

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 53rd LEGISLATURE - REGULAR SESSION

JOINT SUBCOMMITTEE ON HUMAN SERVICES & AGING

Call to Order: By CHAIRMAN JOHN COBB, on February 16, 1993, at 7:10 A.M.

ROLL CALL

Members Present:

Rep. John Cobb, Chairman (R)
Sen. Mignon Waterman, Vice Chairman (D)
Sen. Chris Christiaens (D)
Rep. Betty Lou Kasten (R)
Sen. Tom Keating (R)
Rep. David Wanzenried (D)

Members Excused: None

Members Absent: None

Staff Present: Lisa Smith, Legislative Fiscal Analyst
Lois Steinbeck, Legislative Fiscal Analyst
Connie Huckins, Office of Budget & Program Planning
John Huth, Office of Budget & Program Planning
Billie Jean Hill, Committee Secretary

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

Committee Business Summary:

Hearing: DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES
Executive Action: DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES; SOCIAL AND REHABILITATION SERVICES

EXECUTIVE ACTION ON DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

Tape No. 1:Side 1

EXHIBIT 1 (DHES BUDGET)

Motion/Vote: SEN. WATERMAN moved to accept the LFA budget for DHES. Motion CARRIED unanimously.

Motion/Vote: SEN. WATERMAN moved to restore the 5% personal services reduction in the Health Facilities Division, two FTE. The motion FAILED with CHAIRMAN COBB, SEN. KEATING, AND REP.

KASTEN VOTING NO.

Motion/Vote: SEN. WATERMAN moved to delete the 0.65 FTE in the Health Facilities Division budget and add it to the Health Services Division Medical Facilities. The motion CARRIED unanimously.

Motion/Vote: SEN. KEATING moved to accept the executive budget on consultant and professional services for the Health Facilities Division: 1) Pre-construction plan/specification review; 2) Long-term care enforcement; 3) OBRA Nurse Aide Abuse Hearings; and 4) Medicare mammography. The motion CARRIED with CHAIRMAN COBB AND REP. KASTEN voting no.

Motion/Vote: SEN. WATERMAN moved to accept the executive budget including funding for a department office for the Health Facilities Division in Polson established in July 1992. The motion CARRIED with CHAIRMAN COBB AND REP. KASTEN voting no.

Motion/Vote: SEN. WATERMAN moved to accept the executive budget in miscellaneous differences in operating costs, equipment and inflation in the Health Facilities Division. The motion CARRIED unanimously.

Motion/Vote: SEN. WATERMAN moved to reinstate 5% reduction, 1.0 FTE non-general fund. The motion FAILED with CHAIRMAN COBB, SEN. KEATING AND REP. KASTEN voting no.

Motion/Vote: SEN. KEATING moved to reconsider personal services for Health Facilities Division for 2.0 FTE. The motion CARRIED with CHAIRMAN COBB AND REP. KASTEN voting no.

Motion/Vote: SEN. CHRISTIAENS moved to reinstate the 2.0 FTE in the Health Facilities Division. The motion CARRIED with CHAIRMAN COBB AND REP. KASTEN voting no.

Motion/Vote: SEN. CHRISTIAENS moved to accept the Clinical Laboratory Improvement Act (CLIA) in the Health Facilities program. The motion CARRIED with CHAIRMAN COBB AND REP. KASTEN voting no.

Motion/Vote: SEN. WATERMAN moved to restore 1.0 FTE vacant 12-29-92 Position (954) in the Health Facilities program. The motion FAILED with CHAIRMAN COBB, SEN. KEATING AND REP. KASTEN voting no.

HEARING ON DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

Mr. Duane Robertson, Bureau Chief, Solid and Hazardous Waste Bureau, Environmental Sciences, DHES, talked about the Super Fund Program and accomplishments to date. These are cleanups including emergency actions. EXHIBIT 2

Mr. Dan Fraser, Bureau Chief, Water Quality Bureau, Environmental

Sciences Division, DHES, stated that the mission of this bureau is "to protect, maintain and improve the quality of Montana waters." The bureau is organized into 7 sections, which include Enforcement and Legal Support; Montana Pollutant Discharge System Permits; Groundwater; Municipal Wastewater Assistance; Drinking Water/Subdivision; Ecosystems Management; Technical Studies and Support. EXHIBIT 3

Mr. Bob Ackerman, Professional Engineer, Kalispell, registered in Montana, Idaho, Washington, Arizona, and Utah, said that he is trying to make a living in Montana, but the system needs a major overhaul. Fees charged in Montana exceed what he charges the customer. Waiting periods for approval of plans are excessive.

Mr. Will Selzer, Deputy Director of Lewis and Clark County Health Department, appreciated the problems that Mr. Ackerman had, but felt that progress was being made. They need local people accessible to solve these problems.

Mr. Gerald Smith, representing Rural Water Systems, former operator of a small water district with a license in Montana for over 18 years, asked the committee to do what is necessary to maintain the Water Quality Bureau so that primacy remains with the state of Montana. EXHIBIT 4

Mr. Adrian Howe, Bureau Chief, Occupational and Radiological Health Bureau, Environmental Sciences, DHES, stated that the bureau administers and conducts the Radiological Health, Occupational Health, and the Asbestos Control programs. The bureau provides a regulatory program to reduce or eliminate unnecessary exposures to ionizing radiation which might result in injuries, death, or cause health risks such as increased susceptibility to cancer or genetic mutations. EXHIBIT 5

Mr. Jim Ahrens, Chairman, Montana Hospital Association, encouraged the committee to fund this department adequately.

EXECUTIVE ACTION ON DEPARTMENT OF HEALTH AND ENVIRONMENTAL
SCIENCES

Tape No. 1:Side 2

Motion/Vote: SEN. WATERMAN moved that the committee appropriate funding based on passage and approval of appropriate legislation with contingent language that if the bills are not passed, the committee approves general fund money or whatever is acceptable. This is the Occupational and Radiological Health Bureau, Department of Health and Environmental Sciences. The motion CARRIED with CHAIRMAN COBB AND REP. KASTEN voting no.

HEARING ON DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

Tape No. 2:Side 1

Mr. Dale Taliaferro, Administrator, Health Services Division,

DHES, outlined the division's four bureaus: Emergency Medical Services; Food and Consumer Safety; Family/Maternal and Child Health; and Preventive Health Services. EXHIBIT 6

Mr. Drew Dawson, Emergency Medical Services Bureau, The Montana Trauma Registry, Health Services, DHES, addressed the Montana trauma registry and trauma system planning. EXHIBIT 7

EXECUTIVE ACTION ON SOCIAL AND REHABILITATION SERVICES

EXHIBIT 8

Motion/Vote: SEN. WATERMAN moved to retain 7.5% of the Community Services Block Grant and pass through the remaining 92.5% to the human resource development councils (HRDCs). The motion CARRIED with REP. KASTEN voting no.

Motion/Vote: SEN. WATERMAN moved that AFDC levels be 42% of the poverty level. The motion FAILED with CHAIRMAN COBB, SEN. KEATING AND REP. KASTEN voting no.

Mr. Dan Shea, Montana State Low-Income Coalition, noted his approval of the AFDC level at 42% of the poverty level.

Motion/Vote: REP. WANZENRIED moved to accept language needed due to subcommittee action which would reduce AFDC level contingent on HB 427 to make parents responsible for pregnant minors with AFDC, paragraph 1. The motion CARRIED unanimously.

Motion/Vote: SEN. KEATING moved to accept paragraph 8, 9, 10, and 11 contingent on passage of HB 427. The motion CARRIED unanimously.

Motion/Vote: SEN. WATERMAN moved that the committee reverse its action on day care administration; with the contingency that upon passage of HB 135, the committee would abide by the original. The motion CARRIED unanimously.

Motion/Vote: REP. KASTEN moved that under the At-Risk Day Care program none of the funds may be used by administration or operating; it should all go to benefits. The motion FAILED with SEN. WATERMAN, SEN. CHRISTIAENS, REP. WANZENRIED, AND SEN. KEATING voting no.

Motion/Vote: REP. KASTEN moved to reconsider motion on day care funding (\$20,000). The motion FAILED with CHAIRMAN COBB, SEN. KEATING, REP. WANZENRIED, SEN. WATERMAN, AND SEN. CHRISTIAENS voting no.

Motion/Vote: SEN. WATERMAN moved to approve language to allow the department to competitively bid Food Stamp outreach. The motion CARRIED with CHAIRMAN COBB voting no.

Motion/Vote: CHAIRMAN COBB moved to accept language in Program 4, Administrative and Support Services. The motion CARRIED unanimously.

Motion/Vote: SEN. WATERMAN approved the department's language on Program 5, paragraph #16, Child Support Enforcement program. The motion CARRIED with CHAIRMAN COBB AND REP. KASTEN voting no.

Motion/Vote: CHAIRMAN COBB moved to accept language in Program 6, Administration of State-assumed counties, contingent on passage of HB 427. The motion CARRIED unanimously.


Motion/Vote: SEN. WATERMAN moved to restore the Park County employee position which had been inadvertently removed in Program 6, state assumed counties. The motion CARRIED unanimously.

Motion/Vote: CHAIRMAN COBB moved to approve all three paragraph language under Program 7, Medical Assistance. Motion CARRIED unanimously.

Motion/Vote: SEN. WATERMAN moved to accept language on page 2 of HB 2 language, concerning placement for the elderly that matches their personal preferences in a safe environment. The motion CARRIED unanimously.

ADJOURNMENT

Adjournment: 12:00 P:M



JOHN COBB, Chairman



BILLIE JEAN HILL, Secretary

JC/bjh

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL

DATE

7-16-93

NAME	PRESENT	ABSENT	EXCUSED
REP. JOHN COBB, CHAIRMAN	✓		
SEN. MIGNON WATERMAN, VICE CHAIR	✓		
SEN. CHRIS CHRISTIAENS	✓		
SEN. TOM KEATING	✓		
REP. BETTY LOU KASTEN	✓		
REP. DAVID WANZENRIED	✓		

Occupational
and
Radiological Bureau
Money
Environmental
Science
DHES

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE Dec 16, 1993 BILL NO. _____ NUMBER _____

MOTION: Move that we appropriate funding
based on passage & approval of appropriate
legislation with contingent language
that if the bills aren't passed we approve D.J. money

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN		X
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	X	
SEN. CHRIS CHRISTIAENS	X	
SEN. TOM KEATING	X	
REP. BETTY LOU KASTEN		X
REP. DAVID WANZENRIED	X	

or
what
is
accepted

SR5

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE Dec. 14, 1993 BILL NO. _____ NUMBER _____

MOTION:

Unanimous approval

CSBG - Dept returns 7.5% of the
federal CSBG and HRPC's return
92.5%.

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN	X	
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	X	
SEN. CHRIS CHRISTIAENS	X	
SEN. TOM KEATING	X	
REP. BETTY LOU KASTEN		X
REP. DAVID WANZENRIED	X	

SRS

Waterman

HOUSE OF REPRESENTATIVES

HUMAN SERVICES SUB-COMMITTEE

ROLL CALL VOTE

DATE Feb 16 1993 BILL NO. _____ NUMBER _____

MOTION: *to return*
not moved AFDC levels @ 42% of the
presently index in fiscal 1992 1993

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN		X
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	X	
SEN. CHRIS CHRISTIAENS	X	
SEN. TOM KEATING		X
REP. BETTY LOU KASTEN		X
REP. DAVID WANZENRIED	X	

fails

HOUSE OF REPRESENTATIVES

HUMAN SERVICES SUB-COMMITTEE

ROLL CALL VOTE

DATE Dec 16, 1993 BILL NO. _____ NUMBER _____

MOTION:

Language needs bill

Subcommittee action (AFDC)

Reduce AFDC level. Contingent on HB 427

To make parents responsible for ^{proportion} more AFDC

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN	✓	
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	✓	
SEN. CHRIS CHRISTIAENS	✓	
SEN. TOM KEATING	✓	
REP. BETTY LOU KASTEN	✓	
REP. DAVID WANZENRIED	✓	

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE Dec 16, 1993 BILL NO. _____ NUMBER _____

MOTION: Accept nepp 4 para in

Sen R - Bill passed (para 8, 9, 10, 11)

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN	X	
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	X	
SEN. CHRIS CHRISTIAENS	X	
SEN. TOM KEATING	X	
REP. BETTY LOU KASTEN	X	
REP. DAVID WANZENRIED	X	

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE Dec 16, 1993 BILL NO. from DHS to DPS NUMBER 6
 MOTION: Item (Day Care Admin) is contingent
on passage & approval of House Bill 135
Bill failed (HB 135)

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN	✓	
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	✓	
SEN. CHRIS CHRISTIAENS	x	
SEN. TOM KEATING	✓	
REP. BETTY LOU KASTEN	✓	
REP. DAVID WANZENRIED	✓	
	7	

~~Reverse Day Care Admin~~

Reverse DC Admin

But if HB 135 were tabled by original

our action on
 Reverse DC Admin but on the contingency
 of passage of HB 135, we would abide by
 the original

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE Jul 16, 1993 BILL NO. at-risk NUMBER

MOTION: Under D.C. bill none of the funds may
be used by Admin (\$800,000) or
operating costs

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN	X	
SEN. MIGNON WATERMAN, VICE CHAIRPERSON		X
SEN. CHRIS CHRISTIAENS		X
SEN. TOM KEATING		X
REP. BETTY LOU KASTEN	X	
REP. DAVID WANZENRIED		X

failed

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE 2-16-93 BILL NO. _____ NUMBER _____

MOTION: Reconsider motion on DC money
(20,000)

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN		X
SEN. MIGNON WATERMAN, VICE CHAIRPERSON		X
SEN. CHRIS CHRISTIAENS		X
SEN. TOM KEATING		X
REP. BETTY LOU KASTEN	X	
REP. DAVID WANZENRIED		X

fails

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE Dec 16, 1993 BILL NO. _____ NUMBER _____

MOTION: #14 Substitute: Good Stamp Outreach
~~approve language & then we approve acceptance~~
of the Dept of Education to competitively
bid Food Stamp Outreach.

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN		X
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	X	
SEN. CHRIS CHRISTIAENS	X	
SEN. TOM KEATING	X	
REP. BETTY LOU KASTEN	X	
REP. DAVID WANZENRIED	X	

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE Feb 16, 1993 BILL NO. _____ NUMBER _____

MOTION: Prop 64 - Admin & Support
Service Language

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN	✓	
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	✓	
SEN. CHRIS CHRISTIAENS	x	
SEN. TOM KEATING	✓	
REP. BETTY LOU KASTEN	✓	
REP. DAVID WANZENRIED	x	

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE Dec 16, 1993 BILL NO. _____ NUMBER _____

MOTION: # 16 Approve Dept's language
Prog 5 Child Support Enforcement program

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN		X
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	X	
SEN. CHRIS CHRISTIAENS	X	
SEN. TOM KEATING	X	
REP. BETTY LOU KASTEN		X
REP. DAVID WANZENRIED	X	

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE 2-16-93 BILL NO. _____ NUMBER _____

MOTION: Prag 6 Amin - State assumed countries.
approval of Lang - Contingents on
HB 427

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN	✓	
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	X	
SEN. CHRIS CHRISTIAENS	✓	
SEN. TOM KEATING	✓	
REP. BETTY LOU KASTEN	X	
REP. DAVID WANZENRIED	✓	

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE Feb 16, 1993 BILL NO. _____ NUMBER _____

MOTION: Restore Pender County employee
already filled
may 06 - state assumed counties

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN	X	
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	X	
SEN. CHRIS CHRISTIAENS	✓	
SEN. TOM KEATING	✓	
REP. BETTY LOU KASTEN	✓	
REP. DAVID WANZENRIED	✓	

HOUSE OF REPRESENTATIVES

HUMAN SERVICES SUB-COMMITTEE

ROLL CALL VOTE

DATE Feb 16, 1993 BILL NO. _____ NUMBER _____

MOTION: Pray 07 Reseal Assistance
Language in all 3 para

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN	X	
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	X	
SEN. CHRIS CHRISTIAENS	✓	
SEN. TOM KEATING	X	
REP. BETTY LOU KASTEN	X	
REP. DAVID WANZENRIED	X	

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE 2-16-93 BILL NO. _____ NUMBER _____

MOTION: ~~#37~~ language approved

p# 2 para 1

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN	X	
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	X	
SEN. CHRIS CHRISTIAENS	X	
SEN. TOM KEATING	X	
REP. BETTY LOU KASTEN	X	
REP. DAVID WANZENRIED	X	

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE 2-16-93 BILL NO. _____ NUMBER _____

MOTION: Move to accept LFA budget
for DHES

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN	X	
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	X	
SEN. CHRIS CHRISTIAENS	X	
SEN. TOM KEATING	X	
REP. BETTY LOU KASTEN	X	
REP. DAVID WANZENRIED	X	

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE Jul 16, 1999 BILL NO. _____ NUMBER _____

MOTION: ~~From committee~~ 5% move to restore
5% Personal Services Reduction in Health Facilities
2 FTE's

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN		X
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	X	
SEN. CHRIS CHRISTIAENS	X	
SEN. TOM KEATING		X
REP. BETTY LOU KASTEN		X
REP. DAVID WANZENRIED	X	

fail

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE Feb 16, 1993 BILL NO. _____ NUMBER _____

MOTION: *Health Services - Move to delete*
0.25 FTE in Health Facilities
at the ~~Health Services~~ & add it to
Health Services Div Medical Facilities

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN	X	
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	✓	
SEN. CHRIS CHRISTIAENS	✓	
SEN. TOM KEATING	✓	
REP. BETTY LOU KASTEN	X	
REP. DAVID WANZENRIED	✓	

Health Facilities

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE Feb-16/1993 BILL NO. _____ NUMBER _____

MOTION: Consultant & Professional

Services 1) Pre-const 2) Long-Term Care

3) ABRA nurse aide 4) Medicine Monograph

Excess Budget

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN		X
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	X	
SEN. CHRIS CHRISTIAENS	X	
SEN. TOM KEATING	X	
REP. BETTY LOU KASTEN		X
REP. DAVID WANZENRIED	X	

passed

9.29

Health Facilities

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE 2-16-93 BILL NO. _____ NUMBER _____

MOTION: was Rent - The Egey Budget Inc. spending
from a Dept office in Talson which was
established in July 1992

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN		X
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	X	
SEN. CHRIS CHRISTIAENS	X	
SEN. TOM KEATING	X	
REP. BETTY LOU KASTEN		X
REP. DAVID WANZENRIED	X	

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE 2-16-93 BILL NO. _____ NUMBER _____

MOTION: Move to accept these differences in
operating costs, Equipment and inflation
Accept the Exec.

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN	X	
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	X	
SEN. CHRIS CHRISTIAENS	X	
SEN. TOM KEATING	X	
REP. BETTY LOU KASTEN	X	
REP. DAVID WANZENRIED	X	

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE Dec 16, 1993 BILL NO. 901 NUMBER

MOTION: There differences in operating costs

Costs, Equipment & inspection

with more to accept Eyes

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN	✓	
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	✓	
SEN. CHRIS CHRISTIAENS	x	
SEN. TOM KEATING	✓	
REP. BETTY LOU KASTEN	✓	
REP. DAVID WANZENRIED	✓	

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE Feb 16, 1993 BILL NO. _____ NUMBER _____

MOTION: Reinstate ~~10~~ 5% reduction

IFTE non-gen fund

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN		X
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	X	
SEN. CHRIS CHRISTIAENS	X	
SEN. TOM KEATING		X
REP. BETTY LOU KASTEN		X
REP. DAVID WANZENRIED	X	

fails

Health
Facilities
1st motion

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE 2-16-93 BILL NO. _____ NUMBER _____

MOTION: Recessed After Personal Business

2 FTE

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN		X
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	X	
SEN. CHRIS CHRISTIAENS	X	
SEN. TOM KEATING	X	
REP. BETTY LOU KASTEN		X
REP. DAVID WANZENRIED	X	

Health
Facilities

3

HOUSE OF REPRESENTATIVES

2nd Motion

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE 2-16-93 BILL NO. _____ NUMBER _____

MOTION: Move to reinstate personal

K

services CITA 2.0 FTF

Ejec level to OFF

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN		X
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	X	
SEN. CHRIS CHRISTIAENS	X	
SEN. TOM KEATING	X	
REP. BETTY LOU KASTEN		X
REP. DAVID WANZENRIED	X	

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE Dec 16, 1993 BILL NO. _____ NUMBER _____

MOTION: move to accept Clinical Laboratory
Improvement act (CLIA)

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN		X
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	X	
SEN. CHRIS CHRISTIAENS	X	
SEN. TOM KEATING	X	
REP. BETTY LOU KASTEN		X
REP. DAVID WANZENRIED	X	

HOUSE OF REPRESENTATIVES

HUMAN SERVICES

SUB-COMMITTEE

ROLL CALL VOTE

DATE Dec 16, 1993 BILL NO. _____ NUMBER _____

MOTION: Position vacant 12/29

Removed 1st FTE vacant during 12-92.

with Pastore position (95+) 25 1/2 GF.

NAME	AYE	NO
REP. JOHN COBB, CHAIRMAN		X
SEN. MIGNON WATERMAN, VICE CHAIRPERSON	X	
SEN. CHRIS CHRISTIAENS	X	
SEN. TOM KEATING		X
REP. BETTY LOU KASTEN		X
REP. DAVID WANZENRIED	X	

Motion fails

EXHIBIT

DATE 2/16/93

5301 00 00000

DEPARTMENT OF HEALTH & ENVIRONMENTAL SCIENCES

Agency Summary

Budget Item	Actual Expenditures Fiscal 1992	Current Level Fiscal 1992	Current Level Fiscal 1993	LFA Fiscal 1994	Executive Fiscal 1994	LFA Fiscal 1995	Executive Fiscal 1995	Biennial Difference Exec.-LFA
FTE	411.64	376.94	377.94	377.94	357.15	377.94	357.15	(20.79)
Personal Services	12,078,404	11,285,413	12,042,079	13,161,832	12,514,064	13,179,516	12,530,958	(1,296,326)
Operating Expenses	14,086,666	9,795,629	15,263,502	10,029,691	14,922,931	10,564,141	15,117,562	9,446,661
Equipment	295,392	186,395	68,991	293,791	372,567	268,406	251,064	61,434
Grants	11,066,728	10,498,935	11,516,010	13,895,045	14,434,123	15,815,743	16,355,510	1,078,845
Benefits and Claims	8,545,931	6,739,025	7,142,026	8,232,545	8,232,545	8,232,545	8,973,474	740,929
Transfers	5,481,912							
Total Costs	\$51,555,035	\$38,505,397	\$46,032,608	\$45,612,904	\$50,476,230	\$48,060,351	\$53,228,568	\$10,031,543
Fund Sources								
General Fund	3,857,455	3,319,538	3,153,261	3,282,665	3,048,388	3,333,718	3,035,848	(532,147)
State Revenue Fund	11,350,285	6,033,274	5,766,465	7,643,890	8,770,760	7,916,526	8,949,887	2,160,231
Federal Revenue Fund	34,689,419	27,607,314	35,509,974	32,757,478	36,766,441	34,930,083	39,392,735	8,471,615
Proprietary Fund	1,657,875	1,545,271	1,602,908	1,928,871	1,890,641	1,880,024	1,850,098	(68,156)
Total Funds	\$51,555,035	\$38,505,397	\$46,032,608	\$45,612,904	\$50,476,230	\$48,060,351	\$53,228,568	\$10,031,543

PROGRAM

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5301 01 00000 DEPT HEALTH & ENVIRON SCIENCES Program Summary			Director's 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	14.00	13.00	12.00	14.00	(2.00)	12.00	14.00	(2.00)
Personal Services	518,884	488,798	531,844	609,130	(77,286)	533,672	610,422	(76,750)
Operating Expenses	188,399	186,512	222,982	197,205	25,777	224,641	198,743	25,898
Equipment	<u>0</u>	<u>0</u>	<u>6,544</u>	<u>6,544</u>	<u>0</u>	<u>1,800</u>	<u>1,800</u>	<u>0</u>
Total Costs	\$707,283	\$675,310	\$761,370	\$812,879	(\$51,509)	\$760,113	\$810,965	(\$50,852)
<u>Fund Sources</u>								
General Fund	200,505	161,212	217,599	219,877	(2,278)	218,450	220,683	(2,233)
Federal Revenue Fund	26,061	47,336	47,234	47,129	105	47,435	47,346	89
Proprietary Fund	<u>480,717</u>	<u>466,762</u>	<u>496,537</u>	<u>545,873</u>	<u>(49,336)</u>	<u>494,228</u>	<u>542,936</u>	<u>(48,708)</u>
Total Funds	\$707,283	\$675,310	\$761,370	\$812,879	(\$51,509)	\$760,113	\$810,965	(\$50,852)

Page References

LFA Budget Analysis (Vol. II), B-13
Stephens' Executive Budget, B-5

Current Level Differences

PERSONAL SERVICES—The Executive Budget includes the 5% personal services reduction as mandated in House Bill 2. The 2.00 FTE and associated personal services costs eliminated from the Executive Budget are non-general fund.

(77,286) (76,750)

DENTAL SUPPLIES—The Executive Budget includes funding to purchase dental information, fluoride rinse, rinse cups and tooth brushes for issue to schools and public health nurses.

15,116 15,116

TRAVEL/EDUCATION—The Executive Budget is higher for education costs and travel to local agency health departments than the LFA current level.

5,988 5,988

MISC. DIFFERENCES IN OPERATING COSTS, EQUIPMENT, AND INFLATION

4,673 4,794

TOTAL CURRENT LEVEL DIFFERENCES

(51,509) (50,852)

FUNDING—This program is funded 27% from general fund, 6% from federal funds, and 67% from proprietary funds.

Budget Modifications

COMMUNITY OUTREACH—The Executive Budget originally included a budget modification to provide 1.00 FTE (at about \$35,800 each year) and related operating costs at \$29,000 each year, to improve communication and coordination with local health agencies. The executive has since reduced the amount requested for operating costs by \$18,000 over the biennium. See LFA Vol. II, page B-5.

55,812 55,823

REINSTATE 5% REDUCTION—The Racicot budget includes modifications to reinstate non-general fund FTE deleted in response to section 13 of House Bill 2. This budget modification originally included 2.00 FTE and about \$130,000 over the biennium. The executive has since reduced this modification to 1.00 FTE and \$77,864 over the biennium.

