

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
53rd LEGISLATURE - REGULAR SESSION**

JOINT SUBCOMMITTEE ON GENERAL GOVERNMENT & TRANSPORTATION

Call to Order: By REP. MARY LOU PETERSON, CHAIRMAN, on February 15, 1993, at 8:00 AM.

ROLL CALL

Members Present:

Rep. Mary Lou Peterson, Chair (R)
Sen. Harry Fritz, Vice Chair (D)
Rep. Marjorie Fisher (R)
Sen. Gary Forrester (D)
Rep. Joe Quilici (D)
Sen. Larry Tveit (R)

Members Excused: None

Members Absent: None

Staff Present: Jon Moe, Legislative Fiscal Analyst
Clayton Schenck, Legislative Fiscal Analyst
John Patrick, Office of Budget & Program Planning
Elaine Benedict, Committee Secretary

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

Committee Business Summary:

Hearing: GOVERNOR'S OFFICE
Executive Action: GOVERNOR'S OFFICE AND JUDICIARY

Announcements/Discussion:

Mr. Clayton Schenck, Legislative Fiscal Analyst, distributed a summary of the subcommittee's action to date. EXHIBIT 1

HEARING ON GOVERNOR'S OFFICE

Tape No. 1:A:025

Informational Testimony:

Mr. Schenck presented an overview of the budget for the agency.
EXHIBITS 2, 3 and 4

OFFICE OF BUDGET AND PROGRAM PLANNING

Tape No. 1:A:165

Mr. Dave Lewis, Director, Office of Budget and Program Planning, distributed organizational charts. EXHIBIT 5. He reviewed the issues of the program.

GOVERNOR'S OFFICE

Tape No. 1:A:350

Informational Testimony:

Mr. Mike Lavin, Chief of Staff, Governor's Office, requested that the subcommittee eliminate specific programs rather than make agency-wide reductions. Programs suggested for elimination are: Advisory Council on Aging/Governor's Coordinator on Aging; Mental Disabilities Board of Visitors; and Flathead Basin Commission. He distributed a summary of the issues for the agency. EXHIBIT 6. He distributed a bill concerning Montana community service. EXHIBIT 7

Questions, Responses, and Discussion:

REP. MARJORIE FISHER asked if the pilot who was on loan to the Department of Transportation was paid by that agency. Mr. Lavin answered that he was.

Informational Testimony:

Mr. Lavin stated that the Governor's Office is considering equipping the King-Air with a camera so that it can be used for aerial surveillance.

Questions, Responses, and Discussion:

SEN. GARY FORRESTER inquired about the status of the King-Air. Mr. Lavin responded that the aircraft has not been sold because the bids received did not meet the minimum requirements of the Legislature.

EXECUTIVE OFFICE PROGRAM

Tape No. 1:B:240

Informational Testimony:

Mr. Larry Wilson, Vice Chair, Flathead Basin Commission, stated that it is the commission's belief that the agency's request is lower than what will be necessary to maintain the commission. The commission would like assurance that it will remain attached to the Governor's Office and maintain one staff person in Kalispell. No taxpayer funding is used for the program and attachment to the Governor's Office allows the program to pursue additional funding. The funding is for programs, not operation. The commission works toward resolution of conflict among various parties. All necessary commission members attend the meetings

and several travel at their own expense.

Mr. Jerry Sorensen, Flathead Basin Commission, presented testimony concerning the agency's proposal. **EXHIBIT 8**

Ms. Dorothea Neath, Chairman, Governor's Advisory Council on Aging, presented testimony concerning the agency's proposal. **EXHIBITS 10 and 11**

Tape No. 2:A:005

Mr. Charles Briggs, Montana Association of Area Agencies on Aging and Former State Aging Coordinator, stressed the importance of maintaining the Governor's Coordinator on Aging and the Advisory Council on Aging. The council must be maintained in order to meet mandates and receive Federal funding.

Mr. Tom Ryan, Montana Senior Citizens Association, supported maintaining the coordinator on aging and the Advisory Council on Aging.

Mr. Verner Bertelsen, Legacy Legislature, presented testimony concerning the agency's proposal. **EXHIBIT 12**

Mr. Alvin Svalstad, American Association of Retired Persons, supported maintaining the coordinator on aging and the Advisory Council on Aging.

Mr. Lloyd Anderson, Montana Senior Citizens Association, supported maintaining the coordinator on aging and the Advisory Council on Aging.

Mr. Fred Patton, State Director, American Association of Retired Persons, supported maintaining the coordinator on aging and the Advisory Council on Aging.

Mr. Charlie Rehbein, Governor's Coordinator on Aging, presented testimony concerning the agency's proposal. **EXHIBIT 13**

Letters from **Ms. Lil Anderson** and **Ms. Kimberlee Sullivan** concerning the agency's proposal were distributed to the subcommittee. **EXHIBITS 14 and 15**

Questions, Responses, and Discussion:

SEN. HARRY FRITZ asked why the agency is considering eliminating the coordinator on aging. **Mr. Lavin** responded that the agency needed to prioritize its functions and determine what could be eliminated while allowing the agency to maintain its primary mission. Six positions in the Office on Aging will be maintained through the Department of Family Services.

SEN. LARRY TVEIT asked if receiving the grant is contingent of

having the coordinator. Mr. Lavin answered that it is not.

Informational Testimony:

Mr. Briggs stated that an advisory council on aging would exist in the Department of Family Services if it were eliminated from the Governor's Office. The council will require funding regardless of where it is placed.

Mr. Rehbein stated that the bureau on aging that existed in the Department of Family services no longer exists in that department and is now under the Coordinator on Aging.

Questions, Responses, and Discussion:

SEN. TVEIT asked if it would be possible to shift funding from the Department of Family services or to combine positions. Mr. Rhebein responded that some shifting would be possible but that the program could not continue to function with the elimination of positions.

REP. FISHER clarified that although the positions in the office on aging are under the Executive Office, they are funded by the Department of Family Services.

Informational Testimony:

Mr. Briggs pointed out that a secretarial position and audit position have already been eliminated in the Department of Family Services.

Mr. Dick Wollin, President, Flathead Lakers, presented testimony supporting the preservation of the Flathead Basin Commission.

REP. BEVERLY BARNHART, DISTRICT 80, Women's Initiative Spokesperson, supported maintaining the Governor's Coordinator on Aging.

MENTAL DISABILITIES BOARD OF VISITORS

Tape No. 2:A:1135

Informational Testimony:

Ms. Kelly Moore, Executive Director, Mental Disabilities Board of Visitors, presented testimony for the program. EXHIBIT 16. She distributed a packet of letters from others wishing to testify on the issue. EXHIBIT 17

Tape No. 2:B:100

Ms. Kathy Standard, President, Meriwether Lewis Institute, presented testimony in favor of maintaining the board of visitors. EXHIBIT 18. She distributed a pamphlet and calendar from the institute. EXHIBITS 19 and 20

Questions, Responses, and Discussion:

REP. FISHER inquired about the Ihler law suit. Ms. Moore explained that in 1988 two institution patients filed a suit that resulted in higher standards and regulations for the treatment of patients.

REP. FISHER asked why a patient would be admitted to Warm Springs State Hospital rather than a community facility. Ms. Moore responded that law requires a patient be placed in the least restrictive environment and adequate programs are not available in all communities.

Mr. Pat Pope, Director, Meriwether Lewis Institute, supported maintaining the board of visitors.

Ms. Mona Shepherd, former state hospital patient, told of adverse and harmful treatment during her stay in the hospital. The efforts of the board of visitors helped her to receive a college degree. Ms. Shepherd is now married and is a property owner. She distributed a letter from her sister. EXHIBIT 21

Mr. Briggs, representing himself, supported maintaining the board of visitors.

Mr. Rick Shepherd, former state hospital patient, supported maintaining the board of visitors.

Mr. Bertelsen, representing himself, presented testimony in favor of maintaining the board of visitors. EXHIBIT 22

MANSION MAINTENANCE PROGRAM

Tape No. 3:A:005

Informational Testimony:

Ms. Mary Jo Murray, Chief Accountant, Governor's Office, stated that the FTEs in the program are a building supervisor, a full-time cook and a part-time cleaner. The new cook does not live in the mansion.

NORTHWEST REGIONAL POWER ACT

Tape No. 3:A:059

Informational Testimony:

Ms. Murray stated that the vacant position has been filled and that the position is not normally vacant.

Mr. John Hines presented an overview of the functions of the program.

Discussion:

REP. QUILICI stated that Montana has staffed this program at a lower level than most other states. The program is Federally funded.

CITIZENS ADVOCATE OFFICE

Tape No. 3:A:205

Informational Testimony:

Ms. Murray explained the functions of the office.

Questions, Responses, and Discussion:

CHAIRMAN MARY LOU PETERSON asked how the office advertises its services. Ms. Murray responded that the office advertises through public service announcements and the phone book.

CHAIRMAN PETERSON commended the office for its services.

GOVERNOR'S OFFICE

Tape No. 3:A:370

Mr. Briggs, on behalf of the Human Resource Development Councils, commended the agency for its involvement in establishing a central service for community service involvement.

AIR TRANSPORTATION PROGRAM

Tape No. 3:A:385

Questions, Responses, and Discussion:

REP. FISHER asked if the Department of Transportation has a pilot. Mr. Schenck answered that it does and it also has a surveillance plane.

REP. FISHER asked why the agency cannot share a pilot with the Department of Transportation. Mr. Lavin explained that, for safety reasons, it is not wise for pilots to alternate between different types of aircraft. However, shifting the camera between planes is a possibility.

SEN. FORRESTER asked the cost of operating the Aerocommander aircraft. Ms. Murray answered that the agency is billed over \$600/hour for its use.

SEN. FORRESTER asked who devised the plan to share aircraft services. Mr. Lavin answered that the Governor's Office devised the plan but the pilots view it as beneficial. The FAA recommends a higher amount of flying hours for the pilots.

LIEUTENANT GOVERNOR

Tape No. 3:A:825

Informational Testimony:

Mr. Schenck stated that the agency would like to include the modification request for the Office of Public Policy dispute resolution under the budget for the Lieutenant Governor.

Questions, Responses, and Discussion:

REP. FISHER asked why the program needs an economic development task force when an economic development branch exists in the Department of Commerce. Mr. Murray responded that the task force was not funded and did not materialize.

Mr. Lavin stated that there are nine economic development programs throughout the state.

REP. JOE QUILICI asked if these programs are attempting to coordinate efforts. Mr. Lavin responded that this will be examined during the interim.

GOVERNOR'S OFFICE

Tape No. 3:B:070

Discussion:

REP. QUILICI expressed concern that proposals are being made to eliminate programs, however, no legislation is being proposed that would eliminate the statutory requirements to operate these programs.

REP. FISHER opposes eliminating the board of visitors when some agencies have 15-50 people that duplicate duties.

Informational Testimony:

Ms. Jane Hamman, Assistant Budget Director, stated that the bill to establish the Montana Community Service Act has received considerable support. She reviewed the bill. EXHIBIT 6

EXECUTIVE ACTION ON GOVERNOR'S OFFICE

Tape No. 3:B:385

Motion/Vote: REP. QUILICI moved to request drafting of a committee bill for EXHIBIT 6. THE MOTION CARRIED UNANIMOUSLY.

EXECUTIVE ACTION ON JUDICIARY

Tape No. 3:B:445

Informational Testimony:

Mr. Moe distributed revised information concerning previous action by the subcommittee. EXHIBIT 23

The subcommittee concurred with the information provided by Mr. Moe.

ADJOURNMENT

Adjournment: 12:00 AM

Mary Lou Peterson

REP. MARY LOU PETERSON, Chair

Elaine Benedict

ELAINE BENEDICT, Secretary

MLP/EB

HOUSE OF REPRESENTATIVES

Gen. Gov. & Hwys.

SUB-COMMITTEE

ROLL CALL

DATE

2/15/93

NAME	PRESENT	ABSENT	EXCUSED
Rep. Mary Lou Peterson Chair	X		
Sen. Harry Fritz Vice Chair	X		
Rep. Marjorie Fisher	X		
Sen. Gary Forrester	X		
Rep. Joe Quilici	X		
Sen. Larry Tveit	X		

GENERAL GOVERNMENT AND TRANSPORTATION
GENERAL FUND EXPENDITURE TARGETS
SUBCOMMITTEE "REPORT CARD"

Agy. #	Agency	(A) -- TARGET -- Current Level Fiscal 1992 - 93	(B) LFA Current Level Fiscal 1994 - 95	(C) -- Difference -- LFA CL/Target (B - A)	(D) Legislative Action To Date*	(E) Over(Under) Target (D - A)	(F) Agency "Credits" (Unallocated)	(G) Agy. Target "Responsibility" (E - F)
1101	LEGISLATIVE AUDITOR	\$2,405,934	\$2,598,280	\$192,346	\$2,405,934	0		0
1102	LEGISLATIVE FISCAL ANALYST	1,677,561	1,730,163	52,602	1,676,938	(623)		(623)
1104	LEGISLATIVE COUNCIL	3,807,150	4,948,118	1,140,968	4,246,150	439,000	(439,000)	0
1111	ENVIRONMENTAL QUALITY COUNCIL	557,134	599,665	42,531	557,134	0		0
2110	JUDICIARY**	16,463,815	18,046,448	1,582,633	16,616,628	152,813		152,813
3101	GOVERNOR'S OFFICE	4,673,865	5,048,068	374,203	5,048,068	374,203		374,203
3201	SECRETARY OF STATE	1,875,831	1,865,520	0	1,902,303	26,472		26,472
3202	COMM. OF POLITICAL PRACTICES	278,961	251,177	0	254,245	(24,716)		(24,716)
3401	STATE AUDITOR'S OFFICE	4,204,118	4,285,698	81,580	4,255,692	51,574		51,574
4107	CRIME CONTROL DIVISION	931,387	948,664	17,277	931,387	0		0
4108	HIGHWAY TRAFFIC SAFETY	366,160	420,000	53,840	366,160	0		0
4110	DEPARTMENT OF JUSTICE	22,084,408	26,894,613	4,810,205	28,361,583	6,277,175		6,277,175
5401	DEPARTMENT OF TRANSPORTATION	612,894	461,689	0	164,704	(448,190)		(448,190)
5801	DEPARTMENT OF REVENUE	38,818,690	43,420,054	4,601,364	43,420,054	4,601,364		4,601,364
6101	DEPARTMENT OF ADMINISTRATION	6,452,040	7,020,738	568,698	6,674,051	222,011	(172,371)	49,640
6701	DEPARTMENT OF MILITARY AFFAIRS	4,114,086	4,321,645	207,559	4,114,086	0		0
	SUPPLEMENTAL ADDITIONS TO HB 3	48,064	0	52,610	0	(48,064)	48,064	0
	Totals	\$109,372,098	\$122,860,540	\$13,778,416	\$120,995,117	\$11,623,019	(\$563,307)	\$11,059,712
		Subcommittee Target Budget			Subcommittee Action	S/C Target Reductions		

* Reflects agency action to date of \$362,021 over LFA current level. (Note: Shaded areas reflect LFA C/L - the subcomm. has not yet acted on those agencies.)

GOVERNORS OFFICE

3101 00 00000

Agency Summary

Budget Item	Current Level Fiscal 1992	Current Level Fiscal 1993	Executive Fiscal 1994	LFA Fiscal 1994	Difference Fiscal 1994	Executive Fiscal 1995	LFA Fiscal 1995	Difference Fiscal 1995
FTE	58.50	58.50	55.25	58.50	(3.25)	55.25	58.50	(3.25)
Personal Services	2,091,296	2,051,203	2,236,554	2,347,885	(111,331)	2,239,727	2,350,057	(110,330)
Operating Expenses	628,722	823,740	756,721	694,961	61,760	774,361	701,051	73,310
Equipment	194,155	1,000	65,040	47,120	17,920	32,220	19,226	12,994
Total Costs	\$2,914,173	\$2,875,943	\$3,058,315	\$3,089,966	(\$31,651)	\$3,046,308	\$3,070,334	(\$24,026)
Fund Sources								
General Fund	2,440,328	2,275,773	2,474,033	2,535,392	(61,359)	2,458,958	2,512,676	(53,718)
State Revenue Fund	18,647	108,759	95,500	65,500	30,000	95,500	65,500	30,000
Federal Revenue Fund	455,198	491,411	488,782	489,074	(292)	491,850	492,158	(308)
Total Funds	\$2,914,173	\$2,875,943	\$3,058,315	\$3,089,966	(\$31,651)	\$3,046,308	\$3,070,334	(\$24,026)

Page References

LFA Budget Analysis (Vol. I), A38-42
 Stephens Executive Budget, A20

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Current Level Issues

Differences between the Executive Budget and the LFA current level are detailed in the following program listings. Major current level issues in the Governor's Office include:

- 5 Percent Personal Services Reductions-3.25 FTE, \$222,654
- Vacant Positions for Elimination -8.00 FTE, \$661,058
- Level of Support for Governor's Aircraft, \$45,240
- Level of Support for Flathead Basin Commission, \$91,226

Budget Modifications

6 Budget Modifications, \$932,800

Other Issues

Agency General Fund Target Options:

- Eliminate Flathead Basin Commission General Fund Support, \$80,082
- Eliminate Aging Coordinator, \$99,873
- Eliminate Mental Disabilities Board of Visitors, \$302,735

Exec. Over(Under) LFA
 Fiscal 1994 Fiscal 1995

3101 01 00000 GOVERNORS OFFICE Program Summary		Executive Office Program						
Budget Item	Current Level Fiscal 1992	Current Level Fiscal 1993	Executive Fiscal 1994	LFA Fiscal 1994	Difference Fiscal 1994	Executive Fiscal 1995	LFA Fiscal 1995	Difference Fiscal 1995
FTE	21.50	21.50	20.00	21.50	(1.50)	20.00	21.50	(1.50)
Personal Services	765,990	749,120	800,661	858,668	(58,007)	801,336	859,342	(58,006)
Operating Expenses	209,514	305,598	306,303	260,975	45,328	287,585	242,271	45,314
Equipment	<u>2,251</u>	<u>0</u>	<u>24,940</u>	<u>8,844</u>	<u>16,096</u>	<u>18,210</u>	<u>9,105</u>	<u>9,105</u>
Total Costs	\$977,755	\$1,054,718	\$1,131,904	\$1,128,487	\$3,417	\$1,107,131	\$1,110,718	(\$3,587)
Fund Sources								
General Fund	961,595	970,959	1,046,404	1,087,987	(41,583)	1,021,631	1,070,218	(48,587)
State Revenue Fund	<u>16,159</u>	<u>83,759</u>	<u>85,500</u>	<u>40,500</u>	<u>45,000</u>	<u>85,500</u>	<u>40,500</u>	<u>45,000</u>
Total Funds	\$977,755	\$1,054,718	\$1,131,904	\$1,128,487	\$3,417	\$1,107,131	\$1,110,718	(\$3,587)

Page References

LFA Budget Analysis (Vol. I), A-43
 Stephens Executive Budget, A21

Current Level Differences

5 PERCENT PERSONAL SERVICES REDUCTION—The Executive Budget eliminated 1.5 FTE in compliance with section 13, House Bill 2 requiring a 5 percent personal services reduction in the 1995 biennium. The positions are included in LFA current level. See the attached position reductions listing. (AGENCY_TARGET_OPTION)

FLATHEAD BASIN COMMISSION—The Executive Budget provides more funding for the Flathead Basin Commission. The LFA current level is based on average total expenditures from the state special revenue fund for the past three years. See LFA Vol. I, page A-40 regarding FBC support costs.

EQUIPMENT—The Executive Budget includes funding for a mail OCR document scanner (\$10,500), computers (\$5,000), printers (\$6,000), and miscellaneous office equipment (\$3,937) that is not in LFA current level.

INFLATION DIFFERENCES

MINOR DIFFERENCES (NET)

TOTAL CURRENT LEVEL DIFFERENCES

FIXED COST ADJUSTMENT—By action of the House Appropriations Committee, the grounds maintenance fee charged to the Governor's Office has been adjusted and a portion of the increase will be reflected in this program budget.

VACANT POSITIONS—The Joint Committee on Appropriations recommended the elimination of 3.0 FTE (personal staff) that were vacant on December 11, 1992. The positions are shown on the attached position reduction listing.

Budget Modifications

OFFICE OF COMMUNITY SERVICE—The Executive is requesting a new budget modification to fund an Office of Community Service, including a 1.0 FTE coordinator position, to be located in the Governor's Office. The modification would require coordination with a bill to be introduced establishing the office and the Governor's Montana Community Service and Volunteer Service Corps program. Funding is proposed to come from the Unemployment Insurance (UI) Administration Tax.

OFFICE OF PUBLIC POLICY DISPUTE RESOLUTION—The Executive is requesting a new budget modification to supplement funding for the Office of Public Policy Dispute Resolution. Partial funding for the new program is contained in House Bill 7 (\$127,667 reclamation and development grants). Additional funding is for state special revenue appropriation authority, with revenue to be provided by fees charged for services provided or from private sources.

