 19 and page 8 lines 9 through 14, EXHIBIT 20. Second by Rep. Nisbet.

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**Discussion:** REP. KADAS said this removes the appropriation. It eliminates section 7. CHAIRMAN BARDANOUVE asked if this implements a new program and REP. CONNELLY said all this does is send out information. REP. KADAS said he did not think they would ask for funding next time since they added the appropriation into the bill. REP. BROOKE said she does not need the appropriation because this bill was about to die on the 44th day and it has been in the process of writing and rewriting and was a very difficult draft since it tries to implement a lot of medical standards of practice into a code. It implements a program so emergency medical technicians cannot use cardio pulmonary resuscitation on people if the person has a do not resuscitate order or had in existence a living will. The program has already been put into place, it just needs the implementing language and the authorization from the Legislature that the DHES can now do this.

**Vote:** Motion to amend passed 16 to 1 with Rep. Quilici absent and Rep. Peterson voting no.

**Motion/Vote:** REP. KADAS moved HB 968, as amended do pass. Second by Rep. Nisbet. Motion passed 11 to 6 with Rep. Quilici absent and Rep. Peterson, Peck, Thoft, Swysgood, Grady, and Grinde voting no.

EXECUTIVE ACTION ON HB 969

Appropriations to Support and Expand Public Television  
in Montana

**Motion:** REP. MENAHAN moved HB 969 do pass. Second by Rep. Nisbet.

**Substitute Motion/Vote:** REP. THOFT moved HB 969 be tabled. Second by Rep. Zook. Motion failed on a tie vote, roll call vote # 16.

**Discussion:** REP. BRADLEY asked REP. PECK how much general fund was in his bill and REP. SWYSGOOD said \$890,000. REP. PECK said when all totaled, participation by public schools, university and the general public, the appropriation was \$890,000. REP. BRADLEY asked if this was almost contemplated as being a companion piece because a lot of the instructional and educational programming that will take place over your network will come out of the cooperation of this system? REP. PECK said no. HB 30 was far ahead of this bill, this bill was introduced later. REP. BRADLEY asked if some of the programming would come out of this endeavor? REP. PECK said not to his knowledge, but it was a possibility. REP. BRADLEY asked if this would not compliment it and REP. PECK said he supposed the sponsor would suggest that and he had signed the bill because it had some beneficial qualifications to HB 30, but would not stretch it to say that HB 30 needs this bill. REP. BRADLEY said she felt one of the most important things about this bill was on page 4 that not a dollar will be spent out of this fund until it has a permanent match dollar for dollar.

**Vote:** Motion to table failed 9 to 9.

HB 969 was left in limbo since a reverse vote would not change it.

**EXECUTIVE ACTION ON HB 975**

Appropriation to Update and Reprint Bulletin 545 --  
Montana Law Water Right

**Motion:** REP. CONNELLY moved HB 975 do pass. Second by Rep. Cody

**Motion to Amend:** REP. CONNELLY moved to amend HB 975 on page 3, EXHIBIT 21. Second by Rep. Nisbet.

**Discussion:** REP. CONNELLY said this amendment would put this at the bottom of the list in the event this bill should pass. Second by Rep. Nisbet.

**Vote:** Motion to amend passed unanimously.

**Motion/Vote:** REP. THOFT moved HB 975 be tabled. Second by Rep. Zook. Motion passed 11 to 7, roll call vote # 17.

**EXECUTIVE ACTION ON HB 977**

Revise and Extend Inpatient Residential Psychiatric  
Treatment

**Motion:** REP. BRADLEY moved HB 977 do pass. Second by Rep. Peck.

**Discussion:** REP. BRADLEY said this bill would put some kind of handle on qualifications of institutions for residential treatment for psychiatric treatment.

REP. PECK asked if HB 304 had a limiting factor in it that they had to have a minimum of 50 beds. REP. BRADLEY said 30 beds. REP. PECK said Yellowstone Education Center was the only one that qualified, did they go to court and actually overturn that specification? REP. CODY said the court decision has not been determined, only filed. REP. PECK said this relates to a big school problem REP. SWYSGOOD is working on with him and that is why he is trying to make sure of the facts. Mr. Furois from the budget office gave further information and thought it was more than just 10, but not sure. REP. MENAHAN mentioned Deaconess, Shodair, one in Polson--about a half dozen that want in on it now. REP. BRADLEY said she did not think there were that many, and that has been the fear; if it becomes big business they will, but the provisions in the bill should help to restrict expansion of those wanting in on being providers.

REP. PECK asked about REP. RICE's bill and was told that was tabled, we need this one and it contains the certificate of need.



REP. CODY asked the OBPP if that suit is pending, or has it been resolved? Bill Furois, OBPP, said he worked the SRS budget but does not know the answer. His understanding is that it is not yet resolved. REP. PECK asked the number of dollars projected? REP. BRADLEY said they had only a small amount of general fund in it last time, she thought about \$28,000 and it has gone to \$3.5 million general fund and a total of \$12 million. Having residential treatment in there makes sense because it will keep children out of Rivendell which is two times as expensive and if it is the appropriate service it is a logical alternative. We are trying to give the incentive to DFS to pull even more of those \$3.5 million down for the community and family types of services to keep children at home. REP. PECK asked if this money is already in HB 2. REP. BRADLEY answered yes.

Vote: Motion passed unanimously.

#### EXECUTIVE ACTION ON 990

Fund National Historic Trail Interpretive Center

Motion: REP. NISBET moved HB 990 do pass. Second by Rep. Menahan.

Motion to Amend: REP. NISBET moved to amend HB 990 pp 1, 2 and Title, EXHIBITS 22 and 23.

Discussion: REP. NISBET said EXHIBIT 22, requested by REP. SHEILA RICE, are changes the Congressional Delegation wanted to clean up the language for getting federal funding. EXHIBIT 23 changes the appropriation from the \$1 million coal severance tax permanent fund to \$1 general fund appropriation. The \$1 would keep this bill alive and they are looking at some other alternatives for funding. CHAIRMAN BARDANOUVE asked if the money is moved out, does the bill obligate the state elsewhere and REP. NISBET said not to his knowledge.

Vote: Motion to amend passed unanimously.

Motion/Vote: REP. NISBET moved HB 990, as amended do pass. Second by Rep. Kimberley. Motion passed 11 to 7, roll call vote # 17A.

#### EXECUTIVE ACTION ON 497

Revise Salaries or Compensation for Various County Officers

Motion: REP. KADAS moved HB 497 do pass. Second by Rep. Cody.

Motion to Amend: REP. KADAS moved to amend by adding a new section saying payment of a county assessor's salary. The amount of the county assessor's salary to be paid by the state for FY92 and FY93 is limited to the amount of money appropriated for that purpose. Second by Rep. Cody.

**Discussion:** REP. THOFT asked what that meant and REP. KADAS said it meant we would not encumber ourselves with any more obligation unless we put it into HB 2.

REP. PECK said, what you are saying is that not all county assessors are going to come out with 100% because we could limit it by this appropriation in HB 2. REP. KADAS said that is correct, and perhaps in the main bill we should remove the 70% language and just have the appropriation. The amount would be appropriated and then if they want to raise the salaries they will have to pay for all the raise. REP. SWYSGOOD asked if there would be any problem if we added following "appropriated" in the amendment "HB 2" and REP. KADAS said you would have to say "HB 2 and HB 514" also since there is pay plan money in both of those bills. Mrs. Cohea said it could be amended to say "HB 2 and any pay plan bill".

**Motion to Amend:** REP. SWYSGOOD moved to amend the amendment following the word "appropriated" insert "HB 2 and any pay plan bill." Second by Rep. Bradley.

**Vote:** Motion to amend passed 17 to 1 with Rep. Cobb voting no.

**Motion/Vote:** REP. KADAS moved HB 497 as amended, do pass. Second by Rep. Menahan. Motion passed 17 to 1 with Rep. Cobb voting no.

#### **EXECUTIVE ACTION ON 349**

Assist Non-Beneficiary Students Attending Tribal Colleges

**Motion:** REP. PECK moved HB 349 do pass. Second by Rep. Kadas.

**MOTION:** REP. PECK moved to amend HB 349 title and page 3, EXHIBIT 24. Second by Rep. Kadas.

**Discussion:** REP. PECK said this would provide the mechanism for money appropriated to be distributed by the Commissioner of Higher Education on the basis of the number of nonbeneficiary students enrolled in each tribal college. The bill itself did not have any mechanism in it.

**Vote:** Motion to amend passed unanimously.

**Motion to Amend/Vote:** REP. MENAHAN moved the appropriation be dropped to \$250,000. Second by Rep. Nisbet. Motion passed 17 to 1 with Rep. Cobb voting no.

**Motion:** REP. MENAHAN moved HB 349 as amended, do pass.

**Discussion:** REP. PECK was concerned that this is putting the state into a new area of 7 tribal colleges and we are not funding the units we have now.

REP. BRADLEY said she believed this was a recommendation that came out of the interim tribal study. It is difficult to say we should put dollars here while the other units are starving, but the tribes are covering the costs of the non-beneficiary students at the present time, and it was clear in the hearings that people are attending those units that would not have the ability to attend college at some other location. They are doing a tremendous favor to the state of Montana, and this small amount to help cover those costs would be a good gesture.

Vote: Motion failed 8 to 10, roll call vote # 18.

Motion/Vote: REP. PECK moved HB 349 be tabled. Second by Rep. Thoft. Motion passed, reverse vote of # 18.

#### EXECUTIVE ACTION ON HB 179

##### Appropriation for Maintenance of Veterans' Cemetery

Motion/Vote: REP. THOFT moved to reconsider tabling action on HB 179. Second by Rep. Nisbet. Motion passed 15 to 3 with Rep. Cobb, Cody and Kadas voting no.

MOTION: REP. THOFT moved to insert the numbers FY92 Personal Services \$15,806, Operating Expenses \$7,000. FY93 \$15,795 and Operating Expenses \$7,000 for a total of \$22,795. The total for FY92 is \$22,806. Second by Rep. Bardanoue.

Discussion: Mrs. Cohea asked if he wanted that to be line itemed as personal services and operating or just as an appropriation. REP. THOFT said just an appropriation. This would keep that cemetery operating and it is a good deal less than they asked for. Mrs. Cohea asked about the source of funding and REP. THOFT said it is all the same, so just do it general fund.

Motion, second part of above: REP. THOFT moved to amend HB 179 to remove the statutory appropriation. Second by Rep. Nisbet.

Vote: Motion on both amendments passed unanimously.

Motion/Vote: REP. THOFT moved HB 179 do pass as amended. Second by Rep. Grady. Motion passed 17 to 1 with Rep. Kadas voting no.

#### EXECUTIVE ACTION ON 376

##### Require a State Immunization Program to Prevent Disease Among Children

REP. BRADLEY said she had worked on amendments and decided this was not a good vehicle to do it. She thought REP. COBB might do some amendments on HB 2 on the floor where it will be easier to deal with the immunization program because that is where the block grant is.

**Motion/Vote:** REP. BRADLEY moved HB 376 be tabled. Second by Rep. Cobb. Motion passed unanimously.

**EXECUTIVE ACTION ON HB 365**

Fund MSU Applied Genetic Engineering Technology  
Research and Development

**Motion:** REP. SWYSGOOD moved to reconsider committee action on HB 365. Second by Rep. Nisbet.

**Discussion:** REP. SWYSGOOD said this was his potato bill and he would like to cut the money down. There is \$160,000 in it and he will cut it to \$60,000. That would allow them to buy the growth chambers to carry on with the work they have already started with money we had given them previously.

**Vote:** Motion passed 16 to 2 with Rep. Cody and Peterson voting no.

**Motion/Vote:** REP. SWYSGOOD moved to amend HB 365 to strike the \$160,000 and insert \$60,000. Second by Rep. Menahan. Motion passed 15 to 3 with Rep. Peck, Cody and Peterson voting no.