38,932 38,932

Language and Other Issues

POSITIONS VACANT 12/29—The joint House Appropriations and Senate Finance and Claims committees removed no positions from this program. The one position vacant on 12/29 is included in the 5% reduction. See attached table.

FUNDING SWITCH—The original Executive Budget includes \$75,000 general fund for legal services. The current executive proposal is to use \$15,000 of this general fund to provide legal services to the Board of Health, and to fund the legal unit with indirect charges (proprietary funds). The remaining \$60,000 in general fund will be reduced from the Executive Budget request.

(60,000) (60,000)

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES
Director's Office (pgm 01)

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

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		
<i>All or Partial General Fund Positions</i>							
	NONE						
Sub-Total		0	0	0.00	0.00	0.00	0.00
<i>Non-General Fund Positions</i>							
103	Administrative Officer V	58,011	58,015	1.00		1.00	
111*	Secretary Legal II	20,929	20,935	1.00		1.00	
	SUBTOTAL: NON-GF 5%	78,940	78,950	2.00	0.00	2.00	
Sub-Total		78,940	78,950	2.00	0.00	2.00	0.00
TOTAL		78,940	78,950	2.00	0.00	2.00	0.00

*FTE also included in action by joint appropriation committees to remove positions vacant as of 12/29/92

02/12/93
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EXHIBIT 1
DATE 2/16/93

5301 02 00000 DEPT HEALTH & ENVIRON SCIENCES Program Summary								
					Central Services			
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	64.50	65.50	64.50	67.50	(3.00)	64.50	67.50	(3.00)
Personal Services	1,763,836	1,913,581	1,941,945	2,016,075	(74,130)	1,944,866	2,019,220	(74,354)
Operating Expenses	986,447	845,067	1,317,079	1,116,033	201,046	1,302,898	1,107,951	194,947
Equipment	36,182	1,927	12,344	33,844	(21,500)	9,000	14,200	(5,200)
Total Costs	\$2,786,465	\$2,760,575	\$3,271,368	\$3,165,952	\$105,416	\$3,256,764	\$3,141,371	\$115,393
Fund Sources								
General Fund	526,842	516,696	525,483	439,822	85,661	511,050	422,083	88,967
State Revenue Fund	1,156,885	1,043,524	1,250,478	1,241,478	9,000	1,288,836	1,280,836	8,000
Federal Revenue Fund	199,549	221,431	265,000	265,000	0	265,000	265,000	0
Proprietary Fund	903,188	978,924	1,230,407	1,219,652	10,755	1,191,878	1,173,452	18,426
Total Funds	\$2,786,465	\$2,760,575	\$3,271,368	\$3,165,952	\$105,416	\$3,256,764	\$3,141,371	\$115,393

Page References

LFA Budget Analysis (Vol. II), B 14-15
 Stephens' Executive Budget, B 6-7

Current Level Differences

PERSONAL SERVICES—The Executive Budget includes the 5% personal services reduction as mandated in House Bill 2. 1.50 of the 3.00 FTE eliminated are non-general fund positions, 1.50 are general fund.

(74,130) (74,354)

CONTRACTED SERVICES—The Executive Budget includes the cost of services to design and implement the following automated systems/programs:

37,198 27,198

- 1) a system to produce indirect cost proposals and allocate indirect costs to the appropriate programs;
- 2) a program to automate the department's purchasing system;
- 3) a program to automate the travel authorization and travel voucher system;
- 4) maintain and upgrade current data base systems;
- 5) develop a grants management and control system and an accounts receivable system; and
- 7) update cause of death classification system.

Funding for these items is not included in the LFA current level.

DATA PROCESSING UNIT—The executive includes higher costs for operating expenses in the Data Processing Unit than does the LFA.

22,634 38,391

SUPPLIES AND MATERIALS—The Executive Budget includes funding in the Public Health Laboratory to provide updated laboratory supplies and equipment and safety supplies.

71,441 83,932

TRAVEL—The executive budget includes more travel costs for the support services auditor to travel to the county health offices than does the LFA current level.

3,108 3,108

PRINTING—The executive includes the cost to print vital statistics certificates (death, marriage, adoptions, etc.). These documents are printed every 2 to 3 years and the cost was inadvertently left out of LFA current level.

8,800 5,400

EQUIPMENT—The LFA budget includes funding for a data base server for the Data Processing Section. Funding for this server is included in an executive budget modification, see DATABASE SERVER below.

(21,500) (5,200)

MISC. DIFFERENCES IN OPERATING COSTS, EQUIPMENT AND INFLATION

57,865 36,918

TOTAL CURRENT LEVEL DIFFERENCES

105,416 115,393

FUNDING—This program is funded 14% from general fund, 39% from state special (fees), 8% from federal funds, and 39% from proprietary funds.

Budget Modifications (see LFA (Vol. II), B 5-10 for more detail)

REINSTATE 5% REDUCTION—The Racicot budget includes modifications to reinstate non-general fund

32,636 32,645

FTE deleted in response to section 13 of House Bill 2. This budget modification includes 1.50 FTE and \$65,281 over the biennium. (See attached table)

MEDICAL TECHNOLOGIST—This modification would reinstate a full-time medical technologist position that was eliminated in the 1983 biennium. The 1.00 FTE, who would perform tests related to tuberculosis and mycobacterial diseases, is funded from state special revenue generated by fees charged for the tests.

32,498 34,233

LABORATORY ANALYSIS AUTOMATION—The executive recommends that state special revenue generated from laboratory income be used to purchase automated laboratory equipment for the Chemistry Lab.

53,500 0

ADDITIONAL FTE FOR ACCOUNTING—This modification would add 1.00 FTE to the Support Services Bureau to handle anticipated increased collections from fees collected from the public and other state agencies for vital records and laboratory services. The new position and related operating costs would be funded from indirect charges assessed on all programs in the department.

33,181 28,788

DATABASE SERVER—The executive budget includes a modification for the purchase of computer hardware and software to implement a database server that would handle accounting applications for the department. This modification would be funded from assessments on all programs within the agency.

23,300 4,150

LABORATORY AIDE—This modification would add 1.00 FTE to enter and analyze data related to laboratory tests performed by the Public Health Laboratory. This FTE and related operating costs would be funded with fees generated by the program.

23,058 23,064

NETWORK SOFTWARE UPGRADES—The executive recommends that proprietary funds be used to update and maintain network and application software on the department's file servers.

61,000 18,000

ICP REPLACEMENT—This modification would fund replacement of the department's Inductively Coupled Plasma Emission Spectrophotometer (ICP), which was purchased in 1980. This equipment is used to test water samples. The purchase would be funded from the income generated by the programs.

250,000 0

STAFFING FOR DATA PROCESSING—The executive recommends addition of 2.50 FTE in fiscal 1994 and 4.00 FTE in fiscal 1995 to provide additional data processing support. These costs would be funded with proprietary funds (indirect charges).

110,075 148,310

SSA CONTRACT—This modification would use federal funds for a contract with the Social Security Administration (SSA). The department will provide information from birth certificates to the SSA, allowing them to issue social security numbers to newborns.

12,000 12,000

ADDITIONAL STAFF/FILE SERVER—The executive recommends 4.00 new FTE to allow the department to comply with additional federal and state financial reporting requirements. This modification would be funded with proprietary funds (indirect charges).

191,138 142,774

Language and Other Issues

POSITIONS VACANT 12/29—The joint House Appropriations and Senate Finance and Claims committees removed 4.00 FTE vacant during December 1992.

109,047 109,237

DHES PUBLIC HEALTH AND CHEMISTRY LABORATORIES—See attached House Bill 2 language and LFA (Vol. II), B-12.

TUMOR REGISTRY—Initially, the Executive Budget recommended the termination of the Tumor Registry program. The Racicot administration has recommended it be reinstated. This recommendation includes 1.50 FTE which are included in the 5% personal services reduction and are general fund positions.

41,495 41,495

PUBLIC HEALTH BUREAU—To avoid supplanting federal funds, the general fund appropriated must be at the same level as fiscal 1992.

General Fund	84,974	104,076
State Special Revenue	(84,974)	(104,076)

EXHIBIT 1
DATE 2/16/93

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES
Central Services (pgm 02)

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

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		
<i>All or Partial General Fund Positions</i>							
233	Pgm. Specialist II	29,845	30,014	1.00		1.00	
234	Clerk Admin. II	11,651	11,702	0.50		0.50	
	SUBTOTAL: GF 5%	41,496	41,716	1.50	0.00	1.50	
Sub-Total		41,496	41,716	1.50	0.00	1.50	0.00
<i>Non-General Fund Positions</i>							
204	Film Library Clerk	11,615	11,618	0.50		0.50	
217	Accounting Clerk	10,210	10,212	0.50		0.50	
218	Work Processing Technician	11,951	11,954	0.50		0.50	
	SUBTOTAL: NON-GF 5%	33,776	33,784	1.50	0.00	1.50	
216	Accounting Clerk	22,112	22,276		1.00	1.00	
425	Accountant	33,003	33,013		1.00	1.00	
438	Accountant	33,003	33,013		1.00	1.00	
439	Accounting Tech	20,929	20,935		1.00	1.00	
	SUBTOTAL: NON-GF VACANT	109,047	109,237	0.00	4.00	4.00	
Sub-Total		142,823	143,021	1.50	4.00	5.50	0.00
TOTAL		184,319	184,737	3.00	4.00	7.00	0.00

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EXHIBIT 1
DATE 2/16/93

Fiscal 1992 Fiscal 1993

	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
Total						
3,606,644	42,843,236	34,392,520	1,443,725	52,256,125	34,979,316	47,667,513
3,326,613	12,950,231	3,207,736	7,702,783	52,113,089	1,386,046	47,439,408

Item 3c is a biennial appropriation.

The total appropriation for the department includes \$2,204,426 in fiscal 1992 and \$2,204,426 in fiscal 1993 from the maternal and child health block grant. To the extent revenue from the grant exceeds these amounts, it must be distributed to the counties, based upon identifiable needs. To the extent revenue from the grant is less than these amounts, allocations must be reduced proportionately among state programs and grants to counties.

The total appropriation for the department includes \$644,771 in fiscal 1992 and \$644,771 in fiscal 1993 from the preventive health block grant. To the extent revenue from the grant exceeds these amounts, it must be distributed at the discretion of the director of the department, based upon identifiable health care needs. To the extent revenue from the grant is less than these amounts, the director of the department shall make program reductions.

Funds appropriated to the department for indirect cost recovery may be expended only for that purpose.

The director's office includes \$82,897 of general fund money each year within the legal unit that may be used only to pay legal services billed to programs funded by the general fund within the department. None of this appropriation may be transferred to other programs.

Item 2 includes a total of \$25,000 of general fund each year that must be used to perform tests as needed on behalf of the food and consumer safety and occupational health bureaus within the department. If these funds are not needed for testing in the food and consumer safety and occupational health bureaus, they may be expended for other services within the laboratories.

It is the intent of the legislature that the department determine the feasibility of funding the public health and chemistry laboratories through proprietary and special revenue accounts with little or no use of general fund money, except as specified to support testing for the food and consumer safety and occupational health bureaus. If the department determines that such accounting is feasible and saves general fund money, then on or after July 1, 1991, the department may request that the approving authority authorize a proprietary account and reduce the general fund appropriation by a like amount. If this occurs, the general fund appropriation must remain at \$25,000 to provide necessary testing for the food and consumer safety and occupational health bureaus.

Item 2b is a biennial appropriation that may be used only if the demand for reimbursable services requires expenditures for supplies, materials, and communications in excess of the appropriated levels of \$184,820 in fiscal 1992 and \$184,597 in fiscal 1993.

The department is authorized to receive an interentity loan from the general fund for no more than \$4,928,894 for the purpose of conducting the Clark Fork

5301 03 00000 DEPT HEALTH & ENVIRON SCIENCES Program Summary								
Environmental Sciences								
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	47.53	47.53	45.03	47.53	(2.50)	45.03	47.53	(2.50)
Personal Services	1,488,096	1,367,301	1,685,607	1,757,149	(71,542)	1,687,545	1,759,090	(71,545)
Operating Expenses	1,192,227	(135,891)	2,055,123	1,878,030	177,093	2,061,008	1,881,548	179,460
Equipment	31,327	(125,795)	39,346	39,346	0	37,388	49,896	(12,508)
Grants	545,405	652,150	691,695	691,695	0	682,465	682,465	0
Total Costs	\$3,257,057	\$1,757,765	\$4,471,771	\$4,366,220	\$105,551	\$4,468,406	\$4,372,999	\$95,407
Fund Sources								
General Fund	803,271	723,069	693,703	727,443	(33,740)	689,813	735,853	(46,040)
State Revenue Fund	1,303,956	(196,747)	2,462,752	2,399,096	63,656	2,572,537	2,490,492	82,045
Federal Revenue Fund	988,466	1,074,221	1,151,619	1,076,335	75,284	1,042,064	983,018	59,046
Proprietary Fund	161,363	157,222	163,697	163,346	351	163,992	163,636	356
Total Funds	\$3,257,057	\$1,757,765	\$4,471,771	\$4,366,220	\$105,551	\$4,468,406	\$4,372,999	\$95,407

Page References

LFA Budget Analysis (Vol. II), B 16-17
Stephens' Executive Budget B 8-9

Current Level Differences

PERSONAL SERVICES— The Executive Budget includes the 5% personal services reduction as mandated in House Bill 2. The 2.50 FTE and associated personal services costs eliminated from the Executive Budget are non-general fund.

CONSULTANT AND PROFESSIONAL SERVICES—The Executive Budget includes funding for various consulting services the department considers necessary to comply with state and federal statutes. These services are not included in the LFA current level. (see attached summary of services)

AIR QUALITY BUREAU OPERATING EXPENSES—The Executive Budget includes higher operating costs for the Air Quality Bureau than does the LFA current level. The 1991 Legislature authorized 12 additional FTE in the 1993 biennium. Department officials indicate that the FTE were not hired until late in fiscal 1992 and therefore, related operating costs are excluded from LFA current level.

FOOD AND CONSUMER SAFETY BUREAU—This difference is the result of the department having 2 vacant positions in fiscal 1992. The executive annualized related operating expenses, LFA did not annualize.

EQUIPMENT—The entire difference is attributable to funding replacement of a high mileage vehicle in the Billings Regional Food and Consumer Safety Office. Funding is included in the LFA current level and not in the Executive Budget.

MISC. DIFFERENCES IN OPERATING COSTS, EQUIPMENT, AND INFLATION

TOTAL CURRENT LEVEL DIFFERENCES

FUNDING—This program is funded 16% from general fund, 55% from state special revenue, 25% from federal funds and 4% from proprietary funds.

Budget Modifications (see LFA (Vol. II), B 5-10 for more detail)

REINSTATE 5% REDUCTION—The Racicot budget includes modifications to reinstate non-general fund FTE deleted in response to section 13 of House Bill 2. This budget modification includes 2.50 FTE and \$143,083 over the biennium. (See attached table)

BILLINGS/LAUREL SULFUR DIOXIDE— This modification would add 2.00 FTE, \$164,100, in contracted services, \$226,630 in equipment, and \$61,773 in operating expenses for the biennium to address sulfur dioxide problems in the Billings/Laurel area. The Environmental Protection Agency (EPA) has informed the department that the current State Implementation Plan is inadequate. This modification would be funded from state special revenue generated from fees levied on the sources of the sulphur emissions.

Exec. Over(Under) LFA
Fiscal 1994 Fiscal 1995

(71,542) (71,545)

125,555 126,555

33,262 33,768

12,184 12,979

(12,508)

6,092 6,158

105,551 95,407

71,538 71,545

400,000 190,000

X-RAY INSPECTIONS —This modification would add 2.00 FTE to provide support for the X-ray program in the Occupational Health Bureau, which currently has 3.50 FTE. This modification is contingent upon passage of HB 400 and would be funded with state special revenue generated from proposed fees that would be assessed on owners of radiation sources.	121,322	127,185
AQB STATE PLAN COORDINATOR —This modification would add 1.00 FTE to update and maintain Montana's State Implementation Plan, which is required by the EPA. This modification would be funded from air quality permit fee revenue.	55,333	50,886
AQB COMPLIANCE AND ENFORCEMENT —This modification would add 2.00 new FTE in the Air Quality Bureau to ensure that the requirements of the 1990 Clean Air Act amendments are met. This modification would be funded with state special revenue.	111,079	102,186
<u>Language and Other Issues</u>		
POSITIONS VACANT 12/29 —The joint House Appropriations and Senate Finance and Claims committees removed 5.00 FTE vacant during December 1992.	111,679	111,692
NATURAL RESOURCES DAMAGE ASSESSMENT —(see LFA (Vol. II), B-11) Neither the executive budget nor the LFA budget contains funding for the NRDA. DHES has requested legislation to approve a \$2.6 million general fund loan; and 2) extend the current \$4.9 million general fund loan through the 1995 biennium.		
OCCUPATIONAL HEALTH BUREAU—X-RAY FEES —The executive funds this bureau with less general fund than does the LFA. Contingent upon passage of HB 400, fees will be charged for x-ray inspections. A projected \$70,000 will be raised and the executive plans to use this new funding source to offset general fund. The executive recommendation, if HB400 does not pass, is to eliminate the x-ray inspection program rather than provide additional general fund.		
General Fund	(70,000)	(70,000)
State Special Revenue	70,000	70,000

EXHIBIT 1
DATE 2/16/93

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES
Environmental Sciences (pgm 03)

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

		Total Personal Services		FTE		Total FTE Removed	Non-Approp FTE
Position #	Position Description	Fiscal 1994	Fiscal 1995	Removed by 5% Reduction	Removed by Being Vacant		
All or Partial General Fund Positions							
1 306	Environmental Pgm. Supv.	49,184	49,187		1.00	1.00	
1 311	Environment Spec. IV	35,799	35,802		1.00	1.00	
	SUBTOTAL: GF VACANT	84,983	84,989	0.00	2.00	2.00	0.00
Sub-Total		84,983	84,989	0.00	2.00	2.00	0.00
Non-General Fund Positions							
354*	Environmental Spec. II	28,187	28,189	1.00		1.00	
361	Environmental Spec. III	32,459	32,461	1.00		1.00	
362	Administrative Clerk III	10,892	10,895	0.50		0.50	
	SUBTOTAL: NON-GF 5%	71,538	71,545	2.50	0.00	2.50	0.00
2 392	Environmental Pgm. Mgr. II	50,094	50,098		1.00	1.00	
2 394	Secretary Legal	21,808	21,814		1.00	1.00	
2 396	Attorney Specialist II	39,777	39,780		1.00	1.00	
	SUBTOTAL: NON-GF VACANT	111,679	111,692	0.00	3.00	3.00	0.00
Sub-Total		183,217	183,237	2.50	3.00	5.50	0.00
TOTAL		268,200	268,226	2.50	5.00	7.50	0.00

*FTE also included in action by joint appropriation committees to remove positions vacant as of 12/29/92

1 Positions 306 & 311 are funded with federal funds, fee revenue and general fund. The general fund is the required maintenance of effort for the receipt of federal funds.

2 Positions 392, 394, and 396 are funded with state special revenue from the Natural Resources Damage Assessment (NRDA) general fund loan. These positions are not included in the LFA current level, the agency is requesting funding for the NRDA with separate legislation.

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EXHIBIT 1
DATE 2/16/93

Department of Health and Environmental Sciences
Environmental Sciences Division
Consultant and Professional Services

The differences identified below are included in the Executive Budget and are not in the LFA current level. The items listed below are various services that would be purchased with the funding provided in the Executive Budget.

Air Quality Bureau

- 1) Risk Assessment Review - Incineration facilities and other sources
- 2) Whitefish Chemical Mass Balance Study
- 3) Analysis of road dust and sanding material
- 4) Wood stove surveys and emission inventories
- 5) Liquid de-icer study

DIFFERENCE: FY94 - \$97,900 FY95 - \$98,900

FUNDING: Approximately 10% general fund, 30% state special, 60% federal (general fund is used for program support as the maintenance of effort for the federal EPA grant)

Environmental Impact Study (EIS)

- 1) Preparation of EIS in association with monitoring compliance with Montana Environmental Policy Act.

DIFFERENCE: FY94 - \$27,655 FY95 - \$27,655

Funding: 100% state special

TOTAL DIFFERENCE: FY94 - \$125,555 FY95 - \$126,555

EXHIBIT 1
DATE 2/16/93

5301 04 00000 DEPT HEALTH & ENVIRON SCIENCES Program Summary								
Solid/Hazardous Waste								
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	78.59	79.09	70.55	76.09	(5.54)	70.55	76.09	(5.54)
Personal Services	2,148,057	2,617,858	2,446,857	2,627,106	(180,249)	2,449,862	2,630,489	(180,627)
Operating Expenses	2,764,422	7,605,989	4,456,237	2,582,476	1,873,761	4,551,331	2,727,687	1,823,644
Equipment	33,854	98,824	87,259	71,170	16,089	85,822	85,456	366
Grants	851,325	1,069,004	1,164,440	913,911	250,529	1,181,858	931,329	250,529
Total Costs	\$5,797,660	\$11,391,675	\$8,154,793	\$6,194,663	\$1,960,130	\$8,268,873	\$6,374,961	\$1,893,912
Fund Sources								
General Fund	164,452	176,863	146,447	221,022	(74,575)	147,111	229,912	(82,801)
State Revenue Fund	2,638,771	3,421,847	3,402,759	2,951,589	451,170	3,446,960	3,052,320	394,640
Federal Revenue Fund	2,994,436	7,792,965	4,605,587	3,022,052	1,583,535	4,674,802	3,092,729	1,582,073
Total Funds	\$5,797,660	\$11,391,675	\$8,154,793	\$6,194,663	\$1,960,130	\$8,268,873	\$6,374,961	\$1,893,912

Page References

LFA Budget Analysis (Vol. II), B 18-19
Stephens' Executive Budget, B 9-10

Current Level Differences

PERSONAL SERVICES 5% REDUCTION—The Executive Budget includes the 5% personal services reduction as mandated in House Bill 2. 4.84 FTE and associated personal services costs are not included in the Executive Budget. .34 FTE is a general fund position.

(155,281) (155,403)

OTHER PERSONAL SERVICES—

1) LFA includes 1.00 FTE in current level that the executive has in a budget modification. The position was originally funded with federal superfund money. Through the budget amendment process, the department changed funding to state special revenue (BN/ARCO). Because the position was included on the budget amendment, the executive excluded it from current level.

(37,548) (37,806)

2) The Executive Budget contains 0.30 FTE that LFA does not include in current level. Through an internal reorganization, the department transferred a net 0.30 FTE into program 04 from program 11, the statutorily appropriated Petro Tank Release Comp Board. LFA does not include FTE from statutory appropriations in current level. These two FTE differences (net 0.70 FTE) account for the difference on the table above, (5.54) and the 5% reduction (4.84).

12,580 12,582

JUNK VEHICLE CRUSHING SERVICES—The Executive Budget includes \$30,000 to pay for crushing junk vehicles if the steel market continues to fall. The LFA current level does not include this cost. The department requests that this be appropriated as a line item. The Junk Vehicle programs is funded with 100% state special revenue.

30,000 30,000

RENT—The Executive Budget is higher than the LFA current level for this category because the executive allowed for increased rental costs.

17,066 17,066

OTHER SERVICES—The Executive Budget includes funding for various consulting services the department considers necessary to comply with state and federal statutes. These services are not included in the LFA current level (see attached summary of services).

1,698,993 1,781,023

LABORATORY TESTING—The Executive Budget includes funding to perform analysis of samples of wastes, surface water, groundwater, soils and other media. The LFA current level does not fund this level of services.

22,982 22,982

HAZARDOUS WASTE OPERATING COSTS—The Executive Budget is higher than the LFA current level for operating costs. This bureau experienced high turnover and the executive recommendation is based on full staffing.

20,154 19,241

UNDERGROUND STORAGE TANKS GRANTS TO COUNTIES—The Executive Budget includes more grants to counties than does the LFA current level. These grants are to fund contracts with county personnel to maintain and work on the underground storage tanks.

250,529 250,529

EQUIPMENT—The executive budget includes more software and more field monitoring equipment than the

15,734

LFA budget.

MISC. DIFFERENCES IN OPERATING COSTS, EQUIPMENT, AND INFLATION	84,921	(46,302)
TOTAL CURRENT LEVEL DIFFERENCES	1,960,130	1,893,912

FUNDING—This program is funded 3% from general fund, 48% state special revenue and 49% from federal funds.