Exec. Over(Under) LFA
 Fiscal 1994 Fiscal 1995

(58,007) (58,004)

45,613 45,613

16,149 9,288

(77) (221)

(261) (263)

3,417 (3,587)

1,328 1,342

(135,611) (135,583)

500,000 0

65,000 65,000

Language and Other Issues

~~FBC~~

ELIMINATE FLATHEAD BASIN COMMISSION GENERAL FUND SUPPORT-1.0 FTE (AGENCY TARGET OPTION)-The Flathead Basin Commission is supported partially by general fund for operating costs and the FBC coordinator position is fully funded by general fund. The agency included the elimination of general fund support for the FBC as a target reduction option. For further information on general fund support for the FBC, see the issue discussed on page A-40, LFA Vol. I.	(39,955)	(40,127)
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ELIMINATE AGING COORDINATOR (AGENCY TARGET OPTION)-The position of State Aging Coordinator is funded by general fund and is located in the Governor's Office. The position serves as head of the Aging Services Bureau in the Department of Family Services and as staff support for the Governor's Advisory Council on Aging. The agency target option would eliminate the coordinator's position and support costs for the Council. A revision of statute would be required.	(49,722)	(50,151)
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LANGUAGE- The 1993 biennium appropriations bill included the following language:

"Public funds may not be used to support the governor's radio newslines, a telephone service providing recorded news briefs."

3101 02 0000 GOVERNORS OFFICE Program Summary		Mansion Maintenance Program						
Budget Item	Current Level Fiscal 1992	Current Level Fiscal 1993	Executive Fiscal 1994	LFA Fiscal 1994	Difference Fiscal 1994	Executive Fiscal 1995	LFA Fiscal 1995	Difference Fiscal 1995
FTE	1.50	1.50	1.50	1.50	0.00	1.50	1.50	0.00
Personal Services	31,346	29,420	33,164	33,164	0	33,134	33,134	0
Operating Expenses	<u>22,387</u>	<u>26,183</u>	<u>16,397</u>	<u>23,066</u>	(6,669)	<u>16,865</u>	<u>23,692</u>	(6,827)
Total Costs	\$53,734	\$55,603	\$49,561	\$56,230	(\$6,669)	\$49,999	\$56,826	(\$6,827)
Fund Sources								
General Fund	<u>53,734</u>	<u>55,603</u>	<u>49,561</u>	<u>56,230</u>	(6,669)	<u>49,999</u>	<u>56,826</u>	(6,827)
Total Funds	\$53,734	\$55,603	\$49,561	\$56,230	(\$6,669)	\$49,999	\$56,826	(\$6,827)

Page References

LFA Budget Analysis (Vol. I), A-44
 Stephens Executive Budget, A22

Current Level Differences

UTILITIES - The Executive Budget is lower due to a shift of the mansion's electricity and water charges from this program to the Department of Administration, General Services Division.

INFLATION DIFFERENCES

TOTAL CURRENT LEVEL DIFFERENCES

Budget Modifications

None

Language and Other Issues

None

Exec. Over(Under) LFA	
Fiscal 1994	Fiscal 1995
(6,756)	(6,756)
87	(71)
(6,669)	(6,827)

3101 03 00000 GOVERNORS OFFICE Program Summary		Air Transportation Program						
Budget Item	Current Level Fiscal 1992	Current Level Fiscal 1993	Executive Fiscal 1994	LFA Fiscal 1994	Difference Fiscal 1994	Executive Fiscal 1995	LFA Fiscal 1995	Difference Fiscal 1995
FTE	1.00	1.00	1.00	1.00	0.00	1.00	1.00	0.00
Personal Services	24,923	29,636	43,593	43,592	1	44,127	44,126	1
Operating Expenses	69,684	97,971	101,736	78,630	23,106	116,544	92,942	23,602
Equipment	<u>184,642</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>2,100</u>	<u>100</u>	<u>2,000</u>
Total Costs	\$279,250	\$127,607	\$145,329	\$122,222	\$23,107	\$162,771	\$137,168	\$25,603
Fund Sources								
General Fund	276,762	117,607	135,329	112,222	23,107	152,771	127,168	25,603
State Revenue Fund	<u>2,488</u>	<u>10,000</u>	<u>10,000</u>	<u>10,000</u>	<u>0</u>	<u>10,000</u>	<u>10,000</u>	<u>0</u>
Total Funds	\$279,250	\$127,607	\$145,329	\$122,222	\$23,107	\$162,771	\$137,168	\$25,603

Page References

LFA Budget Analysis (Vol. I), A-45
 Stephens Executive Budget, A22

Current Level Differences

FLIGHT HOURS—The Executive Budget funds this program at fiscal 1992 appropriated levels, allowing 200 flight hours for the Governor's aircraft. The LFA current level funds the program at the reduced level imposed during the January 1992 special session, allowing 155 flight hours for the Beechcraft King Air aircraft.

22,620 22,620

EQUIPMENT—The Executive Budget includes \$2,000 for a replacement computer to track weather and aircraft maintenance. The LFA current level does not fund the computer.

0 2,000

INFLATION DIFFERENCES

486 982

MINOR DIFFERENCES (NET)

1 1

TOTAL CURRENT LEVEL DIFFERENCES

23,107 25,603

VACANT POSITION—The Joint Committee on Appropriations recommended the elimination of 1.0 FTE (pilot) that was vacant on December 11, 1992. The position is general fund and is shown on the attached position reduction listing.

(43,592) (44,126)

Budget Modifications

EXPAND AIRCRAFT USAGE—The Executive requests a new budget modification to allow 100 hours of the Governor's aircraft usage by other agencies. The agencies would pay actual operating costs of the flights and contribute to a deferred maintenance fund for overhauls. This modification would provide state special revenue fund spending authority, to be supported by usage fees paid by user agencies.

32,000 32,000

Other Issues

GOVERNOR'S AIRCRAFT SALE AND LEVEL OF SUPPORT—The January 1992 special session included language in House Bill 2 requiring the sale of the Governor's Beechcraft King-Air airplane in fiscal 1992 and included an appropriation of \$175,000 general fund to replace the aircraft with a less expensive model. In addition, the special session legislature reduced operating costs to reflect anticipated lower operating costs of the new aircraft. The Governor's Office did not sell the aircraft, citing a lack of offers for the plane at the estimated selling price. The LFA current level budgets operating expenses at the level appropriated by the special session. If the King-Air plane is retained, the LFA current level budget would require a reduction in the number of flight hours to approximately 155 hours. See the discussion and flight hours table on pages A41-42 of the LFA Budget Analysis.

3101 04 00000
 GOVERNORS OFFICE
 Program Summary

Office Of Bdget & Pgm Planning

Budget Item	Current Level Fiscal 1992	Current Level Fiscal 1993	Executive Fiscal 1994	LFA Fiscal 1994	Difference Fiscal 1994	Executive Fiscal 1995	LFA Fiscal 1995	Difference Fiscal 1995
FTE	18.00	18.00	16.25	18.00	(1.75)	16.25	18.00	(1.75)
Personal Services	670,686	651,860	675,647	728,971	(53,324)	677,492	729,815	(52,323)
Operating Expenses	117,262	142,170	122,397	124,219	(1,822)	138,585	129,155	9,430
Equipment	<u>5,190</u>	<u>0</u>	<u>32,180</u>	<u>30,346</u>	<u>1,834</u>	<u>7,110</u>	<u>5,221</u>	<u>1,889</u>
Total Costs	\$793,138	\$794,030	\$830,224	\$883,536	(\$53,312)	\$823,187	\$864,191	(\$41,004)
Fund Sources								
General Fund	<u>793,138</u>	<u>794,030</u>	<u>830,224</u>	<u>883,536</u>	<u>(53,312)</u>	<u>823,187</u>	<u>864,191</u>	<u>(41,004)</u>
Total Funds	\$793,138	\$794,030	\$830,224	\$883,536	(\$53,312)	\$823,187	\$864,191	(\$41,004)

Page References

LFA Budget Analysis (Vol. I), A-46
 Stephens Executive Budget, A23

Current Level Differences

5 PERCENT PERSONAL SERVICES REDUCTION--The Executive Budget eliminated 1.75 FTE in compliance with section 13, House Bill 2 requiring a 5 percent personal services reduction in the 1995 biennium. The positions are included in LFA current level. See the attached position reduction listing. (AGENCY TARGET OPTION)

Exec. Over(Under) LFA
 Fiscal 1994 Fiscal 1995

(53,323) (53,320)

OVERTIME--The Executive Budget includes overtime in fiscal 1995, citing legislative session workload.

0 1,000

ELIMINATE CLEARINGHOUSE--The LFA current level eliminates operating expenses from the fiscal 1992 base for the Intergovernmental Review (IGR) Clearinghouse function, since the function and FTE were deleted during the January 1992 special session.

3,000 3,000

DATA PROCESSING COSTS--The LFA current level funds data processing costs at the level requested by the agency, including an allowance for cyclical costs related to budget preparation. The Executive Budget was increased for cyclical costs associated with budget preparation.

(3,884) 13,216

EQUIPMENT--The Executive Budget includes more for computer software purchases than LFA current level.

2,000 2,000

INFLATION DIFFERENCES

(902) (6,695)

MINOR DIFFERENCES (NET)

(203) (205)

TOTAL CURRENT LEVEL DIFFERENCES

(53,312) (41,004)

FIXED COST ADJUSTMENT--By action of the House Appropriations Committee, the grounds maintenance fee charged to the Governor's Office has been adjusted and a portion of the increase will be reflected in this program budget.

712 719

VACANT POSITIONS--The Joint Committee on Appropriations recommended the elimination of 2.0 FTE (budget analysts) that were vacant on December 11, 1992. The positions are shown on the attached position reduction listing.

(84,912) (85,113)

Budget Modifications

STAFF COMPUTER TRAINING--This modification would provide computer training for OBPP staff.

5,400 5,400

PERFORMANCE MEASURES: NEW STAFF--This budget modification would provide 1.5 FTE in fiscal 1994 and 2.0 FTE in fiscal 1995 to overhaul the current budgeting and appropriations process with emphasis on mission budgets using outcome and output measures.

100,000 100,000

Language and Other Issues

None

3101 09 00000
 GOVERNORS OFFICE
 Program Summary

Northwest Regional Power Act

Budget Item	Current Level Fiscal 1992	Current Level Fiscal 1993	Executive Fiscal 1994	LFA Fiscal 1994	Difference Fiscal 1994	Executive Fiscal 1995	LFA Fiscal 1995	Difference Fiscal 1995
FTE	6.50	6.50	6.50	6.50	0.00	6.50	6.50	0.00
Personal Services	273,285	280,423	297,025	297,025	0	297,158	297,159	(1)
Operating Expenses	126,045	142,778	122,366	122,659	(293)	125,084	125,391	(307)
Equipment	579	1,000	0	0	0	0	0	0
Total Costs	\$399,909	\$424,201	\$419,391	\$419,684	(\$293)	\$422,242	\$422,550	(\$308)
Fund Sources								
Federal Revenue Fund	399,909	424,201	419,391	419,684	(293)	422,242	422,550	(308)
Total Funds	\$399,909	\$424,201	\$419,391	\$419,684	(\$293)	\$422,242	\$422,550	(\$308)

Page References

LFA Budget Analysis (Vol. I), A-47
 Stephens Executive Budget, A25

Current Level Differences

MINOR DIFFERENCES (NET)

FIXED COST ADJUSTMENT—By action of the House Appropriations Committee, the grounds maintenance fee charged to the Governor's Office has been adjusted and a portion of the increase will be reflected in this program budget.

VACANT POSITION—The Joint Committee on Appropriations recommended the elimination of 1.0 FTE (secretary) that was vacant on December 11, 1992. The position is shown on the attached position reduction listing.

Budget Modifications

None

Language and Other Issues

None

	Exec. Over(Under) Fiscal 1994	LFA Fiscal 1995
MINOR DIFFERENCES (NET)	(293)	(308)
FIXED COST ADJUSTMENT	285	288
VACANT POSITION	(23,394)	(23,392)

Budget Item	Current Level Fiscal 1992	Current Level Fiscal 1993	Executive Fiscal 1994	LFA Fiscal 1994	Difference Fiscal 1994	Executive Fiscal 1995	LFA Fiscal 1995	Difference Fiscal 1995
FTE	4.00	4.00	4.00	4.00	0.00	4.00	4.00	0.00
Personal Services	125,514	126,759	171,346	171,346	0	171,366	171,366	0
Operating Expenses	29,840	35,826	25,505	25,503	2	25,860	25,858	2
Equipment	<u>289</u>	<u>0</u>	<u>640</u>	<u>650</u>	<u>(10)</u>	<u>2,400</u>	<u>2,400</u>	<u>0</u>
Total Costs	\$155,644	\$162,585	\$197,491	\$197,499	(\$8)	\$199,626	\$199,624	\$2
Fund Sources								
General Fund	155,644	147,585	197,491	182,499	14,992	199,626	184,624	15,002
State Revenue Fund	<u>0</u>	<u>15,000</u>	<u>0</u>	<u>15,000</u>	<u>(15,000)</u>	<u>0</u>	<u>15,000</u>	<u>(15,000)</u>
Total Funds	\$155,644	\$162,585	\$197,491	\$197,499	(\$8)	\$199,626	\$199,624	\$2

Page References

LFA Budget Analysis (Vol. I), A-48
Stephens Executive Budget, A26

Current Level Differences

MINOR DIFFERENCES (NET)

FUNDING—The LFA current level offsets general fund with state special revenue funds to continue funding for an economic development task force at the level established during the January 1992 special session. The Executive Budget funds the task force with general fund.

VACANT POSITION—The Joint Committee on Appropriations recommended the elimination of 1.0 FTE (personal staff) that was vacant on December 11, 1992. The position is shown on the attached position reduction listing.

Budget Modifications

None

Language and Other Issues

None

Exec. Over(Under) LFA
Fiscal 1994 Fiscal 1995

(8) 2

15,000 15,000
(15,000) (15,000)

(42,669) (42,666)

EXHIBIT 1
 DATE 2/15/93
 HB

3101 16 00000 GOVERNORS OFFICE Program Summary		Citizens Advocate Office						
Budget Item	Current Level Fiscal 1992	Current Level Fiscal 1993	Executive Fiscal 1994	LFA Fiscal 1994	Difference Fiscal 1994	Executive Fiscal 1995	LFA Fiscal 1995	Difference Fiscal 1995
FTE	1.50	1.50	1.50	1.50	0.00	1.50	1.50	0.00
Personal Services	54,848	47,231	55,855	55,855	0	55,852	55,852	0
Operating Expenses	19,640	19,481	18,553	18,774	(221)	17,860	18,091	(231)
Equipment	0	0	1,260	1,260	0	0	0	0
Total Costs	\$74,489	\$66,712	\$75,668	\$75,889	(\$221)	\$73,712	\$73,943	(\$231)
Fund Sources								
General Fund	60,045	51,712	60,668	60,889	(221)	58,712	58,943	(231)
Federal Revenue Fund	14,444	15,000	15,000	15,000	0	15,000	15,000	0
Total Funds	\$74,489	\$66,712	\$75,668	\$75,889	(\$221)	\$73,712	\$73,943	(\$231)

Page References

LFA Budget Analysis (Vol. I), A-49
 Stephens Executive Budget, A27

Current Level Differences

MINOR DIFFERENCES (NET)

Budget Modifications

None

Language and Other Issues

None

Exec. Over(Under) LFA	
Fiscal 1994	Fiscal 1995
(221)	(231)

DATE 2/15/93
~~HE~~

3101 20 00000
 GOVERNORS OFFICE
 Program Summary

Mental Dis Bd Visitors

Budget Item	Current Level Fiscal 1992	Current Level Fiscal 1993	Executive Fiscal 1994	LFA Fiscal 1994	Difference Fiscal 1994	Executive Fiscal 1995	LFA Fiscal 1995	Difference Fiscal 1995
FTE	4.50	4.50	4.50	4.50	0.00	4.50	4.50	0.00
Personal Services	144,701	136,754	159,263	159,264	(1)	159,262	159,263	(1)
Operating Expenses	34,347	53,733	43,464	41,135	2,329	45,978	43,651	2,327
Equipment	<u>1,203</u>	<u>0</u>	<u>6,020</u>	<u>6,020</u>	<u>0</u>	<u>2,400</u>	<u>2,400</u>	<u>0</u>
Total Costs	\$180,251	\$190,487	\$208,747	\$206,419	\$2,328	\$207,640	\$205,314	\$2,326
Fund Sources								
General Fund	139,407	138,277	154,356	152,029	2,327	153,032	150,706	2,326
Federal Revenue Fund	<u>40,844</u>	<u>52,210</u>	<u>54,391</u>	<u>54,390</u>	<u>1</u>	<u>54,608</u>	<u>54,608</u>	<u>0</u>
Total Funds	\$180,251	\$190,487	\$208,747	\$206,419	\$2,328	\$207,640	\$205,314	\$2,326

Page References

LFA Budget Analysis (Vol. I), A-50
 Stephens Executive Budget, A27

Current Level Differences

MINOR DIFFERENCES (NET)

FIXED COST ADJUSTMENT—By action of the House Appropriations Committee, the grounds maintenance fee charged to the Governor's Office has been adjusted and a portion of the increase will be reflected in this program budget.

Budget Modifications

MDC LEGAL REPRESENTATION—This general fund budget modification would provide legal representation to the residents at the Montana Developmental Center for annual recommitment hearings.

Other Issues

ELIMINATION OF MENTAL DISABILITIES BOARD OF VISITORS (AGENCY TARGET OPTION)—The agency included the elimination of this program as a target reduction option, although it also cites "serious ramifications that could result in litigation to regain rights to advocacy and legal representation." A revision of statute would be required.

	Exec. Over(Under) Fiscal 1994	LFA Fiscal 1995
MINOR DIFFERENCES (NET)	<u>2,328</u>	<u>2,326</u>
FIXED COST ADJUSTMENT	47	48
MDC LEGAL REPRESENTATION	14,000	14,000
ELIMINATION OF MENTAL DISABILITIES BOARD OF VISITORS (AGENCY TARGET OPTION)	(152,029)	(150,706)

GOVERNOR'S OFFICE

Positions Removed by Joint Committee Action
House Appropriations & Senate Finance and Claims
January 6, 1993

EXHIBIT 3
DATE 2/15/93
HB

Position #	Position Description	Total Personal Services		FTE		Total FTE Removed	Non-Approp. FTE
		Fiscal 1994	Fiscal 1995	Removed by 5% Reduction	Removed by Being Vacant		
General Fund Positions							
Executive Office Program:							
10016	Personal Staff	\$53,779	\$53,764		1.00	1.00	
10017	Personal Staff	42,652	42,641		1.00	1.00	
10018	Personal Staff	39,180	39,178		1.00	1.00	
10009*	Personal Staff	37,925	37,923	1.00		1.00	
10041*	Personal Staff	20,082	20,081	0.50		0.50	
Air Transportation Program:							
30001	Aircraft Pilot	43,592	44,126		1.00	1.00	
Office of Budget and Program Planning:							
40008	Budget Analyst, Executive II	35,854	35,852	1.00		1.00	
40024*	Word Processing Operator III	17,469	17,468	0.75		0.75	
40039	Executive Budget Analyst	47,743	47,740		1.00	1.00	
40050	Budget Analyst, Executive II	37,169	37,373		1.00	1.00	
Lt. Governor							
12004	Personal Staff	42,669	42,666		1.00	1.00	
Sub-Total		\$418,114	\$418,812	3.25	7.00	10.25	0.00
Non-General Fund Positions							
Northwest Regional Power Act Program:							
09003	Secretary, Administrative I	23,394	23,392		1.00	1.00	
Sub-Total		\$23,394	\$23,392	0.00	1.00	1.00	0.00
TOTAL		\$441,508	\$442,204	3.25	8.00	11.25	0.00

* Not on the joint committee vacancy list

AGENCY: GOVERNOR'S OFFICE

Checklist
Response to Subcommittee Letter

GENERAL FUND TARGET* \$4,673,865

SPECIFIC REDUCTION PROPOSALS

Priority Ranking

Priority Ranking	Specific Reduction Proposals	Total Biennial Reductions Identified		Does Not Apply Toward Target	Fund Switch	Fee Increase	Permanent Reduction	Cost Shift to Local Govt?	Loss of G/F Revenue?	Amt. of G/F Rev. Loss	Statute Change
		Does Apply Toward Target	Does Not Apply Toward Target								
	<i>Current General Fund Appropriation**</i>	5,048,068									
	Current Level Adjustments Requested: Adopt C/L differences from Executive Budget (2) Fixed Cost Adjustment - Grounds Maintenance	107,577 4,101									
	Agency Target Reduction Options: 5% Personal Svcs Reduction - 3.25 FTE Eliminate Aging Coordinator Elim. Flathead Basin Comm. G/Fund Support (1)	(222,654) (99,873) (80,082)	1,226		N N N		Y Y Y	N N N	N N N		N Y N
	GENERAL FUND BALANCE ACHIEVABLE ABOVE (BELOW) TARGET	4,757,137 \$83,272	1,226								
	Agency Additional Options (5% Below '93 Blen.) Mental Disabilities Board of Visitors (1)	(302,735)	32,653		N		Y	N	N		Y
	TOTAL ADDITIONAL OPTIONS	(\$302,735)	32,653								

* The target for this agency has been reduced by \$71,046, the amount of the fiscal 1993 G/F supplemental.
** This amount represents LFA current level since there has not yet been committee action on this agency.