**Motion/Vote:** REP. SWYSGOOD moved HB 365, as amended, do pass. Second by Rep. Cobb. Motion passed 12 to 6 with Rep. Peck, Cody, Zook, Peterson, Kadas and Grinde voting no

**EXECUTIVE ACTION ON HB 125**

Appropriation For Director of American Indian/Minority  
Achievement

**Motion:** REP. BRADLEY moved to reconsider tabling action on HB 125. Second by Rep. Cody.

**Discussion:** REP. BRADLEY said this went down without much discussion and felt it was a good bill and needed the discussion. She would not move to take the dollar amount down because she felt it was needed. This has been an incredibly successful program in the Commissioner's office for a year and a half. The Tracks program was set up to find the minority students that fall through the education cracks and figure out how to get them into the best educational setting. The model was successful and received national recognition. If we drop it now it is just as the program is ready to follow through and solve some of the minority education problems.

REP. KADAS said the first and second "whereas's" 6% of the population are Native Americans--that drops to 3% when you talk about enrollment in post-secondary education, and drops to 1% when you talk about graduates. There are some serious problems and this bill would address them.

REP. PECK said we can't buy everything. There is a talent search program that goes out on an outreach program directed to kids primarily on the basis of economic circumstances.

REP. GRINDE said this is another wonderful program that would help a certain amount of students, but when is the university going to prioritize itself and take hold of its own problems.

REP. BRADLEY said these things pop up because we don't fund the formula.

REP. NISBET said the statement was made that this is a problem facing the university, and he felt this was a problem facing the Indian people of this state. If we are going to help these people better themselves and get the education they are entitled to, this is an appropriate way to help them.

Vote: Motion failed on a tie vote 9 to 9, roll call vote # 19.

#### EXECUTIVE ACTION ON HB 894

Tax Credit for Contribution to University System Foundation

Motion: REP. NISBET moved to reconsider committee action on HB 894. Second by Rep. Connelly.

Discussion: REP. NISBET said the only objection in 894 seemed to be the inclusion of the 3 private schools, and it would be his intention to eliminate those private schools. REP. PECK suggested this be put to the House floor. CHAIRMAN BARDANOUVE said no one knows what the cost will be since no one knows how many people would participate.

Vote: Motion failed 8 to 10, roll call vote # 20.

#### EXECUTIVE ACTION ON HB 704

Appropriation to Fund Apprenticeship Instruction  
Programs for 1992 and 1993

Motion: REP. KADAS moved to reconsider committee action on HB 704. Second by Rep. Johnson.

Discussion: REP. KADAS said killing this bill eliminates that apprenticeship program which is a good program and does not feel it should be killed. REP. COBB asked how it was killed, and asked where the funding is now. CHAIRMAN BARDANOUVE said it is Carl Perkins money and they can't use it any more.

Vote: Motion passed 17 to 1 with Rep. Cobb voting no.

Motion/Vote: REP. KADAS moved to amend the \$120,000 to \$110,000 in both years which would be out of interest and penalties. Second by Rep. Cody. Motion passed unanimously.

**Discussion:**

In answer to a question on further amendments Mrs. Cohea said the Cobb amendment failed but some amendments with the revenues in excess of the amount passed. This makes the money available but does not actually appropriate it.

REP. PECK said he felt the amendment needed to be corrected. That was his biggest objection to the whole bill. The word "appropriated" needs to be inserted for a phrase "as available" or some such thing.

**Motion/Vote:** REP. PECK moved to put the phrase "appropriated as available" be inserted in the bill. Wording to be worked out by LFA. Second by Rep. Johnson. Motion passed unanimously.

**Motion:** REP. KADAS moved HB 704 do pass as amended. Second by Rep. Connelly. Motion passed 15 to 3 with Rep. Swysgood, Cobb and Thoft voting no.

**EXECUTIVE ACTION ON HB 454**

Clarify and Codify Appropriation provisions

CHAIRMAN BARDANOUVE said in this bill what was boilerplate would become law.

**Motion:** REP. PECK moved HB 454 do pass. Second by Rep. Nisbet.

**Discussion:** REP. PECK said the first amendment deals with the Fire Service Training School now being attached to MSU. Parts 2 and 3 set the approval date for university system budgets to Oct 1. EXHIBIT 25

**Motion to Amend/Vote:** REP. PECK moved to amend HB 454 pages 10 and 12, EXHIBIT 25. Second by Rep. Nisbet. Motion passed unanimously.

**Motion to Amend/Vote:** REP. PECK moved to amend HB 454, page 15, EXHIBIT 26. Second by Rep. Nisbet. Motion passed unanimously.

**Motion to Amend:** REP. GRINDE moved to amend HB 454, page 3, EXHIBIT 27.

**Discussion:** REP. GRINDE said this amendment would give the OBPP the opportunity to look at the LFA budget prior to session. This should take the partisan politics issue out and if the OBPP had a chance to look at this the Legislature could be better informed ahead of time. It is not to be open to the public, it would be only the OBPP that sees the report. REP. PECK said he would respond as a member of the Finance Committee. He said first of all they went through a real problem with the media as to when something is confidential and when it is not. When you release something to any other office it is no longer considered

confidential. That would be his biggest concern about this. If this is released to the budget office it becomes a public document and the press will be on it immediately with every legislator being behind in terms of the information the press is kicking around about both the Governor's budget and the fiscal analysis of it. He thought it created a timeframe that is nearly impossible and perhaps Mrs. Cohea could respond to that. The confidential issue is basic and impossible. REP. GRINDE asked if there was some other way this could be done. He felt it would be fair for them to have a chance to view it. When you are writing the executive budget and walk in the same day as the legislators do with no chance to see the analysis ahead you don't know what is coming nor do you have a chance to defend yourself. REP. PECK said he appreciated what REP. GRINDE was saying and did not doubt the sincerity of it. He did not see any easy answer to it because of the confidentiality issue. He was sure other budget offices had suffered in the past with the same problem, and maybe we have to change the procedure within the finance committee so that the report is done one day and they don't ask for a response from the budget office until the next day, but agreed it was something that has to be worked on.

CHAIRMAN BARDANOUVE said recently they were almost involved in a lawsuit with the press. They threatened them on the transmittal of a report from the LFA to the Finance Committee members which occurred shortly before a committee meeting. They almost took them to court because the day they put it in the mail to the committee they expect to have it in their hands too.

REP. CODY said the last time the Governor gave out his budget she did not get it in Wolf Point until after it was already out in the press. She went to a meeting and was asked about the Governor's proposal on an issue and had to tell the people she had not even seen it. They must have had to release it to the press at the same time it was mailed to the legislators.

REP. BRADLEY said they have really been struggling with this and trying to create all kinds of policies where the agencies and anybody involved in analysis of some sort has advance copies to read what they are the subject of and have the opportunity to respond. This is an issue that should be focused on and try to figure out a legal way to impart the information.

REP. GRINDE said he would withdraw the motion, but hoped something could be worked out. He did not like the remarks made about the LFA and the OBPP the first week or so and said it certainly did not help the legislative system.

Motion to amend by REP. GRINDE was withdrawn.

REP. COBB said there were some technical amendments that were not ready and he would do them on the floor. There would be another amendment since the reversions at the University are not too great we are trying to work out a system so that at the end of

the fiscal year instead of a rapid spending to use up the money, they could set up a fund to buy equipment. This would encourage good management so they did not just dump the money at the end of the fiscal year to keep from making a reversion.

**Motion/Vote:** REP. COBB moved HB 454 do pass as amended. Second by Rep. Kadas. Motion passed unanimously.

REP. BRADLEY said the committee has not taken action on HB 528. REP. BARDANOUVE said it is too late and that bill would be heard tomorrow. REP. THOFT said the Dept. was here all morning and he had told them they could leave since it was too late in the day to take action on the bill.


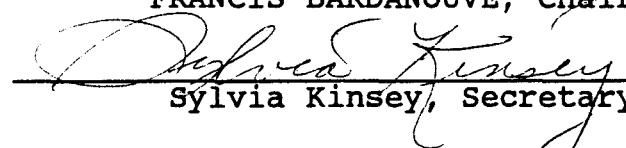
REP. GRINDE said he would ask REP. BRADLEY the status of her bill and REP. HARPER's bill as far as the infrastructure goes. REP. BRADLEY said the loan programs have been put into REP. HARPER's bill and the grants program have been put in her bill and both passed out of committee. REP. GRINDE said then there would be no attempt to put the three bills together to look at. REP. BRADLEY said the subcommittee worked on it, and they considered the two bills. They did not consider the third bill which was half here and half in the Senate they did not have it properly before them.

CHAIRMAN BARDANOUVE asked if it was possible to meet Monday on adjournment since there are some bills to act on as well as bills to hear. Some bills had been referred to the committee today plus some unfinished bills. REP. KADAS asked if the rules had been suspended for appropriations bills so that if we don't act upon them until Monday night they won't be read across the rostrum until Tuesday and will have a difficult time meeting 3rd reading on Thursday. REP. GRINDE said the last he heard there was some agreement made to suspend the rules. He had not talked to REP. MERCER but did not feel there would be a major problem.

CHAIRMAN BARDANOUVE said the committee would meet on adjournment Monday.

#### ADJOURNMENT

Adjournment: 8:42 p.m.

  
FRANCIS BARDANOUVE, Chair  
  
Sylvia Kinsey, Secretary

FB/sk



## HOUSE OF REPRESENTATIVES

## APPROPRIATIONS COMMITTEE

ROLL CALL

DATE

3-23-91


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 23, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that  
House Bill 498 (first reading copy -- white) do pass.

Signed:   
Francis Bardanouve, Chairman

HOUSE STANDING COMMITTEE REPORT

March 25, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 508 (first reading copy -- white) do pass as amended

Signed: Francis Bardonoue

Francis Bardonoue, Chairman

And, that such amendments read:

1. Page 3, line 24.

Following: "from the"

Strike: "general fund"

Insert: "state special revenue account 02429"

2. Page 8, line 25.

Following: "1993,"

Strike: "\$50,800"


Insert: "the balance remaining in that account on June 30, 1991,"

HOUSE STANDING COMMITTEE REPORT

March 25, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 520 (second reading copy -- yellow) do pass as amended .

Signed:   
Francis Bardanoue, Chairman

And, that such amendments read:

1. Page 2, line 2.

Strike: "\$4.50"

Insert: "\$3.50"

2. Page 2, line 3.

Strike: "\$5.50"

Insert: "\$4"

Strike: "\$11.50"


Insert: "\$8"

HOUSE STANDING COMMITTEE REPORT

March 23, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that  
House Bill 544 (first reading copy -- white) do pass .

Signed:   
Francis Bardanouve, Chairman

HOUSE STANDING COMMITTEE REPORT

March 23, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that  
House Bill 560 (second reading copy -- yellow) do pass .

Signed: Francis Bardanouve, Chairman

HOUSE STANDING COMMITTEE REPORT

March 25, 1991

Page 1 of 2

Mr. Speaker: We, the committee on Appropriations report that House Bill 569 (second reading copy -- yellow) do pass as amended.

Signed: \_\_\_\_\_  
Francis Bardonouve, Chairman

And, that such amendments read:

1. Page 1, line 3.

Following: line 7

Insert: "

STATEMENT OF INTENT

It is the intent of the legislature that the department of family services in conjunction with the department of administration, information services division, plan, design, develop, and implement a management information system for the department of family services. This includes the importation of compatible automated systems successfully installed and operating in other state or public jurisdictions, when possible, if such importation is determined by information services division and department of family services to be feasible and cost-effective.

Additionally, it is the intent of the legislature that the appropriation in this bill be utilized only for the purpose of planning, designing, developing, and implementing the management information system including software and hardware acquisition. It is understood that the department of family services will access and maximize use of any current and forthcoming federal funds available for this project. The department of family services will provide ongoing progress reports to the legislative finance committee regarding the management information system."

2. Page 1, lines 10 through 13.

Following: "Appropriation."