Budget Modifications (see LFA (Vol. II), B 5-10)

REINSTATE 5% REDUCTION—The Racicot budget includes modifications to reinstate non-general fund FTE deleted in response to section 13 of House Bill 2. This budget modification includes 4.50 FTE and \$292,624 over the biennium. (See attached table)	146,254	146,370
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LUST—COST RECOVERY—This modification requests \$400,000 in contracted services during the biennium to contract with counties or private contractors for remedial and investigative work related to leaking underground storage tanks. This modification is funded with costs recovered from responsible parties.	200,000	200,000
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CLARK FORK BASIN MANAGER—This modification provides 1.00 FTE and operating expenses to coordinate and communicate with local agencies and citizens groups involved in the Clark Fork Basin Superfund sites. This modification would be funded with RIT funds.	49,880	49,892
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DSL ABANDONED MINE LIAISON—This modification provides \$40,000 per year to contract with the Department of State Lands for an FTE to coordinate the investigation and cleanup of abandoned mine sites to comply with federal and state law. This modification will be funded with RIT funds.	40,000	40,000
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TANK INSTALLER—The executive budget recommends that 1.00 FTE, operating costs and equipment be added to review and issue permits for the installation and repair of underground storage tanks and pipes. This modification would be funded by fees paid for tank licenses and permits and recovered damages and costs.	51,615	51,616
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CERCA PROGRAM EXPANSION—This modification would add 4.00 FTE, operating and equipment costs to expand the staff in the State Superfund (CERCRA) program. This modification would be funded from the Environmental Quality Protection Fund (EQPF) (state special revenue).	191,576	182,863
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SUPERFUND DOD MOA—The executive budget includes 1.00 FTE, contracted services, operating costs, and equipment to oversee Superfund activities related to Department of Defense (DOD) sites. The funding for this modification is from federal DOD funds.	100,000	100,000
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GIS ARCO—This modification would add 1.75 FTE, contracted services, operating and equipment costs for a geographical information system and general management of ARCO superfund sites in the Clark Fork River Basin. This modification is funded from state special revenue collected from ARCO.	417,728	417,750
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BURLINGTON NORTHERN CLEANUP—This modification provides for contracted services to oversee the remedial investigations, feasibility studies, and other documents related to cleanup of Burlington Northern sites. BN will pay for the cost of this modification.	125,000	125,000
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Language and Other Issues

POSITIONS VACANT 12/29—The joint House Appropriations and Senate Finance and Claims committees removed 3.00 FTE vacant during December 1992.	92,506	92,601
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EXHIBIT 1
DATE 2/16/93

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES
Solid/Hazardous Waste (pgm 04)

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

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		
<i>All or Partial General Fund Positions</i>							
463*	Administrative Aide II	7,704	7,706	0.34		0.34	
	SUBTOTAL: GF 5%	7,704	7,706	0.34		0.34	
463*	Administrative Aide II	3,625	3,626		0.16	0.16	
	SUBTOTAL: GF VACANT	3,625	3,626		0.16	0.16	
Sub-Total		11,329	11,332	0.34	0.16	0.50	0.00
<i>Non-General Fund Positions</i>							
359	Environmental Spec. III	34,359	34,361	1.00		1.00	
414	Environmental Spec. III	32,991	32,994	1.00		1.00	
457	Environmental Spec. II	30,473	30,474	1.00		1.00	
464	Environmental Spec. II	15,972	16,080	0.50		0.50	
473*	Environmental Spec. III	32,459	32,461	1.00		1.00	
	SUBTOTAL: NON-GF 5%	146,254	146,370	4.50	0.00	4.50	
411	Environmental Spec. III	32,991	32,994		1.00	1.00	
461	Administrative Aide II	22,112	22,201		1.00	1.00	
486	Attorney Specialist II	33,778	33,780		0.84	0.84	
	SUBTOTAL: NON-GF VACANT	88,881	88,975	0.00	2.84	2.84	0.00
Sub-Total		235,135	235,345	4.50	2.84	7.34	0.00
TOTAL		246,464	246,677	4.84	3.00	7.84	0.00

*FTE also included in action by joint appropriation committees to remove positions vacant as of 12/29/92

02/13/93
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EXHIBIT ()
DATE 2/16/93

Department of Health and Environmental Sciences
Solid/Hazardous Waste
Other Services

The differences identified below are included in the Executive Budget and are not in the LFA current level. The items listed below are various services that would be purchased with the funding provided in the Executive Budget.

Superfund

- 1) Remedial Design/Remedial Action startup costs at Montana Pole
- 2) Public Health and Environmental Risk Assessment at Silver Bow Creek
- 3) Additional responsibilities at new federal Superfund sites
- 4) Contracts with University System for similar services as #1 through #3

DIFFERENCE: FY94 - \$1,382,754 FY95 - \$1,332,754
Funding: 100% federal

Underground Storage Tanks

- 1) Evaluation of tank system design, installation and monitoring systems
- 2) Training seminars for local implementing agencies, installers and local inspectors
- 3) Procurement of technical expert witness testimony, temporary support services and evaluation of current installer licensing application
- 4) Lab analysis of contaminated water and soil samples and tank residues

DIFFERENCE: FY94 - \$15,327 FY95 - \$12,877
Funding: state special and federal

State Superfund

- 1) Contract with university specialist to conduct responsible party oversight and sampling activities

DIFFERENCE: FY94 - \$10,000 FY95 - \$10,000
Funding: state special (EQPF)

Leaking Underground Storage Tanks

- 1) LUST Trust site investigation and remediation
- 2) Laboratory analysis for site investigations

DIFFERENCE: FY94 - \$290,912 FY95 - \$425,392
Funding: RIT and federal funds

TOTAL DIFFERENCE: FY94 - \$1,698,993 FY95 - \$1,781,023

5301 05 00000 DEPT HEALTH & ENVIRON SCIENCES Program Summary			Water Quality					
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	63.25	63.75	60.75	63.75	(3.00)	60.75	63.75	(3.00)
Personal Services	1,929,510	2,267,474	2,282,813	2,368,272	(85,459)	2,285,394	2,370,862	(85,468)
Operating Expenses	1,330,557	3,140,379	3,077,007	1,207,734	1,869,273	3,079,702	1,349,015	1,730,687
Equipment	42,161	45,946	167,416	93,729	73,687	86,896	86,896	0
Grants	106,671	295,970	435,970	106,671	329,299	435,970	106,671	329,299
Total Costs	\$3,408,900	\$5,749,769	\$5,963,206	\$3,776,406	\$2,186,800	\$5,887,962	\$3,913,444	\$1,974,518
Fund Sources								
General Fund	219,994	218,368	160,000	240,505	(80,505)	160,000	249,078	(89,078)
State Revenue Fund	857,363	1,386,512	1,534,801	970,318	564,483	1,514,088	1,007,826	506,262
Federal Revenue Fund	2,331,542	4,144,889	4,268,405	2,565,583	1,702,822	4,213,874	2,656,540	1,557,334
Total Funds	\$3,408,900	\$5,749,769	\$5,963,206	\$3,776,406	\$2,186,800	\$5,887,962	\$3,913,444	\$1,974,518

Page References

LFA Budget Analysis (Vol. II), B 20-21
 Stephens' Executive Budget, B 11-12

Current Level Differences

PERSONAL SERVICES—The Executive Budget includes the 5% personal services reduction as mandated in House Bill 2. 3.00 FTE and associated personal services costs are not included in the Executive Budget. These 3.00 FTE are non-general fund.

(85,459) (85,468)

CONSULTANT & PROF. SERVICES/CONTRACTS WITH NON-PROFITS—The Executive Budget includes funding for various consulting services the department considers necessary to comply with state and federal statutes. These services are not included in the LFA current level (see attached summary of services).

1,624,705 1,615,205

CONSTRUCTION GRANTS PROGRAM/STATE REVOLVING FUND—The Executive Budget includes the transfer of 43% of the fiscal 1994 budget and 51% of the fiscal 1995 budget from the construction grants program to the state revolving fund. The EPA Construction Grants Program is being replaced by the State Revolving Fund. In fiscal 1992 this bureau operated with 74% of authorized positions filled, the executive recommendation increases operating costs to reflect operations with 100% of positions filled.

220,544 189,738

EQUIPMENT—The Executive Budget includes funding for a vehicle, field monitoring equipment and computers that are not included in the LFA current level.

73,687 0

GRANTS—The Executive Budget includes funding for the following grants:
 Construction Grants—Planning and design grants for small communities (federal funds)
 Subdivisions—Reimbursements to counties for contracted subdivision review (general fund)
 Safe Drinking Water—Reimbursements to counties for sanitary surveys & vulnerability assessments of public water systems (state special & federal funds)

329,299 329,299

MISC. DIFFERENCES IN OPERATING COSTS, EQUIPMENT, AND INFLATION

24,024 (74,256)

TOTAL CURRENT LEVEL DIFFERENCES

2,186,800 1,974,518

FUNDING—This program is funded 6% from general fund, 26% from state special revenue and 68% from federal funds.

Budget Modifications

REINSTATE 5% REDUCTION—The Racicot budget includes modifications to reinstate non-general fund FTE deleted in response to section 13 of House Bill 2. This budget modification includes 2.50 FTE and \$139,615 over the biennium. (see attached table)

69,804 69,811

CLEAN LAKES/VOLUNTEER MONITORING—This modification would fund 1.00 FTE, contracted services, and operating and equipment costs to begin a statewide lake protection and volunteer monitoring program. This modification would be funded from local matching funds and federal revenue.

352,010 337,116

CONSTRUCTION-SLUDGE—This modification includes 0.50 FTE and associated operating and equipment costs during the biennium to assist in the implementation of new federal regulations regarding wastewater sludge. The half-time position would also assist communities in complying with these regulations. The modification would be funded with federal revenues.	35,626	33,626	
POLLUTION PREVENTION—This modification, related to the construction-sludge modification listed above, would fund 0.50 FTE and associated operating and equipment costs from federal revenue to continue implementation of a pollution prevention program. This modification would continue activities already underway that reduce sources of pollution at Montana wastewater treatment facilities.	35,626	33,625	
PUBLIC WATER SUPPLY/SUBDIVISIONS—This modification would add 3.0 FTE to the Public Water Supply program. These new FTE, funded from federal EPA public water supply funds and subdivision review fees, would assist in the timely review of subdivision applications.	202,933	190,933	
WATER POLLUTION CONTROL—This modification would add 3.0 FTE and operating and equipment costs for the biennium for noxious water pollution control activities. This modification would be funded with federal funds.	202,393	190,390	
NONPOINT SOURCE/WETLANDS—This modification would add 2.00 FTE, operating costs and equipment costs for workload increases in water pollution control activities. This modification would be funded with federal funds.	482,452	481,180	
STORMWATER PROGRAM—This modification would add 1.50 FTE, contracted services and operating and equipment costs to help the state maintain primacy for the Montana Pollutant Discharge Elimination System. These costs would be funded with federal revenue.	107,259	101,260	
<u>Language and Other Issues</u>			
POSITIONS VACANT 12/29—The joint House Appropriations and Senate Finance and Claims committees removed 1.75 FTE vacant during December 1992.	51,123	51,129	
SUBDIVISION FUNDING—The executive budget recommends \$160,000 general fund per year for subdivision reviews to provide a core level of funding for this program. The department would deposit up to \$160,000 in subdivision review fees to the general fund at the end of each fiscal year. Fees collected in excess of \$160,000 would be deposited to a state special revenue account. Currently, funding for the subdivision review program is 100% general fund and all fees collected are deposited to the general fund. This proposal is contingent upon passage of HB 563. LFA funds the subdivision program with 100% general fund, \$240,505 in fiscal 1994 and \$249,078 in fiscal 1995.			
	General Fund	(80,505)	(89,078)
	State Special Revenue	80,505	89,078

EXHIBIT 1
DATE 2/16/93

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES
Water Quality (pgm 05)

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

		Total Personal Services		FTE		Total FTE Removed	Non-Approp. FTE
Position #	Position Description	Fiscal 1994	Fiscal 1995	Removed by 5% Reduction	Removed by Being Vacant		
<i>All or Partial General Fund Positions</i>							
524	Environment Eng. Spec.	35,925	35,928		1.00	1.00	
	SUBTOTAL: GF VACANT	35,925	35,928	0.00	1.00	1.00	
Sub-Total		35,925	35,928	0.00	1.00	1.00	0.00
<i>Non - General Fund Positions</i>							
521	Administrative Aide II	19,503	19,508	1.00		1.00	
535	Environmental Prog. Supr.	20,967	20,969	0.50		0.50	
574*	Environmental Spec. III	15,661	15,662	0.50		0.50	
594	Environmental Eng. III	30,473	30,474	1.00		1.00	
	SUBTOTAL: NON-GF 5%	86,604	86,613	3.00	0.00	3.00	
506	Word Processing Operator III	15,198	15,201		0.75	0.75	
	SUBTOTAL: NON-GF VACANT	15,198	15,201	0.00	0.75	0.75	
Sub-Total		101,802	101,814	3.00	0.75	3.75	0.00
TOTAL		137,727	137,742	3.00	1.75	4.75	0.00

*FTE also included in action by joint appropriation committees to remove positions vacant as of 12/29/92

02/13/93
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EXHIBIT 1
DATE 2/16/93

Department of Health and Environmental Sciences
Water Quality Bureau
Consulting and Professional Services/Contracts with Non-Profits

The differences identified below are included in the Executive Budget and are not in the LFA current level. The items listed below are various services that would be purchased with the funding provided in the Executive Budget.

Water Pollution Control

- 1) Comprehensive performance evaluations of waste water plant operations
- 2) Prepare public information materials
- 4) Customized computer software needed to track mining developments, subdivisions, and complaints/enforcement actions
- 5) Flathead basin monitoring
- 6) Soil conservation services
- 7) Services from DofA to rewire the Water Quality Bureau's token rings for the computer local area network so it will support new technology and higher capacity hardware and software

DIFFERENCE: FY94 - \$25,923 FY95 - \$24,423

Funding: approximately 15% RIT and 85% federal funds

Water Permits

- 1) Temporary administrative support during peak periods
- 2) Environmental Engineering firm to process permits and environmental impact statements and assist with nondegradation petition reviews

DIFFERENCE: FY94 - \$40,000 FY95 - \$40,000

Funding: 100% federal

Wastewater Operators

- 1) Contract for development of study and test materials for certification of water and wastewater system operators
- 2) Temporary personnel for clerical and data entry services
- 3) Contract for computer programming services for data base

DIFFERENCE: FY94 - \$10,000 FY95 - \$10,000

Funding: state special

BCH:BT
DATE 2/16/93

Subdivisions

- 1) Contract for review of subdivision submittals
- 2) Contract to develop standard specifications for small, multiple family water and wastewater systems for new subdivisions
- 3) Temporary clerical services

DIFFERENCE: FY94 - \$31,803 FY95 - \$26,803

Funding: Depends on result of funding issue, LFA funds 100% general fund

Safe Drinking Water

- 1) Technical assistance for Montana's public water supplies
- 2) Sanitary surveys and vulnerability assessments
- 3) Performance evaluations of water treatment plants
- 4) Study to evaluate the levels of radon in groundwater aquifers and the effects of radon in well water
- 5) Engineering services for development of standard specifications and assistance in system plan review.
- 6) Development of statewide vulnerability assessment criteria for pesticide and inorganic chemical contamination
- 7) Development of educational materials for public water supplies and private well owners
- 8) Temporary clerical services
- 9) Database programming
- 10) New wiring for computers to allow access to expanded network database and software capabilities

DIFFERENCE: FY94 - \$417,352 FY95 - \$414,352

Funding: approximately 60% federal funds, 40% state special

Non-Point Source

- 1) Contracts with conservation districts and other state agencies for completing watershed, ground water and education projects.

DIFFERENCE: FY94 - \$1,099,627 FY95 - \$1,099,627

Funding: 100% federal funds

TOTAL DIFFERENCE: FY94 - \$1,624,705 FY95 - \$1,615,205

EXHIBIT 1
DATE 2/16/93

5301 06 00000

DEPT HEALTH & ENVIRON SCIENCES

Health Services/Medical Fac

Program 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	13.42	13.52	11.32	13.42	(2.10)	11.32	13.42	(2.10)
Personal Services	441,667	418,946	430,580	487,939	(57,359)	430,972	488,710	(57,738)
Operating Expenses	337,236	339,032	363,963	326,815	37,148	367,638	355,512	12,126
Equipment	5,324	4,240	4,800	4,800	0	5,800	5,800	0
Total Costs	\$784,227	\$762,218	\$799,343	\$819,554	(\$20,211)	\$804,410	\$850,022	(\$45,612)
Fund Sources								
General Fund	500,152	477,031	480,394	627,943	(147,549)	483,592	651,287	(167,695)
State Revenue Fund	42,025	45,455	46,575	43,259	3,316	46,575	44,623	1,952
Federal Revenue Fund	242,049	239,732	272,374	148,352	124,022	274,243	154,112	120,131
Total Funds	\$784,227	\$762,218	\$799,343	\$819,554	(\$20,211)	\$804,410	\$850,022	(\$45,612)

Page References

LFA Budget Analysis (Vol. II), B 22-23
 Stephens' Executive Budget, B 13

Current Level Differences

PERSONAL SERVICES 5% REDUCTION—The Executive Budget includes the 5% personal services reduction as mandated in House Bill 2. The 2.75 FTE and associated personal services costs eliminated from the Executive Budget are general fund positions.

(85,272) (85,684)

OTHER PERSONAL SERVICES—The Executive Budget has 0.65 FTE more than the LFA current level in this program. This difference is due to an internal reorganization. The department transferred 0.65 FTE from program 09 to program 06. This transfer is reflected in both program 06 and 09 in the Executive Budget and not in the LFA current level.

27,913 27,946

CONTRACTS WITH NON-PROFITS—The Executive Budget includes funding for a contract with Rocky Mountain Poison Control for poison information and management services and contracts with hospitals for management and training services.

18,553 18,553

MISC. DIFFERENCES IN OPERATING COSTS, EQUIPMENT, AND INFLATION

18,595 (6,427)

TOTAL CURRENT LEVEL DIFFERENCES

(20,211) (45,612)

FUNDING—This program is funded 77% from general fund, 5% from state special revenue and 18% from federal funds.

Budget Modifications

ROBERT WOOD JOHNSON—The Executive Budget recommends the addition of 2.00 FTE and associated operating expenses to design an interagency center for health information, statistics, and policy. This modification would be funded from a grant awarded by the Robert Wood Johnson foundation.

149,626 149,703

TRAUMA REGISTRY—This modification would fund 1.00 FTE, contracted services, and operating costs to develop and implement a plan to improve treatment of injured patients in Montana health facilities. This modification would be funded with federal revenues.

134,561 134,568

TRAUMA CARE PLANNING—The executive recommends this modification to develop a Montana State Trauma Plan through the Emergency Medical Services Bureau.

171,337 171,337

PRIMARY CARE GRANT—This modification funds 0.15 FTE, contracted services and other operating expenses to develop and evaluate activities that promote better delivery of primary health care services for Montanans.

113,876 113,879

Language and Other Issues

POSITIONS VACANT 12/29—None

Exec. Over(Under) LFA
 Fiscal 1994 Fiscal 1995

RURAL PHYSICIANS RESIDENCY PROGRAM—The current executive proposal recommends \$400,000 of general fund over the biennium to support this program. This program is not funded in LFA current level.

General Fund

400,000

EXHIBIT 1
DATE 2/16/93

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES
Health Services/Medical Facilities (pgm 06)

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

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		
<i>All or Partial General Fund Positions</i>							
1003	Health Care Analyst	31,069	31,259	1.00		1.00	
1007	Admin. Officer II	37,947	38,165	1.00		1.00	
1011*	Program Assistant I	16,266	16,270	0.75		0.75	
	SUBTOTAL: GF 5%	85,282	85,694	2.75	0.00	2.75	
Sub-Total		85,282	85,694	2.75	0.00	2.75	0.00
<i>Non-General Fund Positions</i>							
NONE							
Sub-Total		0	0	0.00	0.00	0.00	0.00
TOTAL		85,282	85,694	2.75	0.00	2.75	0.00

*FTE also included in action by joint appropriation committees to remove positions vacant as of 12/29/92

02/13/93
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EXHIBIT 1
DATE 2/16/93

5301 07 00000 DEPT HEALTH & ENVIRON SCIENCES Program Summary								
Family/Mch Bureau								
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	26.50	26.50	26.50	26.50	0.00	26.50	26.50	0.00
Personal Services	841,952	805,051	907,016	907,018	(2)	908,909	908,908	1
Operating Expenses	1,477,133	1,540,103	1,543,861	1,500,779	43,082	1,584,373	1,587,655	(3,282)
Equipment	6,290	0	6,290	6,290	0	6,290	6,290	0
Grants	8,983,564	9,486,918	12,124,800	12,170,800	(46,000)	14,037,310	14,083,310	(46,000)
Benefits and Claims	6,739,024	7,142,026	8,232,545	8,232,545	0	8,973,474	8,232,545	740,929
Total Costs	\$18,047,965	\$18,974,098	\$22,814,512	\$22,817,432	(\$2,920)	\$25,510,356	\$24,818,708	\$691,648
<u>Fund Sources</u>								
General Fund	259,481	269,132	216,454	259,211	(42,757)	216,454	260,450	(43,996)
Federal Revenue Fund	17,788,484	18,704,966	22,598,058	22,558,221	39,837	25,293,902	24,558,258	735,644
Total Funds	\$18,047,965	\$18,974,098	\$22,814,512	\$22,817,432	(\$2,920)	\$25,510,356	\$24,818,708	\$691,648

Page References

LFA Budget Analysis (Vol. II), B 24-25
 Stephens' Executive Budget B 14-15

Current Level Differences

PERSONAL SERVICES--The Executive Budget includes the 5% personal services reduction as mandated in House Bill 2. The executive did not eliminate any positions from this program to meet the 5% reduction.

(2) 1

GRANTS--The Stephens' budget reduced Family Planning grants to counties by \$46,000 general fund, LFA funded these grants at the fiscal 1992 level with general fund. (\$46,000 each year) The current executive proposal includes \$26,699 of general fund in each year of the biennium for family planning grants.

(19,301) (19,301)

BENEFITS AND CLAIMS--The Executive Budget includes an increase in WIC benefits in fiscal 1995, LFA maintained the same level of benefits for fiscal 1995 as in fiscal 1994. This cost is 100% federal.

0 740,929

MISC. DIFFERENCES IN OPERATING COSTS, EQUIPMENT AND INFLATION

16,383 (29,981)

TOTAL CURRENT LEVEL DIFFERENCES

(2,920) 691,648

FUNDING--This program is funded 99% with federal funds, 1% with general fund.

Budget Modifications

CHILDREN'S SPECIAL HEALTH--This modification, funded with federal revenue, would add 1.0 FTE and operating expenses to support the Children's Special Health Services program.

23,435 23,435

WIC INFORMATION SPECIALIST--The Executive Budget includes 1.0 new FTE to maintain the WIC statewide management information system. This position would be funded with federal WIC revenues.

36,693 36,704

HEALTH SERVICES DIVISION SUPPORT--This modification would add 1.0 FTE and operating expenses to assist existing staff develop plans and report information required by the federal government under the Maternal and Child Health Block Grant. This modification would be funded with block grant funds.

51,753 51,754

ENHANCED NURSING CONSULTATION--The Executive Budget recommends that 2.0 FTE and operating costs be added to assist rural health departments, public health nurses, and school nurses throughout the state. The modification would be funded with the Maternal and Child Health Block Grant.

85,000 85,000

Language and Other Issues

POSITIONS VACANT 12/29--None

LANGUAGE APPROPRIATIONS--House Bill 2 contains language that gives the department discretion over excess revenues in the Maternal and Child Health and Preventive Health Block grants. (See LFA Budget Analysis (Vol. II), B 11-12) Similar language has been in the general appropriations act for several biennia,

and similar language is recommended in the Executive Budget for the 1995 biennium. According to the Legislative Council, this language does not constitute an "appropriation".

MCH BLOCK GRANT TO COUNTIES—Both the executive and LFA include \$689,090 for grants to Counties. Since preparation of the Executive Budget and the LFA current level, the federal award to the department has increased and the department recommends that the county allocation increase to \$833,910.

EXHIBIT

DATE 2/16/93

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES
Family/MCH Bureau (PGM 07)

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

		Total Personal Services		FTE		Total FTE Removed	Non-Approp. FTE
Position #	Position Description	Fiscal 1994	Fiscal 1995	Removed by 5% Reduction	Removed by Being Vacant		
<i>All or Partial General Fund Positions</i>							
NONE							
Sub-Total		0	0	0.00	0.00	0.00	0.00
<i>Non-General Fund Positions</i>							
NONE							
Sub-Total		0	0	0.00	0.00	0.00	0.00
TOTAL		0	0	0.00	0.00	0.00	0.00

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EXHIBIT 1
DATE 2/16/93

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DEPT HEALTH & ENVIRON SCIENCES

Preventive Health Bureau

Program 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	21.50	21.50	21.50	21.50	0.00	21.50	21.50	0.00
Personal Services	630,492	660,757	710,822	710,817	5	712,249	712,243	6
Operating Expenses	912,196	938,618	1,057,233	696,187	361,046	1,110,399	744,439	365,960
Equipment	0	0	14,000	3,500	10,500	3,500	3,500	0
Grants	11,968	11,968	17,218	11,968	5,250	17,907	11,968	5,939
Total Costs	\$1,554,656	\$1,611,343	\$1,799,273	\$1,422,472	\$376,801	\$1,844,055	\$1,472,150	\$371,905
Fund Sources								
General Fund	194,558	95,036	92,878	80,583	12,295	93,321	83,858	9,463
State Revenue Fund	34,237	65,874	73,395	38,150	35,245	80,891	40,429	40,462
Federal Revenue Fund	1,325,860	1,450,433	1,633,000	1,303,739	329,261	1,669,843	1,347,863	321,980
Total Funds	\$1,554,656	\$1,611,343	\$1,799,273	\$1,422,472	\$376,801	\$1,844,055	\$1,472,150	\$371,905

Page References

LFA Budget Analysis (Vol. II), B 26-27
 Stephens' Executive Budget, B 14

Current Level Differences

PERSONAL SERVICES—The Executive Budget includes the 5% personal services reduction as mandated in House Bill 2. The executive did not eliminate any positions from this program to meet the 5% reduction.

5 6

AIDS—OTHER SERVICES—The Executive Budget includes the cost of the following services in the AIDS program: 1) HIV laboratory testing at contracted sites and local public health agencies; 2) early intervention services through local clinics; 3) honorariums for HIV/AIDS educational presentations; 4) contracts for health education sites, minority organizations, a statewide community-based organization, regional AIDS hotlines and support for counseling and testing sites; 5) printing new HIV laboratory slip for collecting additional information about persons being tested, stationery and public information; and 6) photocopy services for increased distribution of HIV/AIDS information to health care providers, contractors and the general public. These services are funded with federal funds.

124,035 142,097

COMMUNICABLE DISEASES—The Executive Budget includes higher operating costs throughout the program than does the LFA current level. This program is 100% general fund.

4,928 3,369

SEXUALLY TRANSMITTED DISEASES—The Executive Budget includes higher operating costs for this program than does the LFA current level. The majority of the cost is for increased testing of Montanans for the presence of chlamydia genital infection. This program is funded 100% with federal funds.

84,787 90,113

RAPE CRISIS—This program provides grants statewide for sexual assault prevention programs. It is necessary for the state to spend \$22,133 of federal money each year on these grants in order to qualify to receive \$1.2 million of federal preventive health block grant funds. LFA includes \$11,968 for grants in each year of the biennium. The Executive Budget originally included approximately \$17,000 in each year of the biennium. The executive has since changed their recommendation to include \$22,133 in each fiscal year.

10,165 10,165

RABIES—The Executive Budget includes higher costs for the purchase of drugs to treat rabies. Individuals pay the department for the drugs. The program is accounted for in a state special revenue account.

31,422 34,039

EQUIPMENT—The executive includes funding in fiscal 1994 for the purchase of telephones and computers to upgrade equipment used for the Behavior Risk Factor Survey. LFA does not include this equipment in current level. Federal funds would be used to purchase this equipment.

10,500 0

MISC. DIFFERENCES IN OPERATING COSTS, EQUIPMENT, AND INFLATION

110,959 92,116

TOTAL CURRENT LEVEL DIFFERENCES

376,801 371,905

FUNDING—This program is funded 5% from general fund, 3% from state special revenue and 92% from federal funds.