COMMENTS:

- (1) A portion of the reduction suggested does not apply toward the target as it is not in the beginning base (LFA current level).
- (2) Adjustments to LFA current level would include \$46,700 more for the governor's airplane, \$13,500 more for equipment, \$30,000 more for equipment, \$30,000 more G/F in Lt. Governor's Office.
- (3) The target is not reached because: 1) the target was reduced \$71,046 for supplementals; 2) the agency options were \$6,900 less than requested; 3) \$1,226 did not apply toward the target; and 4) a fixed cost adjustment of \$4,101 was added.

EXHIBIT 7
DATE 2/15/9

OFFICE OF THE GOVERNOR
STATE OF MONTANA

EXHIBIT 4
DATE 2/15/93
AB

MARC RACICOT
GOVERNOR



STATE CAPITOL
HELENA, MONTANA 59620-0801

February 12, 1993

Representative Mary Lou Peterson, Chair
Joint Subcommittee on General Government and Transportation
House of Representatives
Capitol Station
Helena, MT 59620

Dear Representative Peterson:

Our response to your second memo requesting budget reduction targets is enclosed.

Because we cannot identify further cuts, we are asking that the amounts identified as the "additional 5%" be considered as a primary target. This includes the entire program of the Mental Disabilities Board of Visitors.

The total amount thus identified now exceeds the requested target by \$189,442 and represents an 18.4% reduction from the original Executive Budget Request. No "additional 5%" can be identified in this budget.

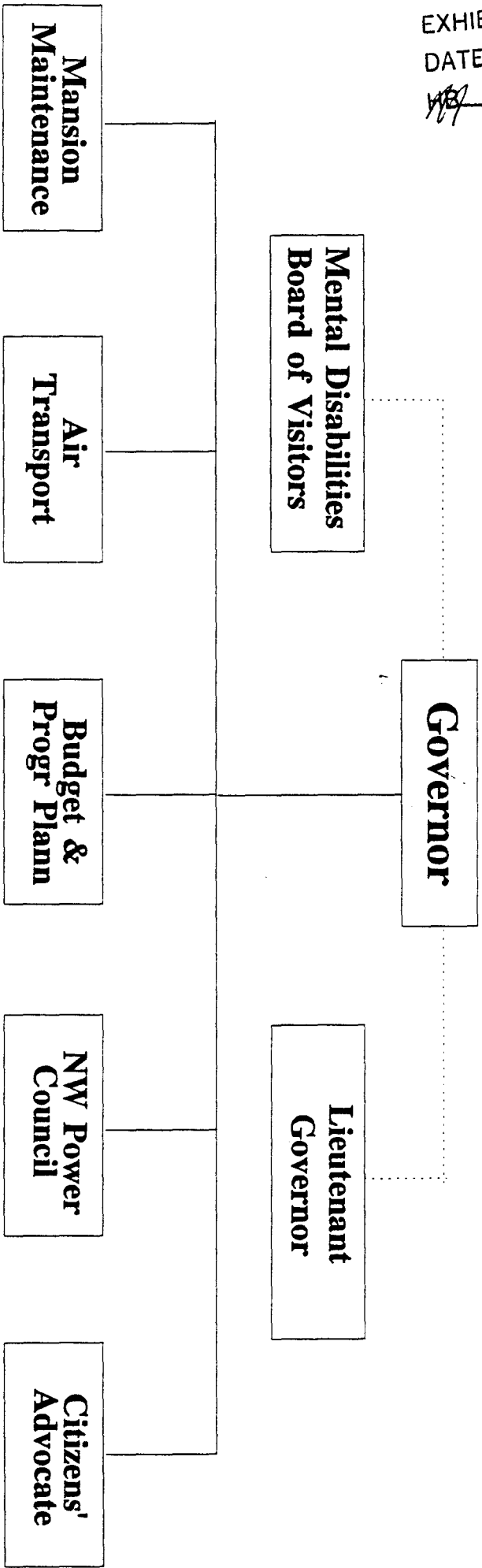
We will be happy to provide further information or discuss these proposals with you at any time.

Sincerely,

A handwritten signature in cursive script that reads "Mike".

Michael A. Lavin
Chief of Staff

EXHIBIT 5
DATE 2/15/93
WJ



Governor's Office

Governor

Chiefs of Staff
Policy/Legal Issues
Admin/Operations
2.00 FTE

EXHIBIT 5
DATE 2/15/93
HB

Scheduler
1.00 FTE

Exec. Assistant
1.00 FTE

Communications Director
2.00 FTE

Citizens' Advocate
1.50 FTE

Support Staff
4.00 FTE

Policy Advisors
4.00 FTE

Central Services
2.00 FTE

Constituent Services
1.00 FTE

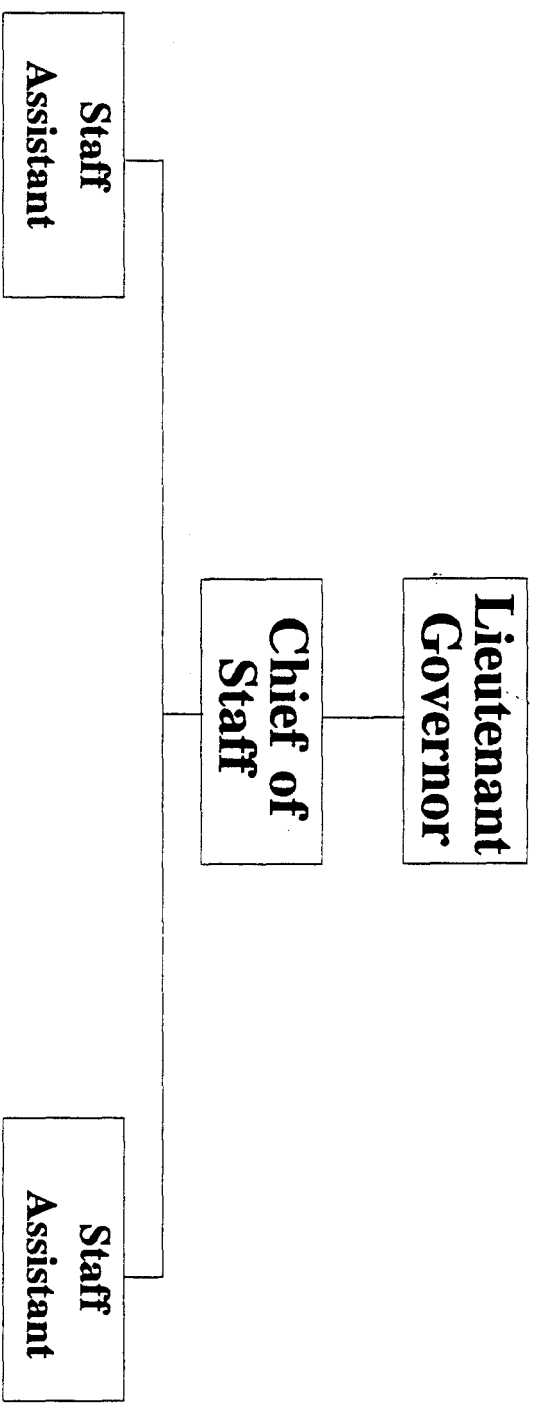
Office on Aging
1.00 FTE
(DFS Budget Except
Coordinator / Council)

Flathead
Basin Comm
1.00 FTE

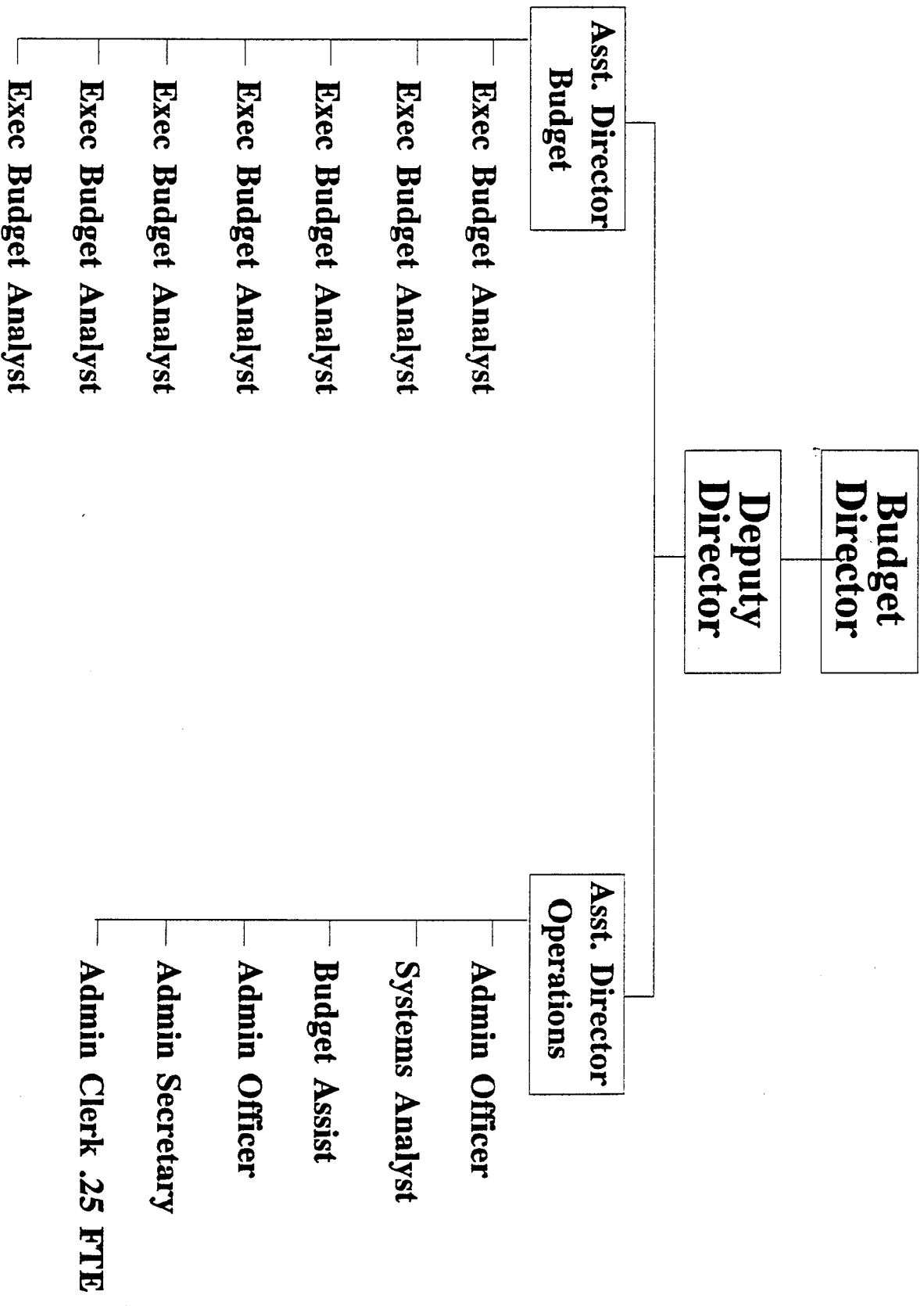
Indian
Affairs
(Commerce's Budget)

EXHIBIT 5
DATE 2/15/19
~~MB~~

Lieutenant Governor's Office



Office of Budget and Program Planning



Mental Disabilities Board of Visitors

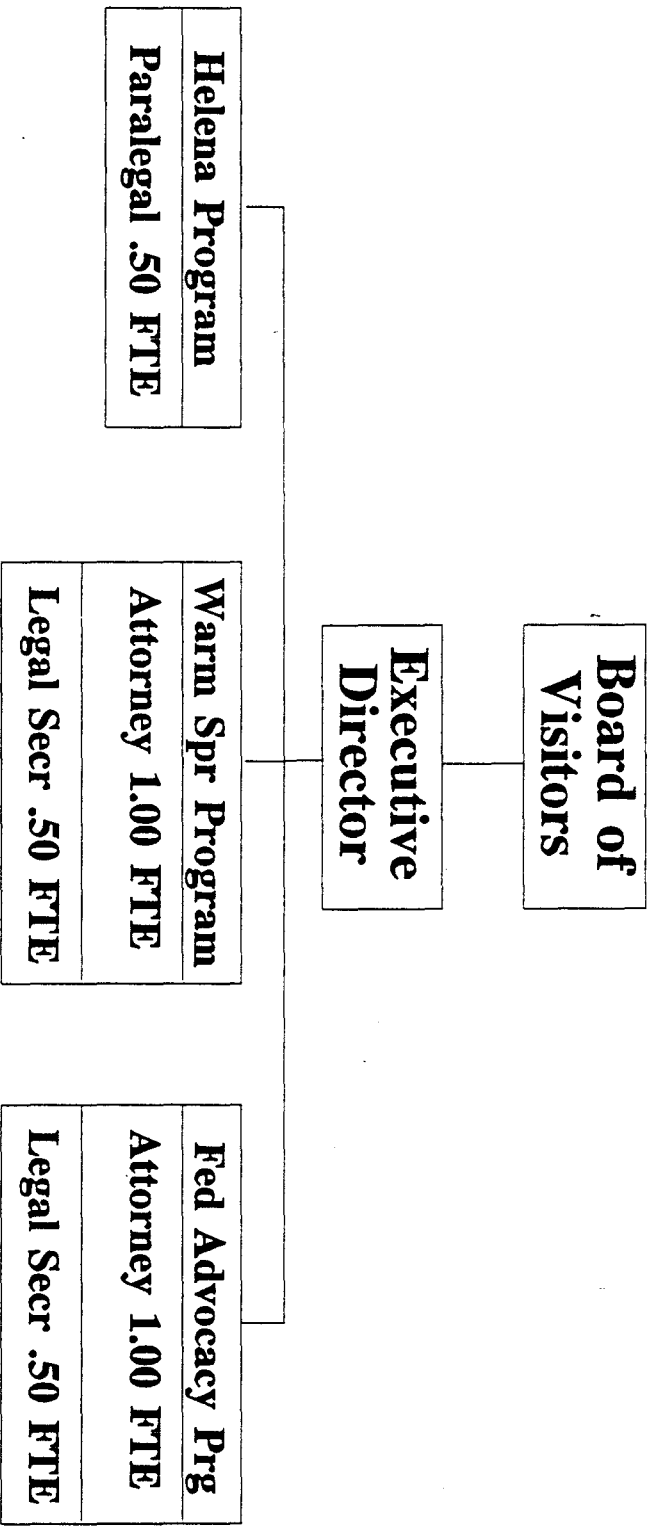


EXHIBIT
 DATE 2/15/94
 HE

MONTANA COMMUNITY SERVICE AND VOLUNTEER SERVICE CORPS

"...Somewhere in the past two decades we have lost sight of the value of "service." We've grown accustomed to government solving our problems. We need to rekindle the spirit that leads me and all of you into public service. We need to restore the sense of pride gained from working and contributing to the public good.

Today we have two major problems which if properly combined lend themselves to a wonderful match and a solution - our unchallenged young people and our natural resources.

A great many of our young people lack opportunities to have responsible and meaningful work. The message they receive is that they are not needed, maybe extraneous and perhaps even a burden. We also have infrastructure and natural resource needs that have outstripped government's ability to provide.

The solution to these problems is found not in the future, but in the past. The model is the Civilian Conservation Corps and the concept is very simple - young people doing hard work that will benefit Montana. The results are productive citizens who have a commitment to the future of our state because they have invested their sweat and labor in that future.

Over the course of this administration, I want to make this same opportunity available to our young people and their communities.

The ground work for this effort has already been laid. The Montana Conservation Corps, a non-profit organization created by the Human Resource Development Councils in Billings, Bozeman and Kalispell have forged a partnership with the Parks Division in the Department of Fish, Wildlife and Parks to successfully implement a program much like the Civilian Conservation Corps.

As a beginning, and through the reallocation of existing funds, I have asked the Office of Budget and Program Planning to prepare legislation authorizing the expenditure of \$500,000 to support this program. We will use the Montana Conservation Corps to build new partnerships by linking young people with public and private agencies willing to provide opportunities for them to make a real difference in Montana."

*...Governor Marc Racicot
 State of the State Address, 1993*

The Governor's Office is requesting authority to implement this commitment made by Governor Racicot in his State of the State Address. The budget modification, in coordination with legislation to be introduced, establishes an Office of Community Service, headed by a community service coordinator and located in the Governor's Office.

MONTANA CONSERVATION CORPS ALLOCATION OF UI ADMIN FUND TO GOVERNOR'S OFFICE		
	FY94	FY95
Personal Services	47,673	47,663
Operating Expenses	34,120	34,120
Equipment	8,300	0
Council	20,250	20,250
Transfers	139,657	147,967
Total	250,000	250,000

MONTANA COMMUNITY SERVICE ACT

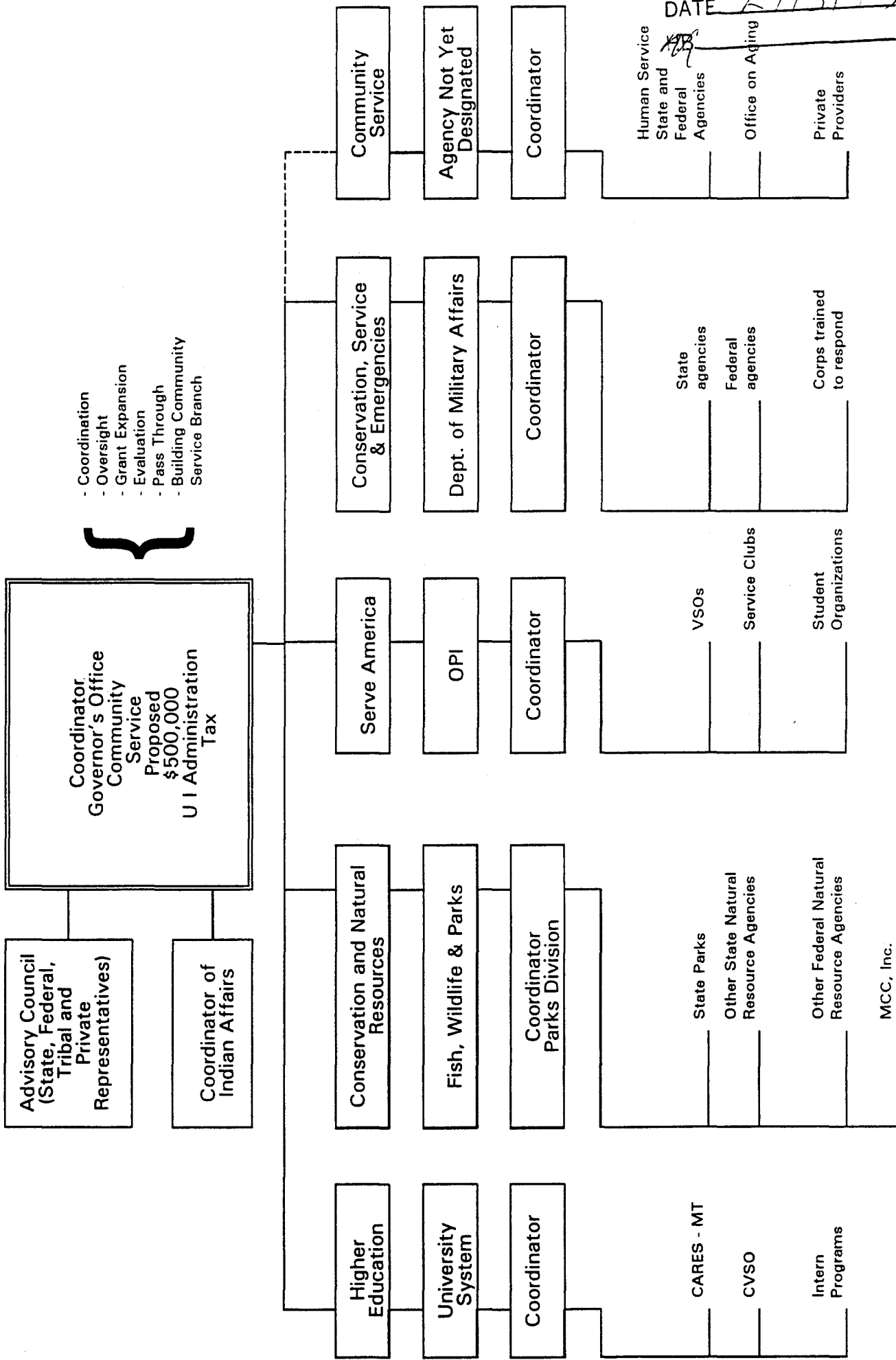


EXHIBIT 1
DATE 2/15/93

DISPUTE RESOLUTION CENTER

"...Communication and collaboration must also be demonstrated in our approach to protecting the environment while prudently using our natural resources. We must put aside confrontational debates and litigious attitudes in order to pave the way for reasonable multiple use of our resources while protecting and enhancing the total environment of Montana. I challenge all interest groups and interested citizens to participate in the discussions and difficult decisions that lie ahead. We must provide a better and more efficient way to solve natural resource problems.