Strike: remainder of section

Insert: "Upon final determination of all general fund money in the department's unreconciled special revenue fund balance and the deposit of these funds in the general fund, the

lesser of: 1) \$627,376; or 2) the amount available from the balance after funding \$438,795 in fiscal 1992 and \$485,182 in fiscal 1993 appropriated to the department of social and rehabilitation services from the TEAMS project is appropriated from the general fund to the department of family services for the purchase and development of a management information system and may not be used for other purposes. In addition, there is appropriated the following for this purpose:

Fiscal year 1992	\$67,000 from the federal state revenue fund
Fiscal year 1993	\$67,000 from the federal state revenue fund"



HOUSE STANDING COMMITTEE REPORT

March 25, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 524 (second reading copy -- yellow) do pass as amended .

Signed: Francis P. S. [Signature]  
Francis P. S. [Signature], Chairman

And, that such amendments read:

1. Page 3, lines 14 through 16.

Following: "[section 4]"

Strike: "carries the highest priority of any programs that may be funded from stripper well payments."

Insert: "is to be funded after the low-income leaking underground home heating oil tank replacement program appropriation in [section 10 of House Bill 10] and before the institutional conservation program appropriation in [section 11 of House Bill No. 10]."

2. Page 3, lines 24 and 25.

Following: "904]"

Strike: "have lower priority than the appropriation of stripper well payments in [section 4]"

Insert: "are prioritized as stated in those bills, respectively, and in this section"

HOUSE STANDING COMMITTEE REPORT

March 25, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 645 (first reading copy -- white) do pass as amended.

Signed: Francis Bardanoue  
Francis Bardanoue, Chairman

And, that such amendments read:

1. Title, lines 4 and 5.

Strike: "APPROPRIATING" on line 4 through "GRANTS" on line 5

Insert: "PROVIDING FOR LONG-TERM LOANS"

2. Page 1, line 11.

Strike: "Appropriation"

Insert: "Long-term loans"

3. Page 1, lines 11 through 14.

Strike: "(1)" on line 11 through "school" on line 14

Insert: "School"

4. Page 1, line 16.

Following: "use"

Insert: "may apply for long-term loans for use in replacing school property under the provisions of Title 17, chapter 5, part 16"

5. Page 1, line 17 through 21.

Strike: subsection (2) in its entirety

HOUSE STANDING COMMITTEE REPORT

March 25, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 684 (first reading copy -- white) do pass as amended.

Signed: Francis Sardanoue  
Francis Sardanoue, Chairman

And, that such amendments read:

1. Title, lines 4 through 7.

Following: second "ACT" on line 4

Strike: remainder of line 4 through "CENTER;" on line 7

Insert: "PROVIDING AN APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO MAKE A LOAN TO THE MHD-CORETTE PROJECT; PROVIDING FOR MATCHING REQUIREMENTS; DESIGNATING THE PURPOSE FOR WHICH THE LOAN MUST BE USED; PROVIDING FOR LOAN REPAYMENT;"

2. Page 1, line 11 through page 2, line 10.

Following: "(1)"

Strike: remainder of line 11 through page 2, line 10 in their entirety

Insert: "There is appropriated \$250,000 from the local impact account to the department of natural resources and conservation to be used by June 30, 1993, for the loan described in subsection (2).

(2) A loan of \$250,000 to the MHD-Corette project is approved at an interest rate of 12% compounded annually. The loan must be matched on a 1-to-1 basis from nonstate appropriated sources, used for developing the project's application to receive clean coal technology program funding from the U.S. department of energy, and repaid to the state special revenue fund for state equalization aid to public schools from revenue the project's owner derives from the sale or licensing of the MHD technology or from the sale, lease, or licensing of the project. The total debt of the project related to this loan may not exceed 2 1/2 times the loan amount."

HOUSE STANDING COMMITTEE REPORT

March 25, 1991

Page 1 of 2

Mr. Speaker: We, the committee on Appropriations report that House Bill 692 (first reading copy -- white) do pass as amended.

Signed: Francis Bardanoue  
Francis Bardanoue, Chairman

And, that such amendments read:

1. Title, line 16.

Following: "DATE"

Insert: ", A TERMINATION DATE,"

2. Page 5, line 21.

Following: "in the"

Strike: "special revenue"

Insert: "restricted subfund of the current"

3. Page 9, line 21 through line 22.

Following: "shall"

Strike: remainder of line 21 through line 22 in its entirety

4. Page 9, line 23.

Following: "deposit the"

Strike: "balance of the"

5. Page 11, line 9.

Following: "shall"

Strike: remainder of line 9 and line 10 in its entirety

6. Page 11, line 11.

Strike: "37-7-324 and shall"

Following: "deposit the"

Strike: "balance of the"

7. Page 12, line 7.

Following: "and"

Strike: "stores"

Insert: "wholesalers"

Following: "drugs"

Insert: "to unlicensed retailers"

8. Page 12, lines 8 through 10.

Strike: lines 8, 9, and 10 in their entirety

Insert: "A manufacturer licensed under [section 9] or a wholesaler licensed under [Senate Bill 135 or section 10] may not sell an over-the-counter drug to a retailer who is not licensed by the board as a pharmacy or an over-the-counter store. The board may suspend or revoke, subject to the opportunity for a contested case hearing, the license of any manufacturer or wholesaler that it finds has sold one or more over-the-counter drugs to an unlicensed retailer."

9. Page 13, lines 11 through page 14, line 10.

Strike: section 15 in its entirety

Renumber: subsequent sections

10. Page 14, line 17.

Strike: "Conditional"

Insert: "Termination--conditional"

11. Page 14, line 20.

Following: "Montana"


Insert: "or July 1, 1993, whichever occurs first"

HOUSE STANDING COMMITTEE REPORT

March 25, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 777 (first reading copy -- white) do pass as amended .

Signed:   
Francis Bardanouve, Chairman

And, that such amendments read:

1. Page 2, line 15.

Following: "conservation"

Strike: "\$550,000"

Insert: "\$400,000"

HOUSE STANDING COMMITTEE REPORT

7:45 AM  
3/25/91  
LNC  
March 23, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that  
House Bill 786 (first reading copy -- white) do pass .

Signed:   
Francis Bardanouve, Chairman

HOUSE STANDING COMMITTEE REPORT

3:40 PM  
3:25 PM  
m

March 25, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 696 (second reading copy -- yellow) do pass as amended .

Signed:   
Francis Bardanoue, Chairman

And, that such amendments read:

1. Title, lines 5 and 6.

Following: "YEARS;"

Strike: "INCREASING" on 5 through ";" on line 6

2. Title, lines 8 and 9.

Following: "SCIENCES;"

Strike: "AMENDING" on line 8 through "MCA;" on line 9

3. Page 1, line 15 through page 2, line 2.

Strike: section 1 in its entirety

Renumber: subsequent sections

4. Page 2, line 5.

Following: "sciences"

Strike: "\$1,145,678"

Insert: "\$687,407"

5. Page 2, line 14.

Strike: "1, 2, and 3(1)"

Insert: "1 and 2(1)"

6. Page 2, line 15.

Strike: "3(2)"

Insert: "2(2)"



3:40 PM  
3/25/91  
mf

HOUSE STANDING COMMITTEE REPORT

March 25, 1991

Page 1 of 2

Mr. Speaker: We, the committee on Appropriations report that House Bill 728 (second reading copy -- yellow) do pass as amended.

Signed:   
Francis Bardachew, Chairman

And, that such amendments read:

1. Title, line 12.  
Following: "MANDATING"  
Insert: "THAT A PLAN BE SUBMITTED TO THE 1993 LEGISLATURE FOR"
2. Title, line 14.  
Strike: "AND" through "INSTRUCTION"
3. Page 5, line 12.  
Following: "nutritionist."  
Insert: "The appointment of the public health nutritionist may not be required unless funding for the position is available."
4. Page 5, line 22.  
Following: "counties."  
Strike: remainder of line 22, through page 6, line 1.  
Insert: "The department shall provide the 1993 legislature with a plan to provide the services of the women, infants, and children (WIC) food supplement program to counties that are currently not served by the program."
5. Page 6, line 2.  
Following: "Appropriations."  
Strike: Subsection (1) in its entirety  
Renumber: subsequent subsections
6. Page 6, line 7.  
Following: "from the"  
Strike: "general"  
Insert: "federal special revenue"

March 25, 1991  
Page 2 of 2

7. Page 6, line 8.  
Following: "sciences"  
Strike: "\$115,075"  
Insert: "\$67,075"

8. Page 6, line 10.  
Following: "1992,"  
Strike: "to fund the expansion of the WIC program and"

10:00

3-25-91

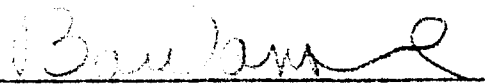
JDB

HOUSE STANDING COMMITTEE REPORT

March 25, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that  
House Bill 760 (second reading copy -- yellow) do pass.

Signed:   
Francis Bardanouve, Chairman

10.00  
3-25-91  
JDB

HOUSE STANDING COMMITTEE REPORT

March 25, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that  
House Bill 830 (second reading copy -- yellow) do pass .

Signed: Francis Bardanouve

Francis Bardanouve, Chairman

10:00

3-25-91

JDP

HOUSE STANDING COMMITTEE REPORT

March 25, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that  
House Bill 841 (second reading copy -- yellow) do pass.

Signed: Francis Bardanouve

Francis Bardanouve, Chairman

HOUSE STANDING COMMITTEE REPORT

March 25, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 842 (second reading copy -- yellow) do pass as amended.

Signed:

  
Francis Bardanoue, Chairman

And, that such amendments read:

1. Page 2, line 3.

Following: "for the"

Strike: "project"

Insert: "facility"

HOUSE STANDING COMMITTEE REPORT

3:20 PM  
3-25-91  
LMO

March 25, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 876 (second reading copy -- yellow) do pass as amended .

Signed: Francis Bardanoue, Chairman

And, that such amendments read:

1. Title, line 12.  
Following: "EXCEED"  
Strike: "185"  
Insert: "133"

2. Title, line 14.  
Following: "WOMEN;"  
Insert: "TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES,"

3. Page 11, line 12.  
Following: "exceed"  
Strike: "1858"  
Insert: "1338"

4. Page 11, line 20.  
Following: line 19  
Insert: "NEW SECTION. Section 6. Appropriation. There is appropriated to the department of health and environmental sciences \$14,000 from the general fund for the biennium ending June 30, 1993, for the purpose of implementing [this act]."  
Renumber: subsequent sections


HOUSE STANDING COMMITTEE REPORT

3:20 PM  
3:25 PM  
JMD

March 25, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 906 (second reading copy -- yellow) do pass as amended.

Signed:   
Francis Bardanoue, Chairman

And, that such amendments read:

1. Title, line 8.

Following: "SYSTEM,"

Strike: "PROVIDING AN APPROPRIATION;"

2. Page 1, line 24.

Following: "service"

Strike: ", "

Insert: "and"

3. Page 1, line 25.

Following: "industry"

Strike: ", and the state"

4. Page 2, line 2.

Following: "program."

Strike: "Accordingly, the legislature in [section 4] has appropriated \$121,000 for the biennium and the"

Insert: "The"

5. Page 5, line 19.

Following: "the"

Strike: "state special revenue"

Insert: "current restricted"

6. Page 6, line 23.

Following: line 22

Strike: section 4 in its entirety

Renumber: subsequent sections



HOUSE STANDING COMMITTEE REPORT

March 25, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 934 (second reading copy -- yellow) do pass as amended .