Budget Modifications

TUBERCULOSIS—This modification is funded with federal revenue and would add 2.00 FTE, contracted services and other operating and equipment costs to fund tuberculosis prevention and treatment activities.	148,531	146,130
HEPATITIS B—This modification adds 2.50 FTE and contracted services for development of material to improve immunization delivery for vaccines. This modification is funded with federal revenue.	69,356	69,373
RYAN WHITE—This modification would authorize the expenditure of federal funds for services to HIV-infected persons. These services include reimbursement for prescription drugs and health premium costs, and medical and social support services.	122,548	127,363
UNIVERSAL HEPATITIS—The executive recommends that federal funds be used to contract for nursing support for local health departments and for purchase of vaccine related to hepatitis.	122,528	122,528
PREVENTIVE HEALTH BLOCK GRANT—An anticipated increase in federal Preventive Health Services Block Grant funds would be used to hire 3.0 FTE and provide grants to counties for health projects and tuberculosis prevention.	220,350	223,063
PERINATAL HEPATITIS— The executive recommends that 1.00 FTE and associated operating and equipment costs be added to assist in activities to prevent perinatal hepatitis B infections. These activities would include vaccine distribution and follow-up. This modification would be funded with federal funds.	44,423	44,433

Language and Other Issues

POSITIONS VACANT 12/29—The joint House Appropriations and Senate Finance and Claims committees removed 1.00 FTE vacant during December.	29,748	29,750
LANGUAGE APPROPRIATIONS—Same issue as in program 07. House Bill 2 contains language regarding block grant funds, this language does not constitute an appropriation.		

EXHIBIT

DATE 2/16/93

Preventive Health Bureau (pgm 08)

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

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		
All or Partial General Fund Positions								
NONE								
Sub-Total			0	0	0.00	0.00	0.00	0.00
Non-General Fund Positions								
822	Public Health Ed. II SUBTOTAL: NON-GF VACANT		29,748	29,750		1.00	1.00	
Sub-Total			29,748	29,750	0.00	1.00	1.00	0.00
TOTAL			29,748	29,750	0.00	1.00	1.00	0.00

02/13/93

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DEPT HEALTH & ENVIRON SCIENCES

Health Facilities Division

Program 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	47.65	47.55	45.00	47.65	(2.65)	45.00	47.65	(2.65)
Personal Services	1,522,911	1,502,313	1,576,580	1,678,326	(101,746)	1,577,489	1,679,572	(102,083)
Operating Expenses	606,894	803,693	829,446	524,432	305,014	835,572	611,591	223,981
Equipment	31,254	43,849	34,568	34,568	0	14,568	14,568	0
Total Costs	\$2,161,060	\$2,349,855	\$2,440,594	\$2,237,326	\$203,268	\$2,427,629	\$2,305,731	\$121,898
Fund Sources								
General Fund	450,268	515,854	515,430	466,259	49,171	516,057	480,514	35,543
Federal Revenue Fund	1,710,792	1,834,001	1,925,164	1,771,067	154,097	1,911,572	1,825,217	86,355
Total Funds	\$2,161,060	\$2,349,855	\$2,440,594	\$2,237,326	\$203,268	\$2,427,629	\$2,305,731	\$121,898

Page References

LFA Budget Analysis (Vol. II), B-28
 Stephens' Executive Budget, B-16

Current Level Differences

PERSONAL SERVICES 5% REDUCTION—The Executive Budget includes the 5% personal services reduction as mandated in House Bill 2. 1.00 of the 2.00 FTE eliminated is partially funded with general fund, the other is a non-general fund position.

(73,833) (74,137)

OTHER PERSONAL SERVICES—The Executive Budget has 0.65 FTE less than the LFA current level. This difference is due to an internal reorganization. The department transferred 0.65 FTE from program 09 to program 06. This transfer is reflected in both program 06 and 09 in the Executive Budget and not in the LFA current level.

(27,913) (27,946)

CONSULTANT AND PROFESSIONAL SERVICES—The Executive Budget includes funding for the following services: 1) Pre-construction plan/specification review; 2) Long-Term Care enforcement; 3) OBRA Nurse Aide Abuse Hearings; and 4) Medicare Mammography. LFA current level does not include funding for these services.

263,520 263,520

RENT—The Executive Budget includes funding for a department office in Polson which was established in July 1992. This rent increase is not included in LFA current level.

11,435 11,435

MISC. DIFFERENCES IN OPERATING COSTS, EQUIPMENT, AND INFLATION

30,059 (50,974)

TOTAL CURRENT LEVEL DIFFERENCES

203,268 121,898

FUNDING—This program is funded 80% from federal funds and 20% from general funds. General fund is used for medicaid match and for the licensing function.

Budget Modifications

REINSTATE 5% REDUCTION—The Racicot budget includes modifications to reinstate non-general fund FTE deleted in response to section 13 of House Bill 2. This budget modification includes 1.00 FTE and \$77,393 over the biennium.

38,546 38,847

CLINICAL LABORATORY IMPROVEMENT ACT (CLIA)—The Executive Budget includes a modification to implement CLIA. This modification includes 4.50 FTE. Funding is provided by a federal Medicare Grant.

341,181 341,181

Language and Other Issues

POSITIONS VACANT 12/29 — The joint House Appropriations and Senate Finance and Claims committees removed 1.00 FTE vacant during December 1992.

30,473 30,474

FUNDING—The last Legislature funded this program based upon the assumption that one-third time would be spent on licensure, one-third on medicaid certification, and one-third on recommendation for medicare certification. It was the legislature's intent that this allocation be reexamined during this legislative session to

determine if it remains applicable and necessary. The agency has separated the licensing function from the certification function. This separation, and corresponding shift in funding, results in an increase in federal funds without a corresponding increase in general fund.

EXHIBIT. ()
DATE 2/16/93

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES
Health Facilities Division (pgm 09)

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

		Total Personal Services		FTE		Total FTE Removed	Non-Approp. FTE
Position #	Position Description	Fiscal 1994	Fiscal 1995	Removed by 5% Reduction	Removed by Being Vacant		
<i>All or Partial General Fund Positions</i>							
963*	Health Care Fac. Sur. II	35,287	35,290	1.00		1.00	
	SUBTOTAL: GF5%	35,287	35,290	1.00			
954	Health Care Fac. Sur.	30,473	30,474		1.00	1.00	
	SUBTOTAL: GF VACANT	30,473	30,474	0.00	1.00	1.00	0.00
Sub-Total		65,760	65,764	1.00	1.00	2.00	0.00
<i>Non-General Fund Positions</i>							
923*	Health Care Fac. Sur. Supr. I	38,546	38,847	1.00		1.00	
	SUBTOTAL: NON-GF 5%	38,546	38,847	1.00	0.00	1.00	0.00
	SUBTOTAL: NON-GF VACANT	0	0	0.00	0.00	0.00	0.00
Sub-Total		38,546	38,847	1.00	0.00	1.00	0.00
TOTAL		104,306	104,611	2.00	1.00	3.00	0.00

*FTE also included in action by joint appropriation committees to remove positions vacant as of 12/29/92

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EXHIBIT. 1

DATE. 2/16/93

FISCAL NOTES WITH FISCAL IMPACTS

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#	FY 94 AMOUNT	FY 95 AMOUNT	FY 94 FTE	FY 95 FTE	DESCRIPTION
064	25,000	25,000			SOLID WASTE FEE ON WASTE OUT OF STATE
HB0211	25,000	0			LICENSURE FOR RESIDENTIAL & INPATIENT HOSPICE FACILITIES
HB0212	120,000	120,000	2.00	2.00	REQUIRE IMMEDIATE ACTION TO CONTAIN/REMOVE HAZ SUBSTANCE
HB0242	30,000	30,000			ELIMINATE OCCASIONAL SALE EXEMPTION - SUBDIV. & PLATTING ACT
HB0280	183,750	183,750			REVISING SUBDIVISION & PLATTING ACT
HB0316	124,345	124,345	2.00	2.00	MINIMUM DAILY NURSE STAFFING IN LONG-TERM CARE FACILITIES
HB0317	38,861	38,861			FRAMEWORK FOR CONDUCT OF NEGOTIATED RULEMAKING
HB0318	518,236	745,602	9.00	14.00	REVISING LAWS AND ISSUANCE & RENEWAL OF AIR QUALITY PERMITS
HB0370	55,000	50,000			INCENTIVE PROGRAM FOR PHYSICIANS TO PRACTICE IN MEDICAL SHORTAGE AREAS
HB0379	5,446,133	5,446,133	11.00	11.00	ESTABLISH CRITERIA & LIMITS FOR WATER QUALITY STANDARDS
HB0388	821,140	828,917	8.00	8.00	WQB FEES OFFSET
HB0400	191,322	191,322	3.00	3.00	OCC HLTH FEES
HB0417	5,500	5,500			ASSESSMENT OF ADMINISTRATIVE PENALTIES UNDER HAZ WASTE/UST
HB0428	1,069,299				GENETICS BI. APPROP
HB0436	19,600	9,600	0.33	0.16	WQB/AQB EQUIP. TAX
HB0449	3,000	3,000			FOOD & CON. LICENSURE
HB0457	7,500	0			LEAD ACID BATTERY DISPOSAL
HB0479	900,000	900,000			ECONOMIC IMPACT STATEMENTS DUE TO RULES/REG'S
HB0491	3,850	3,055			REVISED DEATH CERTIFICATE PROCESS
HB0515	60,000	60,000	1.50	1.50	TUMOR REGISTRY
SB0056	13,064	17,026			SPECIAL LICENSE PLATES FOR FIREFIGHTERS/AMBULANCE PERSONNEL
SB0118	25,000	195,114			CHANGE LICENSURE CATEGORIES OF PERSONAL CARE FACILITIES
SB0196	(96,750)	(96,750)			EXEMPT NONCOMMERCIAL UST OF 1,100 GAL OR LESS
SB0202	170,424	42,704			CLARIFY WOMAN'S RIGHT TO KNOW FACTS PRIOR TO ABORTION
SB0261	107,100	107,100			ELIMINATE GIFT OR SALE TO FAMILY MEMBER EXEMPTION - SUBDIV. & PLATTING ACT
SB0280	118,469	116,496	2.40	2.40	IMPLEMENT 1992 STATE WATER PLAN
SB0284	11,350	10,350			EXTEND PERMIT AUTHORITY TO DHES FOR UST SYSTEM
SB0285	700,827	801,068	16.00	16.00	MONTANA HEALTH CARE AUTHORITY
SB0305	300,000	300,000			MIAMI CIGARETTE TAX
SB0326	32,383	160,000	1.00	1.00	FEE ON BIRTH CERT'S FOR DR. INSURANCE

TOTALS	11,029,403	10,418,193	56.23	61.06	
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DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES
SCHEDULE OF GRANTS/AGREEMENTS AND MATCHING REQUIREMENTS

EXHIBIT 1

DATE 2/16/93

NAME	AWARDING AGENCY	MATCHING REQUIREMENT
CENTRAL SERVICES (PGM 02)		
National Death Index	HHS	Contract for Records/Statistics
Vital Statistics	HHS	Contract for Records/Statistics, No Indirects
Social Security Admin	HHS	Contract for Records/Statistics
WATER QUALITY (PGM 05)		
Water Qual Management (205J)	EPA	State match not required
Drinking Water	EPA	Requires 25% state match
Water Pollution Control (106)	EPA	Requires \$85,386 level of effort
Groundwater Program 106A	EPA	
NPS Management Pgm 319H Cong	EPA	Requires 40% state match
NPS Implementation Program	EPA	Requires 40% state match
NPS Pollution Control	EPA	Requires 40% state match
Stormwater Pollution Control	EPA	
Stormwater Pollution Control	EPA	
Construction Grants (205G)	EPA	Must have level of effort for water poll control
Advance of Allowance (205G)	EPA	Construction Grants Program
State Revolving Fund (SRF)	EPA	Requires 16.67% state match
Municipal Water Pollution	EPA	
EPA Data Management	EPA	Requires 5% state match
Clean Lakes Assessment	EPA	Requires 30% state match
Clean Lake Swan Lake	EPA	Requires 50% state match
Clean Lake Flathead Lake	EPA	Requires 50% state match
Wetlands and Watershed	EPA	Requires 42.3% state match
ENVIRONMENTAL SCIENCES (PGM 03)		
Air Quality (105)	EPA	Requires prior years level of effort
SOLID/HAZARDOUS WASTE (PGM 04)		
Hazardous Waste	EPA	Requires 25% state match
Underground Storage Tanks	EPA	Requires 25% state match
Leaking Underground Tank	EPA	Requires 10% state match
Superfund Core Program	EPA	Requires 10% state match
Silverbow Creek (Superfund)	EPA	
Multi-Site (Superfund)	EPA	
Montana Pole RI/FS	EPA	
HEALTH SERVICES/MED FACILITIES (PGM 06)		
Robert Wood Johnson	PRIVATE	
PC Services Manpower	HHS	
EMS Contract	NHTSA	Department of Highways
Trauma Care	HHS	
FAMILY/MCH BUREAU (PGM 07)		
Family Planning	HHS	
Child Nutrition (Audit)	USDA	
Child Nutrition (SAE)	USDA	
Child Nutrition (Reimbursement)	USDA	100% Reimbursement for actual costs
Women, Infant, Children (ADM)	USDA	
Women, Infant, Children (Food)	USDA	
Primary Care	HHS	
MCH Data Utilization	HHS	
MCH Block Grant	HHS	Matching of 3/7 state, 4/7 federal
PREVENTIVE HEALTH BUREAU (PGM 08)		
STD Control Program	HHS	
Immunization Program	HHS	
PHS Block Grant	HHS	Supplanting clause, rape crisis mandate
TB Control	HHS	
Chronic Disease Control	HHS	
AIDS Prevention Project	HHS	
AIDS Home Health	HHS	
AIDS Surveillance	HHS	
HEALTH FACILITIES DIVISION (PGM 09)		
Medicare (T 18)	HHS	
Medicaid (T 19)	HHS	Requires 25% State Match
Clinical Laboratory (CLIA)	HHS	

EXHIBIT

DATE

2/16/93

Department of Health and Environmental Sciences

Summary

5301 00 00000

Executive Budget Modifications

DEPT. OF HEALTH & ENV. SCIENCES			Fiscal 1994		Fiscal 1995		
Budget Modification	P G	FTE	General Fund	Total Funds	FTE	General Fund	Total Funds
1 Community Outreach	01	1.00		\$64,999	1.00		\$65,011
2 Restore 5% Reductions	01	2.00		59,861	2.00		59,870
3 Medical Technologist	02	0.95		32,498	1.00		34,233
4 Laboratory Analysis Automation	02			53,500			
5 Additional FTE for Accounting	02	1.00		33,181	1.00		28,788
6 Database Server	02			23,300			4,150
7 Laboratory Aide	02	1.00		23,058	1.00		23,064
8 Network Software Upgrades	02			61,000			18,000
9 ICP Replacement	02			250,000			
10 Staffing For Data Processing	02	2.50		110,075	4.00		148,310
11 SSA Contract	02			12,000			12,000
12 Additional Staff-File Server	02	4.00		191,138	4.00		142,774
13 Restore 5% Reductions	02	3.00	41,486	74,131	3.00	41,630	74,360
14 Billings/Laurel Sulfur Dioxide	03	2.00		400,000	2.00		190,000
15 X-Ray Inspections	03	2.00		121,322	2.00		127,185
16 AQB State Plan Coordinator	03	1		55,333	1		50,886
17 AQB Compliance & Enforcement	03	2		111,079	2		102,186
18 Restore 5% Reductions	03	3		71,538	3		71,545
19 Lost-Cost Recovery	04			200,000			200,000
20 Clark Fork Basin Manager	04	1		49,880	1		49,892
21 DSL Abandoned Mine Liaison	04			40,000			40,000
22 Tank Installer	04	1		51,615	1		51,616
23 CECRA Program Expansion	04	4		191,576	4		182,863
24 Superfund DOD MOA	04	1		100,000	1		100,000
25 GIS - ARCO	04	2		417,728	2		417,750
26 Burlington Northern Cleanup	04			125,000			125,000
27 Restore 5% Reductions	04	5	8,253	153,957	5	8,255	154,075
28 Clean Lakes/Volunteer Monitor.	05	1		352,010	1		337,116
29 Construction-Sludge	05	1		35,626	1		33,626
30 Pollution Prevention	05	1		35,626	1		33,625
31 Public Water Supply/Subdiv.	05	3		202,933	3		190,933
32 Water Pollution Control	05	3		202,393	3		190,390
33 Nonpoint Source/Wetlands	05	2		482,452	2		481,180
34 Stormwater Program	05	2		107,259	2		101,260
35 Restore 5% Reductions	05	3		69,804	3		69,811
36 Robert Wood Johnson	06	2		149,626	2		149,703
37 Trauma Registry	06	1.00		134,561	1.00		134,568
38 Trauma Care Planning	06			171,337			171,337
39 Primary Care Grant	06	0.15		113,876	0.15		113,879
40 Restore 5% Reductions	06	2.75	85,281	85,281	2.75	85,690	85,690
41 Children'S Special Health	07	1.00		23,435	1.00		23,435
42 WIC Information Specialist	07	1.00		36,693	1.00		36,704
43 Health Services Support	07	1.00		51,753	1.00		51,754
44 Enhanced Nursing Consultation	07	2.00		85,000	2.00		85,000
45 Tuberculosis	08	2.00		148,531	2.00		146,130
46 Hepatitis B	08	2.50		69,356	2.50		69,373
47 Ryan White	08			122,548			127,363
48 Universal Hepatitis	08			122,528			122,528
49 Preventive Health Block Grant	08	3		220,350	3		223,063
50 Perinatal Hepatitis	08	1		44,423	1		44,433
51 Restore 5% Reductions	09	2	11,762	73,833	2	11,763	74,137
Totals		74	\$146,782	\$6,219,003	75	\$147,338	\$5,570,596

Department of Health and Environmental Sciences

Summary

SUPERFUND PROGRAM ACCOMPLISHMENTS 1989 - 1992

Completed Interim or Final Cleanup Actions

Cleanups (including emergency actions)

- * FEO Arbiter/Beryllium - Anaconda
- * ARRO (2 types of cleanups - lead and sludge)-
- * Bannack Mill Site
- * Bitterroot Valley Sanitary Landfill
- BN Livingston
- * Borden, Inc. - Missoula
- Bozeman Solvent Site
- FEO Butte Mine Flooding Removal
- CMC Gallatin Gateway
- CMC Asbestos - Bozeman
- * East of Eden Barrel Site - Great Falls
- FEO East Helena Process Ponds
- FEO East Helena Removal
- Falls Chemical - Great Falls
- FEO Flue Dust - Anaconda
- * Glasgow AFB Barrel Site
- Great Falls Airport Fire Training Area
- * Homco Facility - Glendive
- * Libby Barrel
- FEO Libby Groundwater Site
- FEO Lower Area One - Butte
- FEO Montana Pole Removal - Butte
- FEO Mouat - Columbus
- * MRL Asbestos - Bozeman
- Nellie Grant Mine - Jefferson City
- * Old Libby Airport
- * Old Montana Prison - Deer Lodge
- FEO Old Works - Anaconda
- Petroleum Refinery - Shelby
- Precious Metals - Missoula
- FEO Priority Soils - Butte
- FEO Rocker Wood Treatment Plant
- FEO Somers Tie Treatment Plant
- FEO Teressa Ann Terrace - Anaconda
- * Union Pacific - Lima
- FEO Warm Spring Ponds - Deer Lodge
- * Wiremill Road - Great Falls
- Yale Oil - Kalispell

FEO = Federal Superfund Site

* = totally cleaned up or met MOHES clean-up goals (considered final)

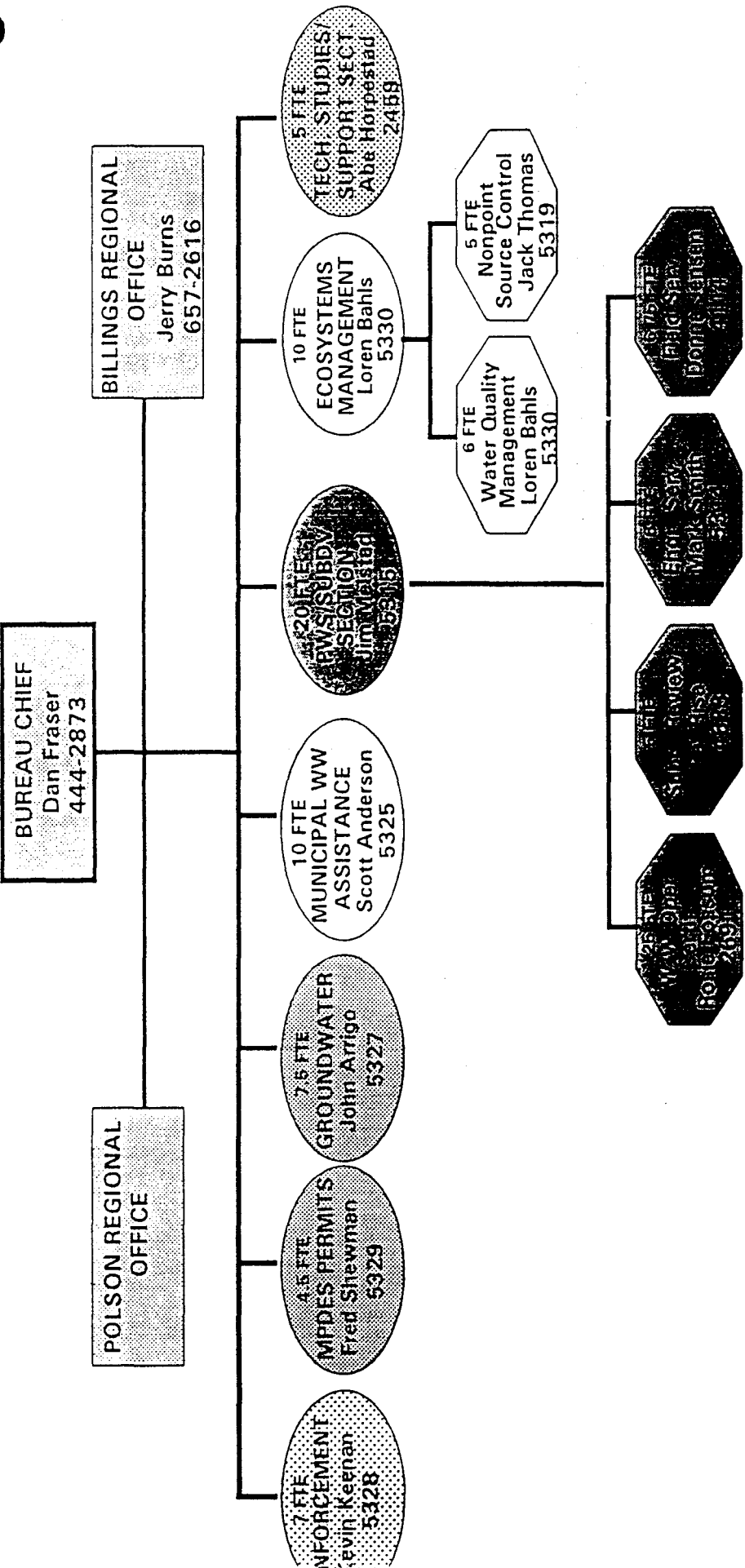
At sites without *'s there has been partial or emergency clean-up (i.e. alternate water supply, sludge removal, water treatment, soils removal & clean-up, etc) further actions are underway at these sites.

For more information regarding any of these sites

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Environmental Sciences Division

Department of Health
and Environmental Sciences



ENFORCEMENT	PERMITS/GW	MUNICIPAL WW	PWS/SUBDIV	ECOSYSTEMS	TECH. STUDIES
1) Complaint investigation and follow-up 2) Formal Enforcement Actions 3) Rules, legislation and legal opinions 4) Water Rehabilitation Account 5) Enforcement skills training	1) Administer MPDES & MGWPCS permit prog. 2) Compliance monitoring & enforcement 3) Respond to spills, complaints & inquiries 4) Storm water prog. & industrial pretreatment 5) Wellhead protection, agricultural & water quality districts 6) WQA compl. reviews for other agencies	1) Grants and loans for planning, design, and construction. 2) Engineering review 3) Training and T.A. 4) Small community outreach 5) Facility evaluations 6) Public Inquiry 7) Pollution Prevention	1) Subdivision review 2) Certification of water/ww operators 3) PWS regulation 4) Training and Tech. Asst. of operators and managers 5) Engineering review 6) Public response & education 7) Inspections 8) Enforcement	1) Surface water monitoring 2) Planning for protection of state waters 3) Identify waters impaired by pollution 4) NPS pollution control 5) Wetland protection	1) Develop and revise surface water quality standards and nondeg 2) Support computer data bases 3) Liaison with DSL on hardrock mining projects 4) Process non-degradation appeals 5) Technical support to other sections

Montana Pollutant Discharge Elimination System (MPDES) Permits Section
Program Summary
Water Permits Program (CV-50053)

This program, required by section 75-5-402 of the Montana Water Quality Act, regulates point sources of liquid wastes discharged into state waters. Staff activities include reviewing applications, determining effluent limits, issuing environmental assessments, public notice, comment response and permits, reviewing and tracking self-monitoring data, inspecting facilities for compliance and answering requests for information.

The state MPDES staff has 3.5 FTE. There are about 400 active MPDES permits, and roughly 133 permits must be managed by each professional FTE. A 1992 national survey by Washington State showed that, of 39 responding states, only four had permit/FTE ratios greater than 100/1. Montana's program is particularly weak in inspecting and ensuring compliance of its permittees (see Figure 1). For permits to adequately protect water quality, facilities should be inspected before permits are issued and at reissuance time. However, due to the small staff and travel budget, these inspections are rarely done (see Figure 2).

In recent years, permits have become increasingly complex and controversial, public participation is greatly increased, and permit issuance takes more time. Nondegradation of state waters is being addressed for a longer list of deleterious pollutants. With its increased scope, nondegradation now must be addressed in almost every new permit and a large number of the renewals and modifications requested, and delays inevitably result. Adding to the backlog problem, 96 permits will expire in 1993, and 130 more expire in 1994. Only 38 and 39 MPDES permits were issued in 1991 and 1992, respectively.