To facilitate this effort I have proposed the establishment of a Dispute Resolution Center in the Governor's Office. This office will act as a conduit to bring interests together to educate one another and provide new and innovative approaches to solving natural resource issues. We will establish this office through the use of Resource Indemnity Trust Interest monies and a matching grant from the National Institute of Dispute Resolution and the Western Governors' Association.

This office will work with the natural resource agencies to facilitate solutions to such issues as the use of water or clean-up of abandoned mining sites. We will require the executive branch agencies in all of their administrative and regulatory actions to open their process from beginning to end, and to initiate their activities by bringing opposing parties together to discuss, educate, resolve and mitigate the problems before final decisions are made."

*...Governor Marc Racicot
State of the State Address, 1993*

Funding for the Montana Office of Public Policy Dispute Resolution is contained in House Bill 7 (Reclamation and Development Grants Program). The total biennium amount requested for this office in HB7 is \$127,667.

The office will be a two-year pilot project that will focus on natural resource issues. The ultimate objective of the Montana office is to evolve into a public-private, non-profit corporation. The objective is designed to maintain the long-term credibility of the office and to reduce its dependence on state government.

The office would charge fees for its services and would attempt to raise non-state funds for its continuation after the initial two-year period.

Montana Office Of Public Policy Dispute Resolution Proposed Funding	
House Bill 7 Reclamation and Development Grants Program	\$127,667
House Bill 2 Requested Fees Charged or Non-State Funds Received	130,000
Total Program	\$257,667

AIR TRANSPORTATION PROGRAM

The Governor's Plane

In 1981, the legislature dismantled the State Aircraft Pool operated by the Department of Community Affairs and assigned the state's aircraft to various state agencies. The Beechcraft Duke was assigned to the Governor's Office, and became "the Governor's plane", for use solely by the Governor. This practice has continued for 12 years, through use of the Duke and the newer aircraft, the current Beechcraft King-Air. The Governor has averaged about 200 hours of use per year.

More Efficient Use Proposed

We would like to propose a different, more efficient use of the aircraft. Although the Governor would remain the primary user, the aircraft would become a "State of Montana aircraft", and we would make the aircraft more readily available for other state agencies to replace more costly charters.

The King-Air is being under-utilized at 150-200 hours per year, but air transportation is necessary in a state the size of Montana which has limited commercial transportation. No air service in Montana can provide the same service at less cost.

We propose using the King-Air in the following manner:

- 200 hours funded by the General Fund for the Governor's Use, as recommended in the Executive Budget.
- 100 hours of use by other agencies. The actual cost of flying the hours would be billed to user agencies and deposited in a State Special Revenue account. Funds in the State Special Account would be used to pay actual operating costs of the additional flights, and could also be accumulated to offset major maintenance items such as engine overhaul or propeller overhaul.

The current estimated hourly rate for operating the King-Air (exclusive of fixed costs such as pilot salary, insurance, and office expense) is about \$375.00 per hour. Of the amount recovered, \$55.00 per hour would remain in the state special revenue account as a reserve for deferred maintenance to offset future general fund expense for engine and propeller overhaul. The Governor's Office would need an additional \$32,000 per year in State Special Revenue Fund authority.

	FY94	FY95
Executive Budget Recommended General Fund and State Special Revenue Fund for 200 Hours Flight Time	145,329	162,771
Requested additional State Special Revenue authority to fly an additional 100 hours	32,000	32,000
TOTAL REQUESTED BUDGET	177,329	194,771

1 DRAFT 2 - 2/12/93
2 53rd Legislature
3

4 Bill No.

5 Introduced By

6 By Request of the Governor and Joint Appropriations
7 Subcommittee on General Government and Transportation
8

9
10
11 A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH THE MONTANA COMMUNITY,
12 CONSERVATION AND VOLUNTEER SERVICE CORPS TO PROVIDE A VARIETY OF
13 PUBLIC SERVICE OPPORTUNITIES FOR MONTANANS; ASSIGNING ADMINISTRATION
14 AND COORDINATION RESPONSIBILITIES TO THE OFFICE OF THE GOVERNOR;
15 CREATING AN ADVISORY COUNCIL ON COMMUNITY SERVICE; CREATING A STATE
16 SPECIAL AND A FEDERAL SPECIAL REVENUE ACCOUNT; CREATING A STATUTORY
17 APPROPRIATION; AMENDING SECTIONS 17-7-502 AND 23-1-301, MCA; AND PROVIDING
18 AN IMMEDIATE EFFECTIVE DATE."
19
20

21 Statement of Intent

22
23 A statement of intent is required for this bill because [section 6] authorizes five state agencies
24 to adopt rules relating to the Montana community, conservation and volunteer service corps.
25

26 It is the intent of the legislature that a variety of opportunities be developed, enhanced and
27 coordinated which maximize the resources and abilities of citizens of Montana to renew the ethic of
28 civic involvement and responsibility by:
29

- 30 (1) Encouraging Montanans, regardless of age, income or ability, to engage in full- or part-
31 time service;
32
33 (2) Involving youth in programs that benefit the state and improve their own lives;
34
35 (3) Enabling young adults to make a sustained commitment to service; and
36
37 (4) Involving participants in activities to help meet human, educational, environmental,
38 service and public safety needs that would not otherwise be performed by paid workers.
39

40 It is the intent of the legislature that the rules address the following:

- 41 (1) Procedures for recruitment and involvement in service;
42
43 (2) Procedures for review and approval of volunteer or work experience projects;
44
45 (3) A service code of conduct and grievance procedure;
46
47 (4) Standards and procedures to evaluate and report on the performance of participants and
48 projects;
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NEW SECTION. Section 3. Office of community service. (1) There is an office of community service, headed by a community service coordinator, established in the office of the governor.

(2) The coordinator must be appointed by the governor, after consultation with the advisory council on community service, and shall serve at the pleasure of the governor.

(3) The coordinator shall, with the advice of the advisory council, assist the governor in planning, coordination, operation and evaluation of programs within state government or under grants, donations, bequests or other resources received by and administered through state government for Montana community services.

(4) The coordinator shall be responsible for the submission of applications for federal grants and for funding from any other sources for the creation or operation of community service corps and volunteer projects, and shall ensure accountability for all such resources received.

(5) The coordinator, together with the advisory council, shall integrate and develop state plans for all services provided under [this act] including, but not limited to, the office of public instruction serve America program, the Montana university system innovative projects, the Montana conservation corps established in 23-1-301, the department of military affairs corps involvement, and other community and volunteer service programs.

NEW SECTION. Section 4. Advisory Council on Community Service. (1) The governor shall appoint an advisory council on community service composed of 15 members, a majority of whom must represent state agencies involved in implementing provisions of [this act].

(2) Members must include a representative from tribal government and from departments in the following functional areas of Montana state agencies: natural resources, human services, labor, K-12 education, higher education, and military.

(3) Members may include representation from local government, not-for-profit agencies, federal agencies, business, labor unions, volunteer groups, and Montana residents.

(4) To the extent possible, membership of the advisory council shall be balanced according to race, ethnicity, age, gender, and disabilities.

(5) The advisory council shall assist in the development of state community service plans, coordination of projects and activities, integration of services, dissemination of information, recruitment of corpsmembers and volunteers, recruitment and training of crewleaders, development of materials, and evaluation of and accountability for the services provided.

NEW SECTION. Section 5. Montana community service corps program - purpose and intent. (1) There is a Montana community service corps program within the Governor's office.

(2) The purpose of the program is to:

(a) renew the ethic of civic responsibility in the state of Montana.

195 as fire suppression or search and rescue; and

196
197 (e) Other lead agencies may be designated by the governor, after consultation with the
198 coordinator and the advisory council, for community service projects that focus on improving the
199 quality of life for all Montanans, particularly low-income, senior citizens, homebound, disabled, or
200 institutionalized, through preparation and delivery of meals, assistance with shopping or other tasks,
201 repairing and painting homes of qualifying persons, providing transportation to and from health care
202 and other appointments, respite care, cataloging library books, assisting rural health care providers,
203 recreation aides, tutoring and literacy training, restoring historical photographs, and other human
204 service support and community services.

205
206 (2) Each lead agency must ensure that service opportunities which result in a public value are
207 developed for all regardless of race, creed, national origin or geographical location by providing
208 leadership through its own network and by forming partnerships with other public or private nonprofit
209 entities.

210
211 (3) Each lead agency must coordinate and integrate its plans with and through the Governor's
212 office of community service.

213
214 (4) Projects developed or approved and funded by an agency must be limited to service
215 projects which provide community service, conservation service, educational service, or other public
216 service and provide documented public value or benefit.

217
218 (5) Lead agencies may:

219
220 (a) designate or, subject to the availability of appropriation authority, hire a corps
221 coordinator to implement its responsibilities of this part;

222
223 (b) develop and approve work experience and volunteer projects that meet the requirements
224 of this part;

225
226 (c) execute contracts or cooperative agreements containing the terms and conditions necessary
227 and desirable for the employment of crewleaders and corpsmembers in approved work experience
228 projects with federal, state or local agencies, persons, firms, partnerships, associations, or
229 corporations;

230
231 (d) execute contracts or cooperative agreements with federal, state, or local agencies,
232 persons, partnerships, associations, or corporations for the purpose of administering the requirements
233 of this part;

234
235 (e) under the supervision of the office of community service, apply for and accept grants or
236 contributions of services, funds, or lands from any public or private donors, including the acceptance
237 of funds appropriated by the legislature;

238
239 (f) develop procedures for participants to achieve incentive vouchers, education, credit
240 towards education, skill training, scholarships, housing benefits, or other benefits upon completion of
241 their term of service;

291 appropriated to the office of community service as provided in 17-7-502.
292

293 (5) The office of community service may transfer funds to participating state agencies for
294 approved community service projects and lead agencies may transfer funds among each other for
295 cooperative projects. Disbursement authority follows any transfers.
296

297 (6) Administrative costs from statutorily appropriated funds may not exceed 20%. Additional
298 personal services, operating, and equipment costs may be appropriated by the legislature.
299

300 **NEW SECTION. Section 9. Immunity from suit for community service acts and**
301 **omissions.** (1) Community service corpsmembers, crewleaders, and volunteers are immune from
302 suit for acts or omissions and immune from suit for damages arising from discharge of assigned
303 community service functions or duties in good faith.
304

305 (2) An agency, defined in 17-7-102(2), is immune from suit for acts or omissions and
306 immune from suit for damages arising from the lawful discharge of duties associated with
307 implementing provisions of [this act].
308

309 (3) An employee, defined in 2-9-101(2), is immune from suit for acts or omissions and
310 immune from suit for damages arising from the lawful discharge of duties associated with
311 implementing provisions of [this act].
312

313 (4) Civil damages may be recovered from a volunteer based on a negligent act or omission
314 involving the operation of a motor vehicle while discharging duties associated with community
315 service; however, the amount recovered may not exceed the limits of applicable insurance coverage
316 maintained by the volunteer.
317

318 **Section 10.** Section 17-7-502. MCA, is amended to read:
319

320 **17-7-502. Statutory appropriations — definition — requisites for**
321 **validity.** (1) A statutory appropriation is an appropriation made by per-
322 manent law that authorizes spending by a state agency without the need for
323 a biennial legislative appropriation or budget amendment.

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

326 (a) The law containing the statutory authority must be listed in subsec-
327 tion (3).

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

331 (3) The following laws are the only laws containing statutory appropria-
332 tions: 2-9-202; 2-17-105; 2-18-812; 10-3-203; 10-3-312; 10-3-314; 10-4-301;
333 13-37-304; 15-1-111; 15-23-706; 15-25-123; 15-31-702; 15-36-112; 15-37-117;
334 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404;
335 17-5-424; 17-5-704; 17-5-804; 17-6-409; 17-7-304; 19-5-404; 19-6-709;
336 19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512;
337 19-11-513; 19-11-606; 19-12-301; 19-13-604; 19-15-101; 20-4-109; 20-6-406;
338 20-8-111; 20-9-361; 20-26-1503; 22-3-811; 23-5-136; 23-5-306; 23-5-409;
23-5-610; 23-5-612; 23-5-631; 23-7-301; 23-7-402; 27-12-206; 37-43-204;
37-51-501; 39-71-2504; 44-12-206; 44-13-102; 53-6-150; 53-24-206; 61-5-121;

February 12, 1993

Representative Mary Lou Peterson, Chair
Joint Subcommittee on General Government and Transportation
Capitol Station
Helena, Montana 59620

RE: Flathead Basin Commission

Dear Representative Peterson:

I am writing to encourage your committee to retain the base funding of the Flathead Basin Commission (FBC) within the Governor's Executive Budget. The FBC budget is \$81,308 for the biennium which supports one staff person and some minimal operating expenses.

The FBC was created by the Legislature in 1983 upon passage of a bill sponsored by then Senator Jean Turnage. The purpose of the Commission is to protect the existing high quality of the Flathead Lake aquatic environment and the natural resources of the Flathead basin. I have been a member of the Commission, representing Lake County, since it was created.

Water quality is one of the most important issues in the Flathead. Due to growth and development pressures in this special part of Montana, there are many serious threats to protecting the quality of our lakes and streams. The Flathead Basin is one of the fastest growing regions in the nation and the present population comprises about 10% of the total state population. We also are experiencing a boom in tourism, which certainly is dependent upon the quality of our environment.

The FBC was created to address the threats to our waters and to coordinate resource management. Over the last 10 years much has been done through the work of the Commission to protect water quality. Some examples are:

- the implementation of a Basin-wide water quality monitoring plan.
- the implementation of a Phosphorous Strategy that includes a Phosphorous detergent ban, the upgrading of all the municipal sewage treatment plants, the sewerage of critical areas, and a stricter review of new subdivisions to ensure their sewage systems will not harm water quality.
- the referral of the proposed Cabin Creek Coal Mines in Canada to the International Joint Commission and eventual disapproval of the mines.
- the development of a Land Use Strategy in the North Fork Flathead River and initiation of discussions with British Columbia to develop a common strategy for future development in this sensitive area.
- the completion of a Forest Practices/Fisheries/Water Cooperative Study that provided baseline data on the effects of timber harvesting practices on water quality and guidelines for best management practices.

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Representative Peterson
February 12, 1993
Page 2

- the initiation of a management planning process for the Flathead River in conjunction with the Federal River and Trail Conservation Assistance Program.
- implementation of a citizen's water quality monitoring program.

The greatest strength of the FBC is in its scope of membership and interaction. The Commission consists of 21 members including: 6 citizens appointed by the Governor; 2 representatives from Flathead and Lake County; 1 representative from the Salish and Kootenai Tribes; 1 representative from Montana Power Company; 4 representatives from State government (FWP, DHES, DSL, and the executive director from Governor's staff); 6 representatives from Federal Government (Glacier National Park, Flathead National Forest, BPA, Bureau of Reclamation, EPA, Army Corps of Engineers); and 1 representative from British Columbia. All of the members serve without pay.

The Commission brings all of the major resource managers in the Basin to the same table to coordinate their activities with a common purpose to protect water. The FBC is considered a model organization by EPA and has been utilized as a model for other regions in the county.

It is imperative that the FBC retains its direct linkage to the Governor's office, it's staff person, and its base support. We have been successful in securing other monies for projects (e.g. \$200,000 from Freshwater Foundation for education, \$200,000 from various sources for Forest Cooperative Program, approximately \$100,000 a year from various agencies for water quality monitoring, \$25,000 from BPA for various education programs). Without the strength of leadership from the Governor's office and our single staff person and base funding, it will be impossible to seek outside funding and coordinate the activities of the Commission and carry-out our mission.

I urge you to retain the FBC budget at the present level of funding. If you have any questions about the work of the Commission I will be pleased to respond.

Thank you for consideration of this important issue.

Sincerely,


Jerry Sorensen

cc: Governor Marc Racicot



EXHIBIT 1
DATE 2/15/93
HB

P.O. Box 290 • Polson, MT 59860

February 13, 1993

Representative Mary Lou Peterson, Chair
Joint Subcommittee on General Government and Transportation
House of Representatives
Capitol Station
Helena, Mt. 59620

Dear Representative Peterson,

The Board of Directors of the Flathead Lakers, Inc., a citizen based, non-profit organization dedicated to the protection of Flathead Lake for the past 34 years, unanimously voted on February 11 to express our deep concern over the proposed elimination of Flathead Basin Commission funding from the Governor's budget. The Lakers supported the formation of the Commission in 1983 and has maintained an active role in supporting and participating in its various programs.

As you know, the Commission was created by the State Legislature in 1983 to protect water quality in the Flathead Basin and to encourage economic development that does not compromise the Basin's aquatic environment. The Commission has addressed this mission in numerous ways. However, the fact remains that scientific research continues to demonstrate that Flathead Lake has approached a threshold where increased nutrient inputs from culturally related sources around the lake and in the upper basin could result in a rapid deterioration in the lake's water quality.

Therefore, the need for the Commission to continue its legislative mandate is greater now than ever before. The monitoring of water quality in the Basin is crucial. The next 5-10 years will see significant changes in the Flathead due to population growth and increased pressures on water quality from land use activities. Cooperation among local and international resource managers is needed now as never before. Providing public forums for public dialogue is mandated if we are to avoid polarization among diverse groups and interests. Long range planning on a watershed or ecosystem is needed if we are to ensure that our children's children are to enjoy the state and national treasure known as Flathead Lake.

The functions of the Commission will be severely limited without staff assistance. Financial assistance from outside sources will be virtually eliminated without evidence of support from the State.

We recognize the difficult budget questions faced by the State of Montana, but we think that financial support for the Commission from the State is an inexpensive insurance policy that simply says - "it is cheaper to keep it clean than to clean it up". There is no guarantee that the Commission can "keep it clean", but we can point to Lake Tahoe, the waterways in Florida and the Great Lakes to illustrate that millions and millions of dollars, resources Montana will never have, have been expended in those scenarios.

We urge that funding for the Flathead Basin Commission from the State of Montana be continued.

Sincerely yours,

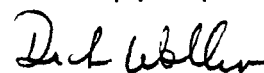

Dick Wollin
President

EXHIBIT
DATE 2/15/93
MB

Madam Chairman and members of the committee, for the record my name is Dorothea Neath and I am the Chairman of the Governor's Advisory Council on Aging.

The Governor's Office on Aging headed by the Coordinator on Aging is an important part of the aging network in Montana. This Office is the focal point for Montana's 140,813 citizens age 60 years or older.

Statistics and studies indicate that we are an aging society. In the ten year period between the 1980 census and the 1990 census, Montana's 60 years and older population increased by 18.1% and our age 75 and older population increased by 38.1% from 33,031 to 45,613. And of these 45,613 citizens, 23.4% or 10,676 are 85 years old or older.

In 1980, the fastest growing segment of our society was the 85 and older. In 1990, the fastest growing segment of our society are those age 100 or older.

Based on this, I believe that Montana's senior citizen population needs to have a focal point which has the ability to ensure that coordination occurs between programs and providers in order to confront the issues and service needs of an aging society.

As stated in the Montanan Older Americans Act, the Aging Office is required to develop appropriate programs for older Montanans; coordinate and integrate all levels of service, with the emphasis on the whole person; and promote alternative forms of service that will create options for older Montanans. This requires that the Office on Aging be in a location which allows it the flexibility and authority to require coordination and cooperation between other agencies and service providers in addressing the needs of our elderly population.

This location must be in the Governor's Office in order for the mandate of the Montana Older Americans Act to be fulfilled.

Thank you for your consideration and retention of this office and Governor's Coordinator on Aging position.

EXHIBIT 11
DATE 2/15/93
HB

12 February 1993

Honorable Marc Racicot
Governor, State Of Montana
Capitol Building
Helena, Mt. 59601

Dear Governor Racicot;

It is with great concern I have just learned of the proposal to abolish the position of Director of the Office on Aging.

Montana's senior population is showing a very rapid growth. If the Director's position is abolished this segment of our population will be denied many programs which rely upon a strong Governor's Office on Aging.

For the first time, the office is now in a position to plan for the next five years. As with any ongoing plan, the need for a Director is obvious if the plan is to succeed.