Signed:   
Francis Bardanoue, Chairman

And, that such amendments read:

1. Page 1, lines 7 and 8.

Following: "COMMISSION;"

Strike: "CREATING THE 21ST JUDICIAL DISTRICT; AMENDING SECTION 3-5-101, MCA;"

2. Page 1, line 8.

Following: "PROVIDING"

Insert: "AN"

Following: "EFFECTIVE"

Strike: "DATES"

Insert: "DATE"

3. Page 3, line 8.

Following: line 7

Strike: section 3 in its entirety

Renumber: subsequent sections

4. Page 4, lines 20 through 22.

Following: "Effective"

Strike: "dates. (1) [Sections 1, 2, and this section] are"

Insert: "date. [This act] is"

Strike: line 22 in its entirety

5. Page 4, line 23.

Following: line 22

Strike: section 5 in its entirety

HOUSE STANDING COMMITTEE REPORT

March 27, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 937 (second reading copy -- yellow) do pass as amended .

Signed: \_\_\_\_\_  
Francis Bardanouve, Chairman

And, that such amendments read:

1. Title, line 13.

Following: "~~CHILDREN,~~"

Strike: "PROVIDING AN APPROPRIATION,"

2. Page 2, line 4 through line 16.

Following: line 3

Strike: section 2 in its entirety

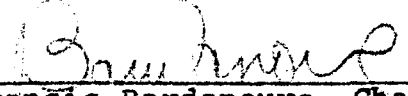
Renumber: subsequent section

HOUSE STANDING COMMITTEE REPORT

March 25, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 964 (first reading copy -- white) do pass as amended

Signed: 

Francis Bardonouye, Chairman

And, that such amendments read:

1. Page 10, line 16.

Following: "environment."


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

HOUSE STANDING COMMITTEE REPORT

March 25, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 968 (second reading copy -- yellow) do pass as amended.

Signed: 

Francis Bardanoue, Chairman

And, that such amendments read:

1. Title, line 19.

Strike: "PROVIDING FOR AN APPROPRIATION;"

2. Page 8, lines 9 through 14.

Strike: section 7 in its entirety

Renumber: subsequent section

10:00  
3-25-91  
JDB

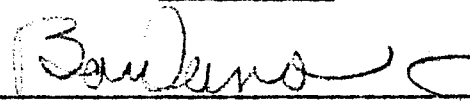
HOUSE STANDING COMMITTEE REPORT

March 25, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that  
House Bill 977 (first reading copy -- white) do pass.

Signed:

  
Francis Bardanouve, Chairman

HOUSE STANDING COMMITTEE REPORT

5-2-91  
3-25-91  
me  
March 25, 1991

Page 1 of 2

Mr. Speaker: We, the committee on Appropriations report that House Bill 990 (first reading copy -- white) do pass as amended.

Signed: Francis Bardanouve, Chairman

And, that such amendments read:

1. Title,, lines 5 and 6.  
Strike: "MILLION" on line 5 through "PERMANENT" on line 6  
Insert: "FROM THE GENERAL"
2. Title, line 9.  
Strike: "AMENDING SECTION 17-5-704, MCA;"
3. Page 1, lines 14 and 15.  
Strike: "income" on line 14 through "permanent" on line 15  
Insert: "general"
4. Page 1, line 15.  
Following: "\$1"  
Strike: "million"
5. Page 1, line 19.  
Following: "on"  
Strike: "at least"  
Following: "an"  
Strike: "8.4-to-1"  
Insert: "8-to-1"
6. Page 1, line 20.  
Following: "appropriation"  
Insert: "to add another tourism destination attraction in Montana"
7. Page 2, lines 1 and 2.  
Following: "shall" on line 1  
Strike: "use"  
Insert: "distribute"  
Following: "money" on line 1

March 25, 1991  
Page 2 of 2

Strike: remainder of line 1 through "funds" on line 2  
Following: "planning,"  
Insert: "design, and all phases of"

8. Page 2, lines 3 through 5.  
Following: line 2  
Strike: line 3 through "development" on line 5

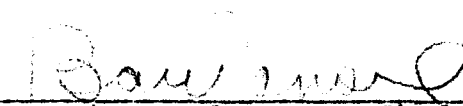
9. Page 2, lines 7 through 20.  
Strike: section 3 in its entirety  
Renumber: subsequent section

HOUSE STANDING COMMITTEE REPORT

March 25, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 497 (second reading copy -- yellow) do pass as amended .

Signed:   
Francis Bardanouve, Chairman

And, that such amendments read:

1. Page 9, line 24.

Following: line 23

Insert: "NEW SECTION. Section 4. Payment of county assessor salary. The amount of county assessors' salaries to be paid by the state for fiscal 1992 and fiscal 1993 is limited to the amount of money appropriated in [this act] and any pay plan bill that is enacted for that purpose."

Renumber: subsequent section



HOUSE STANDING COMMITTEE REPORT

March 25, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 179 (first reading copy -- white) do pass as amended.

Signed: Bardanoue  
Francis Bardanoue, Chairman

And, that such amendments read:

1. Title, lines 4 and 5.

Strike: "MAKING A STATUTORY APPROPRIATION OF REVENUE FROM THE  
STATE LOTTERY"

Insert: "APPROPRIATING FUNDS"

2. Title, line 7.

Following: "CEMETERY;"

Strike: "AMENDING SECTION 23-5-1027, MCA;"

3. Page 1, line 11 through page 2, line 14.

Strike: section 1 in its entirety

Insert: "NEW SECTION. Section 1. Appropriation. There is  
appropriated the following amounts from the general fund to  
the department of military affairs for the upgrading and  
maintenance of the state veterans' cemetery:

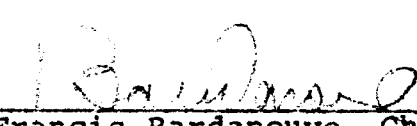
Fiscal year 1992	\$22,806
Fiscal year 1993	22,795"

HOUSE STANDING COMMITTEE REPORT

March 25, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that  
House Bill 365 (first reading copy -- white) do pass as amended

Signed: 

Francis Bardonou, Chairman

And, that such amendments read:

1. Page 1, line 12.

Following: "fund"

Strike: "\$160,000"

Insert: "\$60,000"

HOUSE STANDING COMMITTEE REPORT

March 25, 1991

Page 1 of 2

Mr. Speaker: We, the committee on Appropriations report that House Bill 704 (first reading copy -- white) do pass as amended.

Signed: Francis B. Bardanoue  
Francis Bardanoue, Chairman

And, that such amendments read:

1. Page 1, line 7.  
Following: "PROGRAMS"  
Insert: "AND DETECTION AND COLLECTION OF UNPAID CONTRIBUTIONS"
2. Page 1, line 12.  
Following: "Appropriation."  
Insert: "(1)"
3. Page 1, line 17.  
Following: "1992"  
Strike: "\$120,000"  
Insert: "\$110,000"
4. Page 1, line 18.  
Following: "1993"  
Strike: "\$120,000"  
Insert: "\$110,000"
5. Page 1  
Following: line 18  
Insert: "(2) Revenue in excess of the amount appropriated for apprenticeship instruction programs is appropriated for use by the department to detect and collect unpaid contributions and overpayments of benefits to the extent that federal grant revenues are inadequate for the department's collection efforts."
6. Page 2, line 16.  
Following: "chapter"  
Strike: "and"  
Insert: ", "

March 25, 1991  
Page 2 of 2

7. Page 2, line 19.

Following: "39-6-103"

Insert: ", and to detect and collect unpaid contributions and  
overpayments of benefits"

*Original*

HOUSE STANDING COMMITTEE REPORT

March 25, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 454 (first reading copy -- white) do pass as amended.

Signed:   
Francis Bardanoue, Chairman

And, that such amendments read:

1. Page 10, line 19.

Following: "Butte,"

Insert: "the fire services training school at Great Falls,"

2. Page 12, line 18.

Following: "5%."

Strike: "The"

Insert: "Except as provided in subsection (2), the"

3. Page 12, line 24.

Following: line 23

Insert: "(2) The expenditure of money appropriated in the general appropriations act to the university system units, as defined in [section 5], is contingent upon approval of an operating budget by October 1 of each fiscal year. All other requirements in this section apply to the university system."

Renumber: subsequent subsections

4. Page 15, line 20 through page 16, line 7.

Strike: section 14 in its entirety

Renumber: subsequent sections

5. Page 22, lines 14 through 17.

Strike: subsection (4) in its entirety

EXHIBIT  
DATE 3-23-94  
HB UI ADMIN TAX

**PURPOSE**

This report examines the Unemployment Insurance Trust Fund (UI trust fund) and the projected impact of current legislation and economic conditions on the employer contribution rate. It also: 1) presents options for using the Unemployment Insurance Administrative Tax (UI admin tax) to reduce the employer contribution rate; and 2) relates concerns raised by the Office of the Legislative Auditor concerning current use of the UI admin tax.

## UI TRUST FUND

The UI trust is a fund from which unemployment insurance benefits are paid to eligible persons. Revenue to the trust includes: 1) employer contributions; 2) interest on the fund; 3) federal government contributions; and 4) reimbursements from non-profit employers and other states. In addition, by law the unappropriated balance of UI admin tax and UI penalty and interest funds are to be deposited to the fund. The following table shows revenues to and disbursements from the UI trust fund in fiscal 1988, 1989, and 1990.

TABLE 1  
UI Trust Fund Revenue & Expenditures

	FY 1988	FY 1989	FY 1990
Beginning Balance	\$31,312,875	\$47,163,049	\$64,200,554
<b>REVENUE</b>			
Employer Contributions	49,885,021	47,176,245	42,958,229
Penalty & Interest	358,347	296,220	320,797
Interest Earned	3,392,571	4,800,337	6,439,414
Reimbursements--Other States	2,024,131	1,670,663	1,120,664
Reimbursements--Fed Govt	2,755,556	3,293,678	3,180,000
Reimbursements--Non Profit Emp	401,169	427,667	436,901
UI Admin Tax	1,269,657	-0-	-0-
<b>Total Available</b>	<b>\$91,399,327</b>	<b>\$104,827,859</b>	<b>\$118,656,559</b>
<b>EXPENDITURES</b>			
Benefits--Regular	\$38,996,211	\$35,489,524	\$35,141,447
Benefits--Non Profit Emp	408,980	421,459	438,564
Benefits--Federal	2,745,789	3,452,602	3,355,255
Benefits--Other States	1,682,734	898,028	1,463,417
Penalty & Interest	372,563	298,690	325,234
Read Act (Fed FUTA Overflow)	30,000	67,000	0
<b>Total Expenditures</b>	<b>\$44,236,277</b>	<b>\$40,627,303</b>	<b>\$40,723,917</b>
<b>ENDING BALANCE</b>	<b>\$47,163,050</b>	<b>\$64,200,556</b>	<b>\$77,932,642</b>

As shown, employer contributions provide the majority of funding, and no UI admin tax has been deposited since fiscal 1988.

### Schedule of Employer Contributions

Employer contributions are determined via a rate applied to all taxable wages. The rate is based upon a schedule established in statute. The schedule in effect is dependent upon the ratio of the projected trust fund balance at calendar year end to the projected total wages in covered employment during the same period, and ranges from 1.4 percent of taxable wages (schedule 1) to 3.2 percent (schedule 10).

The following table shows the amount required in the trust fund balance at the end of each year to maintain the first three contribution schedules in the following calendar year. In other words, if schedule 1 is to be maintained in calendar year 1992, the trust fund balance must equal at least \$91,500,000 at the end of calendar year 1991.

TABLE 2 UI Trust Fund Balanced Needed for Each Schedule			
	1991	1992	1993
Schedule 1 (1.4%)	\$91,500,000	\$93,200,000	\$95,200,000
Schedule 2 (1.6%)	86,200,000	87,800,000	89,700,000
Schedule 3 (1.8%)	79,200,000	80,700,000	82,500,000

Based upon average taxable wages per employer of \$84,700 in federal fiscal year 1990, the average tax increase to an employer due to a change in schedule is approximately \$170.00 per year.

#### Current Condition of the Trust Fund Balance and Employer Contribution Schedules

The following table shows projected UI trust fund balances at the end of each calendar year as of January 1, 1991 under current conditions, and the projected employer contribution schedule. Because the projected fund balance at the end of calendar year 1991 is projected to be less than \$91,500,000, schedule 2 is projected for calendar year 1992. Because the ending fund balance in calendar 1992 is projected to be over \$93,200,000, the calendar 1993 rate would return to schedule 1.