Budget Issues

The LFA budget shows \$51,796 (FY94) and \$43,436 (FY95) less in operating expenses than the executive. The three main reasons for the differences are \$40,000 in consulting and professional services included in the executive to handle peak workload demands, lab costs and travel expenses.

<u>Request</u>	<u>FY94</u>	<u>FY95</u>	<u>Source of \$</u>
Operating	\$260,422	\$261,922	EPA or Fee Funds

Stormwater Program (CV-92342)

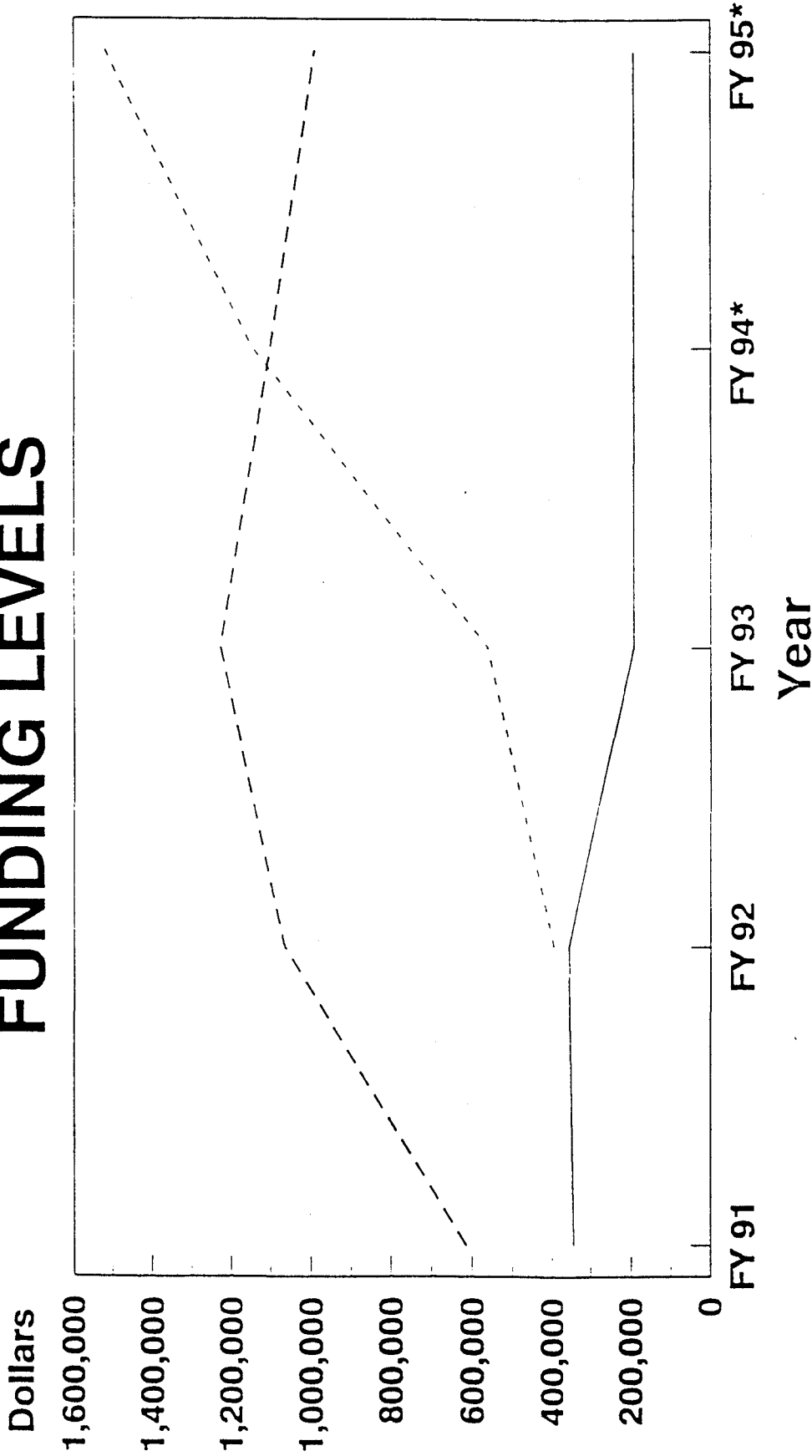
The 1.5 FTE in this program exists now under a budget amendment. The program, required by section 402(p) of the federal Clean Water Act, is delegated to the state from EPA along with the MPDES surface water discharge permits program. Since October 1, 1992, stormwater pollution control permits are required of industries and cities conducting certain industrial activities. About 330 applications have been received as of the end of 1992. The program requires stormwater pollution prevention plans which outline best management practices to address pollution sources in runoff from industrial activities.

<u>Request</u>	<u>FY94</u>	<u>FY95</u>	<u>Source of \$</u>
1.5 FTE	\$107,250	\$101,260	EPA

FIGURE 4

Department of Health and Environmental Sciences
Air Quality Bureau

FUNDING LEVELS



General Fund Federal Grant Fees

* As proposed in appropriations process.

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ENVIRONMENTAL SCIENCES DIVISION
DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

Water Quality Bureau
Overview

The mission of the Water Quality Bureau is "to protect, maintain and improve the quality of Montana waters." The bureau is organized into seven sections, which include:

- Enforcement and Legal Support
- Montana Pollutant Discharge Elimination System (MPDES) Permits
- Ground water
- Municipal Wastewater Assistance
- Drinking Water/Subdivision
- Ecosystems Management
- Technical Studies and Support

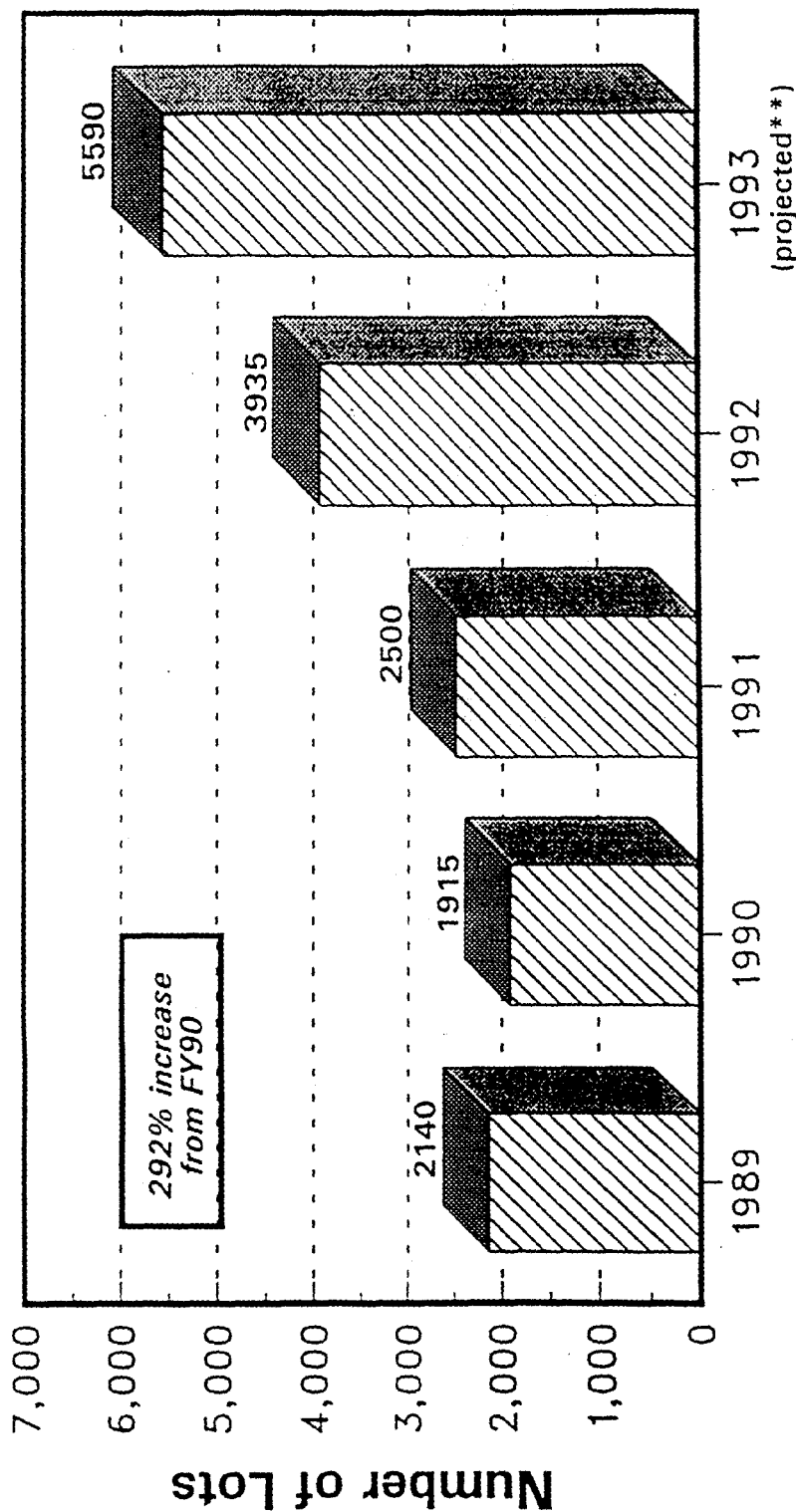
Authorization

75-6-101, et. seq., MCA	Montana Law Regarding Public Water Supplies
75-5-101, et. seq., MCA	Montana Water Quality Act
75-5-1101, et. seq., MCA	Montana Wastewater Treatment Revolving Fund Act
75-4-101, et. seq., MCA	Montana Sanitation In Subdivisions Act
37-42-101, et. seq., MCA	Water Treatment Plant Operators
80-15-101, et. seq., MCA	Montana Agricultural Chemical Ground Water Protection Act

Enforcement and Legal Support Section
Program Summary

The primary goal of the enforcement program is to encourage long-term compliance with the several statutes administered within the bureau and to deter those who would operate in violation of those laws. Section personnel provide professional legal services, field investigative services, collect evidence of violations, including water, wastewater and other samples for analysis, draft and review rules and legislation, provide technical advice regarding emergency corrective actions, function as expert witnesses in administrative and judicial proceedings and prepare and provide training and education in law enforcement skills.

During 1992, the section staff conducted more than 320 field inspections and investigations into alleged violations of laws related to water pollution control, public water supply, sanitation in subdivisions, and operator certification, the majority in response to citizen inquiries. More than 90% of those inspections and investigations confirmed the alleged violation or other violations requiring corrective action.



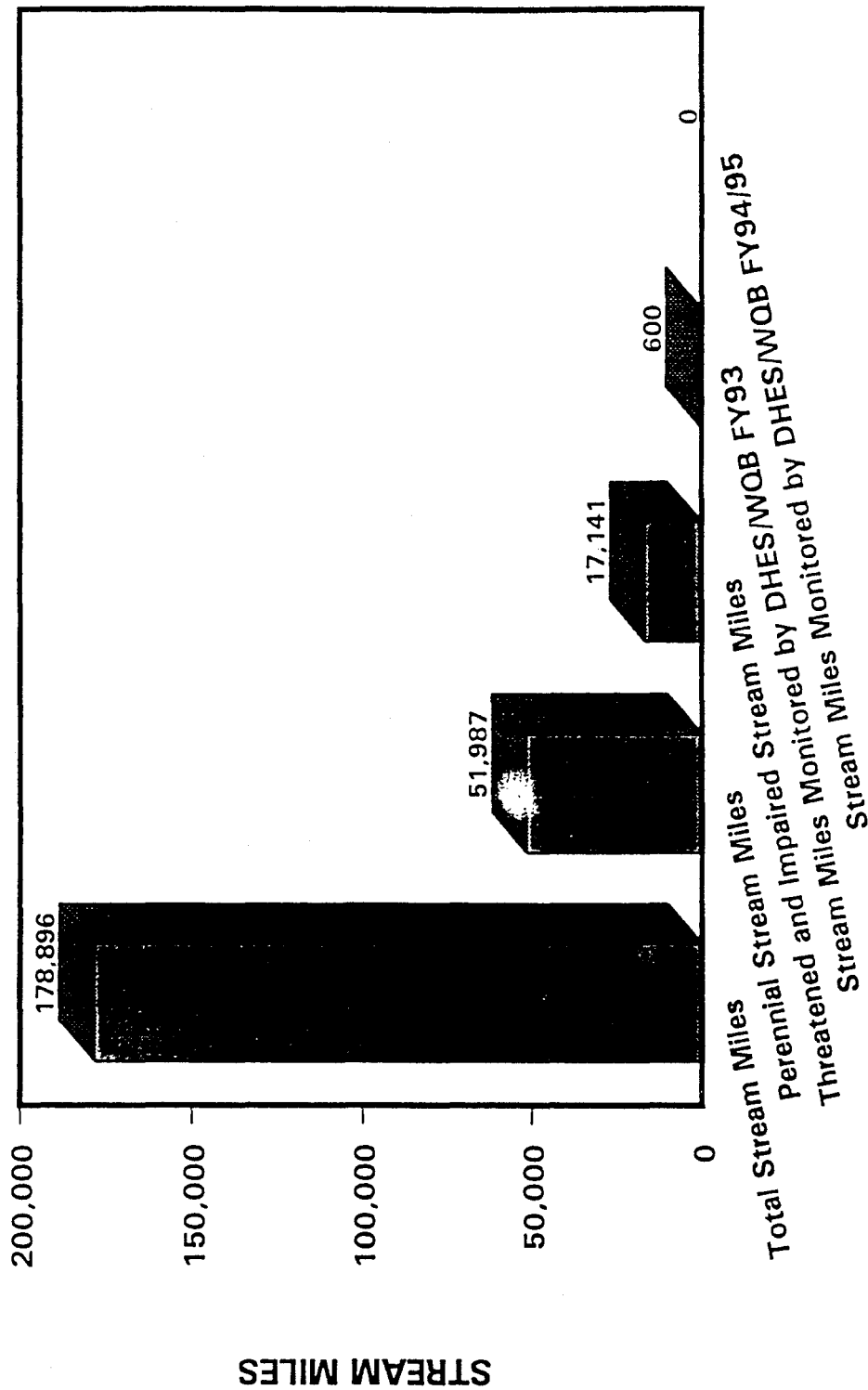
SUBDIVISION LOTS REVIEWED* BY DHES FY 1989 - 1993

* Estimated by dividing annual fee revenue by average review fee of \$40/lot prior to 9/25/92, \$90 per lot after 9/25/92.

** Projected using revenues received between 7/1/92 and 11/30/92.

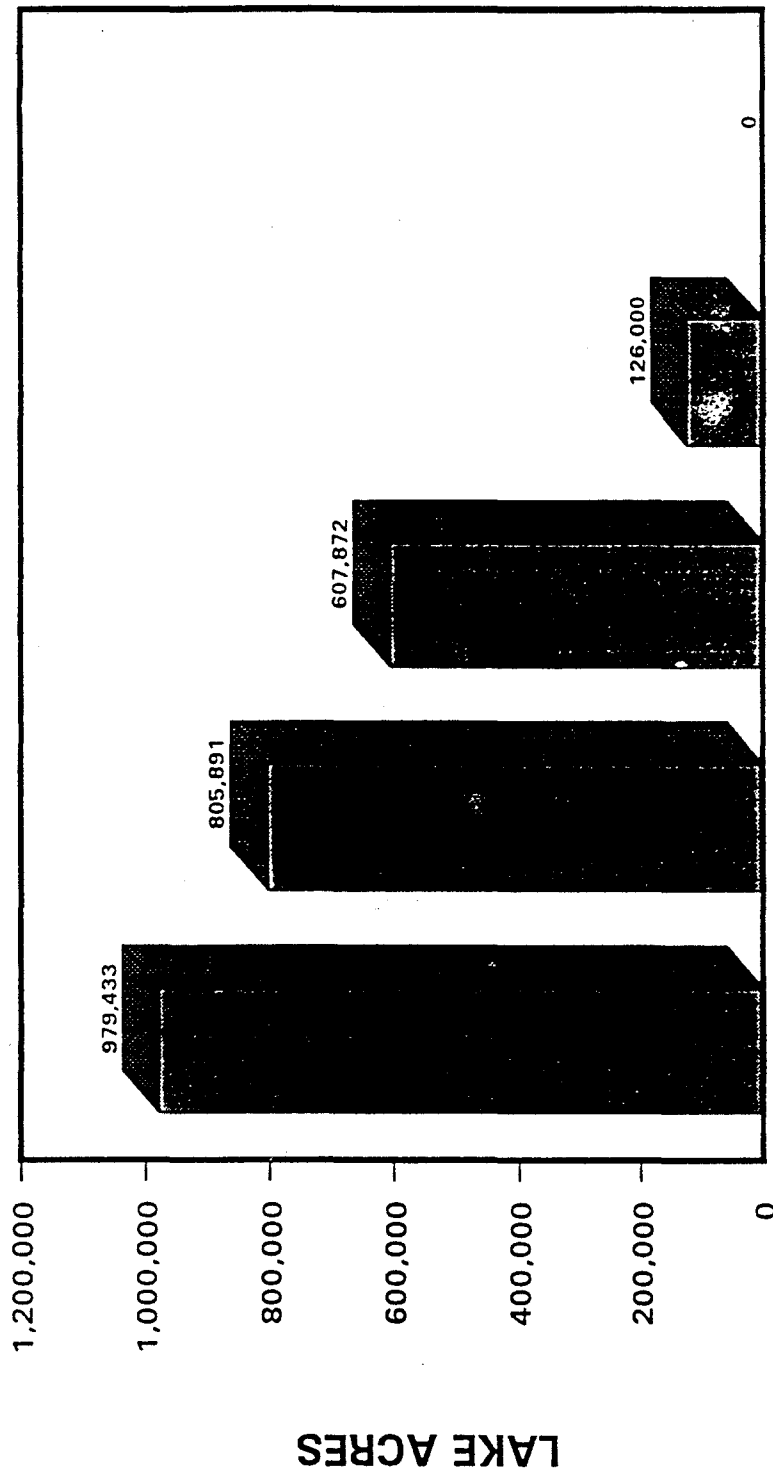
FIGURE 4

LONG-TERM STREAM MONITORING IN MONTANA



STREAMS

LONG-TERM LAKE MONITORING IN MONTANA



Total Lake Acres
Acres in Lakes > 500 Acres
Acres in Lakes Threatened and Impaired Monitored by DHES/WQB FY93
Lake Acres Monitored by DHES/WQB FY94/95

LAKES

WATER POLLUTION CONTROL ACTIVITIES

FY 1990 - 1993

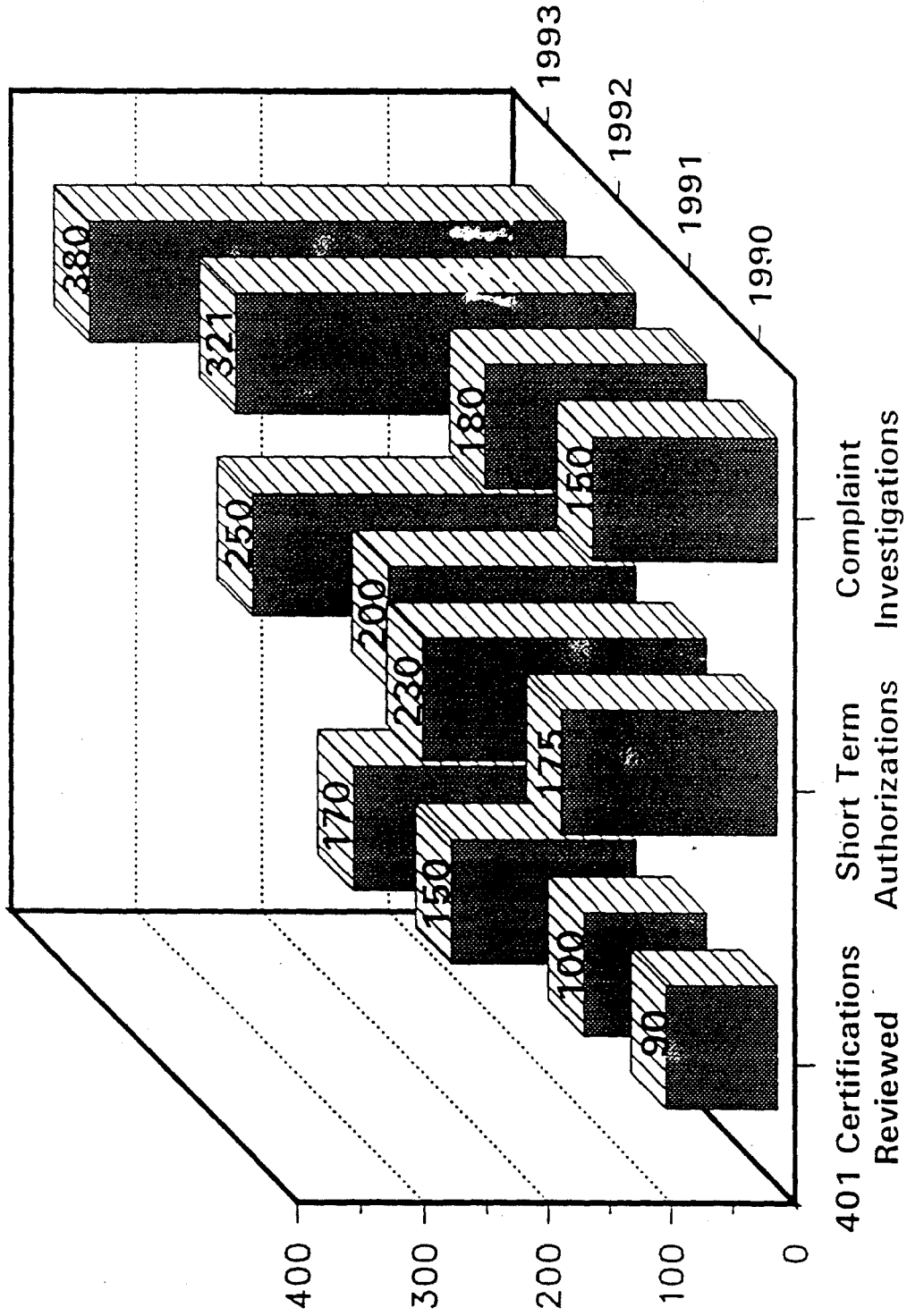


FIGURE 7

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Ground Water Section**Program Summary****Ground Water Pollution Prevention and Control Program (CV-50055)**

More than half of Montana's population relies on ground water for drinking. The WQB ground water program was developed to protect the quality of ground water and preserve it for drinking and other uses. Most ground water consumed in Montana is obtained from shallow wells installed in sand and gravel aquifers that are extremely vulnerable to contamination. Ground water pollution control is provided by regulating sources of pollution through permits, implementation of the nondegradation policy and enforcement of ground water quality standards. WQB ground water programs such as wellhead protection and local water quality districts, along with joint implementation of the MT Agrichemical Ground Water Protection Act with the Department of Agriculture, emphasize ground water pollution prevention to help prevent expensive ground water cleanup activities.

Staff time is consumed by permit processing, responding to ground water complaints, spills and inquiries, overseeing ground water cleanup activities and encouraging pollution prevention through wellhead protection, local water quality districts and pesticide in ground water prevention programs. The ability of the program to successfully accomplish these tasks improved over the last biennium with the addition of 2.5 FTEs added by the legislature as the result of a recommendation from an EQC study of the state's ground water quality programs.

Budget Issue**Five Percent Local Water Quality Districts Program Restoration (CV-50055)**

One-half FTE and approximately \$20,000 was eliminated as part of the 5% reduction in personnel services. This position and funding supports the local water quality district program (LWQD). Implementation of LWQDs allows local governments to deal with local water quality problems and extends the capability of the department to implement requirements of the Water Quality Act. Restoration of this position and funding will save Montana money in the long run by preventing pollution and reducing the department's need to respond to water quality problems that are best handled on a local level.

<u>Request</u>	<u>FY94</u>	<u>FY95</u>	<u>Source of \$</u>
0.5 FTE	\$22,000	\$22,000	RIT

Municipal Wastewater Assistance Section**Program Summary****Construction Grants Program (CV-50054)**

The Construction Grants Program provides grants to public entities to plan, design, and build wastewater collection and treatment systems. These systems are needed to protect Montana's water quality and the health of the general public as regulated by the federal Clean Water Act and the Montana Water Quality Act. The program is funded entirely with federal funds. Program responsibilities include: processing grant documents, performing environmental assessments,

reviewing engineering reports and project plans, overseeing construction, approving pay requests and other financial documents, and evaluating facility performance and long-term ability of the facility to meet permit requirements.

This program is undergoing significant transition through a phaseout of grants and replacement by the State Revolving Loan program. Current workload activity is significant with more than 31 active projects representing approximately \$40 million in construction work. Work obligations for this program are expected to last into the latter half of this decade before all federal funds have been expended. Sufficient federal funding is available to support the staff through this period.

State Revolving Loan Program (CV-50059)

This program provides low-interest loans to communities to build water pollution control facilities in a manner very similar to the Construction Grants program. New eligibilities allowed under this program enable the state to fund nonpoint source projects. The program is capitalized with federal grants matched with state funds raised through special revenues generated through the sale of state general obligation bonds. Federal funds are authorized through FY94, although additional funds are likely when the Clean Water Act is reauthorized by Congress. Although initially federally supported, the program is designed to become a perpetual source of financial assistance for eligible projects fully administered under state authority. All loan principle payments will revolve into new loans as the program is designed to be self-supporting. Administrative expenses are paid with loan proceeds. Both federal and state laws have a significant impact on management of this program.

Work responsibilities are similar to the Construction Grants program with the additional tasks of evaluating the financial capability of communities to repay loans and other aspects unique to loans. To date, the program has loaned \$14.3 million. An additional \$11.8 million in loans is anticipated for award in 1993.