I sincerely hope you will give us strong support in protecting the position of Director of the Office on Aging.

Thanking you for your attention to this matter I am,

Sincerely,

Dorothea C. Neath, Chairman
Governor's Advisory Council on Aging.
Box 205
Helena, Mt. 59624

TESTIMONY

February 15, 1993

Re: Governor's Office on Aging

Madam Chairman, Members of the Committee:

I am Verner Bertelsen and today I am representing Montana Legacy Legislature.

Montana Legacy Legislature is an organization of senior citizens who every two years hold a mock legislative session here at the Capitol. These senior legislators are elected from the various districts of Montana. They are vitally concerned with problems of seniors and also major concerns of all Montanans. The Governor's Office on Aging is a focal point of their activity.

Montana's Legacy Legislature is strongly opposed to eliminating funding for the head of the Governor's Office on Aging and moving the office into the Department of Family Services.

We feel that this is a case where blood is thicker than water, and the Governor's Office on Aging happens to be a stepchild of the Governor's office. It is therefore expendable, not based on its value to the senior citizen community of Montana, but rather on its lack of essential ties to the Governor's office.

DATE 2/15/93
MB

There is no question this office has become the focal point of federal, state, and local agencies , as well as individual seniors.

There is no question the coordinator and Office on Aging is an advocate for the elderly, and coordinates their services and interacts with various senior citizens groups.

There is no question the Office of Aging coordinates services and information with all the departments of state government and our University System.

There is no question the office on Aging coordinates the compliance with Older Americans Act relating to social services, congregate and home delivered meals, community services, ombudsman service, and elderly legal services.

Montana's Legacy Legislature feels there is no question we need to continue the Governor's Office on Aging and the services only they can fully provide.

Thank you.

Verner Bertelsen
Lobbyist Legacy Legislature
1800 Winne Ave.
Helena, MT 59601

VB/bp

ESTIMONY

Re: Governor's office of Aging - 2-15-93 EXHIBIT 12
DATE 2/15/93

Mr. Chairman, members of the Committee:

I am Ternev Bertelsen and today I am representing Montana Legacy Legislature.

Montana Legacy Legislature is an organization of senior citizens who ~~bi-annual~~ ^{every two} years hold a mock legislative session here at the capitol. These seniors legislators are elected from various districts of Montana. They are vitally concerned with problems of seniors and also major concerns of all Montanans. The Governor's office of aging is a focal point of their activity.

Montana Legacy Legislature is strongly opposed to eliminating funding for the head of the Governor's Office of Aging and moving the office into the Department of Family Services.

We feel that this is ~~an~~ ^{a case} where blood is thicker than water and the Governor's Office of Aging happens to be a step child of the Governor's office. It is therefore expendable not based on its value to the senior citizen community of Montana but rather on its lack of essential ties to the Governor's office.

There is no question the office has become the focal point of federal, state and local agencies as well as individual seniors.

EXHIBIT 12
DATE 2/15/93
ME

There is no question ~~that~~ ^{the} coordinator ~~office~~ is an advocate for the elderly and coordinates their services and interests with various senior citizen groups -

There is no question the Office of Aging coordinates ~~the~~ services and information with all the departments of state government and our University system -

There is no question the office of Aging coordinates the compliance with Older Americans Act relating to social services, congregate and home delivered meals, community services, ombudsman services and elderly legal services.

Montana Legacy Legislature feels there is no question we need to continue the ^{Governor's} office of aging ~~that~~ and the services only they can fully provide -

Thank you.

Verner Bertelsen
Lobbyist Legacy Legislature
1800 Winne Ave.
Helena, Mnt. 59601

OVERVIEW

The Governor's Office on Aging is mandated to develop a comprehensive and coordinated service delivery system for the provision of services to Montana's elderly population. All program funds are contracted with Montana's 11 Area Agencies on Aging to develop these services within local communities.

GOALS

- * To develop a comprehensive, cost effective and coordinated service delivery system for Montanans that are elderly.
- * To advocate for all elderly Montanans to maintain dignity and independence.
- * To emphasize delivery and development of services to elderly people that are socially and economically disadvantaged, by better coordination with other service delivery systems, such as Medicaid, food stamps, Veterans, etc.
- * To draw upon a variety of funds, such as Federal, State, Local and voluntary contributions by seniors and family members, to develop necessary services for senior citizens at risk of early institutionalization.
- * To continue to develop community based and in-home services as an alternative to higher cost institutional care.

AUTHORIZATION

2-15-231-232

MCA

In 1983, the Legislature established the Office on Aging in the Governor's Office to assist the Governor in planning, coordination, and operation of programs within state government that affect senior citizens of the state.

P. L. 89-73

The Federal Older Americans Act calls for a State Agency on Aging, for the development of a State Plan on Aging and very specific guidelines for the development of Area Agencies on Aging and a service delivery system.

52-3-201-206

MCA

Montana Older Americans Act, designation of Area Agencies and State Office on Aging, development of State Plan on Aging, Ombudsman Services, etc.

CONTRACTED SERVICES - AREA AGENCIES ON AGING

The Area Agencies develop the local planning process and provide services or contract with individual agencies to provide service. There are over 1,000 local service providers in all 56 counties in Montana that serve the elderly by utilizing local county funds, contributions, donations, state funds and federal funds. All funds, units of service and number of clients served are reported to the Area Agencies. The Area Agencies prepare monthly reports to the Governor's Office on Aging for reimbursement.

PROBLEMS CONFRONTING AN AGING SOCIETY

Montana as well as the rest of the nation is growing older. In 1980, the fastest-growing segment of our society was the 85 plus age group. Twelve years later, the fastest growing segment is considered age 100 plus.

In 1900, 374,000 people were 80 years or older in the United States and only 122,000 were 85 or older. By 1990, nearly 7 million people were 80 years or older and about 3 million were 85 or older. The 1990 census counted nearly 1 million who reported their age as 90 years or older. Centenarians, people aged 100 years or older numbered 36,000 in 1990, more than double the number in 1980. (report by National Institute on Aging)

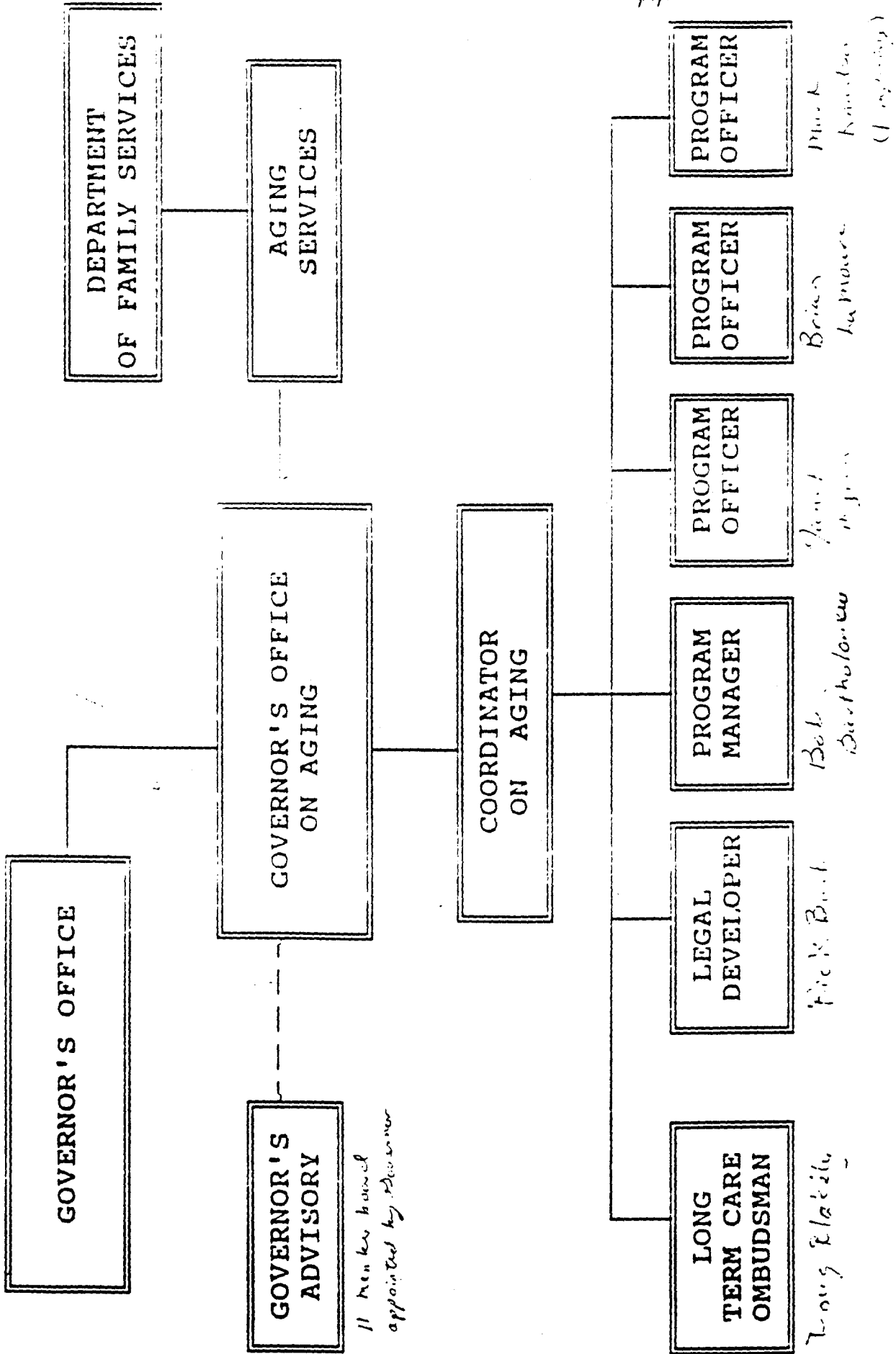
In 1980, Montana had 119,240 people age 60 and over. In 1990, that figure grew to 140,813 or a 18.1% increase. In 1980, we had 33,031 over the age of 75 while in 1990, this figure increased to 45,613 or a 38.1% growth factor. Of the 45,613 senior citizens over age 75, 10,676 or 23.4% are age 85 plus. During the ten year period from 1980 to 1990, the 85 plus age group grew by 20.8% from 8,837 to 10,676.

17.6% of Montana's population is over the age of 60 years or older.

To bring the fact a little closer to home, did you know that 28% of the Senate is 60 years or older and 19.3% of the House of Representatives is 60 years of age or older? There are 4 members of the Senate and 5 members of the House age 70 or older.

We have included some county statistics related to your county as to their elderly populations. In Montana, we have some counties whose elderly populations are at 25% and up to 30%. These counties exceed the State and National averages and set the trend for the next twenty years.

Governor's Office on Aging Organization Structure



Census Information on Selected Counties

WBJ

	Silver Bow	Flathead	Lincoln	Missoula	Yellowstone	Richland
1970 Total	41,981	39,460	18,063	58,263	87,367	9,837
1980 Total	38,092	51,966	17,752	76,016	108,035	12,243
1990 Total	33,941	59,218	17,481	78,687	113,419	10,716
1970 65+	4,983	4,124	988	4,510	7,064	1,491
1980 65+	5,686	5,376	1,420	6,134	9,841	1,736
1990 65+	5,790	7,716	2,142	8,103	13,999	1,429
1970 60-64	2,236	1,583	565	1,846	3,333	462
1980 60-64	2,236	2,277	747	2,521	4,336	487
1990 60-64	1,653	2,529	782	2,656	4,842	507
1970 65-74	3,016	2,349	610	2,595	4,114	513
1980 65-74	3,548	3,261	973	3,687	6,168	777
1990 65-74	3,173	4,555	1,346	4,582	8,151	823
1970 75-84	1,586	1,419	295	1,507	2,286	408
1980 75-84	1,656	1,595	333	1,765	2,700	327
1990 75-84	2,095	2,393	632	2,661	4,483	471
1970 85+	381	356	83	408	664	108
1980 85+	482	520	114	682	973	145
1990 85+	522	768	164	860	1,365	135

Ratio of Age Groups to the 65+ Population

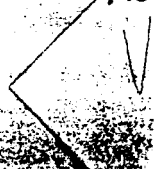
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1990 65+	5,790	7,716	2,142	8,103	13,999	1,429
1970 65-74	61%	57%	62%	58%	58%	34%
1980 65-74	62%	61%	69%	60%	63%	45%
1990 65-74	55%	59%	63%	57%	58%	58%
1970 75-84	32%	34%	30%	33%	32%	27%
1980 75-84	29%	30%	23%	29%	27%	19%
1990 75-84	36%	31%	30%	33%	32%	33%
1970 85+	8%	9%	8%	9%	9%	7%
1980 85+	8%	10%	8%	11%	10%	8%
1990 85+	9%	10%	8%	11%	10%	9%

Census Information on Selected Counties

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1970 65-74	61%	57%	62%	58%	58%	34%
1980 65-74	62%	61%	69%	60%	63%	45%
1990 65-74	55%	59%	63%	57%	58%	58%
1970 75-84	32%	34%	30%	33%	32%	27%
1980 75-84	29%	30%	23%	29%	27%	19%
1990 75-84	36%	31%	30%	33%	32%	33%
1970 85+	8%	9%	8%	9%	9%	7%
1980 85+	8%	10%	8%	11%	10%	8%
1990 85+	9%	10%	8%	11%	10%	9%



Selected County's Aging Populations

Selected County's Aging Populations

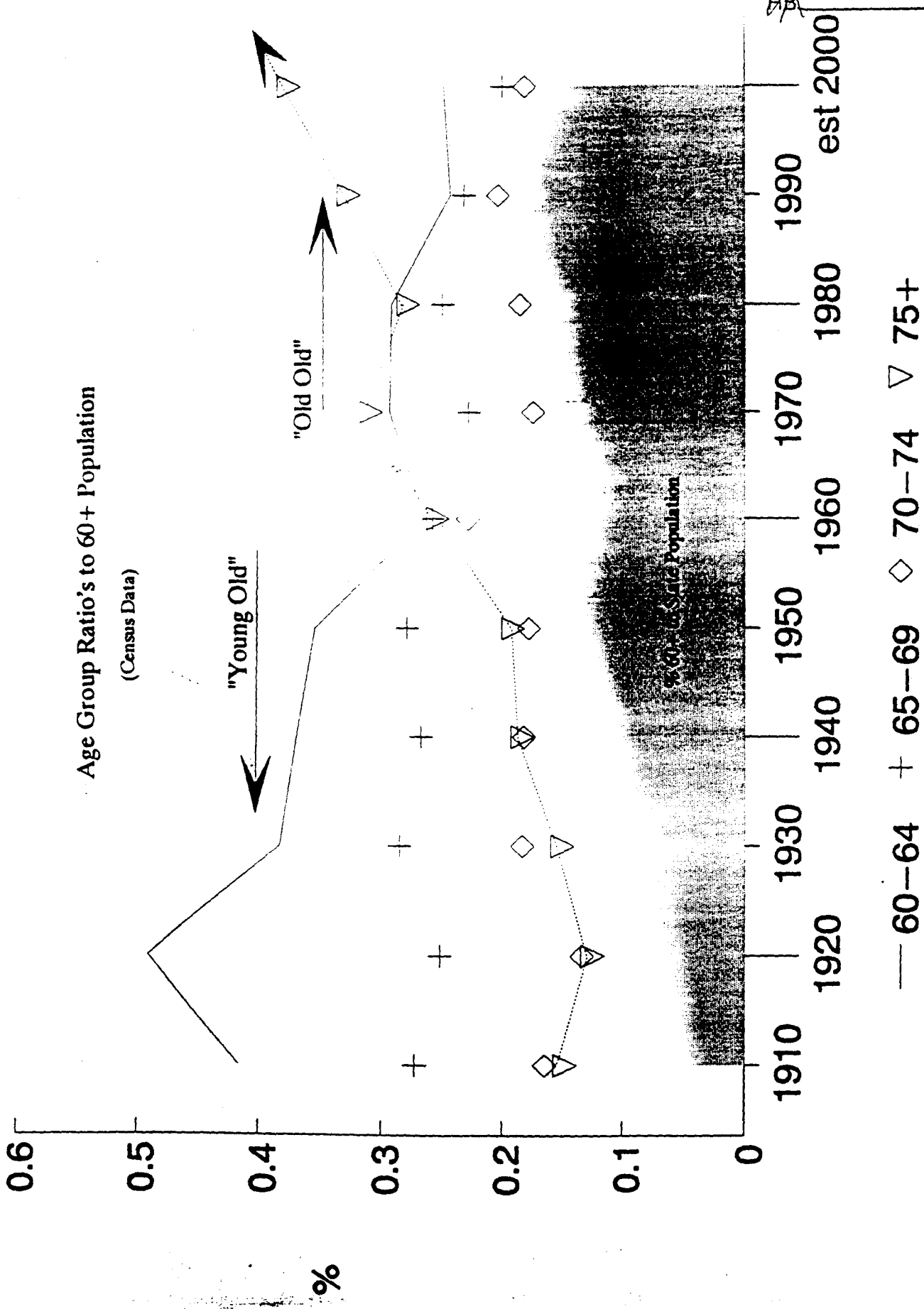
Co Reference #	1		2		3		4		5		6		7		8		9		10		11		12		13		14		15		16	
	Blaine	Cascade	Chouteau	Custer	Dawson	Deer Lodge	Flathead	Gallatin	Lewis & Clark	Lincoln	McCone	Missoula	Phillips	Sheridan	Silver Bow	Yellowstone																
1970 Total	6,727	81,804	6,473	12,174	11,269	15,652	39,460	32,505	33,281	18,063	2,875	58,263	5,386	5,779	41,981	87,367																
1980 Total	6,989	80,696	6,082	13,109	11,805	12,518	51,966	42,865	43,039	17,752	2,702	76,016	5,367	5,414	38,092	108,035																
1990 Total	6,728	77,691	5,452	11,697	9,505	10,278	59,218	50,463	47,495	17,481	2,276	78,687	5,163	4,732	33,941	113,419																
1970 65+	758	6,473	733	1,550	994	1,877	4,124	2,618	3,298	988	287	4,510	720	676	4,983	7,064																
1980 65+	846	7,988	796	1,734	1,143	1,787	5,376	3,234	4,124	1,420	278	6,134	734	836	5,686	9,841																
1990 65+	869	9,838	951	1,988	1,433	2,040	7,716	4,489	5,512	2,142	375	8,103	797	1,023	5,790	13,939																
1970 60-64	262	2,668	284	489	425	901	1,583	947	1,373	505	109	1,846	239	262	2,236	3,333																
1980 60-64	297	3,922	368	669	482	777	2,277	1,379	1,772	747	148	2,521	254	328	2,236	4,336																
1990 60-64	298	3,242	303	598	492	583	2,529	1,572	1,851	782	121	2,656	239	281	1,653	4,842																
1970 65-74	415	3,666	376	634	574	1,144	2,349	1,425	1,910	610	151	2,595	333	323	3,016	4,111																
1980 65-74	517	4,783	483	944	716	1,152	3,261	1,855	2,521	973	188	3,687	416	497	3,548	6,168																
1990 65-74	476	5,623	554	1,109	788	1,201	4,555	2,699	3,180	1,346	232	4,562	440	555	3,173	8,151																
1970 75-84	268	2,217	301	573	319	595	1,419	943	1,115	295	112	1,507	315	269	1,586	2,286																
1980 75-84	232	2,383	215	550	340	499	1,595	1,000	1,149	333	63	1,765	209	215	1,656	2,700																
1990 75-84	328	3,194	300	654	486	672	2,393	1,391	1,748	632	114	2,661	270	351	2,095	4,483																
1970 85+	75	590	56	143	101	138	356	250	273	83	24	408	72	84	381	664																
1980 85+	97	812	98	240	87	136	520	379	454	114	27	662	109	124	482	973																
1990 85+	88	1,021	97	225	159	167	768	399	584	164	29	860	87	117	522	1,365																