TABLE 3 Current Condition Projections			
	1991	1992	1993
Trust Fund Balance* (calendar year end)	\$89,700,000	\$93,300,000	\$95,400,000
Schedule in Effect	1	2	1
*Includes the projected impact of recent timber and mining industry layoffs.			

#### Impact of Legislative Action & Extended Benefits on Current Condition Projections

Table 4 shows the impact to the trust balance and employer contribution schedules due to legislation currently before the legislature (House Bills 68, 141, 256, 600, 726, and 729). In addition, the department anticipates that extended unemployment benefits will be in effect beginning April 1, 1991, due to the high unemployment rate during the 13 weeks prior to April 1.

Ex. 1  
3-23-91  
UI Admin Tax

Therefore, the table includes the impact of both the legislation and the extended benefit payments.

<b>TABLE 4</b> <b>Net Impact of Legislation and Extended Benefits on Current Condition Projections</b>			
	1991	1992	1993
Current Condition Ending Fund Balance	\$89,700,000	\$93,300,000	\$95,400,000
Net Legislation & Extended Benefit Impact	<u>(3,800,000)</u>	<u>(5,000,000)</u>	<u>(5,500,000)</u>
Revised Calendar Year Ending Balance after Impact of Leg. and EB	<u>85,900,000</u>	<u>88,300,000</u>	<u>89,900,000</u>
Schedule in Effect During the Year	1	3	2

As shown, the net impact of legislation and extended benefits in the 1993 biennium is to raise employer schedules over the current condition projections.

#### Reducing Employer Contribution Schedules

The following table shows the amount of additional funds needed in the trust at calendar year end 1991 and 1992 to maintain employer contributions at schedules 1 and 2 during the 1993 biennium.

<b>TABLE 5</b> <b>Additional Funds Needed to Maintain Schedule 1 or Schedule 2</b>		
	1991	1992
Schedule 1	\$5,600,000	\$6,600,000
Schedule 2	300,000	3,100,000

#### UI Administrative Tax

As shown in Table 1, no UI admin tax has been deposited to the trust fund since fiscal 1988. The legislature could use this source of funds to reduce the employer contribution schedules in the 1993 biennium. Table 6 shows revenues to and disbursements from the UI admin tax account since fiscal 1990 and legislative appropriations in the 1993 biennium.



**TABLE 6**  
**UI Admin Tax--Revenue & Disbursements**

	Actual FY90	Budgeted FY91	Legislature FY92	Legislature FY 93
Beginning Balance	\$4,567,273	\$5,585,547	\$6,290,090	\$1,605,333
Revenue	2,649,424	2,795,173	2,873,500	2,951,455
Interest	246,079	446,844	503,207	440,299
<b>TOTAL AVAILABLE</b>	<b>\$7,462,776</b>	<b>\$8,827,564</b>	<b>\$9,666,797</b>	<b>\$4,997,087</b>
<b>Expenditures</b>				
Agency Administration**	\$1,528,496	\$1,824,722	\$2,265,380	\$2,638,216
Dislocated Workers		359,806		
Displaced Homemakers	216,000	216,760	216,000	216,000
New Horizons Day Care	106,725	109,091		
Project Work			286,145	286,145
Jobs for Montana's Graduates			126,517	124,485
New Horizons	26,008	27,095		
JTPA Shortfall			1,267,759	1,732,241
Job Service Reserve			3,899,663	
<b>TOTAL EXPENDITURES</b>	<b>\$1,877,229</b>	<b>\$2,537,474</b>	<b>\$8,061,464</b>	<b>\$4,997,087</b>
Transfers to UI Trust	0	0	0	0
<b>BALANCE</b>	<b>\$5,585,547</b>	<b>\$6,290,090</b>	<b>\$1,605,333</b>	<b>\$ 0</b>

\*\*Does not include pay plan

Four options for using UI admin tax to reduce employee contribution schedules in the 1993 biennium are presented for consideration:

Option #1--Appropriate no UI Admin Tax in the 1993 biennium and transfer all available funds to the trust. This option would eliminate funding for: 1) agency administrative costs currently supported with UI Admin Tax; 2) job training programs; and 3) the job service reserve fund established through language in HB 2.

Option #2--Maintain UI Admin Tax funding for agency administrative costs and transfer all remaining funds to the trust. This option would eliminate the job service reserve established in HB 2 and funding for job training programs.

Option #3--Maintain UI Admin Tax funding for agency administration and job training programs and transfer all unappropriated funds to the trust. This option would eliminate the job service reserve established in HB 2.

Option #4--Use UI Admin Tax to establish a \$3 million job service reserve, fund agency administration, and maintain funding for the Displaced Homemaker job training program, which was funded in the 1991 biennium. Transfer remaining UI Admin Tax funds to the trust. This option would eliminate funding for the: 1) Jobs for Montana's Graduates program; 2) Project Work Program; 2) JTPA shortfall; and 4) job service reserve established in HB 2.

**TABLE 7**  
**Impact of Each Option on Employee Contribution Schedules**

----- Schedule 1 -----				
	Option #1	Option #2	Option #3	Option #4
Amount Needed in Trust	12,200,000	12,200,000	12,200,000	12,200,000
Transferred to Trust	13,058,551	8,154,955	3,899,663	4,722,955
Amount Transferred in Excess of Schedule 1	858,551	(4,045,045)	(8,300,337)	(7,477,045)

----- Schedule 2 -----				
	Option #1	Option #2	Option #3	Option #4
Amount Needed in Trust	3,400,000	3,400,000	3,400,000	3,400,000
Transferred To Trust	13,058,551	8,154,955	3,899,663	4,722,955
Amount Transferred in Excess of Schedule 2	9,658,551	4,754,955	499,663	1,322,955

The table shows that the entire fund balance and anticipated income to the UI admin tax account would have to be transferred to the trust fund to maintain contributions at schedule 1. The table also shows that contributions could be maintained at schedule 2 using any of the options presented.

#### Concerns Regarding Use of UI Admin Tax Funds

The legislative auditor has raised the following concerns regarding use of UI admin tax funds in the Department of Labor & Industry:

1. Under existing statutes, UI admin tax moneys that are not appropriated should be transferred to the UI trust fund. Because the date of transfer is not specified, the department has not transferred UI Admin Tax moneys not appropriated since January, 1988.
2. UI admin tax moneys are restricted by statute to administrative uses. Non-administrative direct benefit payments or appropriations (including provision of training services) violate this provision of the law.
3. The legislature should consider the adequacy of the UI trust fund reserves in the decision as to how to use UI admin tax moneys.

Amendments to House Bill No. 520  
Second Reading Copy

Requested by Representative Grinde  
For House Appropriations Committee

Prepared by Lois Steinbeck  
March 22, 1991

1. Page 2, line 2.

Strike: "\$4.50"

Insert: "\$3.50"

EXHIBIT 2  
DATE 3-23-91  
HB 520

2. Page 2, line 3.

Strike: "\$5.50"

Insert: "\$4."

Strike: "\$11.50"

Insert: "\$8."

This amendment increases reimbursement for breakfast and lunch for persons in state service who travel within the state. The allowance for breakfast is raised from \$3.00 to \$3.50 and reimbursement for lunch is raised from \$3.50 to \$4.00. The allowance for dinner remains at the current rate.

March 22, 1991

EXHIBIT 3  
DATE 3-23-91  
HB 569

Suggested Language for amendment to HB 569.

Section I. Intent

It is the intent of the legislature that the Department of Family Services in conjunction with the Department of Administration, Information Services Division, plan, design, develop, and implement a management information system for the Department of Family Services. This includes the importation of compatible automated systems successfully installed and operating in other state or public jurisdictions, when possible, if such importation is determined by ISD and DFS to be feasible and cost effective.

Additionally, it is the intent that the appropriation in this bill be utilized only for the purpose of planning, designing, developing, and implementing the management information system including software and hardware acquisition. It is understood that the Department of Family Services will access and maximize use of any current and forthcoming federal funds available for this project. The Department of Family Services will provide ongoing progress reports to the Legislative Finance Committee regarding the DFS management information system.

To the extent possible, it is appropriated from the SRS Special Revenue Fund unreconciled balance the lesser of \$627,376 or the amount available after reconciliation and reduction by the \$923,977 appropriated for the TEAMS project.

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Josh

Aye  
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(4)

AMEND HOUSE BILL 524, THIRD READING

House Appropriations Committee  
March 23, 1991

EXHIBIT 4  
DATE 3-23-91  
HR 524

1. Page 3, lines 14 through 16.

Following: "[section 4]"

Strike: "carries the highest priority of any program that may be funded from stripper well payments."

Insert: "is to be funded after the low-income leaking home heating oil tank replacement appropriation in House Bill No. 10 [section 10] and before the institutional conservation program appropriation in House Bill No. 10 [section 11]."

2. Page 3, lines 24 and 25.

Following: "904]"

Strike: "have lower priority than the appropriation of stripper well payments in [section 4]"

Insert: "are prioritized as stated in those bills, respectively, and above in [section 6]"

Amendments to House Bill No. 645  
First Reading Copy

Requested by Sponsor  
For the Committee on Appropriations

Prepared by Lee Heiman  
March 8, 1991

EXHIBIT 2  
DATE 3-23-91  
HB 1-B bts

1. Title, lines 4 and 5.

Strike: "APPROPRIATING" on line 4 through "GRANTS" on line 5

Insert: "PROVIDING FOR LONG-TERM LOANS"

2. Page 1, line 11.

Strike: "Appropriation"

Insert: "Long-term loans"

3. Page 1, lines 11 through 14.

Strike: "(1)" on line 11 through "school" on line 14

Insert: "School"

4. Page 1, line 16.

Following: "use"

Insert: "may apply for long term loans for use in replacing  
school property under the provisions of Title 17, chapter 5,  
part 16"

5. Page 1, lines 17 through 21.

Strike: subsection (2) in its entirety

HB 702

Proposed Amendments

EXHIBIT 6  
DATE 3-23-91  
HB 702

- 1) Page 1, line 4  
After "ACT"  
Strike the remainder of the title

Insert "PROVIDING AN APPROPRIATION TO THE DEPARTMENT OF  
NATURAL RESOURCES AND CONSERVATION TO MAKE A  
LOAN TO THE MHD-CORETTE PROJECT, PROVIDING FOR  
MATCHING REQUIREMENTS, DESIGNATING THE PURPOSE  
FOR WHICH THE LOAN MUST BE USED, PROVIDING FOR  
LOAN REPAYMENT, AND PROVIDING AN EFFECTIVE DATE."

- 2) Page 1,  
Strike lines 14 through 20
- 3) Pages 1 through 8  
Strike sections 1, 2, 3, 4, and 5

Insert "Section 1. Appropriation. There is appropriated  
from the general fund the amount of \$250,000 to  
the Department of Natural Resources and  
Conservation for the biennium ending June 30,  
1993 to be administered for the loan described in  
section 2."

- 4) Page 8  
Strike lines 11 through 22

- 5) Page 8, line 23,  
Strike "(3)"  
Insert "Section 2."

- 6) Page 8, line 25,  
after "must be"  
insert "matched on a 1:1 basis from non-state  
appropriated sources and must be used for  
developing the project's application to receive  
Clean Coal Technology Program funding from the  
U.S. Department of Energy and must be"

- 6) Page 8, line 25,  
after "repaid"  
insert "to the general fund"

- 7) Pages 9 through 11,  
Strike sections 7, 8, 9, and 10

Amendments to House Bill No. 684  
Introduced Reading Copy

EXHIBIT 7  
DATE 3-23-91  
HB 684

Requested by Representative Dorothy Bradley

Prepared by Legislative Fiscal Analyst  
March 23, 1991

1. Page 1, lines 4 through 8.

Following: second "ACT" on line 4

Strike: remainder of line 4 through "CENTER;" on line 8

Insert: "PROVIDING AN APPROPRIATION TO THE DEPARTMENT OF NATURAL  
RESOURCES AND CONSERVATION TO MAKE A LOAN TO THE MHD-CORETTE  
PROJECT; PROVIDING FOR MATCHING REQUIREMENTS; DESIGNATING  
THE PURPOSE FOR WHICH THE LOAN MUST BE USED; PROVIDING FOR  
LOAN REPAYMENT;"

2. Page 1, line 11 through page 2, line 10.

Following: "(1)"

Strike: remainder of line 11 through page 2, line 10 in their  
entirety

Insert: "There is appropriated \$250,000 from the local impact  
account to the department of natural resources and  
conservation to be used by June 30, 1993, for the loan  
described in subsection (2).