Budget Issues

Construction Grants and State Revolving Loan Programs (CV-50054) (CV-50059)

Current staff in this program will be shifted to the State Revolving Loan (SRF) program as the grant workload declines while the loan workload increases. Although staff responsibilities between the two programs are similar, failure to charge staff time appropriately violates federal grant requirements as funding eligibilities differ between the two programs. The budget request prepared by the department reflects this transition whereas the LFA budget does not. The LFA budget also reflects 1992 expenditure levels in both programs which is not reflective of current expenditures or costs projected for the next biennium. Both programs are currently fully staffed, while two to three positions were vacant during periods of FY92. Workload increases are very evident in the SRF program as evidenced by an Operations Plan change currently requested to transfer staff time from the construction grants program to the SRF program. The LFA budget recommendations would not allow for proper administration of the SRF program, resulting in the loss of millions of dollars of low-interest loan funds for construction of needed wastewater facilities. It would also violate the conditions of the federal grant capitalizing the loan program as the state has committed itself to properly administer this program. Improper administration of these loans can jeopardize the state's ability to issue general obligation bonds.

provide a 20% match for each federal dollar used for loans or program
 1. The LFA budget did not provide adequate state match required to receive federal

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<u>Request</u>	<u>FY94</u>	<u>FY95</u>	<u>Source of \$</u>
0054 (Shift FTEs to 50059) Increase operating	\$389,614	\$363,679	Federal funds
50059 (3.35 FTE in 94; 3.9 FTE in 95) Increase operation	\$281,446	\$295,838	83.3% Federal funds 16.7% State Special Revenue

Grants (CV-92103) (CV-92105)

Municipal Wastewater Assistance section submitted requests for two modified budgets which were approved in FY93. The requests were to fund one FTE (each request 0.5 FTE) to develop and implement a pollution prevention program and provide technical assistance to communities in meeting state and federal water pollution control requirements including the new federal sludge rule. The position will be funded equally with federal funds, one-half derived from a pollution prevention grant and one-half supported with construction grant administrative funds. The new position will help communities meet new requirements, avoid costly plant upgrades, work to eliminate new and enlarged sources of pollution, and comply with the regulations.

<u>Request</u>	<u>FY94</u>	<u>FY95</u>	<u>Source of \$</u>
92103 .5 FTE	\$35,626	\$33,626	Federal funds
92105 .5 FTE	\$35,626	\$33,625	Federal funds

Construction Grant and State Revolving Loan Program Restoration (CV-92141)

Included in the modified budget request is the restoration of an administrative position for elimination under the 5% budget reduction mandate. This position serves both the construction grant programs and is necessary for efficient management of these programs. This position also provides general administrative support for the entire bureau.

<u>Request</u>	<u>FY94</u>	<u>FY95</u>	<u>Source of \$</u>
1.0 FTE	\$19,642	\$19,438	Federal funds

Drinking Water/Subdivision Section
Program Summary
Public Water Supply Program (CV 50058)

The Public Water Supply Program regulates more than 2,100 water supplies that serve 10 or more service connections or 25 or more people pursuant to section 75-6-101 MCA et. seq. Montana's public water supplies serve drinking water to more than 600,000 people each day. The program enforces drinking water regulations, provides technical assistance, trains water system operators and managers, responds to contamination incidents, reviews plans for improvements to public water and wastewater systems to insure long-term viability and gives general public assistance.

The 1986 amendments to the federal Safe Drinking Water Act (SDWA) created dramatically increased requirements for treatment and monitoring of our public water supplies. EPA has adopted rules that require treatment and monitoring for 97 contaminants and is expected to regulate an additional 77 contaminants within 10 years. The accompanying graph illustrates the increase in required contaminant monitoring since 1977 (see Figure 3).

In response to demands of the 1986 amendments, a capacity building effort was begun in 1990 under the guidance of a governor-appointed task force. As a result of the task force recommendations, statutory authority for increased program funding through fees was granted by the 1991 Legislature. However, the efforts required in implementation of the new SDWA rules and a new fee program, and hiring and training 9.75 new employees, have been much more significant than anticipated. Implementing contracted services has consequently been delayed. However, two contracts have recently been awarded to provide technical assistance to small public water suppliers. Efforts are underway to provide additional contracted assistance to water suppliers. Since these will be long-term contracts that will directly affect the success of the expanding program, deliberate care is being directed toward contract preparation and awards.

Subdivision Program (CV 50057)

The subdivision program reviews proposed subdivisions to insure the adequacy of the water supply, waste disposal, storm water drainage and solid waste handling as required by section 76-4-101 MCA et. seq. Review of these critical infrastructure services insures the long-term viability of subdivisions, protects the interests of homeowners and protects Montana's water resources.

Subdivision applications to the department doubled between FY90 and FY92. Applications in FY93 are projected to be nearly triple the 1990 total. This workload prevents the staff from providing timely review and from conducting field investigations of existing problematic subdivisions or proposed new ones. The accompanying bar graph illustrates the recent increase in subdivision applications to the department (see Figure 4).

Water and Wastewater Operator Certification Program (CV 50056)

The water and wastewater operator certification program administers section 37-42-101 MCA et. seq. The program implements rules that require certification and continuing education for more than 1,300 individuals in charge of water and wastewater systems serving more than 600,000 people.

Compliance Inspections

400 Permits

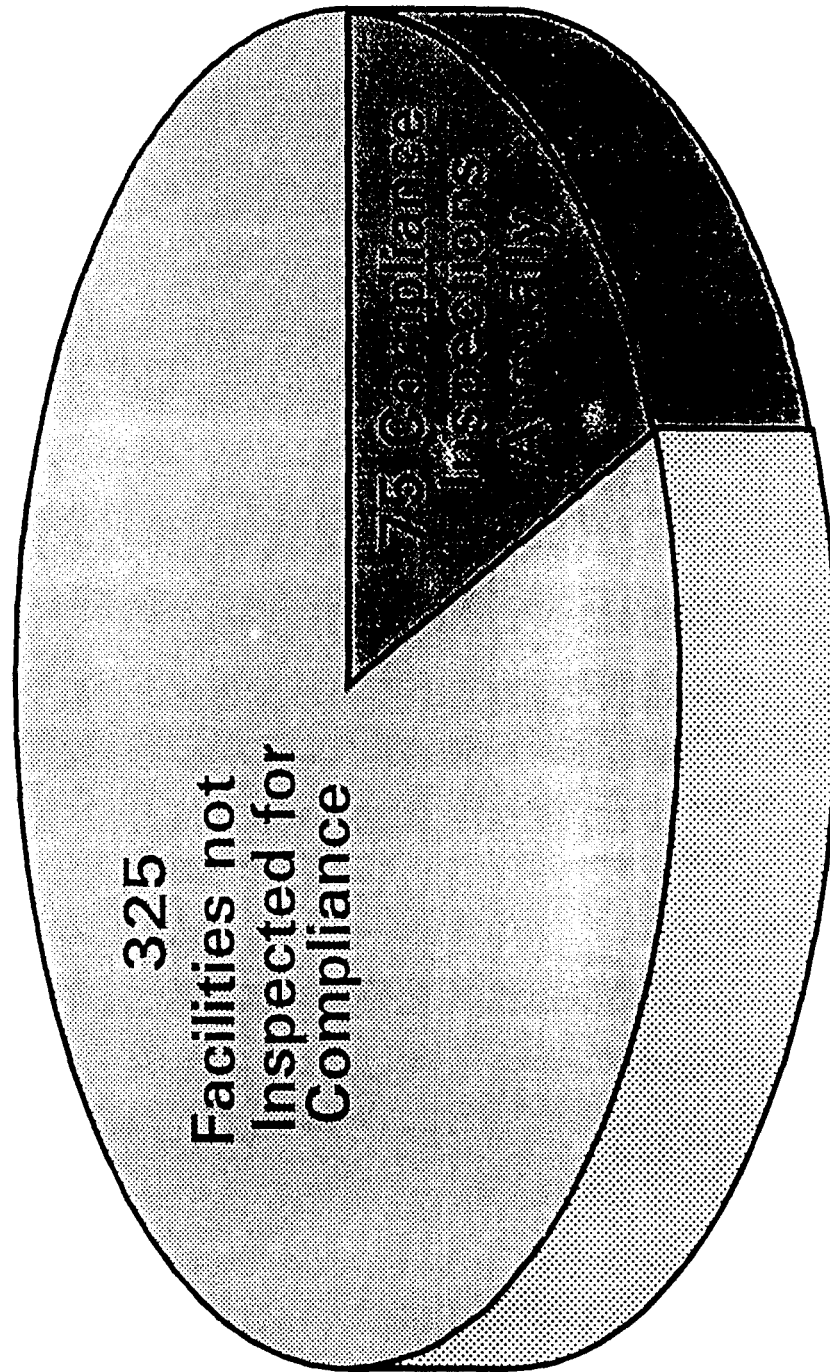


Figure 1.

Pre-permit Issuance Inspections

140 - 150 Permits Issued/Yr.

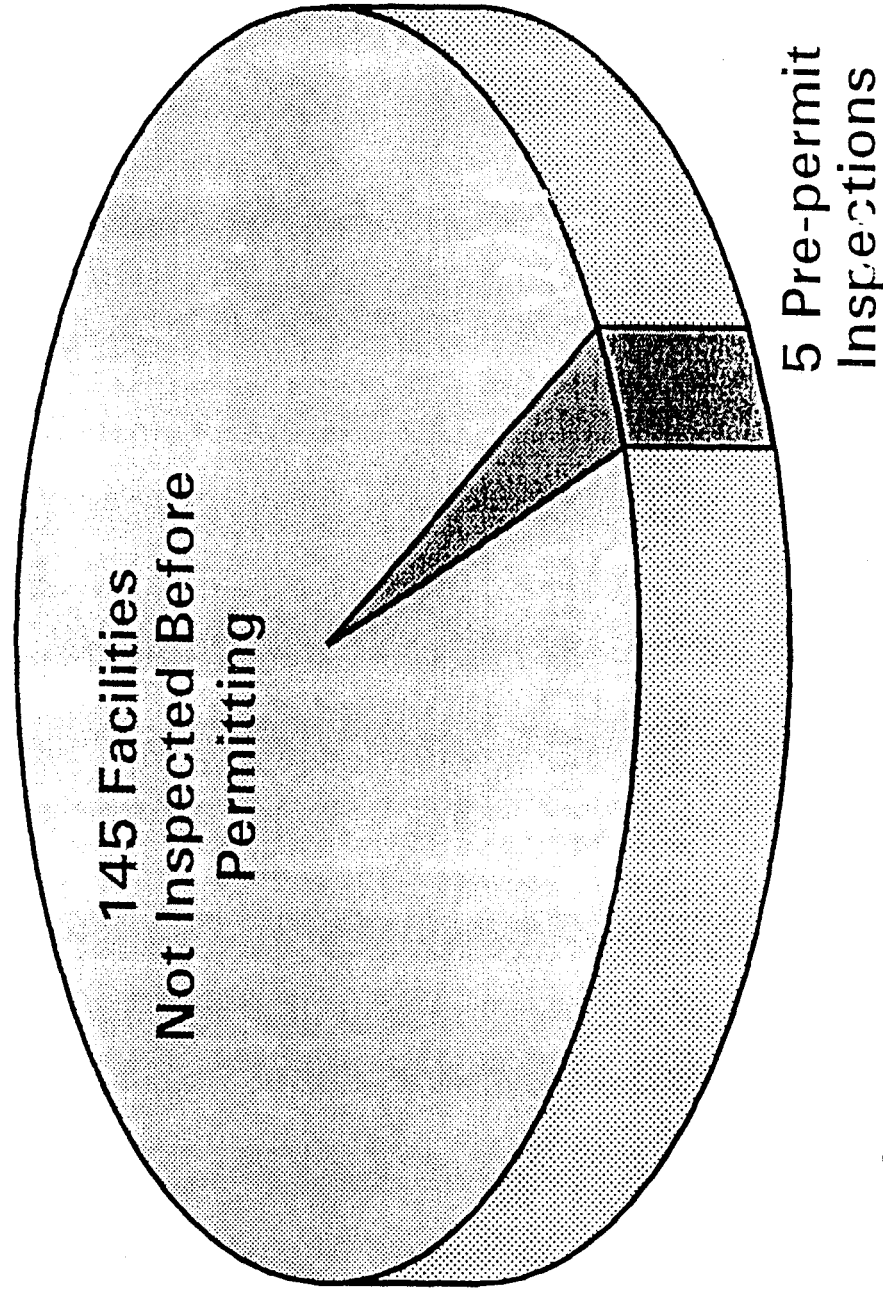


Figure 2.

Nonpoint Source Pollution Control Program (CV-50063)

Nonpoint Source Pollution (NPS) originates from diffuse sources such as agriculture, forest practices, or mining. Approximately 90% of the water pollution in Montana comes from nonpoint sources. The NPS management program developed by the WQB has two major components: watershed improvement projects to demonstrate the use of best management practices adopted for agriculture, forest practices, and mining, including a monitoring program to track the results of each project, and a statewide NPS education program to inform landowners and land managers of the water quality improvements that may be achieved through the use of best management practices and resource management systems.

The NPS program administered by the WQB has been supported wholly by federal funding provided by the Environmental Protection Agency through the Clean Water Act. During the past three fiscal years, the bureau has been able to support more than 40 watershed and education projects utilizing four federal grants totaling \$2,318,803. To meet the requirement of a 60% federal and 40% state match, grants provided by DNRC through the Reclamation Development Grant Program to other entities have been used as "soft" match.

A coordinated, cooperative approach to program implementation is crucial to the success of the NPS program. For example, on the nine-mile-long East Spring Creek watershed project west of Kalispell, more than 200 rural and suburban landowners border the creek. Following an extensive public education effort focusing on the potential benefits to be gained from the project, only one landowner declined to participate.

Budget Issues

Water Quality Management Program (CV-50051)

The department conducts long-term stream monitoring only on the Clark Fork River and its major tributaries. By reducing RIT funds in the WQM Program--by \$50,000 in FY94 and \$75,000 in FY95--the executive budget would eliminate this monitoring in the next biennium. Although the executive budget would increase federal funding to \$152,000 each year, only \$100,000 is likely to be available from EPA. The lack of stream monitoring by the department may jeopardize Montana's Water Pollution Control Grant and state primacy in the areas of water quality standards, permitting and enforcement.

The LFA budget largely restores RIT funds removed by the executive budget and allows for continuation of stream monitoring at near the FY93 level. The LFA budget does not include \$25,000 in contracted services that are expended in odd-numbered years for biological assessment.

Clean Lakes / Volunteer Monitoring Program (CV-92002)

The department conducts long-term lake monitoring only on Flathead Lake. A projected shortfall in federal (Section 106) funding next biennium would allow continuance of Flathead Lake monitoring only at the expense of one or more current-level positions in the bureau. An additional source of funding is needed to offset the federal shortfall. Loss of lake monitoring by the department may jeopardize Montana's Water Pollution Control (Section 106) Grant and state primacy in the areas of water quality standards, permitting and enforcement.

The executive budget expects the Clean Lakes/Volunteer Monitoring Coordinator position to be funded from local match. Local governments and lake associations have a hard time providing match even for local projects. The federal Clean Lakes grant cannot be counted on to fund this position; EPA has not included Clean Lakes funding in its budgets, and appropriations from Congress are unreliable. Hard, non-federal dollars are needed to fund the coordinator position and to provide match for statewide lake assessments and volunteer monitoring projects.

<u>Request</u>	<u>FY94</u>	<u>FY95</u>
1.0 FTE	\$ 35,799	\$ 35,803
Contracted Services	\$287,000	\$287,000
Other	\$ 29,211	\$ 14,313
<u>TOTAL</u>	<u>\$352,010</u>	<u>\$337,116</u>
<u>Source of \$</u>		
Federal	\$280,000	\$280,000
Non-federal	\$ 72,010	\$ 57,116

Nonpoint Source Pollution Control Program (CV-50063)

The funding source for NPS program implementation is Section 319 of the federal Clean Water Act. Large, three- to five-year projects require the WQB to have sufficient spending authority to support program activities that overlap two or more fiscal years. Funds currently encumbered under existing contracts with project sponsors exceed the LFA budget recommendations for FY94 and FY95 and would not allow the WQB to fulfill current obligations nor continue to implement the program. Increases in federal NPS funding expected with the reauthorization of the Clean Water Act in 1993 will require adequate spending authority (particularly in contracted services) to obligate and expend the funds received to implement the program.

The NPS/Wetlands position the WQB recently advertised and had planned to fill in early January, wholly supported by federal funds, needs to be filled at the earliest opportunity to fulfill contractual obligations made by the WQB under agreements with the EPA for the implementation of both the NPS and Wetlands Conservation programs.

<u>Request</u>	<u>FY94</u>	<u>FY95</u>	<u>Source of \$</u>
4.0 FTE	\$ 137,376	\$ 137,613	EPA - Section 319
Contracted Services	\$1,280,000	\$1,280,000	EPA - Section 319
Other	\$ 168,578	\$ 169,910	EPA - Section 319

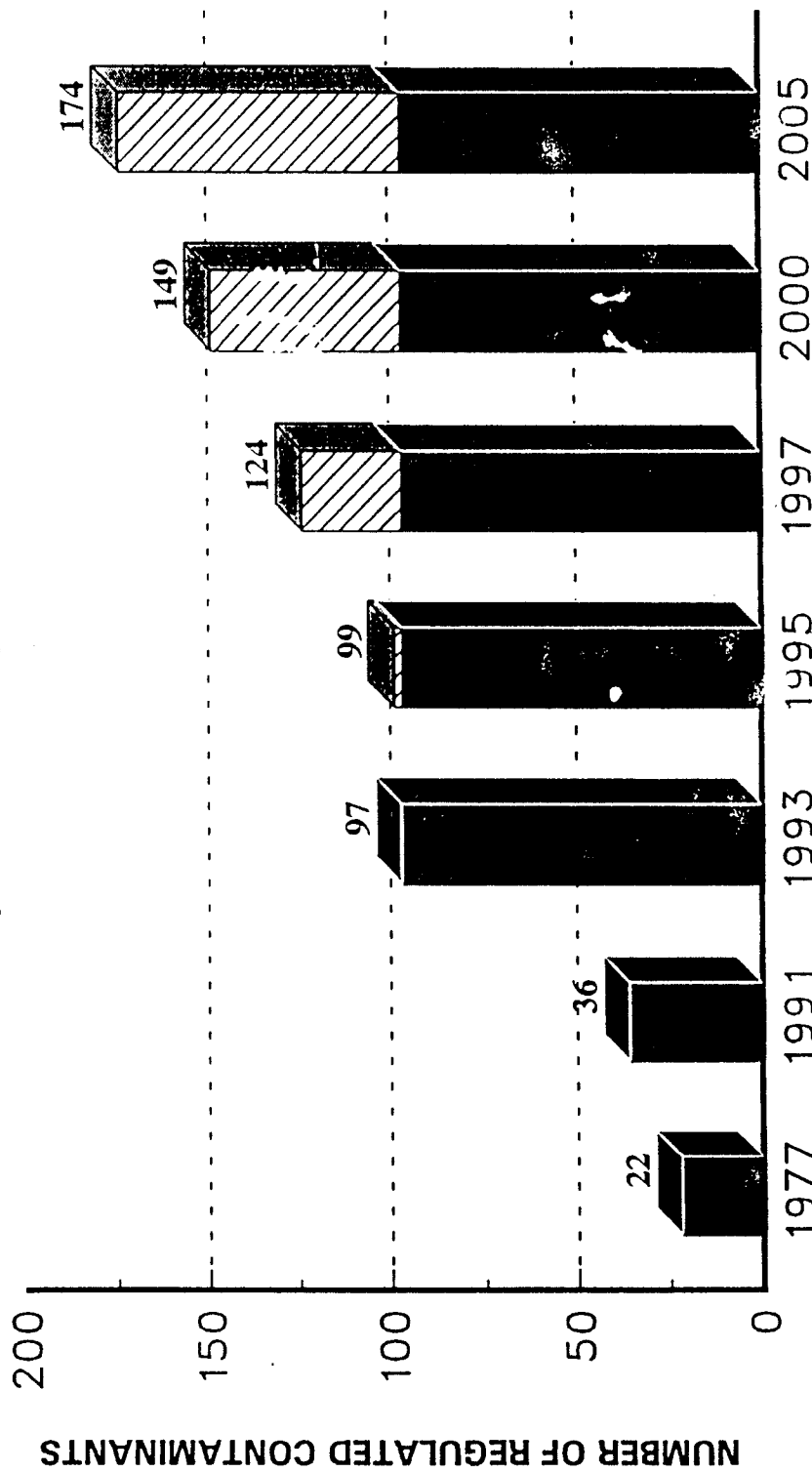
Nonpoint Source/Wetlands Program (CV-92199)

The modified level will also be funded by federal funds granted to the WQB by EPA. The expansion of the NPS program into the other priority source categories of NPS pollution, for example, construction and stormwater runoff, will require additional resources. An additional FTE has been requested to assume these duties and will be fully supported by federal funds.

In FY92, the bureau accepted the lead to develop and implement a coordinated, interagency wetland conservation strategy for Montana. One FTE has been requested to coordinate this effort among the many public and private interests and will be funded by EPA.

1986 SDWA AMENDMENTS

Schedule to Implement Regulated Contaminants



- Contaminants that DHES regulates by rule adoption or through an extension agreement with EPA.
- ▨ Contaminants that EPA will set standards for in the near future that MT will have to regulate to maintain primacy.

FIGURE 3

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<u>Request</u>	<u>FY94</u>	<u>FY95</u>	<u>Source of \$</u>
2.0 FTE NPS/Wetlands	\$ 71,624	\$ 71,646	EPA-Section 104 & 319
Contracts - nonprofits	\$378,869	\$385,541	EPA-Section 104
Operating expenses	\$ 31,959	\$ 23,993	EPA-Section 104 & 319

Technical Studies and Support Section
Program Summary
Water Pollution Control Program (CV-50052)

The 8.3 FTEs of the bureau who are 80% funded by a federal grant provide for the general protection of water quality in Montana. This includes the following; storage and retrieval of water quality data, supporting the unique water quality bureau computer and data management systems, reviewing and revising of water quality standards, reviewing major projects which may affect water quality, determining whether a project will cause degradation and following through on the appeal process, issuing short-term authorizations to exceed water quality standards, issuing 401 certifications, and investigating alleged violations of water quality laws and initiating appropriate enforcement actions. Several of these activities are tabulated for FY90-92 and are projected for FY93 in the attached graph (see Figure 7).

Budget Issues
Water Pollution Control (CV-50052)

The LFA budget shows \$93,466 (FY94) and \$61,477 (FY95) less in operating expenses than does the executive. The differences are accounted for primarily by contracted services, out-of-state travel and computer network equipment purchases.

<u>Request</u>	<u>FY94</u>	<u>FY95</u>	<u>Source of \$</u>
Operating	\$581,574	\$564,342	\$85,386 RIT and balance EPA

Mining/Nondegradation Oversight Program (CV-92125)

This budget is requested to hire 3.0 FTE to provide assistance in reviewing and monitoring the water quality effects of mines and to ensure timely processing of nondegradation appeals. These positions will be sufficient assuming the proposed changes in the nondegradation provisions of the Water Quality Act are passed by the legislature. If sufficient federal funds are not available to support these activities, support from the proposed fee for dischargers will be required.

<u>Request</u>	<u>FY94</u>	<u>FY95</u>	<u>Source of \$</u>
3.0 FTE	\$202,393	\$190,390	EPA

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Program (CV 50058)

the 1994-95 biennium reflects the increased program funding from fees
1. Legislature and increased funding from federal grants. Significantly
are to be used for a variety of new contracted services to help public water
greatly expanded regulatory requirements. Increased expenditures for grants
and for contracted services for expanded inspection and general assistance
small public water suppliers meet the new requirements.

<u>FY94 Cost</u>	<u>FY95 Cost</u>	<u>Source of \$</u>
\$1,619,000	\$1,570,579	10% RIT
		37% Fee funds
		53% EPA Grant

am (CV 50057)

y provided through a general fund appropriation. All subdivision review fees are
in the general fund. Fees were recently increased to generate enough average
reimburse the general fund for all program costs. Increased spending authority is
le for increased contracted services to help with subdivision review and
nts to counties commensurate with the review fee increases. HB 563 has
is session to create a subdivision special revenue fund that would reduce the
general fund appropriation.

<u>FY94 Cost</u>	<u>FY 95 Cost</u>	<u>Source of \$</u>
\$371,744	\$367,406	\$160,000 General Fund
		(reimbursed by fees)
		& fees

stewater Operator Certification Program (CV 50056)

contains \$10,786 (FY94) and \$8,766 (FY95) less than the executive budget. The
contracted services for revisions of study and examination materials, temporary
programming of a certified operator database.

<u>FY94 Cost</u>	<u>FY95 Cost</u>	<u>Source of \$</u>
\$ 66,123	\$ 66,357	Fees

Supply and Subdivision Program (CV-92119)

ded modification will provide 3.0 FTE. One FTE will help the public water supply
ss health issues related to new federal and state drinking water regulations. The other
help the subdivision program provide a timely review of subdivision applications
ed to nearly triple between FY90 and FY93.

<u>Request</u>	<u>FY94 Cost</u>	<u>FY95 Cost</u>	<u>Source of \$</u>
OBPP Budget	\$202,933	\$190,933	10% EPA Grant 90% Fee funds

Five Percent Public Water Supply Program Restoration (CV 92941)

The public water supply program has identified 1.5 FTEs for a reduction-in-force as part of the mandatory 5% reduction. These personnel are currently employed and assisting public water suppliers.

<u>Request</u>	<u>FY94 Cost</u>	<u>FY95 Cost</u>	<u>Source of \$</u>
1.5 FTE	\$50,297	\$50,299	8 % RIT 44% Fee funds 48% EPA Grant

Ecosystems Management Section

Program Summaries

Water Quality Management Program (CV-50051)

The Water Quality Management (WQM) Program has three functions:

- Monitor surface water quality and assess sources and causes of pollution
- Prepare and review plans to protect high-quality waters and to correct existing problems
- Provide water quality information and other assistance to resource managers and the public, including the preparation of a biennial report on the status of water quality in Montana

The program also supports review of hardrock mines through funding of the DHES/DSL liaison position in the Technical Studies and Support Section.

Monitoring is needed to classify streams, develop standards, write discharge permits, prioritize nonpoint source control projects, enforce violations of standards, and determine water quality conditions and trends (see the attached stream monitoring graph--Figure 5).

Clean Lakes / Volunteer Monitoring Program (CV-92002)

Montana has more than 10,000 lakes covering about one million acres, yet existing resources and staffing allow the state to gather water quality information from only a handful of these lakes each year (see the attached lake monitoring graph--Figure 6). There is the potential to gather substantially more information on Montana lakes through citizen volunteer monitoring and to implement lake protection and restoration projects through the EPA Clean Lakes Program that requires a 30-50% non-federal match. Services to be gained include lake protection and restoration, public education and involvement, and information on water quality conditions and trends. However, this potential can be realized only by providing an FTE to coordinate the program, non-federal funds to match the EPA grants, and spending authority for the EPA grants.