EXHIBIT 13
 DATE 2/15/93
 WFB

Population	1910	1920	1930	1940	1950	1960	1970	1980	1990	est 2000
Full Population	376,053	548,889	537,606	559,456	591,024	674,767	694,409	786,690	799,065	839,000
60-64	6,468	16,194	16,580	21,230	27,940	23,458	28,435	34,681	34,316	32,460
65-69	4,238	8,291	12,323	15,356	21,940	22,797	22,028	29,609	32,496	26,050
70-74	2,554	4,406	7,911	10,410	13,947	20,199	16,798	21,919	28,388	23,590
75-79	1,480	2,492	3,931	10,491	12,692	12,943	13,880	14,922	21,408	49,360
80-84	564	1,086	1,688			6,146	9,814	9,272	13,529	
85+	249	533	847		2,285	3,335	6,216	8,837	10,676	
60+ Total	15,553	33,002	43,280	57,487	78,804	88,878	97,171	119,240	140,813	131,460
Ratio to 60+										
	1910	1920	1930	1940	1950	1960	1970	1980	1990	est 2000
60-64	42%	49%	38%	37%	35%	26%	29%	29%	24%	25%
65-69	27%	25%	28%	27%	28%	26%	23%	25%	23%	20%
70-74	16%	13%	18%	18%	18%	23%	17%	18%	20%	18%
75+	15%	12%	15%	18%	19%	25%	31%	28%	32%	38%
75-79	10%	8%	9%	18%	16%	15%	14%	13%	15%	38%
80-84	4%	3%	4%	0%	0%	7%	10%	8%	10%	0%
85+	2%	2%	2%	0%	3%	4%	6%	7%	8%	0%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Popul Ratio										
	1910	1920	1930	1940	1950	1960	1970	1980	1990	est 2000
60+	4%	6%	8%	10%	13%	13%	14%	15%	18%	16%
60-64	2%	3%	3%	4%	5%	3%	4%	4%	4%	4%
65-69	1%	2%	2%	3%	4%	3%	3%	4%	4%	3%
70-74	1%	1%	1%	2%	2%	3%	2%	3%	4%	3%
75+	1%	1%	1%	2%	3%	3%	4%	4%	6%	6%

Age Group Ratio's to 60+ Population

(Census Data)



— 60-64 + 65-69 ◇ 70-74 ▽ 75+

State Publications Co. Helena, Montana	TOTAL POPULATION	60/64	65/69	75/69	85/69	TOTAL POPULATION
Beaverhead	8424	302	576	342	119	1389
Big Horn	11337	329	584	349	94	1356
Blaine	6728	298	473	328	98	1187
Broadwater	3318	149	335	165	43	692
Carbon	8080	433	873	558	159	2023
Carter	1503	74	153	101	28	356
Cascade	77691	3242	5623	3194	1021	13050
Chouteau	5452	303	554	300	47	1254
Custer	11699	598	1109	654	225	2596
Daniels	2266	146	285	166	51	648
Dawson	9505	442	788	486	159	1925
Deer Lodge	10278	583	1201	672	169	2623
Fallon	3103	186	251	166	45	648
Fergus	12083	683	1260	831	315	3089
Flathead	59218	2529	4555	2393	768	10245
Gallatin	50463	1572	3699	1391	399	6061
Garfield	1589	85	153	80	34	352
Glacier	12121	430	669	389	102	1590
Golden Valley	912	449	92	55	19	215
Granite	2548	121	278	148	44	591
Hill	17654	759	1227	668	241	2895
Jefferson	7939	300	495	267	71	1133
Judith Basin	2282	125	234	153	19	531
Lake	21041	993	1862	1122	323	4300
Lewis and Clark	47445	1851	3180	1748	534	7362
Liberty	2295	101	196	124	39	458
Lincoln	17481	792	1346	632	184	2924
Madison	59191	351	541	360	107	1359
McCone	2276	121	232	114	29	446
Meagher	1819	93	197	99	19	408
Mineral	3315	175	270	117	33	595
Missoula	78687	2656	4582	2661	860	10759
Musselshell	4106	258	460	294	67	1079
Park	14562	676	1304	742	247	2969
Petroleum	519	28	49	18	4	99
Phillips	5163	236	440	270	97	1033
Pondera	6433	312	554	350	139	1355
Powder River	2090	134	195	92	41	462
Powell	6620	281	526	313	94	1214
Prairie	13183	89	192	128	30	439
Ravalli	25010	1319	2397	1348	405	5469
Richland	10716	507	823	471	135	1936
Roosevelt	10940	374	675	411	119	1579
Rosebud	10505	306	459	210	90	1045
Sanders	8669	451	792	475	131	1849
Sheridan	47132	281	555	351	117	1304
Silver Bow	339141	1653	3173	2045	522	7443
Stillwater	6526	298	599	271	102	1388
Sweet Grass	3154	150	248	235	84	817
Teton	6271	302	591	402	135	1420
Toole	5046	222	501	243	75	1041
Treasure	8174	51	91	55	11	188
Valley	8239	439	770	464	153	1826
Wheatland	2246	107	266	141	55	569
Wibaux	1141	73	121	92	34	310
Yellowstone	113419	4842	8151	4493	1365	19841
Yellowstone Park	152	06	01			07

TOTAL 399065 60994 60884 34937 106176 146013



County of Yellowstone

CITY-COUNTY HEALTH DEPARTMENT



POST OFFICE BOX 35033
BILLINGS, MONTANA
59107

February 12, 1993

Senator Larry Tveit
Capitol Station
Helena, MT 59620

Dear Rep. Larry Tveit:

It is our understanding that the position of Governor's Coordinator on Aging, now held by Charlie Rehbein, is being considered for elimination as a cost savings move.

As a provider of elderly services, we oppose the elimination of this position. Elevation of this position to the Governor's Office on Aging has given high priority to the needs of the aging in this state.

Please vote to maintain this position as it currently exists.

Thank you for your time and consideration.

Sincerely,

Lil Anderson /s.n.

Lil Anderson, R.N.
Executive Director

LA:tmn

LEGLET

EXHIBIT 10
DATE 2/15/93



County of Yellowstone

CITY-COUNTY HEALTH DEPARTMENT



POST OFFICE BOX 35033
BILLINGS, MONTANA
59107

February 11, 1993

Rep. Mary Lou Peterson, Chair
Capitol Station
Helena, MT 59620

Dear Rep. Peterson:

I am writing in support of maintaining the Governor's Coordinator on Aging position.

The demographic trend shows an ever increasing number of elderly in the nation and in Montana. It is vitally important to have a coordinated service delivery effort to ensure a streamlined focal point for elderly services. Montana is mandated to provide this coordinated effort by the Older Americans Act. Given the challenges of adequately serving this growing population, it is essential that our state have a Coordinator who offers insight and authority to all aging programs, public and private.

Thank you for your support of this position.

Sincerely,

Kimberlee J. Sullivan, R.N.
Program Manager
Home and Community Services

KJS:tmn

LEGLET2

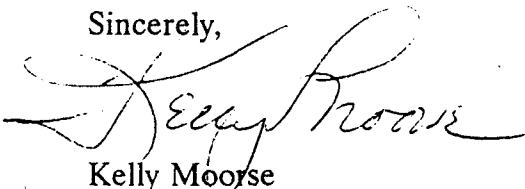
Page two
15 February 1993
General Government Subcommittee

The Board of Visitors has been successful in identifying and resolving rights related issues; improper commitments, issues of confidentiality, violations of the use of seclusion and restraints, access to medical records, informed consent concerns, access to their own money and belongings. The Board of Visitors serves as an intermediary between patients and providers in an attempt to resolve conflicts through mediation, education and negotiation before resorting to legal action to enforce patient rights.

The Courts have determined people with disabilities have a right to advocacy and legal representation. A summary of that case law was provided in the memo prepared by the Governor's Office in late January. Efforts to eliminate patients' rights to advocacy and legal representation could lead to major lawsuits.

The Board of Visitors recognizes the current fiscal crisis the state is facing. As our contribution, we reluctantly withdraw our request for the budget modification of a contract attorney at Montana Developmental Center (cost of \$28,000). We do respectfully request that our funding not be diminished any further. Thank you.

Sincerely,



Kelly Moorse
Executive Director

February 15, 1993
1499 Beaverhead
Helena, MT 59601

Representative Mary Lou Peterson, Chair
General Government Appropriations Subcommittee
State Capitol - Room 420
Helena, MT 59620

Madam Chair and Members of the Committee:

Thank you for the opportunity to testify today on the budget of the Mental Disabilities Board of Visitors. For the record, my name is Wally King and I have served as the chairman of the Board of Visitors since 1990.

In 1975, the Board of was created to act as a watchdog group to insure humane and decent patient care and treatment. Our five member Board, comprised of consumers and professionals, actively participate in the evaluation of the state institutions and mental health centers. Currently the Board is represented by Arlene Breum, Missoula; LaNelle Petersen, Brady; Bob Visscher, Livingston, Marge Fehrer, Bozeman and myself from Helena.

Over the several years the Board of Visitors has made constructive evaluations which we believe have contributed to improvements in patient care and treatment. We have reviewed these facilities and their compliance with Montana laws and professionally accepted standards.

We are conscious of the fiscal constraints the State is facing and feel our budget request is modest. The Board and our staff have been very conscientious in protecting the rights of this state's disadvantaged. We would appreciate the support of this committee for our budget request.

Sincerely,



Wallace King, Chairman
Mental Disabilities
Board of Visitors

EXHIBIT 11

DATE 2/15/93

AB

245 S 4th St

Missoula, MT

Feb 9, 1993

Rep. Mary Lou Petersen, Chair
Con. Govt Appropriations Sub-Committee
State Capital - Room 420
Helena, MT 59620

Our family has had a need to
access the mental health system for
four of our children, who have
been afflicted with varying degrees
of mental illness in the past
18 yrs.

Kelley Means, Executive Director of
The Board of Visitors, has been
an invaluable help to us during

- 5 -

This time, by being accessible
for information and much needed
networking in a prompt and
appropriate manner.

We have experienced personal
changes, through her interventions,
for more humane treatment,
ie. breast unit @ Warm Springs.

State Hospital - by changes
for less restraints, more monitoring
of patients needs and advocating
patient rights.



Frank C. Peitz, Ph.D.

EXHIBIT 17
DATE 2/15/93
HB _____

- DIPLOMATE IN CLINICAL PSYCHOLOGY • AMERICAN BOARD OF PROFESSIONAL PSYCHOLOGY
- FELLOW AND DIPLOMATE • AMERICAN BOARD OF MEDICAL PSYCHOTHERAPISTS
- LICENSED CLINICAL PSYCHOLOGIST

February 11, 1993

Representative Marylou Peterson, Chairperson
General Government Appropriation Subcommittee
State Capitol
Room 240
Helena, MT 59620

Fax # 444-3543

Dear Representative Peterson:

Your urgent attention is drawn to the Board of Visitors budget hearing. As a former member of the Board, and a current consultant, I must underline the singular contribution made by this board in assuring quality care in our institutions and community mental health centers.

At a time when mental health services vary dramatically in terms of quality, and at a time when litigation threatens both the patient and practitioner, somewhere the State of Montana needs a voice of reason which can cut through professional, legal and political smoke screens to get to the heart of the matter: The proper care of the mentally ill.

I am sure that your desk is piled with letters and proposals, both pro and con, regarding a host of appropriation issues. Let me tell you, unequivocally, there is not a more professionally run board in all of State Government, there is no more cost efficient agency in State Government, and there is no executive director, more competent, conscientious, and cost-conscious than Kelly Moorse. There is no one in whom I have more confidence when it comes to the proper care and management of the mentally ill than Kelly. Under her direction, the Board of Visitors has insured the rights of Montana citizens to due process and to humane, competent treatment. The Board of Visitors is the only agency that can do so without a conflict of interest.

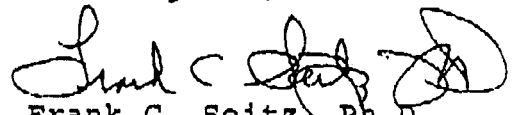
As a former president of the Montana Psychological Association, a clinical psychologist who has been in practice in Montana for the past 23 years, and as a Montanan who doesn't like his taxes increased

or unnecessary budget items escalating any more than anyone else, I would urge you that the Board of Visitors is the last place to cut mental health dollars.

I would welcome discussing in any detail that you would wish, the basis for the above impressions. Please extend my invitation to your subcommittee to answer any questions or comments that they feel relevant such that the Board of Visitors can continue to be a central and viable voice in the treatment of the mentally ill in Montana.

Thank you for your support!

Best regards,



Frank C. Seitz, Ph.D.
Clinical Psychologist

FCS:mh

Representative Mary Sue Peterson, DATE 2/15/92
Place Mass
General Government Appropriations Sub Committee

Concerns - Mental Disabilities Board of Visitors

I know your task with the State body is not an easy one. Each board serves a purpose & knowing where to cut can be hard.

I serve on the B.O.V. & have been a member for the last four years. During this time period I have seen the impact of our work, a direction of improvement plus cost saving measures. Over all this board should be viewed as a value to the people we serve & to the State.

Listed are some of the positive accomplishments I feel we have been involved with:

1. Rights of people with mental disabilities
2. Treatment Programs - Mission - Goals
3. Group Homes - Care - Moving toward community life
4. Active discharge for those consumers who no longer needing institutionalization
5. Focusing on Community support Programs

- 4 Intensive case management services
- 6. Refining standards of Community Mental Health Centers

There are so many more things that could be listed & do show in our Annual report - I feel so strong about all work & time spent & have seen a definite improvement in all areas from one site review to the next. The consumer looks forward to having us there & know we will help them move toward a better life & a life that as a human being they have a right to.

Cutting the B.O.V. would be a move backward that would take years & money to recover, to say nothing about the treatment & care the mental disability consumers require & should have. In my heart & mind I know we have done alot in this field & should keep moving forward. If we are not there checking, inquiring, listening & caring, who would be?

Arlene Breum

Member - B.O.V

5950 N. Meadow Lane

Mesa, Ariz 85701

EXHIBIT 11
DATE 2/15/93
MA

Suzanne F. Taunt

February 8, 1993

Representative Mary Lou Peterson, Chair
General Government Appropriations Subcommittee
State Capitol - Room 420
Helena, Mt. 59620

My name is Suzanne Taunt. I live in Helena at 1890 Colorado Gulch. I have a sister with a severe and disabling mental illness, schizophrenia.

I am writing in support of the Board of Visitors and their funding for fiscal year 1994-1995.

My experience with the Board of Visitors has been as a member of the PAIMI (Protection & Advocacy for Mentally Ill Individuals) Advisory Council at the Montana Advocacy Program. Through the subcontract with the BOV first-time and invaluable services were provided to a much greater number of individuals suffering from mental illnesses in our institutions and community mental health centers.

The mental health/illness system in this state has been negligent and many times unresponsive to the needs of individuals with mental illnesses. The "system" has not been driven by those it has been supposed to help but by those who needed jobs and security. Over the past six years this has changed slowly, but never fast enough for the families with a mentally ill family member. This breeds intense frustration and results in tremendous human suffering.

If the services that are provided by the Board of Visitors were terminated for economical reasons, persons with mental disabilities would lose not only advocacy and legal services, but basic human rights that most of us take for granted. The BOV in the person of Kelly Moore is a voice for those that usually have no voice. The Executive Director, Kelly Moore, with thoroughness, sensitivity, insight and compassion has provided something to persons with mental disabilities that is invaluable and for which the state of Montana should not take lightly.

To cut the Board of Visitors would be a crime in the fullest sense of the word.

Suzanne F. Taunt
Suzanne F. Taunt

1890 Colorado Gulch Drive
Helena, Montana 59601

Feb. 9, 1993

Butte, Mont.

General Government Subcommittee

I am Margaret Maguire
mother of "Greta Glower" who
is handicapped. Ed Maguire
my husband and me do
support the "Board of Visitors".
They are speaking for people
who cannot speak for
themselves.

Sincerely,
Margaret Maguire

EXHIBIT 17
DATE 2/15/93
LB

Rep. Mary Lou Peterson, Chair
General Government Appropriations Subcommittee
State Capitol, Room 420
Helena, MT 59620

Dear Ms. Peterson:

I am writing in support for the Board of Visitors and their funding for the fiscal year 1994-1995.

Our son Bruce Arrotta is a client at the Montana Developmental Center. A couple of years ago, a physician completely eliminated a medication that had been part of Bruce's treatment for years. Bruce immediately began to suffer horrific withdrawal symptoms including extreme nervousness, insomnia, involuntary muscle spasms and rapid weight loss. He also developed a rash that he scratched until his skin was raw. Bruce endured this for three months as we and the staff desperately sought to call attention to this matter. It was then that one of the staff volunteered to video tape Bruce and send it to Kelly Moore of the Board of Visitors.

Their response was immediate. Shortly afterwards, they arranged a meeting with us, the doctor and a psychiatrist where the problem was rectified. They also diagnosed Bruce with autism - something we've suspected but could never get confirmed- and adjusted his treatment and medication accordingly. God knows how long Bruce would've suffered without the help of the Board of Visitors. Today Bruce is much healthier and showing much progress.

I am a member of the Human Rights Board at the Montana Developmental Center. Kelly Moore of the Board of Visitors is involved in our meetings and her input has proved to be invaluable.

In the days before the Board of Visitors was established, I can tell you first-hand that the Montana Developmental Center was poorly staffed and supervised, and the client care was extremely inadequate. I'm sure you recall the rapes that occurred during this period of time. If you eliminate the Board of Visitors, I assure you these problems will reoccur along with the lawsuits against the State.

EXHIBIT 17
DATE 2/15/95
HB ✓

The Board of Visitors is absolutely essential for the proper treatment and evaluation of developmentally disabled Montanans. It must be kept in place to protect their basic human rights. Please support the Board of Visitors and their funding for the fiscal year 1994-1995.

Sincerely,

Muriel Arrotta

Muriel Arrotta
3831 Vigilante Dr.
Great Falls, MT 59405
(406) 453-8745

P.S. This in no way reflects on the present staff at Boulder. There is a caring staff with the expertise to help the clients progress. They have our greatest appreciation.

EXHIBIT 17
DATE 2/15/93

RICHARD N. TRAYNHAM, PH.D.
LICENSED CLINICAL PSYCHOLOGIST
BOZEMAN, MONTANA 59715-6106 U.S.A. (406) 586-7776

WHA

CLINICAL OFFICE
111 SOUTH TRACY AVENUE

ADMINISTRATIVE OFFICE
205 WEST GRAF STREET

11 February 1993

Representative Mary Low Peterson, Chairperson
General Government Appropriations Subcommittee
State Capital - Room 420
Helena, MT 59620

RE: Budget hearing for the Mental Disabilities Board of Visitors

Dear Representative Peterson:

I have been aware of the work of the Board of Visitors from a variety of professional roles over the past 17 years. I first became aware of their work as a staff psychologist at the Montana State Hospital, Warm Springs Campus. I then served briefly as a clinical consultant for several of their site visits in the late 1970s. I have continued to be aware of their work as a private practitioner and, recently, with my limited work as a member of the Board of Directors of the Mental Health Association of Montana.

Throughout my experiences in providing mental health services in Montana I have found the Board of Visitors to be the one laser beam of protection of citizen and consumer rights in receiving these services. Other agencies may review mental health services but none of them accomplish their work from the perspective of the consumer and their rights to the most efficient treatment and treatment in the least restrictive environment.

The Board of Visitors has also served as a central clearinghouse of information and advocacy for those seeking the least restrictive treatment in Montana. I find myself contacting the Helena office at least quarterly about either specific cases or general information regarding treatment options and state resources.

As a side note, I attempted to get legislation passed in the last legislature to improve protections for citizens with chemical dependency illnesses. Several state and private hospital representatives spoke against my attempt. In private, these individuals expressed their concerns about the Board of Visitors (who were designated in this bill to discharge duties for the chemically dependent similar as for the mentally ill) being involved in reviewing the rights of citizens receiving these treatments. It is now interesting to note that reviews, such as provided by the Board of Visitors, are being considered as very important in the national health insurance reform movement to guard against unnecessary inpatient treatment. This movement is not only to protect the rights of the patient but to make sure such treatments are delivered in the least restrictive environment and at the most effective cost.

I strongly support the continuing appropriation for and existence of the Board of Visitors for the citizens of our state who require services in our state-assisted mental health delivery systems. Attempting to provide reviews of treatments for patient rights purposes by other state agencies, such as the Department of Corrections and Human Services, produces an obvious conflict of interest. The Board of Visitors stands, organizationally, apart from other state agencies providing these services and thus can review and make recommendations free from potential bias. I do not see how the rights of the mentally and seriously mentally

EXHIBIT 17DATE 2/15/93~~18~~ 2

ill could be protected or treatment reviewed under any other agency or system of accountability.

I urge your committee to approve the budget of the Mental Disabilities Board of Visitors at a level which will allow them to continue to perform their valuable work for our citizens. Without adequate funding, our citizens receiving mental health services risk experiencing inadequate treatment or violations of their state guaranteed rights without an effective advocate. I can never forget the anxieties I have heard from both staff and administrative individuals in mental health delivery systems when they hear the Board of Visitors is coming or is interested in the specifics of individual cases. We can not afford to fund this office at less than an adequate level to insure that Montana continues to protect our citizens in these matters.

Thank you for taking the time to listen to my concerns,



R. (Dick) N. Traynham, Ph.D.
Clinical Psychologist
205 West Graf Street
Bozeman, MT 59715-6106

RNT/wp5

CONFIDENTIAL
DATE 2/15/93
VAB

FEB 12 '93 01:22PM MONT GOVERNORS OFF

P.1/1

Representative Mary Lou Peterson, Chair
General Government Appropriations Subcommittee
State Capitol - Room 420
Helena, Montana 59620

Dear Representative Peterson:

My husband, Lowry, and I are vitally interested in the humane treatment and research of folks who suffer unbelievable torment with a dreaded mental illness. Our beloved son is one of these people. The entire family never again has a moment of total peace or happiness after a loved one is stricken.