(2) A loan of \$250,000 to the MHD-Corette project is  
approved at an interest rate of 12% compounded annually.  
The loan must be matched on a 1-to-1 basis from nonstate  
appropriated sources, used for developing the project's  
application to receive clean coal technology program funding  
from the U.S. department of energy, and repaid to the state  
special revenue fund for state equalization aid to public  
schools from revenue the project's owner derives from the  
sale or licensing of the MHD technology or from the sale,  
lease, or licensing of the project. The total debt of the  
project related to this loan may not exceed 2 1/2 times the  
loan amount."



Amend House Bill 692, first reading copy

EXHIBIT 8  
DATE 3/23-91  
HB 692

1. Page 5, line 21  
Following: "in the"  
Strike: "special revenue"  
Insert: "restricted subfund of the current"
2. Page 9, line 21  
Following: "shall"  
Strike: "remainder of line 21 and all of line 22"
3. Page 9, line 23  
Following: "deposit the"  
Strike: "balance of the"
4. Page 11, line 9  
Following: "shall"  
Strike: remainder of line 9 and all of line 10
5. Page 11, line 11  
Following: line 10  
Strike: "37-7-324 and shall"  
Following: "deposit the"  
Strike: "balance of the"

Rationale for 1 through 5: No 1 addresses the Technical Note at the end of the fiscal note. Nos. 2-5 reflect the provision in sec. 3 that all administrative costs of the Board of Pharmacy are to be reimbursed from this fund; thus assumption No. 7 in the fiscal note will not apply.

6. Page 12, line 17  
Following: "and"  
Strike: "stores"  
Insert: "wholesalers"  
Following: "drugs"  
Insert: "to unlicensed retailers"

7. Page 12, line 8  
Following: line 7  
Strike: all of lines 8, 9, and 10  
Insert:

"A manufacturer, licensed under [section 9], or a wholesaler, licensed under [Senate Bill 135 or section 10], may not sell any over-the-counter drug to a retailer who is not licensed by the board as a pharmacy or an over-the-counter store. The board may suspend or revoke, subject to the opportunity for a contested case hearing, the license of any manufacturer or wholesaler which it finds has sold one or more over-the-counter drugs to an unlicensed retailer."

Rationale: These amendments would make license compliance at the retail level enforceable without additional EXHIBIT in the Commerce Dept., by means similar to those used in the beer and wine laws. DATE 3-23-91 HB 692

8. Title, page 1, line 16  
Following: "DATE"  
Insert: ", a termination date,"

9. Page 14, line 21  
Following: line 20  
Insert: "NEW SECTION. Section 19. Termination. This act terminates on July 1, 1993."

Rationale: While HB 692 will enable the School of Pharmacy to demonstrate to ACPE an ability to improve programs, it should not be regarded as a single permanent solution to accreditation problems. If the University System and the Montana Legislature cannot find more adequate and permanent solutions by 1993, then the school should be closed.

am 6

Amendment to HB 777  
INTRODUCED BILL

9  
EXHIBIT 3-23-91  
DATE 777  
HB 777

1. Page 2, line 15  
Following: "conservation"  
Strike: "\$550,000"  
Insert: "400,000"

EXHIBIT 10  
DATE 3/23/91  
HB 696

PD3/91

TESTIMONY OPPOSING HB696  
DEPARTMENT OF ADMINISTRATION

HB696 IS "AN ACT EXTENDING THE FUNDING FOR THE STATEWIDE GENETICS PROGRAM FOR 2 YEARS; INCREASING THE FEE ON HEALTH INSURERS TO FUND THE PROGRAM;. . . ."

- Taxing state employee and retiree compensation and premium dollars in the group benefits trust fund is NOT AN APPROPRIATE FUNDING SOURCE for this program.

- HB696 increases the tax on the trust fund by 66%, raising this cost from an incidental expense to a major outlay of dollars. The state group insures 28,931 individuals. At 75 cents an individual, this equals \$21,698 each year or \$43,397 over the biennium.

- The state group plan is self-insured. This year the plan cut benefits and raised premiums in order to meet rising claims costs. With members' claims costs expected to inflate at 15% each year of the next biennium, the plan will likely need to again cut benefits and increase premiums to make ends meet--even assuming that the state's contribution increases. This tax will cause additional benefits cutbacks for employees and retirees.

- The state group plan was never intended as a source of funding for experimental statewide programs. It is a trust fund for employee and retiree compensation and premium dollars to pay for employees, retirees and their families health and dental claims.

- HB696 extends what was supposed to be a temporary tax for yet another two years -- 6 years total. It eliminates a termination date, suggesting that this will become a permanent tax on employees and retirees benefits dollars.

- If the genetics program has merit, it should be funded directly and not at the expense of state employees and retirees.

For these many reasons, the Department of Administration urges you DO NOT PASS HB696. For more information or questions, call Laurie Ekanger or Joyce Brown, State Personnel Division, 444-3871.

Amendment to HB 704

Version: Introduced Bill

EXHIBIT 11  
DATE 3-25-91  
HB 704

Insert Following line 18, page one.

"Revenues in excess of the amount appropriated for apprenticeship instruction programs is available for use by the Department of Labor and Industry to detect and collect unpaid contributions and overpayments of benefits to the extent that federal grant revenues are inadequate for these collection efforts by the department."

In line 19, page two, following "39-6-103"

Insert " and to detect and collect unpaid contributions and overpayments of benefits."

EXHIBIT 12  
DATE 3-23-91  
HB 704

House Bill 704 Statement of Intent:

It is the intent of the Legislature that the transfer of the affected apprenticeship programs from the Office of Public Instruction to the Department of Labor and Industry have no significant impact on the operation of the affected apprenticeship programs.

The transfer to the Department of Labor and Industry is simply a function of changed funding sources, and should not change the operation, funding levels, goals or implementation of the affected apprenticeship programs. Except, however, that the appropriation provided by this legislation may include funds for operation of jointly administered training programs not previously funded through federal Carl Perkins dollars. .pa

up on  
727



# STATE OF MONTANA Office of the Legislative Auditor

STATE CAPITOL  
HELENA, MONTANA 59620  
406/444-3122

LEGISLATIVE AUDITOR:  
SCOTT A. SEACAT

LEGAL COUNSEL:  
JOHN W. NORTHEY

March 20, 1991

## DEPUTY LEGISLATIVE AUDITORS:

MARY BRYSON  
Operations and EDP Audit

JAMES GILLET  
Financial-Compliance Audit

JIM PELLEGRINI  
Performance Audit

Representative Diana E. Wyatt  
Box 141  
Capitol Station  
Helena, MT 59620

EXHIBIT 13  
DATE 3-27-91  
127

Dear Representative Wyatt:

Per your request, attached is a spreadsheet detailing the past service unfunded liability, the amount of contributions that go toward the unfunded liability, the amount of contributions that fund benefits as they accrue, the past service unfunded liability in years, and the revenues generated by each percent of contribution by either employee or employer, for the fiscal years ended June 30, 1986, 1988, and 1990. Fiscal years ended June 30, 1987 and 1989 are omitted because the actuary performs a biennial valuation.

Also attached is a table and graph of the unfunded liability and the number of years required to amortize the liability for the Public Employees' Retirement System. The number of years required to amortize the unfunded liability in 1972 is an arbitrary period of forty years. The actuary had determined the contribution rate at that time was insufficient to amortize over forty years, but did not compute the actual number of years required. If you have any questions or if I can be of further assistance, please let me know.

Sincerely,

A handwritten signature in cursive script, reading "Tori Hunthausen".

Tori Hunthausen  
Senior Auditor

TH/j/a9

Attachments

PUBLIC EMPLOYEES' RETIREMENT SYSTEM

EXHIBIT 13  
DATE 3-23-91  
HB 727

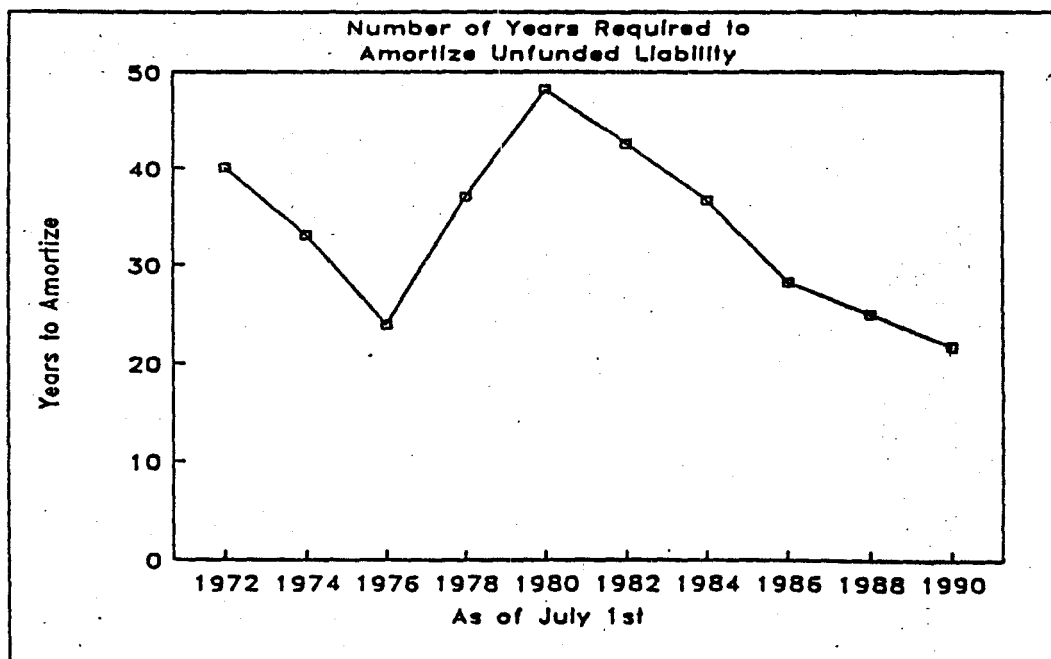
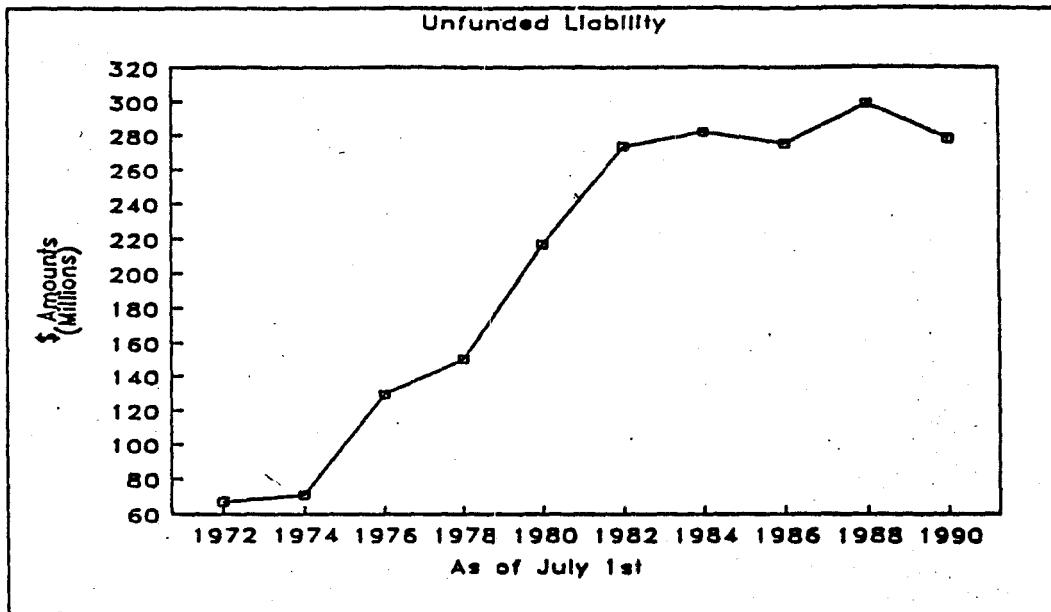
	FISCAL YEAR ENDED JUNE 30 1986	FISCAL YEAR ENDED JUNE 30 1988	FISCAL YEAR ENDED JUNE 30 1990
Unfunded Past Service Liability	\$275,230,197	\$298,511,691	\$277,914,904
Amount of Contributions That Go Toward The Liability	2.860%	3.041%	3.11%
Amount of Contributions That Fund Benefits As They Accrue	9.557%	9.376%	10.22%
Unfunded Past Service Liability in Years	28.24	24.96	21.76
Revenues Generated By Each Percentage Of Contribution By Either Employee or Employer *[Covered Payroll x .01]*	\$4,589,460	\$4,661,796	\$4,766,131