CHART 2

SURVEY WORKLOAD - CERTIFICATION

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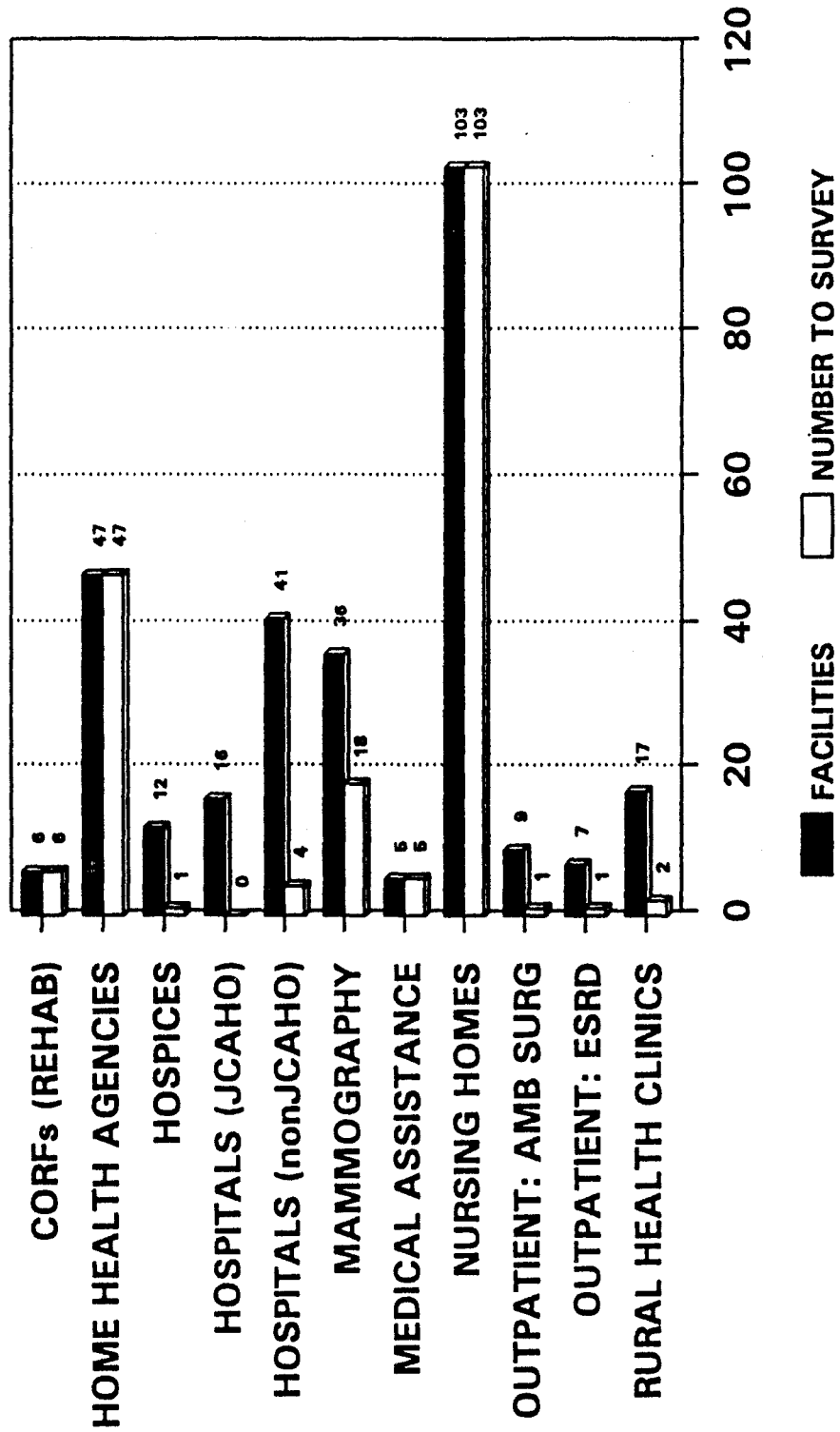
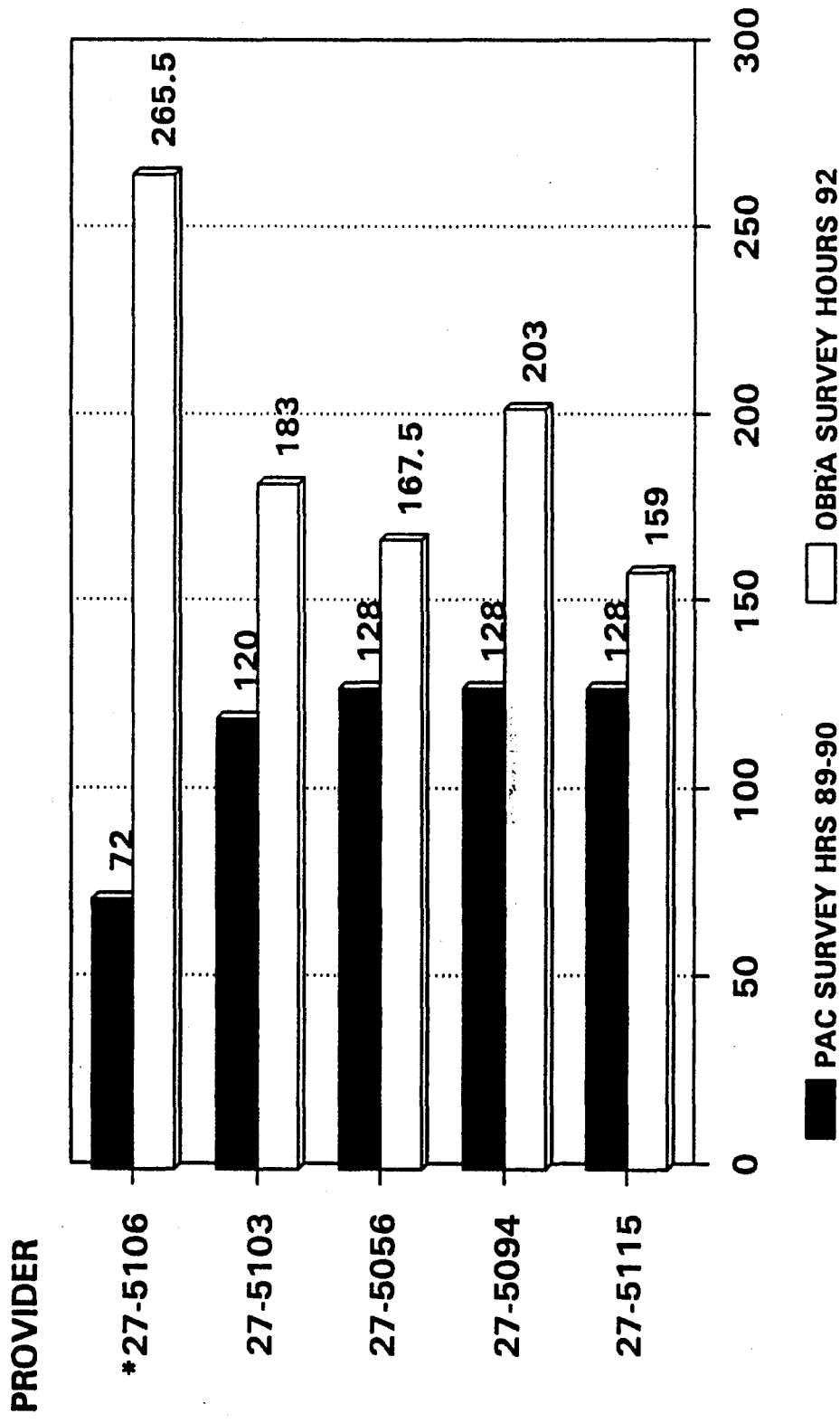


CHART 3

SURVEY TIME COMPARISON - CERTIFICATION



*DOES NOT INCLUDE TRAVEL TIME

ENVIRONMENTAL SCIENCES DIVISION
DEPARTMENT OF HEALTH & ENVIRONMENTAL SCIENCES

Solid and Hazardous Waste Bureau
Differences in the LFA/OBPP FTE Count

All the programs in the Solid and Hazardous Waste Bureau (SHWB) show a difference in the FTE count between the LFA and OBPP budgets. This is the result of a time study that was conducted for all persons within the SHWB that work in multiple responsibility centers. The changes in the OBPP FTEs from FY92 reflects the results of that study. The total number of FTEs were not increased.

Rent and Communication Increase

The enclosed table reflects the increase in rent and communications that will be needed to move the SHWB into one central location. Currently, the bureau is located in four separate facilities, making it very difficult for the program to operate and for the public to know where to go to get information and technical assistance.

If the SHWB is retained in its present location, there will need to be an increase in the rent due to an increase in the present lease that raises the rent from \$4.50/square foot to \$7.50/square foot at the Front Street location.

RENT & COMMUNICATIONS INCREASE REQUESTS - SHWB

Note: FTEs are based on OBPP totals

RENT is cost-per-year and was calculated using the amount of square feet needed for each program at \$8.50/square foot.

Communications charges were calculated using an estimated \$39,000 during FY 94 to provide telephone and computer hook-up for 117 FTE's. (\$333/person x the number of FTEs in each program.)

Motor Vehicle Recycling & Disposal Program

CV 40041 - (3.86 FTE)	OBPP	LFA	REQUIRED FOR MOVE
RENT	4,187	4,062	7,909
Communications	0	0	1,285

Federal Superfund Program

CV 40042 - (13.79 FTE)	OBPP	LFA	REQUIRED FOR MOVE
RENT	24,000	19,508	36,800
Communications	0	0	4,592
92140 - (2.0 FTE)	OBPP	LFA	REQUIRED FOR MOVE
RENT	0	0	Included in current level
Communications	0	0	666

Hazardous Waste Program

CV 40043 - (13.97 FTE)	OBPP	LFA	REQUIRED FOR MOVE
RENT	13,778	13,147	26,024
Communications	0	0	4,592
92140 - (1.0 FTE)	OBPP	LFA	REQUIRED FOR MOVE
RENT	0	0	Included in current level
Communications	0	0	333

Underground Storage Tank Program

CV 40044 - (10.56 FTE)	OBPP	LFA	REQUIRED FOR MOVE
RENT	12,738	11,262	22,483
Communications	0	0	3,517
92140 - (1.0 FTE)	OBPP	LFA	REQUIRED FOR MOVE
RENT	0	0	Included in current level
Communications	0	0	333

Solid Waste Management Program

CV 40045 - (14.52 FTE)	OBPP	LFA	REQUIRED FOR MOVE
RENT	14,694	14,694	25,400
Communications	0	0	4,835
92140 - (0.50 FTE)	OBPP	LFA	REQUIRED FOR MOVE
RENT	0	0	Included in current level
Communications	0	0	166.50

CECRA Program

CV 40046 - (4.6 FTE)	OBPP	LFA	REQUIRED FOR MOVE
RENT	14,300	4,673	20,500 -(This includes CECRA Program Expansion of 4.0 FTE)
Communications	0	0	1,562

Leaking Underground Storage Tank Program

CV 40047 - (5.25 FTE)	OBPP	LFA	REQUIRED FOR MOVE
RENT	3,665	3,709	5,089
Communications	0	0	1,748

ARCO

CV 40049 - (1.5 FTE)	OBPP	LFA	REQUIRED FOR MOVE
RENT	2,000	1,478	2,552
Communications	0	0	500

BN Sites

CV 40050 - (2.5 FTE)	OBPP	LFA	REQUIRED FOR MOVE
RENT	3,500	3,263	4,467
Communications	0	0	833

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Clark Fork Basin Manager

CV 92098 - (1.0 FTE)	OBPP	LFA	REQUIRED FOR MOVE
RENT	0	0	Included in modified budget
Communications	0	0	333

Tank Installer Modification

CV 92104 - (1.0 FTE)	OBPP	LFA	REQUIRED FOR MOVE
RENT	924	0	1,955
Communications	0	0	333

CECRA Program Expansion

CV 92111 - (4.0 FTE)	OBPP	LFA	REQUIRED FOR MOVE
RENT	0	0	Included in modified budget
Communications	0	0	1,332

Superfund DOD MOA

CV 92134 - (1.0 FTE)	OBPP	LFA	REQUIRED FOR MOVE
RENT	0	0	Included in modified budget
Communications	0	0	333

GIS ARCO

CV 92349 - (1.75 FTE)	OBPP	LFA	REQUIRED FOR MOVE
RENT	0	0	Included in modified budget
Communications	0	0	583

**Motor Vehicle Recycling & Disposal Program
Overview**

The Motor Vehicle Recycling and Disposal Act is a regulatory program that administers, enforces, and controls the disposal of junk vehicles and the shielding of such disposal sites. The act requires the department to license anyone with four or more junk vehicles and requires all junk vehicles to be screened from public view. The act also allows the department to make annual grants to each county to finance the establishment and maintenance of junk vehicle graveyards and to finance the collection of junk vehicles. The department is responsible for removal of the junk vehicles and does so by selling the vehicles to recycling firms who crush and transport the cars to steel mills for recycling.

Authorization

§	75-10-501, et seq.	Motor Vehicle & Disposal Act
§	16.14.201, et seq.	Administrative Rules of Montana

Base Program

The Motor Vehicle Recycling and Disposal Program is the only statewide resource recovery project in Montana. Nearly 7,500 junk vehicle are removed from the Montana landscape each year. More than 130,000 tons of metal from these automobiles have been recycled since the beginning of the program in 1974.

The Motor Vehicle Recycling and Disposal Program provides grants to the counties for the operation of their junk vehicle programs. These grants total \$1.00 for every registered vehicle in the county, but not less than \$5,000. With the grants counties collect unwanted junk vehicles, maintain a junk vehicle graveyard, enforce regulations as they apply to less than four junk vehicles in one location, and assist the state with the monitoring of motor vehicles wrecking facilities.

Presently, 3.86 FTE are assigned to the state program to provide for the licensing of 238 private wrecking facilities and 50 county motor vehicle graveyards; answer complaint calls; provide technical assistance to counties, cities, and private citizens matters; review and issue annual grants to the counties; audit county program expenditures and administration; issue calls for bids on graveyard crushing contracts; monitor the performance of the crushing contracts; inspect county and private wrecking facilities; and enforce the provisions of the Montana Motor Vehicle Recycling and Disposal Act and associated rules.

Requests are continually received from other states for information about the program. The program was selected by the Council of State Governments to be highlighted in their 1990 Innovations publication series as an innovative program successfully implemented by a state.

Base Funding

Funding for the program is from an earmarked revenue account accumulated from a \$.50 vehicle re-registration fee, a \$1.50 fee for title transfers, \$50 annual license fees for private motor vehicle wrecking facilities, and revenue from the crushing of the collected vehicles. Since the beginning of the program, the various fees have been reduced on three occasions so that the program's expenses would equal or exceed the program's income. This was done to balance revenue to expenditures. The program's accumulated funds are being depleted to the point that it will be necessary to increase fees. The increase will allow the state program to continue to provide the counties with sufficient funding to continue their current programs.

OBPP/LFA COMPARISON - CV 40041: 3.86 FTE's as per OBPP (page 789)

The LFA budget reduced to the FY92 actual level categories of program expenses. LFA did not recognize the excessive amount of personnel vacancies that occurred during FY92. The LFA budget reduces program operating expenditures by a total of \$41,678 compared to the OBPP budget. The program is severely impacted by reduced funding for travel expenses (-\$5,112 each year), contracted services (-\$29,997 each year), and data processing supplies (-\$3,523 each year).

The amount of reduction in two categories, travel and contracted services, will keep the program from being able to operate at even a minimum level. The reduction in travel costs alone will keep program personnel in the office rather than out in the field.

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The main problem line item areas are:

FY94

Line Item #	OBPP	LFA	Diff
2102 (Contracted Services)	30,000	3	-29,997
2245 (Data Processing Supplies)	3,935	412	-3,523
2404 (Motor Pool)	3,127	1,619	-1,508
2408 (In-state Lodging)	3,240	799	-2,441
2410 (In-state meals overnight)	1,674	511	-1,163

FY95

Line Item #	OBPP	LFA	Diff
2102 (Contracted Services)	30,000	3	-29,997
2245 (Data Processing Supplies)	3,935	412	-3,523
2404 (Motor Pool)	3,127	1,619	-1,508
2408 (In-state Lodging)	3,240	799	-2,441
2410 (In-state meals overnight)	1,674	511	-1,163

Contracted services funding is needed to cover having to contract for the crushing of the county yards, removal of Freon (CFCs) from the vehicles prior to crushing, additional legal services, and used oil collection and disposal. The metals market is fluctuating due to the opening of the border between Canada and the U.S. Crushing of the yards may become an expense item rather than a revenue generator and as such we must be prepared for it.

Hazardous Waste Program Overview

The Montana Hazardous Waste Act is a regulatory program that controls generation, transportation, treatment, storage and disposal of hazardous wastes. Persons treating, storing or disposing of hazardous waste must obtain a permit from the department. The department performs inspections, provides technical assistance, and if necessary, takes enforcement actions.

Authorization

75-10-401, et. seq, MCA The Montana Hazardous Waste and Underground Storage Tank Act.

Base Program

The Hazardous Waste Program is a counterpart to the federal hazardous waste management program developed under the authority of the Resource Conservation and Recovery Act (RCRA) of 1976 and subsequent amendments. The state program is authorized by the EPA to implement the equivalent of the federal program in Montana in lieu of EPA. The program has been in effect since 1980. Hazardous waste handlers who are regulated under this program include generators, transporters and recyclers. Also regulated are facilities who treat, store or dispose of hazardous waste on-site. The program initiates control over hazardous waste from the point of generation

through all intermediate handling to the point of final disposition. The program is oriented to be preventive in nature rather than remedial. Successful implementation of the program will serve to prevent the creation of future Superfund sites in the state.

The Hazardous Waste Program has two Units: the Regulatory Unit and the Permitting Unit. The following summarizes the objectives and activities performed within both units:

Generators of hazardous waste who do not store waste for long periods of time, as well as transporters and recyclers are not required to be issued facility management permits but are subject to applicable regulations administered by the Regulatory Unit. Regulatory compliance is determined through on-site inspections where shipping documents and related operation records are examined as well as areas where hazardous waste is produced and accumulated. Businesses that generate significant quantities of hazardous waste are required to register with this office, submit notification of hazardous waste activity and be assigned identification numbers, and submit annual reports of their waste management activities. Currently 577 generators and recyclers and 45 transporters of hazardous waste are registered with the program. Many smaller businesses that generate hazardous waste are not required to register but nevertheless are required to properly manage and dispose of their hazardous waste. The program expends considerable effort in providing technical assistance to regulated businesses regarding proper waste management and disposal procedures as well as waste minimization techniques. Certain purchasers of halogenated solvents, which are toxic and offer the potential to adversely affect environmental resources if mismanaged, are required to register with the program.

The Permitting Unit permits facilities that treat, store or dispose of hazardous waste and conducts comprehensive compliance monitoring of facilities that are operating under permits or that have closed operations under closure/post-closure permits. Permit applications are reviewed extensively to insure that regulatory operating and siting criteria are complied with so that facilities offer the least possible risk for adversely affecting public health and the environment. The program also involves the public through all steps of the permitting process so that their concerns can be considered. Permits remain effective through a facility's operating life and for a 30-year post-closure period. There are currently 12 facilities subject to permitting requirements within the state.

Base Funding

The Hazardous Waste Program is funded from the RIT Hazardous Waste/CERCLA account and matching federal grant dollars.

OBPP/LFA COMPARISON - CV 40043: 13.97 FTE's as per OBPP (page 794)

The following are concerns associated with the proposed LFA and OBPP budgets for the Hazardous Waste Program.

Item # 2102 (Consulting & Professional Services): FY94-95

<u>Item #</u>	<u>LFA</u>	<u>OBPP</u>	<u>DIFF</u>
2102	100	4,000	-3,900

The LFA budget proposes reducing the amount available for consulting and professional services 100 per fiscal year. The funding in this category allows the program to use consulting services to provide review and comments on complex hydrogeological reports and corrective action work plans for permitted hazardous waste management facilities. Utilization of consulting services in these circumstances is necessary when the required expertise does not exist within existing resources. We request approval of the OBPP proposed budget for this item.

Item # 2106 (Laboratory Testing): FY94-95

<u>Item #</u>	<u>LFA</u>	<u>OBPP</u>	<u>DIFF</u>
2106	7,018	30,000	-22,982

The LFA budget proposes funding the program for only \$7,018 for laboratory testing. The \$30,000 specified in the OBPP budget is the minimum needed for laboratory services associated with the hazardous waste program's regulatory responsibilities. Laboratory services are required in order to gather evidence for enforcement cases and to allow staff to split samples with hazardous waste management facilities to ensure that results submitted by facilities are representative of actual site conditions. The LFA budget proposal for this category will seriously impair the program's enforcement capability and its ability to assure public health protection. We request the OBPP budget proposal for this item be approved.

Items # 2404,2408,2410 (In-state Motor Pool, Lodging, & Meals): FY94-95

<u>Item #</u>	<u>LFA</u>	<u>OBPP</u>	<u>DIFF</u>
2404	3,775	7,280	-3,505
2408	2,164	5,800	-3,636
2410	1,385	3,860	-2,475

The LFA budget proposes a 57% reduction of funding in these categories from the OBPP proposal. Reduction in these travel categories will significantly handicap the program's ability to conduct compliance evaluation inspections of hazardous waste handlers and to respond to citizens complaints alleging improper hazardous waste management. The program needs a presence in the regulated community to deter non-compliance and to meet the program's responsibility and the public's expectations. We request the OBPP proposed budget for these items be approved.

Items # 2443 & 2449 (Out-of-State Transportation-Training; Out-of-State Lodging-Training): FY94-95

<u>Item #</u>	<u>LFA</u>	<u>OBPP</u>	<u>DIFF</u>
2443	2,655	6,000	-3,345
2449	783	2,250	-1,467

The LFA budget proposes a 58% reduction of funding in these categories from the OBPP proposal. Expenses incurred in these categories are associated with personnel training that is not available in-state. The program is highly technical, requiring individuals to receive specialized training. A high personnel turnover rate requires new employees to be trained in order to be functional. We request the OBPP proposal for these items be approved.

Program Funding Sources:

Funding Source	<u>LFA Budget</u>		<u>OBPP Budget</u>	
	<u>FY94</u>	<u>FY95</u>	<u>FY94</u>	<u>FY95</u>
Federal	\$524,926	\$548,283	\$484,780	\$487,922
RIT	<u>174,975</u>	<u>182,761</u>	<u>240,533</u>	<u>241,602</u>
Total	\$699,901	\$731,044	\$725,313	\$729,524

The federal funding in the proposed LFA budget proposal is unrealistic. EPA has projected state grant funding for the 95 biennium to be equal to the FY91 award, which was \$446,998. The OBPP proposed federal funding of \$484,780 is closer to this projection as the program has historically been successful in receiving modest amounts of additional funding from EPA beyond projected awards. The OBPP budget proposal makes up this federal grant shortfall by contributing extra RIT funds. As we have no information to contradict federal funding shortfall projections, we believe the LFA federal funding totals to be unrealistically inflated and request the OBPP proposed program funding be approved.

Budget Modifications:

C.V. 92140 - SHWB 5% Restoration - 1.0 FTE

The purpose for the modification is to reinstate a 1.0 FTE Environmental Specialist III position #414 to the Hazardous Waste Program. The FTE was eliminated from the base to comply with the mandated 5% personal services reduction. This position, assigned to the Regulatory Unit, ensures sites which generate, transport or otherwise handle hazardous waste are in compliance with applicable hazardous waste management requirements. Elimination of the position will result in an overall reduction in compliance evaluation inspections, less timely response to complaint investigations, and delays in providing information to the public and the regulated community regarding hazardous waste management. Funding is from the RIT Hazardous Waste/CERCLA Account and matching Federal Funds.

Hiring Freeze: 1.0 FTE

Position #411 which appears on the vacancy freeze list of December 29, 1992, is assigned to the Permitting Unit in the Hazardous Waste Program. This position processes applications for the operation of hazardous waste management facilities or for modifications of existing permits, and conducts compliance evaluation inspections of permitted facilities. The position was filled on January 4, 1993 and is funded by a combination RIT Hazardous Waste/CERCLA account and federal grant dollars.

Solid Waste Management Program Overview

The Solid Waste Management Program is responsible for licensing and regulating solid waste management systems in Montana. Solid waste management systems include landfills, solid waste incinerators, resource recovery facilities, waste composting operation, transfer stations, land farms for liquid and semi-liquid wastes, container systems used in municipal waste management and other waste storage, handling, treatment and disposal facilities. The program is charged with the responsibility of licensing and regulating all solid waste managements systems, developing and updating a integrated waste management plan for Montana and for providing technical and informational assistance to communities, refuse disposal districts, private individuals and commercial and industrial businesses on solid waste related issues. Included in these duties are routine inspections of solid waste systems, licensing reviews, enforcement actions, monitoring groundwater sampling results from affected systems, assistance in the development of local solid waste plans and licensing applications, and providing assistance and advise on the management and disposal of special wastes such as asbestos, medical wastes, oil field sludges, waste vehicle tires, and other miscellaneous special waste materials. Program personnel are also responsible for assisting the public with questions on recycling, waste "minimization," incineration, etc.

Authorization

75-10-101, et. seq. MCA Plans, Funds and Administration Act
75-10-201, et. seq. MCA Montana Solid Waste Management Act
75-10-801, et. seq. MCA Integrated Waste Management Act
75-10-901, et. seq. MCA Megalandfill Siting Act
75-10-1001, et. seq. MCA Infectious Waste Management Act

Base Program

The base program has two important parts: licensing and regulating solid waste management systems and providing technical assistance and support to system operators. Program personnel are responsible for licensing and inspecting approximately 200 landfills, transfer stations, municipal waste incinerators and similar kinds of facilities. License review and inspections are conducted to insure compliance with current state laws and rules regarding solid waste systems. New federal regulations have dramatically changed the nature and complexity of solid waste disposal and have impacted associated state laws and rules. Program staff will be responsible for insuring that Montana's solid waste rules are capable of addressing these changes and that landfill owners and operators meet these new requirements.

A second significant program element is the provision of technical assistance to solid waste management system owners and operators. The staff provides significant input to local planning committees, city and county governments, refuse disposal district boards of directors, and the commercial (private) solid waste industry. Included in this element is the preparation and updating of an integrated waste management plan for Montana.