The Board of Visitors is of great importance in seeing that the law is adhered to and treatment is humane. We must keep this Board in existence and we must continue its funding through fiscal years 1994-1995 and beyond.

They monitor the facilities providing care and treatment of the mentally ill through keeping the quality and standards high. they help all patients and their families to cope.

It has been especially hurtful for Lowry and me, as parents, to see our loved one receiving little or no treatment through the existing health care system.

Without the advocacy of the Board of Visitors the system would degenerate and be a benefit mostly to the bureaucracy providing the services.

Sincerely yours,

Laura Risdahl

Lowry and Laura Risdahl
2405 39th St
Missoula, Montana 59803

257-2146

DATE 2/15/93

WB

Received
2-9-93

Representative Mary Lou Peterson, Chair
General Government Appropriations Subcommittee
State Capitol - Room 420
Helena, MT 59620

Mary Lou,

I am Joseph 'Pete' Malin. My son John has been a court ordered placement at Warm Springs State Hospital for over two years. My son, who is mildly retarded and particularly socially underdeveloped, is one of those people who providers continue to say is 'slipping through the systems safety net'. He was in a program in Colorado which was working but he was pulled out of there half way through the treatment because Montana ran out of funds. My son was in a variety of programs in Montana which were unable to recover him from the trauma inflicted by removing him from the treatment center in Colorado. When my son got into trouble again the parole officers and social workers 'attempted' to find a suitable treatment program for him, but, they were unable to do so. Thus the court ordered my son to Warm Springs for ten years or until he completes treatment which they do not provide. Because they do not provide the treatment that my son needs it seems to me that the State is content to 'warehouse' my son until he completes his sentence. This puts my son a nearly hopeless situation and I feel is further ruining his life.

My son and I have both attempted to improve his situation by working through the public defender which represented him at his trial. But nothing seems to happen there. They don't seem to do what they promise. They don't return phone calls. They don't seem to have time to do their job.

I became aware of the Board of Visitors and finally contacted them late last year. Immediately they started working with my son. Finally there was a ray of hope. Finally I could contact someone who would provide some help.

I, or my son, do not have the ability, the expertise, even the time to get the things done that a full time advocacy program can provide. Please provide adequate funding for the Board of Visitors. People with mental disabilities and their families are in desperate need of their services. I think that without this program the civil rights of people with mental disabilities are ignored. I think that in the long run a good advocacy program will save money as people will be provided proper treatment and then be able to return to society rather than be warehoused without treatment at our state "hospital". Please do not consider removing this ray of hope from my son.

Sincerely
Joseph P. Malin

DATE 2/15/93
received
2-9-93

February 8, 1993

Representative Mary Lou Peterson, Chair
General Government Appropriations Subcommittee
State Capitol - Room 420
Helena, MT 59620

Dear Representative Peterson:

My name is Dwight R. Dimes, and I am diagnosed with a Bi-polar disorder. I have lived in Libby, Montana for the past three years and have been a consumer of the mental health services offered here for the same period of time.

I am writing in support of the Mental Disabilities Board of Visitors; furthermore, I am asking that funding be made available for the Board of Visitors for the fiscal year 1994-1995. The Board of Visitors is a vital service for thousands of disabled and/or mentally ill people such as myself who live in Montana.

A personal example of the frustration I experienced with the Western Montana Mental Health Center came about in the winter of 1991. The only therapist in the center was not only giving me bad advice but was also practicing radical therapy on me and, on several occasions, she denied my right to view my own treatment plan. At the time, I thought there was little I could do. I was wrong.

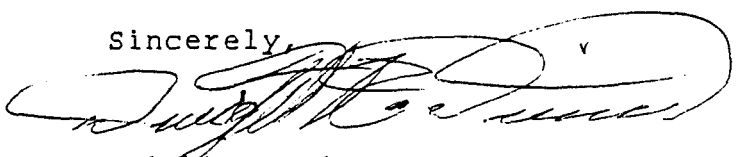
While at the County Attorney's office to obtain a grievance form, the attorney told me of the Board of Visitors and that it was better able to assist me than the County Attorney. In short, I contacted Kelly Moore who not only counselled me concerning my dilemma, she also directed me to the Mental Health Advocacy and Protection Services so that I could get legal advice on this matter.

EXHIBIT 17
DATE 2/15/93
HB

Representative Mary Lou Peterson, Chair
Page 2
February 8, 1993

As a result of the assistance and services I received from the Board of Visitors, Libby now has two new and competent therapists, more mental health services, and a bigger Mental Health Center. If the Board of Visitors were cut from the budget, it would severely disable an already disabled mental health community.

Sincerely,



Dwight R. Dimes

GENESIS HOUSE, INC.

P.O. BOX 350
STEVENSVILLE, MT. 59870

DATE 2/15/93
Received
2-9-93

PHONE 777-3447

February 8, 1993

Madam Chair and Members of the Committee,

My name is Betsy Douglas, I serve as a Director/Council Member on three Boards involved with the Mentally Ill in Montana. I have been:

- 12 years with Genesis House, Inc. of Stevensville
- 6 years as a Secondary Consumer Member on the Advisory Council of PAIMI (Protection & Advocacy for Individuals w/ Mental Illness)
- 1 year on the Board of Directors of the Mont. Advocacy Program in Helena.

I am writing to support full funding for the Governor's Board of Visitors, (BOV). I first became aware of the BOV when I joined the Genesis House, Inc. Board. Kelly Moore and the BOV were the only resource & support we had to fall back on when we met with unreasonable opposition from the administration, clinical supervisors, or therapists of the local Community Mental Health Center.

As a Parent, I have seen the incredible lack of enlightened treatment options available to the children in this state. If, sometime in the future, my daughter were to spend time at the Mont. State Hospital or other state facility, I would have no peace of mind if a concerned & impartial BOV were no longer available to protect the patients.

I have observed, personally, the conditions in Warm Springs and seen the attitude of the staff there, and I hate to think how totally demoralizing and counter-therapeutic conditions would become without the BOV to advise and guard against sub-standard and even abusive treatments and environments.

As a PAIMI Council Member, I have been amazed at the enormous good being accomplished by the committed BOV legal staff, each working more than 40 hours a week in behalf of our neediest population, the seriously mentally ill.

There seem to be almost no lawyers within the state who are truly knowledgeable on Mental Health issues and rights except our BOV lawyers. It would be really tragic if the Legal Council at Warm Springs were not there and their library resource eliminated.

Please continue full funding for the BOV for fiscal years 1994-95 for the protection of our most-easily victimized society members.

Thank you,

Betsy Douglas

EXHIBIT
DATE 2/15/93
WBL

received
2-9-93

February 8, 1993

Representative Mary Lou Peterson, Chair
General Government Appropriations Subcommittee
State Capitol - Room 420
Helena, MT 59620

Dear Chairperson Peterson and Committee Members:

My name is Al Bertelsen. My wife and I are the parents of a 22 year old developmentally disabled female.

I am writing in support of Board of Visitor funding for fiscal 1994-95.

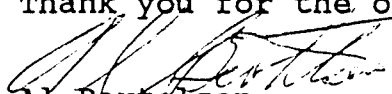
As a former member and chair of the Board of Visitors, I know first hand of the ongoing assistance the Board of Visitors provides the developmentally disabled and mentally ill patients and their families in the state of Montana.

The bureaucracy and red tape involved in obtaining needed care and treatment is absolutely overwhelming. Only when you have been involved in trying to protect the rights of the mentally handicapped, can you understand how crucial the Board of Visitors is. As mandated by law (53-20-104 M.C.A. and 53-21-104 M.C.A.), the Board of Visitors stands alone in assuring that the Mentally Disabled of Montana receive appropriate and humane treatment.

Without the Board of Visitors, those who cannot speak for themselves would suffer. Needs would be ignored, treatment would be inappropriate and rights trampled. I say this because all of these happened prior to the existence of the Board of Visitors.

As Legislators, the Board of Visitors is your best opportunity for an objective evaluation of how your tax dollars are affecting Mental Health and Developmental Disabilities services in Montana.

Thank you for the opportunity to testify.


Al Bertelsen
15 Annette Park Drive
Bozeman, Montana 59715

DATE 2/15/93

western montana regional community
MENTAL HEALTH CENTER

received
2-9-93

Representative Mary Lou Peterson, Chair
General Government Appropriations Subcommittee
State Capitol - Room 420
Helena, MT 59620

February 5, 1993

RE: Mental Disabilities Board of Visitors

Dear Rep. Peterson:

It was with great concern that I read of potential budget cuts to the Mental Disabilities Board of Visitors.

As the Director of Case Management Services for several Region V counties I depend upon the expertise of the Board in order to promulgate administrative policies which are in compliance with the law, in order to effectively supervise my staff (who serve some 300-plus mentally ill individuals), and in order to provide quality services which honor the civil rights of the consumers we work with despite often complex statutes regarding voluntary, involuntary, outpatient and community commitments. In addition to the administrative and clinical duties of my position as Director of Case Management Services, I serve as the Western Montana Regional Community Mental Health Center's liaison with the mental health unit at St. Patrick's Providence Center and with the treatment programs of Montana State Hospital, and am one of our Region's designated Mental Health Professional Persons who must monitor compliance with the State's voluntary admissions guidelines to Warm Springs. I have frequently consulted with the staff of the Board of Visitors in potentially litigious cases and have urged my staff in each of the counties to do so; I have also referred those consumers who have had issues with decisions reached, both administratively and clinically, to the Board of Visitors for problem-solving and resolution.

I cannot emphasize enough the vital advisory role played by the Board of Visitors in ensuring compliance with State and Federal law when working with mentally ill adults. To some extent, they have helped us develop and retain the outstanding community services we offer in this Region.

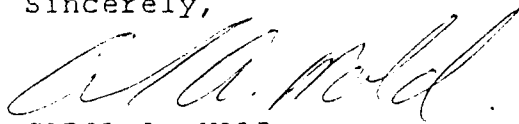
Please inform me if my testimony during legislative hearings would be of assistance in safeguarding this program: I will reschedule other appointments in order to appear.

EXHIBIT 17
DATE 2/15/93
HB _____
M

Rep. Mary Lou Peterson/Page Two

Thank you in advance for your advocacy on behalf of
this program.

Sincerely,



CAROL A. WALD
Director, Case Management Services
Missoula, Ravalli and Sanders Co.

cc: Sen. Harry Fritz
Sen. Larry Tveit
Rep. Margi Fisher
Sen. Gary Forrester
Rep. Joe Quilici

February 15, 1993

AB

Representative Mary Lou Peterson, Chair
General Government Appropriations Subcommittee
Room 420
State Capitol
Helena, MT 59620

Madame Chair and Members of the Committee:

My name is John McCrea and I am employed as an advocacy specialist for the Montana Advocacy Program. At a time when the state has to decided where to make extensive cuts in programs, I would recommend that the legislature continue to consider programs that have had a positive impact on services throughout Montana.

The Board of Visitors has been an exemplary program whose three current staff positions continues to provide a level of efficiency that deserves recognition rather than consideration for decrease or a cut in funding. I have had the opportunity to meet with professionals and individuals with disabilities who repeatedly recognize the commitment and effort that the Board of Visitors has consistently provided over the last 16 years. Without their assistance, many individuals would have been without the support and the type of advocacy that allows people to get back on their feet and become competitively employed.

The personal experiences that I have encountered when I have referred people to this agency have not only been critical to each individual but this agency in particular has served as a role model for services in this state.

If time was available, I could list people and agencies in every major community in this state that have directly benefited from the level of expertise provided by this agency. The decision we are faced with today is to continue funding a program which provides the State of Montana with an opportunity to assist individuals to become competitive individual sin the state or by denying funding will leave a major gap in services that is not provided by alternative services.

I would urge you to keep funding at its current level so that the Board of Visitors can continue to provide people with disabilities and agencies the opportunity to utilize services that are so desperately needed in this state.

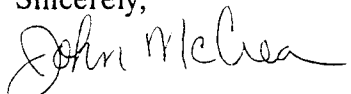
Sincerely,

John McCrea
Advocacy Specialist

EXHIBIT 11
DATE 2/15/93
AB

received
2-10-93

Antonetta Orino
1805 Hamburg St
Anaconda Montana

59711

Feb 8/93

Kelly Moore
Office of Governor
Mental Disabilities

Board of Visitors, Helena, Montana 59620

Dear Mary Lou Peterson,
My name is Antonetta Orino,

I'm writing in support of the Board
of visitors and their ~~for~~ fiscal year
1994-1995, budget.

My experience with the Board, they helped
my brother Sam Maxwell who was an
epileptic and 10 years a patient in Warm
Spring, Kelly Moore and others helped him
to find work when he was released from
Warm Spring, and very helpful to talk
to him.

They have problem and is very comforting
that they know that is someone who cares.
It would be terrible if were no legal services
for people with mental disabilities.

I ~~app~~ appreciated the help given to my

EXHIBIT 11
DATE 2/15/93
~~W/~~

brother and hope that this program
can continue to help others in the
future.

Sincerely

Antonetta Orino

EXHIBIT 11
DATE 2/15/93
AB Received
2-19-93

1840 Nelson Rd.
Bozeman, MT 59715
February 5, 1993

Representative Mary Lou Petersen, Chair
General Government Appropriations Subcommittee
State Capitol - Room 420
Helena, MT 59620

Dear Representative Petersen,

As a consumer advocate familiar with services to the developmentally disabled, I feel the Board of Visitors performs a vital role in the auditing of state facilities for persons with mental disabilities.

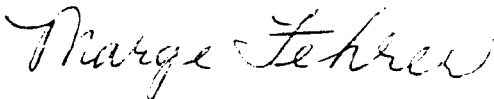
During our reviews we have found some residential facilities to be something less than where I would want some family member to reside. They were dirty and did not meet fire safety standards.

The Board of Visitors monitors patients rights and grievances, attempting to resolve conflicts and bring facilities up to standards.

If there wasn't a Board of Visitors, the State of Montana, may in future face more legal issues than it cares to be involved in, costing more dollars than would be saved by discontinuing the Board.

Please do not cut the Board of Visitors from the Governor's Budget. Your consideration of this issue is appreciated.

Sincerely yours,



Marge Fehrer
Member, Board of Visitors

bennett

Representative Mary Lou Peterson, Chair
General Government Appropriations Subcommittee
State Capitol - Room 420
Helena MT 59620

Dear Representative Peterson:

Yes, go ahead and cut the guts out of the Board of Visitors. The people they strive to protect and defend can't vote or pay taxes, nor can they be organized to protest.

A society will be judged ultimately by how it treats its helpless, its dispossessed and its disenfranchised. So go ahead and slash the Board, or just mercifully eliminate it, and use the money saved to beef up the Commerce Department so they can trumpet to the outside world what a wondrous state we have here.

And then look in the mirror and ask if you have been fair to yourself, to say nothing of the deranged, the dangerous and the defenseless that you, as an elected protector of the commonweal, have betrayed.

Very truly yours,



2/12/93

February 9, 1993

Representative Mary Lou Peterson, Chair
General Government Appropriations Subcommittee
State Capitol -- Room 420
Helena, Mt. 59620

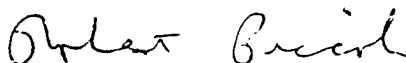
Dear Representative Peterson:

I am writing in regard to the proposed Board of Visitors budget cut. As a licensed social worker I have worked with seriously mentally ill clients in the Helena area since 1985, with Mental Health Services, Inc., as well as on a private basis. This experience has helped me to see the importance of the Board of Visitors.

For example, if a client is being poorly served by a public mental health program, and if other approaches to solving the problem fail, the Board of Visitors can and does serve as a strong advocate for that client. In fact, Kelly Moorse has been available to help some of my clients who were in this type of situation. Whenever I or a client have contacted her for assistance, she has responded quickly, effectively, and with great energy and dedication. Speaking for myself and my clients, we have often been very grateful to have Kelly available for help.

But beyond this, I would find the prospect of the reduction or elimination of the Board of Visitors very frightening. When I think of the various state health and mental health care institutions, such as WSSH or MDC, I also think of the many things that can go wrong and the many ways in which clients/patients may be neglected or abused. It is true that bureaucracies and/or institutions never really function in the way they are supposed to. In situations where the recipients of service are patients in an institution, they are particularly powerless in dealing with the bureaucracy. I am not saying that Montana's institutions are particularly bad. Rather, in that type of situation it is crucial for patients to have some recourse from the many things that can and do go wrong. The Board of Visitors provides protection to our most helpless citizens. I sincerely request that they be allowed to continue to do so.

Sincerely,



Robert Piccolo, ACSW, LSW
Associate Professor of Social Work
Carroll College
Helena, Mt. 59625

Barbara L. O'Leary
14 N. Jackson #401
Helena, MT. 59601
(406) 442-0921

Representative Mary Lou Peterson, Chair
General Government Appropriations Subcommittee
State Capitol - Room 420
Helena, MT 59620

Dear Representative Peterson:

My name is Barbara L. O'Leary. I was/Am legal representative, Guardian and Advocate for Richard Stanley Rapley. Richard is a 35-year old man with mental disabilities and many physical disabilities.

I have had many years' experience with, and the privilege to know, members of the Board of Visitors. I can truly say that without the Board of Visitors and Kelly Moore, in particular, Richard Rapley would not have had any

life as
Chance of an individual, happy,
rewarding, fulfilling or as "normal"
a life as he has had.

During many years of frustrations
with providers, the "System", etc, I had
the privilege to contact the Board
of visitors for help!! The Board

directed my way to becoming an
advocate, legal representative while
Richard was under the care of

Boulder River School of Hospital
(now known as the Montana Develop-
mental Center); and when finally
placement in the community was
possible, his legal Guardian.

The Board helped me with
many issues. Some of these issues
were visitation; medications;
behavior program review; general
program issues; treatment and
diagnostic information; investigation
of reports of abuse and neglect;
Richard's belongings; Richard's
money; Richard's rights as an

individual; his Constitutional rights; placement into the Community (which was a major project); my Guardianship; and help with the above-mentioned issues (and many more) that arose after placement in the Community.

The Board of Visitors was the Guiding Light and without the Board, Richard could not have what he has now at his disposal.

Working with the "System" is a night mare and a living hell. When everything is O.K. (for the System) and no one questions them, everything is fine. When the System is questioned — watch out!! The system seems to feel all clients seem to fit into one or two categories, despite their individuality and special needs, i.e., Richard has a severe hearing loss, speech impediment and communicates much more efficiently and with

much more understanding and less frustration, with sign language and speech (so he will not lose his speech altogether). The "System" would not cooperate in any way until the Board of Visitors became involved. He became more aware of things, able to communicate and his self-abusive attacks on himself decreased. Richard's program was also very detailed and needed to be reviewed by the Board to avoid unreasonable and inhumane measures. Even the right to be "signed" to.

The "System" will even tell a guardian that they have to remain on good terms with other departments, etc, and will side with the "System" to avoid problems within, irregardless of the effect it has on the client. If the Board of Visitors was not in existence, there would be no one to make certain that all clients are treated humanely within the requirements of the law and no one to protect clients from becoming part of a "herd of cattle" and just exist and not have the best life possible for each

individual, as an individual. Not everyone wears size 10 shoes, but I have seen clients with size 10 shoes when they wear an 8 or an 11!

The "System" as a whole does not listen to the pleas of an outsider, such as a Guardian, without the Guardian, client, etc, having a Board of Visitors to help them.

The Board of Visitors is the lifeline and protection of all clients in the State of Montana. Please do not let this much needed Board be harmed in any way. If this Board of Visitors were eliminated, who would protect the clients???. Not every client even has so much as a friend, let alone family, to help them. Without the Board of Visitors they would have NOTHING!!

I have no doubt that many

lawsuits to regain Patients/clients
rights to advocacy, legal representation,
right to be treated humanely,
individually, and with fairness
and respect, would be needed to
protect them and seems much more
costly to the state of Montana
than the much-needed, much-
respected, Board of Visitors.

Thank you.

Sincerely,

Edward J. Jay

14 N. Jackson #401
Helena, MT.

59601
(406) 442-0921

Meriwether Lewis Institute

324 Fuller Ave. Suite S-12
Helena, Montana 59601
406-442-7416
1-800-823-7234



Funded in part by NIMH

2/15/93

Testimony for the General Government Appropriations Subcommittee

Madam Chairman & Members of the Committee:

Thank you for the opportunity to be here. My name is Kathy Standard, and I'm an ex-patient of Montana State Hospital. Along with Meriwether Lewis, Abraham Lincoln & Winston Churchill, I have a mental illness. I am currently serving as President of the Meriwether Lewis Institute, which is the only non-profit corporation in Montana created and managed solely by people who have or have had a mental illness. Since its birth in March of 1991, the main focus of the Meriwether Lewis Institute has been advocating for the RIGHT of every mental health consumer to reach his or her FULL potential. This involves helping consumers across Montana organize and unite, so that with a stronger voice we can educate the public about mental illness, advocate for improvements in the existing mental health system, and support each other in our efforts to find the services and treatment that we need.