Illustration 1  
Public Employees' Retirement System

EXHIBIT 13  
DATE 3-23-91  
NB 727

<u>As of July 1</u>	<u>Unfunded Liability</u>	<u>Number of Years Required to Amortize the Unfunded Liability</u>
1972	66,900,000	40.00 +*
1974	70,900,000	33.00
1976	129,300,000	24.00
1978	150,100,000	37.00
1980	217,097,181	48.20
1982	273,524,351	42.47
1984	281,932,440	36.58
1986	275,203,197	28.24
1988	298,511,691	24.96
1990	277,914,904	21.76



Source: Compiled by the Legislative Auditor's Office from PERD records. \*See page A-2.

EXHIBIT 13  
 DATE 3-23-91  
 HB 727

HB 727

Amount of Contributions contributed towards the unfunded liability

% of salaries	FY 86	FY88	FY 90
Amount of Contributions That Go Toward The Liability ( OLA memo 3/20/91)	2.86	3.041	3.11
	X	X	X
Revenues Generated By Each Percentage of Contribution By either Employee or Employer (OLA memo of 3/20/91)	\$4,589,460	\$4,661,796	\$4,766,131
Amount of Contributions contributed to fund liability	\$13,125,856	\$14,176,522	\$14,822,667
	=====	=====	

If HB 727 is  
 passed with no  
 increase in the  
 contribution rate  
 the contribution  
 Assuming FY 92  
 Fiscal Note with  
 the Lump sum  
 deducted  
 (\$6,997,058)

NOTE: General Fund Impact is Zero!!

Contributions	\$7,825,609
Other revenues	\$64,024,567
Total revenues in excess of expenses deposited in PERS for investment.	\$71,850,176
	=====

If adjusted to be 50% of 1.49% then the  
 General Fund Impact would be \$963,972  
 for FY 92 again assuming lump sum payments are  
 not taken out of Fiscal note and PERS  
 contribution rate is increased by .75%

Historical Information on PERS  
From PERS Annual Financial Report

EXHIBIT 13  
DATE 3-23-91  
SB 027

	Fiscal Year Ended June 30 1986	Fiscal Year Ended June 30 1987	Fiscal Year Ended June 30 1988	Fiscal Year Ended June 30 1989	Fiscal Year Ended June 30 1990	Net Change over this period
Net Assets available for benefits	558,989,899	628,625,984	693,544,348	762,152,663	840,999,902	282,010,003
Revenues						
Member Contributions	26,402,314	26,950,278	26,515,756	27,908,693	32,512,846	6,110,532
Employer Contributions	27,361,784	27,748,078	27,025,089	28,251,553	30,443,560	3,081,776
Investment Revenues	58,592,716	63,402,152	64,579,206	72,205,145	77,900,893	19,308,177
Other Revenues	597,647	32,119	82,878	49,942	92,903	(504,744)
Total Revenues	112,954,461	118,132,627	118,203,929	128,415,333	140,950,202	27,995,741
Expenses						
Benefit Payments	36,595,794	39,092,230	43,899,458	46,270,098	50,541,097	13,945,303
Refund of Member Contributions	8,014,381	8,427,653	8,986,375	11,403,305	10,093,440	2,079,059
Refund of Employer Contributions	180,709	119,925	308,597	337,279	503,958	323,249
Investment Expense	186,109	157,813	334,750	235,360	204,818	18,709
Administrative Fee	581,203	743,719	723,400	785,998	856,728	275,525
Total Expenses	45,558,196	48,541,340	54,252,590	59,032,040	62,200,041	16,641,845
Prior Year Adjustments	(2,917,140)	44,798	167,025	25,027	97,073	3,014,213
Excess of Revenues over Expenses	64,479,125	69,635,085	64,118,364	69,408,320	78,847,234	14,368,109
Fund Balance at end of Year	558,989,899	628,625,984	692,744,348	762,152,668	840,999,902	282,010,003

EXHIBIT 14  
DATE 3-23-91  
HB 148727

Amendment to House Bill No. 727  
Second Reading Copy

1. Page 1, line 24.  
Following: "7.937%"  
Strike: "7.907%"  
Insert: "7.167%"

2. Page 1, line 25.  
Following: "8.07%"  
Strike: "8.04%"  
Insert: "7.30%"

3. Page 2, line 1.  
Following: "8.22%"  
Strike: "8.19%"  
Insert: "7.45%"

*Kodas*  
*eph* 728

Amendments to House Bill 728  
House Appropriations Committee  
March 19, 1991

EXHIBIT 15  
DATE 3-23-91  
HB 728

1. Page 5, line 12.

Following: "nutritionist."

Insert: "The appointment of the public health nutritionist shall not be required unless funding for the position is available."

2. Page 5, line 22.

Following: "counties."

Strike: remainder of line 22, through page 6, line 1.

Insert: "The Department shall provide the 1993 Legislature with a plan to provide the services of the women, infants and children (WIC) food supplement program to counties that are currently not served by the program."

2. Page 6, line 2.

Following: "Appropriations."

Strike: Subsection (1) in its entirety

Re-number subsequent subsections.

3. Page 6, line 7.

Following: "from the"

Strike: "general fund"

Insert: "federal special revenue fund"

4. Page 6, line 8.

Following: "sciences"

Strike: \$115,075

Insert: \$67,075

5. Page 6, line 10.

Following: "1992"

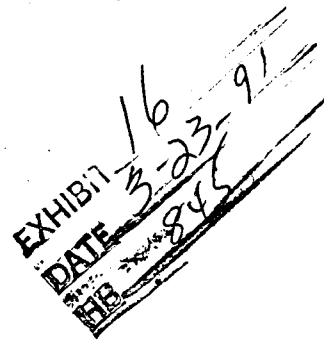
Strike: "to fund the expansion of the WIC program and"

(14)  
Set Adopted by  
House Natural Resource

Amendments to House Bill No. 845  
First Reading Copy

Requested by Rep. Brooke  
For the Committee on Natural Resources

Prepared by Gail Kuntz  
February 18, 1991



1. Title, line 6.

Following: "MCA,"

Insert: "THAT ARE LOCATED IN ENVIRONMENTALLY SENSITIVE AREAS"

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

Following: "walls"

Insert: "when located in environmentally sensitive areas"

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

Following: "techniques."

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

4. Page 5, line 25.

Following: "(17)(a),"

Insert: "that are located in environmentally sensitive areas"

15  
EXHIBIT 17  
DATE 3-23-91  
RE 845

Amendments to House Bill No. 845  
First Reading Copy

Requested by Rep. Brooke  
For the Committee on Appropriations

Prepared by Gail Kuntz  
March 19, 1991

1. Title, line 6.

Following: "WALLS"

Insert: "OR OTHER SECONDARY CONTAINMENT SYSTEMS"

2. Title, line 7.

Following: "AN"

Strike: "IMMEDIATE"

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

Following: "walls"

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

Following: "construction"

Insert: "or construction of other secondary containment systems"

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

Following: "construct"

Strike: "double-walled"

Following: "tanks"

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

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

Following: "techniques."

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

6. Page 6, line 1.

Following: "walls"

Insert: "or other secondary containment systems"

7. Page 6, lines 2 through 4.

Following: "Applicability." on line 2

Strike: the remainder of lines 2 through 4

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

8. Page 6, line 6.

Following: "on"

Strike: "passage and approval"

Insert: "July 1, 1993"

14

EXHIBIT 18  
DATE 3-23-91  
HB 937

Amendments to House Bill No. 937  
Second Reading Copy

Requested by Representative Stickney  
For the House Appropriations Committee

Prepared by Tom Gomez  
March 18, 1991

1. Page 2, line 8.  
Following: "(1)"  
Strike: "\$120,000"  
Insert: "\$105,000"

2. Page 2, lines 13 and 14.  
Strike: subsection (2) in its entirety  
Renumber: subsequent subsection

3. Page 2, line 15.  
Following: "(3)"  
Strike: "\$240,000"  
Insert: "\$50,000"  
Following: "fund"  
Strike: "8"



exh 3

EXHIBIT 19  
DATE 3-23-91  
HB 964

Amendments to House Bill No. 964  
First Reading Copy

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

1. Page 4, line 11.

Following: "of"

Strike: "\$90"

Insert: "\$70"

2. Page 10, line 16.

Following: "environment."

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

Amendments to House Bill No. 968

Second Reading Copy

Requested by Representative Brooke  
For the Committee on Appropriations

Prepared by Greg Petesch  
March 21, 1991

EXHIBIT 20  
DATE 3-23-91  
HB 968

1. Title, line 19.

Strike: "PROVIDING FOR AN APPROPRIATION;"

2. Page 8, lines 9 through 14.

Strike: section 7 in its entirety

Renumber: subsequent section

House Bill No. 969  
Reading Copy

by Rep. Bradley  
Committee on Appropriations

by Eddy McClure  
May 27, 1991

EXHIBIT 21  
DATE 3-23-91  
HB 969

Bill No. 990  
Copy

ive Sheila Rice  
Appropriations

Peteschn  
1991

EXHIBIT 22  
DATE 3-23-91  
HB 990

nation attraction in

funds" on line 2

on line 5

*Amended*

Amendments to House Bill No. 349  
First Reading Copy

Requested by Representative Gervais  
For the Committee on Appropriations

Prepared by Greg Petesch  
March 6, 1991

24  
DATE 3-23-91  
HB 349

1. Title, lines 8 and 9.

Following: ";" on line 8

Strike: remainder of line 8 through ";" on line 9

2. Page 3, lines 3 and 4.

Following: "(1)" on line 3

Strike: remainder of line 3 through "fund" on line 4

Insert: "must be distributed by the commissioner of higher  
education on the basis of the number of nonbeneficiary  
students enrolled in each qualified tribal college"

*Peck*

Amendments to House Bill No. 454  
First Reading Copy

Requested by Representative Ray Peck  
For the Joint Appropriations Education Subcommittee

Prepared by Pamela D. Joehler  
March 12, 1991

EXHIBIT 25  
DATE 3-23-91  
HB 454

1. Page 10, line 19.

Following: "Butte,"

Insert: "the fire services training school at Great Falls,"

2. Page 12, line 18.

Following: "5%."

Strike: "The"

Insert: "Except as provided in (2), the"

3. Page 12, line 24.

Insert: New subsection.

"(2) The expenditure of money appropriated in the general appropriations act to the university system units as defined in [section 5(16) of this bill] is contingent upon approval of an operating budget by October 1 of each fiscal year. All other requirements in [section 7 of this bill] apply to the university system."

Renumber: subsequent sections

Part 1 of this amendment includes the fire services training school in the definition of a university system unit.

Parts 2 and 3 of this amendment set the approval date for university system units' operating budgets to October 1 each fiscal year. This date change was approved by the joint appropriations education subcommittee. All other requirements in section 7 of House Bill 454 are applicable to the university system.

*Passed*

HB454A1

March 5, 1991

AMENDMENT TO HB 454

Introduced bill.

1. Page 15, line 20 through page 15, line 7.  
Strike: section 14 in its entirety.  
Renumber: subsequent sections.

DATE 3-21-91  
HB 454

*Grinde  
Am  
P/S*

EXHIBIT 27  
DATE 3-21-91  
HB 454

AMEND HOUSE BILL 454, AS INTRODUCED

House Appropriations Committee  
March 13, 1991

Representative Larry Hal Grinde

1. Page 3.

Following: line 12

Insert: "(6) In the year preceding each legislative session, the legislative fiscal analyst shall furnish the office of budget and program planning on a confidential basis, by December 26 or when the budget analysis goes to print whichever is earlier, a paper copy and an electronic copy of the documents which reflect expenditures to the second level, as provided in 17-1-102, by funding source and detailed by accounting entity."

Renumber: subsequent sections

# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS

ROLL CALL VOTE

TIME

11:17<sup>th</sup>

DATE

3-23-91

BILL NO.

124

NUMBER

1

MOTION: \_\_\_\_\_

*Patte*

NAME	AYE	NO	ABSENT
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	ok	<del>✓</del>	
REP. CHUCK SWYSGOOD		✓	
REP. BOB THOFT		✓	
REP. TOM ZOOK		✓	
REP. FRANCIS BARDANOUVE, CHAIRMAN	✓		
TOTAL	11	6	1



# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS

ROLL CALL VOTE

TIME

11:20 AM

DATE

BILL NO.

179

NUMBER

2

MOTION:

Table

NAME	AYE	NO	ABSENT
REP. RAY PECK, VICE-CHAIRMAN	✓	1	
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			ak
REP. CHUCK SWYSGOOD		✓	
REP. BOB THOFT		✓	
REP. TOM ZOOK	✓		
REP. FRANCIS BARDANOUVE, CHAIRMAN	✓		
TOTAL	9	8	1

# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS

ROLL CALL VOTE

TIME

11.42

DATE

3-23-91

BILL NO.

NUMBER

5

MOTION:

520 1690

NAME	AYE	NO	ABSENT
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		✓	
REP. FRANCIS BARDANOUVE, CHAIRMAN		✓	
TOTAL	13	5	

# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS

ROLL CALL VOTE

TIME

12 noon

DATE 3-23-91

BILL NO. 569

NUMBER 4

MOTION:

Cobb con 569

NAME	AYE	NO	ABSENT
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	✓		
REP. FRANCIS BARDANOUVE, CHAIRMAN		✓	
TOTAL	14	4	

# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS

ROLL CALL VOTE

TIME

1140

DATE

3-23-91

BILL NO.

595

NUMBER

5

MOTION:

595  
table

NAME	AYE	NO	ABSENT
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	✓		
REP. FRANCIS BARDANOUVE, CHAIRMAN	✓		
TOTAL	10	8	

# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS

ROLL CALL VOTE

TIME

2:04

DATE

BILL NO.

456

NUMBER

6

MOTION:

16

NAME	AYE	NO	ABSENT
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		✓	
REP. FRANCIS BARDANOUVE, CHAIRMAN		✓	
TOTAL	5	18	1

## APPROPRIATIONS

**TIME**

**BILL NO.**

**NUMBER**

DP AA

	AYE	NO	ABSENT
P. CK, VICE-CHAIRMAN		✓	
PHY BRADLEY	✓		
N. OBB		✓	
OTHY CODY		✓	
LLEN CONNELLY	✓		
RADY	<del>✓</del>	✓	
GRINDE		✓	
JOHNSON		✓	
ADAS		✓	
KIMBERLEY	✓		
R. D" MENAHAN	✓		
Y. NISBET	✓		
OU PETERSON	✓		
QUILICI	✓		
K. SWYSGOOD		✓	
THOFT		✓	
OK		✓	
S. BARDANOUE, CHAIRMAN		✓	
<b>TOTAL</b>	7	11	

[illegible]

# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS

ROLL CALL VOTE

TIME

DATE 3/23/91 BILL NO. 692 NUMBER 9

MOTION:

1698 DPAA

NAME	AYE	NO	ABSENT
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		✓	
REP. FRANCIS BARDANOUVE, CHAIRMAN	✓		
TOTAL	14	4	

# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS

ROLL CALL VOTE

TIME

3:13 P

DATE

3-23-91

BILL NO.

786

NUMBER

10

MOTION:

AP

NAME	AYE	NO	ABSENT
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		✓	
REP. FRANCIS BARDANOUVE, CHAIRMAN		✓	
TOTAL	10	5	



# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS

ROLL CALL VOTE

TIME

3:41

DATE 5-23-91

BILL NO. 704

NUMBER 11

MOTION:

169

Table HB 704

NAME	AYE	NO	ABSENT
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		✓	
REP. FRANCIS BARDANOUVE, CHAIRMAN		✓	
TOTAL	9	9	

# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS

ROLL CALL VOTE

TIME

4:01

DATE

BILL NO.

755

NUMBER

12

MOTION:

1

AP

NAME	AYE	NO	ABSENT
REP. RAY PECK, VICE-CHAIRMAN		✓	
REP. DOROTHY BRADLEY	✓		
x REP. JOHN COBB		✓	
x REP. DOROTHY CODY		✓	
x REP. MARY ELLEN CONNELLY	✓		
REP. ED GRADY		✓	
REP. LARRY GRINDE		✓	
REP. JOHN JOHNSON	✓		
x REP. MIKE KADAS		✓	
REP. BERV KIMBERLEY	✓		
REP. WM. "RED" MENAHAN	✓		
REP. JERRY NISBET	✓		
x REP. MARY LOU PETERSON		✓	
REP. JOE QUILICI	✓		
REP. CHUCK SWYSGOOD		✓	
REP. BOB THOFT			✓
x REP. TOM ZOOK		✓	
REP. FRANCIS BARDANOUVE, CHAIRMAN		✓	
TOTAL	7	10	1

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# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS

ROLL CALL VOTE

TIME

DATE

BILL NO.

NUMBER

MOTION:

NAME	AYE	NO	ABSENT
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	✓		
REP. FRANCIS BARDANOUVE, CHAIRMAN	✓		
TOTAL	11	5	2

## HOUSE OF REPRESENTATIVES

## APPROPRIATIONS

ROLL CALL VOTE

TIME

DATE

BILL NO.

784

NUMBER

14

MOTION:

NE

NAME	AYE	NO	ABSENT
REP. RAY PECK, VICE-CHAIRMAN	✓		
REP. DOROTHY BRADLEY	✓		
REP. JOHN COBB		✓	
REP. DOROTHY CODY		✓	
REP. MARY ELLEN CONNELLY	✓		
REP. ED GRADY		✓	
REP. LARRY GRINDE		<del>✓</del>	
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		✓	
REP. FRANCIS BARDANOUVE, CHAIRMAN		✓	
TOTAL	8	10	

# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS

ROLL CALL VOTE

TIME

41

DATE

3-23-91

BILL NO.

830

NUMBER

15

MOTION:

16

NAME	AYE	NO	ABSENT
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	✓		
REP. FRANCIS BARDANOUVE, CHAIRMAN		✓	
TOTAL	11	7	

## HOUSE OF REPRESENTATIVES

## APPROPRIATIONS

ROLL CALL VOTE

TIME

7:40

DATE

BILL NO.

969

NUMBER

16

MOTION:

*Table*

NAME	AYE	NO	ABSENT
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	✓		
REP. FRANCIS BARDANOUVE, CHAIRMAN	✓		
TOTAL	9	9	

## HOUSE OF REPRESENTATIVES

## APPROPRIATIONS

ROLL CALL VOTE

TIME

DATE

BILL NO.

NUMBER

MOTION:

NAME	AYE	NO	ABSENT
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		✓	
REP. FRANCIS BARDANOUVE, CHAIRMAN		✓	
TOTAL	11	7	

# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS

ROLL CALL VOTE

TIME

DATE 3-23-91 BILL NO. 990 NUMBER 174

MOTION: \_\_\_\_\_

*Report Amended*

NAME	AYE	NO	ABSENT
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		✓	
REP. FRANCIS BARDANOUVE, CHAIRMAN		✓	
TOTAL	11	7	



## HOUSE OF REPRESENTATIVES

## APPROPRIATIONS

ROLL CALL VOTE

TIME

8 PM.

DATE 3-23-91

BILL NO. 349

NUMBER

18

MOTION:

Do Pass as Amended

NAME	AYE	NO	ABSENT
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		✓	
REP. FRANCIS BARDANOUVE, CHAIRMAN		✓	
TOTAL	8	10	

## HOUSE OF REPRESENTATIVES

## APPROPRIATIONS

81:0

ROLL CALL VOTE

TIME

DATE

BILL NO.

125

NUMBER

19

MOTION:

43

NAME	AYE	NO	ABSENT
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		✓	
REP. FRANCIS BARDANOUVE, CHAIRMAN		✓	
TOTAL	9	9	

## HOUSE OF REPRESENTATIVES

## VISITOR'S REGISTER

1063

Appropriation

COMMITTEE

BILL NO.

DATE

3/23/91

SPONSOR(S)

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
DARRELL HOLZER	MT. ST. AFL-CIO	HB 704		X
ANDRE ZACHARIASEN	AFL-CIO/Teamsters			
RD. Box 97-CLINTON 5985	MD Dept Highways	514		X
Janice Midyett				
130 Wapik. ga mch mt	MPEA	514		X
Ranid Patuck				
5100 Evergreen Rd Mal. mt	MPEA	514		X
Gayle Zacharowicz	U of M			
17555 E. Mullan Rd, Clinton	MPEA	514		X
Dennis Dietrich				
Box 475 E. Helena	Highways MPEA	514		X
Jrui Steen				
2995 Prospect #22, Helena	Highways MPEA	514		X
BEA STEEN				
2995 Prospect #15	Highways MPEA	514		X
Nels Wilkins				
3774 Beechnut	Highways MPEA	514		X
KEVIN FARRY				
3794 Aster	Highways MPEA	514		X
Charles A (BUD) OLSON				
645 Sewell Rd	Highways MPEA	514		X
DALE L. FLINDERS				
Box 585 E. Helena, MT.	Highways - MPEA	514		X
Sherry Bates	MSU COB	514		

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

## HOUSE OF REPRESENTATIVES

## VISITOR'S REGISTER

2 of 3

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COMMITTEE

BILL NO.

DATE

3/23

SPONSOR(S)

PLEASE PRINT

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NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
John Tulus	DINRC	498		✓
DAN Barr	Dept Justice	514		✓
Ed Shea	Dept. Highway	514		✓
Jack Roberts	MDOH	514		✓
Jim Tompkins	Dept. of Highways	514		✓
Meg Harvey 9602 Cougar Dr Bozeman	MSU College of Business	514		✓
Team Procter 2402 Westridge Dr Bozeman	MSU College of Bus	514		✓
Cecilia Mann 2597 S 7401 Couch Hill Dr Bozeman	MSU Health	514		✓
Ron Bitt Manhattan MT 59711	PART TIME Employers Dept of Agriculture	514		✓
Barbara A. Pender	MSU-Bozeman Registrar	514		✓
Nazma Taka	MSU-Bozeman	514		✓
Leticia J. Henderson	MPEA & MSU	514		✓

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

## HOUSE OF REPRESENTATIVES

3 of 3

## VISITOR'S REGISTER

Appropriations

COMMITTEE

BILL NO. \_\_\_\_\_

DATE 3-23-91

SPONSOR(S) \_\_\_\_\_

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
Lu Terry	Ugm - Missile	514		X

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