People often ask, "What IS mental illness?" There are many different forms of mental illness, each with its own set of symptoms. For many of us, our own diagnosis is a combination of mental illnesses; each mental health consumer experiences his or her illness differently, even when the diagnosis is identical. Rather than use these few minutes to discuss the various illnesses, I gave you a brochure on mental illness and our MLI 1993 Calendar on Mental Illness. My own brief definition of mental illness is that it is a condition in which our own sense of reality is distorted to such a degree that it severely interferes with our ability to function. Many mental illnesses are traceable to a chemical imbalance within the brain, and proper medication can often bring astounding improvements in the symptoms. Some illnesses do NOT respond to medication, and consumers need a variety of services to hopefully provide some relief from the debilitating effects of a mental illness.

Sometimes I wish I had a VISIBLE disability; mental illness is an ~~insidious~~ disease that begins INSIDE our heads, & usually no one else is even aware of it until we exhibit what society calls "bizarre behavior", such as talking to non-existent people or to objects, totally ceasing to care for ourselves, attempting suicide, or verbalizing our delusions. Often WE don't even know we are sick; we assume that other peoples' minds function the same as ours do. Even if we DO perceive that we are "different", we continue to hide what is in our minds, for fear of being labeled "crazy". For many of us, by the time we learn that we have a diagnosable ILLNESS, we have suffered years of shame & embarrassment about being "different", and we have developed some incredible mechanisms for hiding - & even denying - our illness.

When we are finally diagnosed as having a mental illness, we learn what stigma is - and we are often shunned by society. It is insinuated that, by virtue of having a mental illness, we are suddenly dangerous, unpredictable and "crazy". By Montana law, people who have been committed to a mental institution may no longer purchase firearms, not even a hunting rifle to help feed their families. We are seen as CRIMINALS, not as someone whose chronic illness has flared up again.

Doors that were once open to us are slammed shut - we are no longer considered "employable", despite possibly YEARS of experience. We are fired from jobs when we become sick and have to be hospitalized in a "psychiatric" facility" - and when we are released, our friends & family keep their distance, not quite sure how to treat us.

All too often, a 90-day commitment to Montana State Hospital means that we lose our homes, because we aren't able to make the payments. The amount of sheer energy it can take just to SURVIVE day in & day out with a mental illness means we missed learning some living skills that most people have. The combination of our low self-esteem and our lack of knowledge frequently means we have NO idea of what our legal rights are, or even that we HAVE any rights. Without our #1 advocate, the Board of Visitors, many of us would still be suffering the lack of treatment and outright abuse that was prevalent in parts of Montana State Hospital until the Ihler lawsuit was filed.

While I was a patient at the State Hospital in 1990, the staff threatened to move me to the prison-like Forensic unit - because I wasn't talking in group therapy. Knowing how terrified I was, a patient on my ward urged me to immediately go talk with the attorney that the Board of Visitors provides for consumers. The attorney was able to reassure me that -

although it was NOT legal - the staff COULD assign me to Forensics ~~HB~~
However, she promised she would IMMEDIATELY begin proceedings to get me released from Forensics. Her support gave me enough strength to "hold on" emotionally and to tell the staff that I was aware that the punitive measures they were threatening me with was NOT legal. By teaching me what my legal rights were, the attorney helped me to stop being so intimidated by staff's threats.

On some wards, patients were also threatened with punishment if they filed a grievance. Until the Board of Visitors implemented the present grievance policy, the only result of filing a grievance was to be labeled "a troublemaker." Now consumers are able to safely file legitimate grievances and know we will be treated fairly; in turn, we gain a bit more sense of control over our own lives. The grievance policy not only holds Montana State Hospital accountable for their staff & services, it holds us consumers accountable for learning to advocate for our own needs. The grievance procedure has helped resolve numerous consumer complaints that otherwise could have resulted in much more serious legal action. Realistically, the Board of Visitors probably SAVES the State of Montana millions of dollars in potential legal action that the Board helps to divert & resolve.

The Board of Visitors is our only PURE advocate - Kelly has NO ulterior motives when she goes to bat for one of us. The attorney provided by the Board of Visitors has helped us understand what the ramifications of various legislative bills would be for those of us with a mental illness. We are learning how to impact the very system that has dictated our lives for much too long. I shudder to think what will happen if the Board of Visitors is deleted, or even has its funding cut. Without meaning to sound prophetic, I can GUARANTEE you that conditions for mental health consumers both at the State Hospital and in the community will deteriorate.

IF the watch-dog services that the Board of Visitors provides are removed - IF the tremendous improvements brought about by the Ihler class action lawsuit are NOT monitored - IF no one is charged with the responsibility to provide advocacy services for those of us with mental illness, then our much-needed mental health services will rapidly return to the time when consumers were merely warehoused at the State Hospital, with little or no treatment. Thanks to the Board of Visitors' staff, many of us consumers have become empowered enough to not be WILLING to backslide in our fight for our RIGHT to be treated humanely and with dignity. It is not our CHOICE to have a mental illness, but it IS our choice to begin

changing situations that are legally & fundamentally WRONG. This time around, when once again the atrocities begin happening to me & my fellow consumers, we WILL fight back, using the legal system when all else fails. As President of the Meriwether Lewis Institute, I speak for mental health consumers all across the state when I say that we emphatically SUPPORT continued FULL funding for the Mental Disabilities Board of Visitors.

Thank you.

EXHIBIT 18
DATE 2/15/93
HB

needed: A System of Community Care

Supportive Housing – A range of housing is needed with various levels of support to meet the diverse needs of mentally ill persons.

Day Programs – Ranging from day treatment (outpatient) to psychosocial and vocational rehabilitation, these programs help persons recover lost skills and become as independent as possible.

Self-help Support Groups – help people overcome loneliness and isolation, make friends, and participate in social activities.

Client Management – Trained persons are needed to help mentally ill persons access community services.

The Basic Necessities of Life – Like everyone, these people need money, food, recreation, friends, housing, and jobs.

How Can the Community Help?

There are so many ways that caring people can help that we can only list a few. Contact your local Alliance for the Mentally Ill and see what you, your church, your club, or your neighborhood can do. Some suggestions:

- **Help combat stigma** by objecting to negative stereotyping of mentally ill persons. Tactfully correct misunderstandings about mental illness held by friends and relatives.
- **If you are an employer**, hire these persons. For private employers there can be tax advantages.
- **As a taxpayer**, support funds for a good community-based support system and research to further understanding of cause and treatment.
- **If you are a homeowner**, welcome a group home in your neighborhood. People with mental illness can be good neighbors.
- **Groups can help finance** a house or apartment for mentally ill persons or help furnish existing ones. Employment projects and social clubs are also badly needed.
- **If you are a family with an afflicted member**, join your local Alliance for the Mentally Ill. If you know of families with this problem, tell them about NAMI. Even if you don't have a mentally ill relative, you are invited to become a member of NAMI and/or to make donations to our work.

The National Alliance for the Mentally Ill

The National Alliance for the Mentally Ill is a self-help organization of families of mentally ill persons, of mentally ill persons themselves, and of friends. Composed of over a thousand local and state alliance groups all across the country, its goals are mutual support, education and advocacy for the victims of severe mental illness, such as schizophrenia, depressive illnesses, and other disabling disorders.

Recommended Reading

The following publications, and many others, are available through NAMI. Orders must be prepaid. Include 10% shipping and handling for books.

NAMI ADVOCATE, published bi-monthly, \$25 per year. Write NAMI, 2101 Wilson Boulevard, Suite 302, Arlington, VA 22201. Single copy free.

THE BROKEN BRAIN: THE BIOLOGICAL REVOLUTION IN PSYCHIATRY, by Nancy C. Andreasen, M.D., Ph.D. Harper and Row, 1984. \$9.45 paper.

SURVIVING SCHIZOPHRENIA: A FAMILY MANUAL, by E. Fuller Torrey, M.D., Revised Edition, Harper and Row, 1988. \$9.45 paper.

MOOD DISORDERS: DEPRESSION AND MANIC DEPRESSION, by Demetri Papolos, M.D., Dept. of Psychiatry, Albert Einstein College of Medicine Montefiore Medical Center. 20¢ pamphlet

OVERCOMING DEPRESSION, by Demetri and Janice Papolos, Harper and Row, 1987. \$9.45 paper

For more information on mental illness and the name of a NAMI affiliate near you, call:

NAMI
HELPLINE
800-950-NAMI



Mental Illness Is Everybody's Business

The National Alliance
for the Mentally Ill

2101 Wilson Blvd.
Suite 302
Arlington, VA 22201
703-524-7600

What is Mental Illness?

Mental illness is a term used for a group of disorders causing severe disturbances in thinking, feeling, and relating. They result in substantially diminished capacity for coping with the ordinary demands of life. Mental illnesses can affect persons of any age — children, adolescents, adults, and the elderly — and they can occur in any family. Several million people in this country suffer from a serious, long term mental illness. The cost to society is high due to lost productivity and treatment expense. Patients with mental illness occupy more hospital beds than do persons with any other illness.

Mental illness is not the same as mental retardation. The mentally retarded have a diminished intellectual capacity usually present since birth. Those with mental illnesses are usually of normal intelligence although they may have difficulty performing at a normal level due to their illness.

Schizophrenia is one of the most serious and disabling of the mental illnesses. It affects approximately one person in a hundred. The disease affects men and women about equally. Its onset is usually in the late teens or early twenties. People with schizophrenia usually have several of the following symptoms:

- disconnected and confusing language
- poor reasoning, memory and judgment
- high levels of anxiety
- eating and sleeping disorders
- hallucinations — hearing and seeing things that exist only in the mind of the patient
- delusions — persistent false beliefs about something, e.g. others are controlling their thoughts
- deterioration of appearance and personal hygiene
- loss of motivation and poor concentration
- tendencies to withdraw from others

Unfortunately there are many myths about schizophrenia. People with schizophrenia do not have a “split personality” and are not prone to criminal violence. Their illness is not caused by bad parenting and it is not evidence of weakness of character. Their illness is due to a biochemical disturbance of the brain.

Depressive Illnesses

Depressive (or affective) illnesses are the most common of psychiatric disorders. They are generally less persistently disabling than schizophrenia. The primary disturbance in these disorders is that of affect or mood. These mood disorders may be manic depressive illness (bipolar) in which the person swings between extreme high and low moods, or they may be unipolar in which the person suffers from persistent severe depression. About six percent of the population suffers from an affective disorder — a major cause of suicide.

Persons diagnosed as having bipolar illness usually have several of the following characteristics during a period of mania:

- boundless energy, enthusiasm, and need for activity
- decreased need for sleep
- grandiose ideas and poor judgment
- rapid, loud, disorganized speech
- short temper and argumentativeness
- impulsive and erratic behavior
- possible delusional thinking
- rapid switch to severe depression

Persons having severe depression (or the depressive phase of a bipolar disorder) may have several of the following characteristics:

- difficulty in sleeping
- loss of interest in daily activities
- loss of appetite
- feelings of worthlessness, guilt and hopelessness
- feelings of despondence or sadness
- inability to concentrate
- possible psychotic symptoms
- suicidal thoughts and even actions

Other Disabling Mental Illnesses include severe anxiety and panic disorders, personality disorders, and obsessive compulsive disorder.

Causes of Mental Illness

The causes of biologically-based brain diseases are not well understood, although it is believed that the functioning of the brain's neurotransmitters is involved. Many factors may contribute to this disturbed functioning. Heredity may be a factor in mental illness as it is in diabetes and cancer. Stress may contribute to the onset of mental illness in a vulnerable person. Recreational drugs may also contribute to onset but are unlikely to be the single cause. Family interaction and early child training were once thought to cause mental illness; however, research does not support that theory any longer.

Can Mental Illness be Prevented? Cured?

Since the causes of long term mental illnesses are not known, there is no effective prevention at this time. More research is needed to determine causes and strategies for prevention. Likewise, there are no cures for mental illnesses. However, treatments can substantially improve the functioning of persons with these disorders.

What Are the Treatments for Mental Illness?

An expanding range of medications markedly reduce symptoms for many people. Supportive counseling, self-help support groups and community rehabilitation programs promote recovery and build self-confidence and independent living skills. Housing and employment services enable some people to develop independent living skills, hold a job, and achieve a fulfilling life.

Others may need support for most or all of their lives. Helping them achieve a sense of dignity with the high degree of independence, productivity, and satisfaction with life is the goal.

1993

Meriwether Lewis Institute

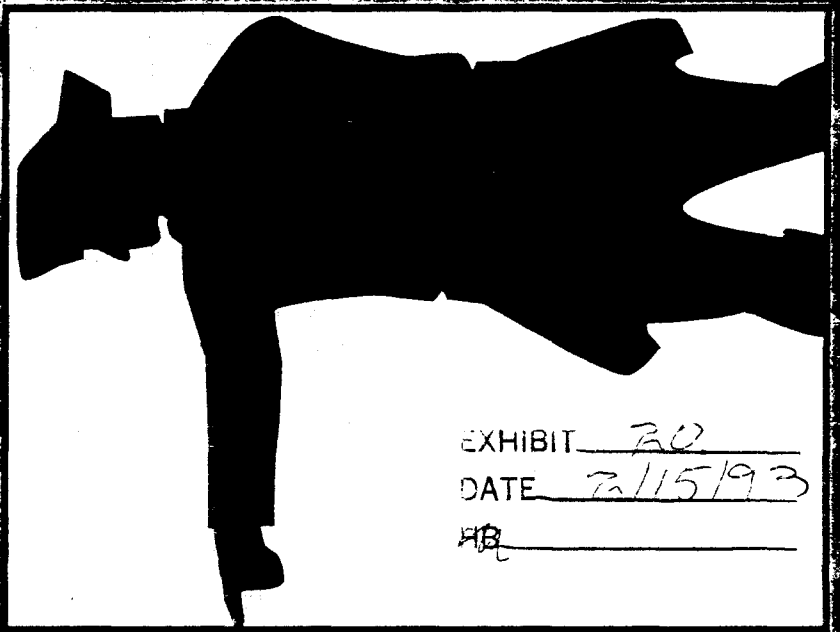


Exhibit #20 is a calendar presented by the Meriwether Lewis Institute (an institute for the mentally ill). The original is stored at the Historical Society at 225 North Roberts, Helena, MT, 59601-1201. The phone number is 444-2694.

EXHIBIT 21

DATE 2/15/93

HB

My name is Sandra Thompson. I am a family member of a mentally ill person. I am writing in support of the Board of Visitors and Kelly Moorse.

My sister, Mona, has been seriously mentally ill for several years. At one time in her life she was in the hospital more than she was out. Kelly has helped improve conditions at the state hospital for Mona and other patients and, more recently, Kelly has helped Mona not only stay out of the hospital but work in a volunteer position for the Mental Health Association.

Kelly is not only a support and an advocate for the mentally ill but she is there for the family as well. Often family members are rejected, left out, or ignored when it comes to the treatment of their loved ones but Kelly and the Board of Visitors works towards bridging that gap and allowing families to stay intact when it is in the best interest of the clients.

With all the prejudice and the stigma surrounding the mentally ill, we need the Board of Visitors as a mouthpiece and advocate of the mentally disabled. Thank You.

*Sandra Thompson
PO Box 4974
Helena Montana*

EXHIBIT 22
DATE 2/15/93
HB

TESTIMONY

February 15, 1993

Re: Mental Disabilities
Board of Visitors Funding, February 15, 1993

Madam Chairman, Members of the Committees:

I am Verner Bertelsen and today I represent myself.

I appear before you today in strong opposition to cutting the funding for the Mental Disabilities Board of Visitors.

I was a member of the legislature when the Mental Disabilities Board of Visitors was established. Nationally it had become apparent that there was a dire need to establish such a board with sufficient power to protect the inmates of institutions from abuse by the system.

Through the most fortunate of circumstances the Board was able to secure the services of Kelly Moore as Executive Secretary. She has served in that position ever since, and has provided Montana with exemplary service. Against all kinds of odds Kelly Moore helped the Mental Disabilities Board of Visitors become an effective advocate for patients in our institutions. In fact, they were so effective, that until the institutions began to

EXHIBIT ~~60~~
DATE 2/15/93
WIB

accept their services they even tried to eliminate the Board. I will not try to relate for you the abuses they have been able to correct, but we all know they have been great.

Has the problem now suddenly become non-existent? No indeed! What has happened is that the Mental Disabilities Board of Visitors was placed under the Governor's budget merely for budgeting services -- and is therefore merely a stepchild in the Governor's office. It is therefore expendable. So instead of rewarding the Board and Kelly Moorse for years of outstanding service to Montana, we are considering cutting out their very essential service.

Members of the committee that is morally wrong! The patients of our institutions need this protection -- Montana needs this service. I would ask you to oppose cutting this service.

Thank you.

Verner L. Bertelsen
1800 Winne Ave.
Helena, MT 59601

VB/bp

Mental Disabilities
D.E. Board of Visitors Funding - 2-15-93 EXHIBIT 22
DATE 2/15/93
#3

Madam Chairman, Members of the Committee -

I am Valerie Bertelsen and today I represent myself.

I appear before you today in strong opposition to cutting the funding for the ^{mental} Disabilities Board of Visitors.

I was a member of the legislature when the Mental Disabilities Board of visitors was established. Nationally it had become apparent that there was a dire need to establish such a board with sufficient power to protect the inmates of institutions from abuse by the system. ~~The first sentence of our law~~
~~of the general assembly shall support a mental disabilities board of visitors~~
through the most fortunate of circumstances the Board was able to secure the services of Kelly Moore as Executive Secretary. She has served in that position ever since and has provided Montans with exemplary service. Against all kinds of odds Kelly Moore helped the Mental Disabilities Board of visitors become an effective advocate for patients in our institutions. In fact, they were ~~so~~ effective that until the institutions began to accept their services they even tried to eliminate

EXHIBIT 22

DATE 2/15/97

AB

the Board. I will not try to relate for you the abuses they have been able to correct but we all know they have been great. - law -

Has the problem now suddenly become non-existent? No indeed! What has happened is that the Mental Disabilities Board of Visitors was placed under the Governor's budget merely for budgeting services - and is therefore merely a step-child in the Governor's office - ~~and~~ is therefore expendable. So instead of rewarding the Board and Talley Moore for years of outstanding service to Montana we are considering considering cutting out their very essential service. Members of the Committee that is morally wrong! The patients of our institutions need this protection - Montana needs this service. I would ask you to oppose cutting this service.

Thank you.
Verner L. Bertelsen
1800 Whisne Ave.
Helena, Mt. 59601

Agency – JUDICIARY

The following items are actions taken by the subcommittee on the Judiciary Budget on January 12th & 13th.

- 1) Are these assumed to be reversed by the action taken on February 12th when the committee?
- 2) If so, does the committee wish to reconsider these in addition to the February 12th actions?

	Fiscal 94	Fiscal 95
Recharge – The agency requested that they be allowed to charge .10 FTE of the Court Administrator position and .15 FTE of the assistant court administrator position be charged to the District Court Criminal Reimbursement Program. This would reduce general fund expenditures in the Supreme Court and Boards & Commissions programs.	(\$12,786)	(\$12,787)
Increase for Book/Binding in the law library.	\$25,000	\$25,000
Increase for operating expenses in the Clerk of Court Program. The request related to mailing court records and a need for "return receipt" which enhanced the security of such mailings but required additional operating expense.	\$4,165	\$4,126

EXHIBIT 63
DATE 2/15/93

HOUSE OF REPRESENTATIVES
VISITOR REGISTER

GEN. GOV. & HWYS. SUBCOMMITTEE DATE 2/15/93
DEPARTMENT(S) GOV'S OFFICE DIVISION

PLEASE PRINT

PLEASE PRINT

NAME	REPRESENTING	
Verner Bertelsen	Legacy Legislature	Office of Aging
Verner Bertelsen	SELF	Board of Visitors
Tom Bryan	MSCA	
John R. Tom	MT State Director AARP	
Larry Wilson	Flathead Basin Commission	
Dick Wollin	Flathead Lakers	
Kelley Woodward	MT Senior Citizens Assn	Office on Aging
Lloyd Anderson	M.S.C.A.	
Wanda J. Neath	Advisory Council on Aging	
Felcy Knorr	Board of Visitors	
Mrs. Brown	SELF	
Bob Shepard	SELF	
Charles Bupp	M4A (Aging Assoc)	
MICHAEL LAVIN	Gov's office	
JUDITH CARLSON	HRDCS	
Jerry Gorenson	Flathead Basin Comm	
KATHY STANDARD	MERIWETHER LEWIS INSTITUTE	
PAT POPE	" " "	

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