Base Funding

Base funding for the program consists of a general fund appropriation for the base program and groundwater monitoring section. A state special revenue fund comprised of solid waste management system license application review fees and annual licensing fees fund the rest.

OBPP/LFA COMPARISON - CV 40045: 14.52 FTEs as per OBPP (page 800)

None listed for this funding source.

Budget Modifications

C.V. 92140 - SHWB 5% Restoration - 0.50 FTE

The purpose for the modification is to reinstate the program with .50 FTE Environmental Specialist position #404 that was eliminated from the base due to the 5% personal services reduction. The .50 FTE Environmental Specialist position is funded by the state special revenue/solid waste fees and is assigned to the program's imported solid waste monitoring and review duties. The loss of the program's .50 FTE Environmental Specialist position will affect the program's ability to monitor and review out-of-state solid waste importation activities.

Hiring Freeze: 2.0 FTEs

Position #00486 - Attorney Specialist II - 1.0 FTE

This vacant position is funded by the solid waste management fee - special revenue account and is **not** supported by the general fund. The position has been advertised, the department has accepted applications and is prepared to fill the position as quickly as possible. The program's attorney position is critically important for the continued administration and implementation of the program. The attorney's direct input is needed in the areas of rule writing, rule adoption, and legal interpretations necessary to implement some of the 18 pieces of solid waste legislation passed by the last legislative session. In addition, this attorney position is necessary for the preparation of the program's application for approval from the U.S. Environmental Protection Agency for primacy in solid waste management regulation. These reasons, coupled with the need for the continued and increased enforcement of Montana's solid waste disposal regulations, make this position necessary for the program's future.

Position #00484 - Environmental Specialist III - 1.0 FTE

This vacant position is funded by the solid waste management fee - special revenue account and is **not** supported by the general fund. This position was filled as of December 30, 1992. The primary duties of this position are with the program's licensing unit which reviews, approves applications and licenses solid waste management systems. The retention of this position is critical to the program's ability to respond to licensing requests in a timely fashion. Without this position, the shortage of staff in the licensing unit would result in license application reviews requiring more time which may inconvenience or jeopardize local government's or private individual's efforts to establish waste management systems within Montana.

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is modeled after the federal law. Its purpose is to prevent through identifying who has underground tanks and eventually record keeping, leak detection, financial assurance for clean-up and installation standards. The Leaking Underground Tank under federal guidelines, to investigate and remediate tank cannot be identified or when the responsible party will not act or situation, or when the responsible party is insolvent. It is a public and minimize damage to the environment. The trust fund is tax.

prevent leaks from occurring through adoption of design law and permitting, installer licensing, and owner/operator training. will be required to meet specific design and installation standards to . All existing UST systems will be phased into the regulatory leak events of the program by 1994 and must be upgraded to meet operational standards for leak prevention and corrosion control by . Agencies will assist the program in inspections of tank installations, final closure. If a leak occurs, the program will assist the tank owner to human health and the environment and to initiate corrective . The program works closely with the Petroleum Tank Release . Providing financial assistance to owners and operators for leaking UST covered, but a responsible tank owner cannot be identified, the . LUST trust funds to assessing the potential threat and initiating a

ge Tanks (UST). The UST Program maintains a registry database of se data presently contain more than 25,000 reported underground 2,000 locations throughout the state. Through educational and gram guides tank owners, operators, and installers in the proper tenance, and final closure of these UST systems. The program also grants to local governmental agencies for training, equipment, and the ram on a local level.

nd Storage Tanks (LUST). Montana currently has approximately federal government has estimated 25% or more of all tanks may be minated soil and groundwater are reported to the department on a daily . contamination of drinking water, accumulation of harmful

hydrocarbon vapors and problems associated with sensitive environmental areas. The LUST staff investigates and responds to prioritized leaking UST sites where a responsible party cannot be identified or is insolvent, an emergency situation exists, or a responsible party refuses or fails to respond. Under state and federal law, the responsible party is liable for all LUST response costs incurred by the department.

•Tank Installers. National studies have shown improper installation of underground storage tank systems is one of the major causes of tank failure and leakage. The tank installer licensing and UST permitting program will aid in eliminating improper installations. The program reviews permit applications and issues permits for tank installations, repairs, and closures. In addition, all UST owners and operators must have work on their UST systems preformed by either a licensed UST contractor or they may do their own work if it is inspected by a licensed inspector. The program provides examination study materials and offers UST installer, remover, and inspector examinations several times a year at various locations in the state.

Base Funding

The UST Program receives funding from the RIT Hazardous Waste/CERCLA Account, earmarked annual UST registration fees, and federal funds.

Underground Storage Tanks

The UST Program is funded through a combination of earmarked annual UST registration fees and a 75% federal and 25% state RIT fund matching grant. Annual tank registration fees of \$20 for tanks of 1,100 gallons or less and \$50 for tanks of more than 1,100 gallons are assessed to all tank owners. The federal and state UST regulatory program supports 11.25 FTE.

Leaking Underground Storage Tanks (LUST)

The LUST program is funded by an EPA grant consisting of 90% federal and 10% state matching funds. Federal monies are from the LUST Trust Fund through a federal gasoline tax administered by the U.S. Environmental Protection Agency. The state RIT account has been legislatively established as the source of state matching funds. Any monies recovered from responsible parties can be used for the state matching fund; however, the department cannot predict the amount of money that will be cost recovered. A majority of the LUST funds is budgeted for remedial action contracted services. The federal LUST Trust Program is administered by 5.5 FTEs.

Tank Installers

The tank installers program supports .25 FTE and is funded by tank permit and inspection fees resulting from tank installations, repairs, and closures. A portion of the fees collected are used to reimburse locally designated licensed inspectors for inspections of permitted systems.

OBPP/LFA COMPARISON: - CV 40044 10.56 FTE's as per OBPP (page 797)

Underground Storage Tanks

Some reduction in the program's operating expense requests to current level expenditures also need to be addressed. The following line items and amounts need to be restored:

OE 2102. Consultant and Professional Services - Increase FY94 \$9,307 and increase FY95 \$6,807

Fiscal Year	FY94			FY95		
Description	<u>LFA</u>	<u>OBPP</u>	<u>DIFF</u>	<u>LFA</u>	<u>OBPP</u>	<u>DIFF</u>
	6,693	16,000	-9,307	6,693	13,500	-6,807

The program asked for increased funding in contracted services to insure several projects could be completed during FY94 & FY95. One of those projects is updating the state UST database. The information in the Montana database was collected in 1986 and has not been significantly updated during the past six years. Since approximately 13, 500 facility files need to be updated, it is anticipated this project will require considerable additional support resources to complete in a timely and organized manner.

OE 2106 Laboratory Testing Increase FY94 \$4,336. FY95 Increase \$4,336

Fiscal Year	FY94			FY95		
Description	<u>LFA</u>	<u>OBPP</u>	<u>DIFF</u>	<u>LFA</u>	<u>OBPP</u>	<u>DIFF</u>
	664	5,000	-4,336	664	5,000	-4,336

Laboratory testing of field samples is needed for site investigations, enforcement documentation and to split field samples for evaluating laboratory quality control.

OE 2116. Medical Monitoring - Increase FY94 \$1,442. FY95 \$1,442

Fiscal Year	FY94			FY95		
Description	<u>LFA</u>	<u>OBPP</u>	<u>DIFF</u>	<u>LFA</u>	<u>OBPP</u>	<u>DIFF</u>
	1,933	3,375	-1,442	1,933	3,375	-1,442

Because the program's professional personnel are exposed to hazardous materials routinely during field activities, medical monitoring is necessary to fulfill federal occupational health requirements. This funding increase was requested to provide for increased medical costs, the cost of monitoring of all field personnel, and exit medical exams for personnel terminating employment with the agency.

OE 6147 Grants to Local Governments Increase FY94 \$312,604. Increase FY95 \$312,604

Fiscal Year	FY94			FY95		
Description	<u>LFA</u>	<u>OBPP</u>	<u>DIFF</u>	<u>LFA</u>	<u>OBPP</u>	<u>DIFF</u>
	000	312,604	312,604	000	312,604	312,604

The LFA budget reflects a reduction of \$312,604 in grant monies to local governments (OE 6147). The budget sheet mistakenly identifies these funds as contracted services. These funds are actually grant monies which the department uses to fund local tank programs conducted by designated Local Governmental Units (LGUs). Expenditure of only \$62,075 during FY92 is a reflection of the small number of LGU units which had joined the program's efforts. Since approximately three-quarters of the state's counties are now participating and have been designed as LGUs, it is anticipated that requests for funding will increase significantly. The full \$312,604 will be needed in each of the next two fiscal years to meet the program's statutory requirement to provide monies to defray the expense of operating local tank programs.

OBPP/LFA COMPARISON - CV 40047: 5.25 FTEs as per OBPP (page 806)

Leaking Underground Storage Tanks

Introduction: Leaking Underground Storage Tank (LUST) Trust Fund Program

Federal LUST Trust Grant Funds are used to investigate and remediate health and environmental threats where the source of the contamination is suspected to be a Leaking Underground Storage Tank (LUST) and, (1) the source has not been identified or (2) the responsible party is insolvent or recalcitrant or (3) threat to human health and the environment require immediate emergency response and the responsible party is unable to adequately respond. If domestic drinking water supplies are contaminated, LUST Trust funds can be used to supply alternate safe drinking water.

OE 2102 Consulting and Professional Services:

Fiscal Year	FY94			FY95		
Description	<u>LFA</u>	<u>OBPP</u>	<u>DIFF</u>	<u>LFA</u>	<u>OBPP</u>	<u>DIFF</u>
	413,524	680,020	-266,496	413,524	800,000	-386,476

This is the largest portion of the LUST budget and also accounts for the most significant difference between the LFA and OBPP budgets. The difference in the budgets reflects the additional funding requested by the LUST Program for FY94 and 95. The LUST Program has 30 active LUST Trust sites where funds have been expended or will be expended in FY93. As of mid-FY93, the program's entire budget for contracted services (\$413,524) had been allocated for investigations at the 30 active LUST Trust sites.

This situation does not allow sufficient reserve for unanticipated emergencies which can easily cost \$100,000 or more. LUST Trust emergency sites typically require immediate actions to mitigate impending threats to public health from contamination of municipal or domestic drinking water supplies, vapor incursion in private residences, or explosion hazards in buildings and confined spaces. It is difficult to budget for LUST Trust emergencies unless sufficient reserve funding is maintained for such contingencies.

There are currently 37 LUST Trust sites listed with the program where LUST Funds have been utilized. Additional unfunded sites, not considered "emergencies," have been identified for further investigation during FY94-95. These include the following sites:

- Great Falls - 10th Ave. South Highway Reconstruction Oversight
- Columbus - Private Well Contamination
- Denton - Soil and Groundwater Contamination
- Kalispell - Utility Line Corridor Assessments
- Missoula - W. Broadway Avenue Leak Investigations
- Laurel - Burlington Northern Refueling Site
- Columbus - Abandoned UST Facility
- Billings - Industrial/Commercial Area - Numerous Abandoned UST Facilities

Additional funding is needed and was requested in the OBPP budget for FY94 and 95, specifically for releases which cannot be predicted. This additional request was not carried over in the LFA budget and accounts for the difference of \$386,476 between the LFA and OBPP budgets. If contracted services funding remains at our current level (\$413,524), the program will not have the resources to address new emergencies since the majority of ongoing LUST Trust projects have a two- to five-year life span and therefore may continue through several bienniums. Major LUST Trust projects can easily exceed several hundred thousand dollars each, severely limiting the program's ability to conduct LUST Trust investigations and remediations in that fiscal year. Currently, the program prioritizes existing sites where LUST Trust funding is required. Federal LUST Trust Grant Funds, in addition to the state's annual grant, are available presently from EPA on a 90% federal, 10% state match (RIT Funds). An increase in spending authority and the state's RIT match would be required to obtain these additional federal LUST Trust funds.

OE 2106 Laboratory Testing

Fiscal Year	FY94			FY95		
Description	<u>LFA</u>	<u>OBPP</u>	<u>DIFF</u>	<u>LFA</u>	<u>OBPP</u>	<u>DIFF</u>
	21,084	45,500	-24,416	21,084	60,000	-38,916

It appears the base level of \$21,084 was projected based on actual numbers expended in FY91-92. It is estimated additional funding would be needed in this area due to the increasing number of LUST Trust site investigations requiring analytical chemistry. At a current LUST Trust site, it is anticipated the program will expend approximately \$7,000 for laboratory analyses by the fiscal year end. Costs at other sites can run equally high. The OBPP FY94 laboratory testing budget should provide an adequate ceiling for these costs. The FY95 projections were estimated slightly higher in an attempt to account for unknown "emergencies" and the cumulative volume of LUST Trust sites that the program will have at that time.

OE 3126 Field Monitoring Equipment

Fiscal Year	FY94			FY95		
Description	<u>LFA</u>	<u>OBPP</u>	<u>DIFF</u>	<u>LFA</u>	<u>OBPP</u>	<u>DIFF</u>
		15,734	-15,734	2,000	2,000	0

With full program staffing, and a growing number of LUST Trust projects, additional field monitoring equipment is needed. For personnel safety, it is program policy for field staff to use two separate types of organic vapor meters for initial investigations. Having two vapor meters not only provides a backup in case of malfunction, but the HNU meters do not measure oxygen

concentration, which is critical in assessing confined spaces which may contain hazardous and potentially explosive vapors levels.

Having an organic vapor meter and an explosive meter (also measures oxygen) allows program personnel to make reliable health and safety decisions. Two HNU organic vapor meters (\$5,367 each) are budgeted for FY94 and one GasTech explosive meter is budgeted for FY95. In addition, a replacement soil vapor used in LUST investigations will be required in FY94. The total cost of this probe (\$10,000) will be split with the PTRCB-DHES budget.

Budget Modifications:

C.V. 92140 - SHWB 5% Restoration - 1.0 FTE

The purpose for the modification is to reinstate the Underground Storage Tank Section's Leak Prevention Program with 1.0 FTE Environmental Specialist position #452. The FTE was eliminated from the program's base to comply with the mandated 5% personal services reduction. This position will be funded by state special revenues (tank registration fees) for \$30,473 in FY94 and \$30,474 in FY95. The FTE is one of only two field inspector positions which the program utilizes to assist tank owners with the identification and correction of deficiencies and to investigate violations of the underground storage tank management and operation regulations.

C.V. 92104 - Tank Installer Modification - 1.0 FTE as per OBPP (page 816)

This modification is requested to fund Position 10499. The procurement of this position is crucial if the program is to effectively and in a timely fashion review and issue permits for the installation, closure, modification, and repair of underground storage tank systems.

The UST Section received an OPS plan during FY91 to add 1.0 FTE and the associated operating expenses to handle the increased workload generated by an unexpectedly large number of permit applications. Prior to the OPS plan approval, the Permitting Work Unit had only 0.25 FTE. Even with the unit's modified 1.25 FTEs, the workload at times taxes the current staffing level. During FY92 (July 1, 1991 through June 30, 1992), the unit reviewed and issued 1,464 permits. Current projections, based upon the number of permits issued in the first six months of FY93, indicate that in excess of 1,800 permits will be reviewed and issued before June 30, 1993. Without this modification, 1.0 FTE will be eliminated which will seriously handicap the program's ability to meet the current UST Permitting program's workload.

C.V. 92094 - LUST Cost Recovered - (page 813)

EPA allows federal LUST Trust funds cost recovered from responsible parties to be utilized for additional LUST Trust investigations and remediations. This budget modification would allow \$200,000 per fiscal year of anticipated LUST Trust cost recovered funds to be utilized for LUST Trust investigations and remediations. No matching funds are required for LUST Trust cost recovered funds.

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ring Freeze: 1.0 FTE

Position #453 - This Administrative Aide II position in the LUST Program became open November 30. This position was filled on Monday, December 28, 1992. This department position is funded through the statutorily appropriated Petroleum Release Cleanup Fund (PTRCF).

Superfund Program (Federal)

Overview

The Superfund Program carries out Montana's responsibilities under both state and federal laws requiring the identification, investigation, and cleanup of uncontrolled hazardous or deleterious substances. Currently the program involves activities at eight sites that are on the National Priority List (NPL), four sites that have been identified for NPL listing and a site discovery and assessment program. Federal funds administered by the U.S. Environmental Protection Agency (EPA) are available to support virtually all state work on NPL sites and for site assessments. Under both state and federal law, all public funds spent in the cleanup effort are to be reimbursed by the parties responsible for the contamination at a hazardous substance site.

Authorization

42 U.S.C. 9601 et seq. The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

Base Program

The Superfund Program recognizes two kinds of response actions: removals and remedial actions. Removals are short-term responses that stabilize or cleanup a site that poses an immediate threat to human health and the environment. Remedial actions are long-term responses, such as groundwater restoration and soil treatment.

The Superfund program consists of two phases: a pre-remedial phase during which sites are identified, evaluated, and listed on the NPL if appropriate, and a remedial phase during which the actual cleanup is planned and implemented.

For the activities that are not directly related to specific sites, the EPA provides CORE funds. These funds pay for training, recruitment, general overall management, etc. The CORE program fills the need for necessary, non site-specific activities. The CORE grant requires 10% state matching funds.

Base Funding

The Superfund program budget consists of several integral parts. The first is the basic investigative cleanup portion which is funded 100% by federal (U.S. EPA) dollars. The second portion consists of the CORE which are program management type activities general in nature and not specifically tied to individual site activities. The CORE is funded 90% by federal dollars and the required 10% match comes from the Hazardous Waste/CERCLA RIT account.

OBPP/LFA COMPARISON - CV 40042: 13.79 FTE's as per OBPP (page 791)

LFA budget - FY94 \$1,762,017 and FY95 \$1,792,301;

OBPP budget - FY94 \$3,081,318 and FY95 \$3,034,318 (difference of FY94 \$1,319,301 and FY95 \$1,241,994 respectively)

Consulting and Professional Services, and Contracts with Non-Profits (line items 2102 and 2169):

Funding for these contracted services is 100% federal and allows for the state to conduct or oversee the implementation of remedial investigations, feasibility studies, risk assessments, remedial designs and remedial actions at state lead National Priority List sites. The amount requested above 1992 Actuals is specifically for three projects that were not funded in 1992:

- Implementation of remedial design and clean up at the Montana Pole site. The state will be completing a Record of Decision for the site this spring and will initiate negotiations for implementation of the remedy. The remedy is likely to cost around \$10 million; oversight/implementation costs are estimated to range from \$300,000 to \$10 million depending on the extent of cooperation from potentially responsible parties (PRPs) in implementing the selected remedy. Some PRPs have indicated they are not willing to participate in cleanup efforts. For this reason we requested \$1 million/year in spending authority to get us started on the project while we request the necessary budget amendments to complete the project.

- The state has lead responsibility for evaluating and selecting a cleanup plan for the Streamside Tailings operable unit of the Silver Bow Creek/Butte Superfund site. Part of this responsibility includes preparation of a public health and ecological risk assessment for the site. On-going oversight will continue and costs are included in 1992 Actuals, but expenditures for the risk assessment will be additional costs. These costs are estimated to be \$200,000.

- The state will have an opportunity to assume lead responsibility for NPL sites during the next biennium. The Mouat site in Columbus is currently under discussion, and prospective new sites include Kalispell Pole and Timber and the Victor Landfill. Any one of these sites would require spending authority in the range of \$150,000 to \$250,000 depending on the PRP situation.

The additional funds requested are necessary because on-going projects will continue to use the 1992 level funding provided. In an effort to be fiscally conservative, we requested an additional \$1,325,000 in 1994 and \$1,275,000 in 1995. This spending authority would provide the base to initiate whatever level of effort might be required while allowing time for the budget amendment process to request additional authority if necessary to carry through with a specific project. In past years, we have always had \$6 million in spending authority; this biennium proposal is significantly reduced.

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SPECIAL PROJECTS -

199 - 1.5 FTEs as per OBPP: (page 809)

200 - 2.5 FTEs as per OBPP: (page 811)

Projects are currently being managed under the Superfund Program. One is the Northern Railroad Livingston Rail Yard investigation and cleanup. The 1989 authorized funding for civil action related to environmental damage associated with the Northern Livingston Rail Yard cleanup. A consent agreement between the state and Northern has been signed, and the state is providing oversight of the remedial design and action at the site.

General Superfund laws and rules are being used to guide and enforce the cleanup. The site is to be placed on the National Priority List (NPL) in the future. A total of 3.5 FTEs are allocated to this project and to other BN sites in Montana that are under investigation.

Special project is the ARCO project which includes department personnel and operating associated with expedited activities on the ARCO Clark Fork River Basin NPL sites. Because these activities so the state will have the resources necessary to keep pace with the cleanup-related activities. A total of 1.5 FTEs are allocated to this effort.

ing

Other parties provide the funding for these special projects through special revenue accounts.

LFA COMPARISON

There seems to be a slight mixup between these programs that resulted in .50 FTE from the ARCO being transferred to the BN project in the LFA budget. The total number of FTEs for these projects together is comparable in the LFA and OBPP budgets except that the LFA budget subtracts the one FTE identified for the 5% reduction in the BN budget.

Modifications

1140 - SHWB 5% Restoration - 2.0 FTEs

The department has requested reinstatement of two positions in the Superfund Section that were eliminated by the mandated 5% personnel services reduction. Position #359 is funded by Burlington Northern (BN) and provides essential oversight responsibilities at the BN Livingston and Mission sites. This position will also assist in the oversight of BN investigation and cleanup actions at other BN fueling facility sites. Position #473 is a federally-funded position that provides technical assistance to the Environmental Protection Agency on federal Superfund sites. At this position, the state will not participate in site decisions or be able to assure compliance with state regulations on some of the federal Superfund sites.

C.V. 92098 - Clark Fork Basin Manager - 1.0 FTE as per OBPP: (page 814)

This modification will allow expenditure of Hazardous Waste/CERCLA Account funds (\$49,880 in FY94 and \$49,989 in FY95) to increase Superfund Program resources to fulfill state responsibilities at Clark Fork Basin federal Superfund sites. An Administrative Officer will coordinate and communicate with local governments and citizen groups in the Clark Fork Basin and all state agencies involved in issues pertaining to Superfund cleanups in the basin. A potential exists for expenditures related to this position to be recovered from liable parties.

C.V. 92349 - GIS ARCO - 1.75 FTEs as per OBPP: (page 819)

ARCO provides funding to the department for Geographic Information System (GIS) and data management services relating to Superfund projects in the Clark Fork River Basin. The department provides the data management services and contracts with the State Library for GIS services. The program requires 1.75 FTE for program management, implementation of the data base, contract management and interagency coordination. This recommended modification will fund 1.75 FTE at \$333,896 in FY94 (\$210,373 of which is transferred to the State Library) and \$336,542 in FY95 (\$209,251 of which is transferred to the State Library). The program has existed since 1987; this modification represents a change in funding source from EPA to ARCO effective September 1991.

C.V. 92727 - Burlington Northern: (page 820)

This modification involves \$125,000 per year of additional spending authority. The oversight response is funded by BN so no state funding is involved. This modification will allow the department to continue its responsibility under the DHES and Burlington Northern Railroad Modified Partial Consent Decree. The Decree requires the department to oversee the remedial investigations, feasibility studies, risk assessments, and cleanup activities at the BN Livingston site.

Superfund Program (State)

Overview

The Montana Comprehensive Environmental Cleanup and Responsibility Act (CECRA) provides the department with similar authority to the federal Superfund Act. CECRA created a legal mechanism for the department to investigate and clean up, or require liable persons to investigate and clean up all hazardous substance sites in Montana which are not on the federal Superfund National Priority List (NPL).

Authorization

75-10-701 <u>et seq.</u> , MCA	The Comprehensive Environmental Cleanup and Responsibility Act (CECRA)
--------------------------------	--

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SR

the Superfund Section of the Solid and Hazardous Waste Bureau
cleanup of all hazardous substance sites in Montana not on the federal
list (NPL) or not being addressed by other department programs.
250 non-NPL hazardous substance sites in Montana and an

achieves its goal by:

employable persons (PLPs) to investigate and clean up hazardous substance
in a manner protective of human health, safety, welfare and the environment and in
accordance with state and federal laws; and

cleaning up hazardous substance sites for which no solvent or
other substances are in a manner protective of human health, safety, welfare and the
environment in compliance with state and federal laws.

Funds from the Resource Indemnity Trust Fund are earmarked to support work
Under state law, all state funds spent in the cleanup effort are to be
used to pay PLPs.

The following are involved in the following major activities:

conducting investigations to determine whether a release of a hazardous substance
has occurred; identify the PLPs; and assess potential health and ecological risks;

using CECRA ranking system (qualitative) to determine priority for

emergency/interim actions to reduce/eliminate the immediate threats to public
health, safety, welfare and the environment;

conducting remedial investigations to determine the nature and extent of contamination
and assess potential health and ecological risks associated with that contamination;

conducting feasibility studies to determine remedy alternatives;

conducting remedial designs for selected remedies;

selecting remedies that will best assure present and future protection of public health,
safety, welfare and the environment;

employing PLPs conducting activities #3-7 above;

using a professional procurement process to retain consultants to perform activities

- pursuing PLP investigation and cleanup through research, negotiation and legal action, if necessary;
- recovering all state costs from any solvent PLPs;
- administering grants to investigate and cleanup sites lacking a solvent PLP; and
- handling property assessment requests from consultants, realtors, appraisers, lawyers, and potential purchasers which entails maintaining a detailed site database.

Base Funding

Pursuant to sections 75-10-704 (4) and 15-38-20 MCA, the CECRA Program is funded annually with 4% of the interest from the Resource Indemnity Trust Fund, which is approximately \$300,000.

OBPP/LFA COMPARISON: CV 40046: 4.60 FTEs as per OBPP (page 803)

Contracts with non-profits (line item 2169):

The CECRA Program currently uses the MSU and MBMG contracts for technical expertise on the MPC Butte Yard and Upper Blackfoot sites. Since the Environmental Quality Protection Fund (EQPF), not the 4%, was used for these contracts during FY92, the LFA budget cuts the proposed \$10,000 for FY94 and FY95. However, we intend to use the 4% account for university contracts on CECRA sites in the next biennium and thus budgeted for this. In the past, we have only used the university contracts for sites with solvent liable persons; consequently, all costs were recoverable.

Budget Modifications

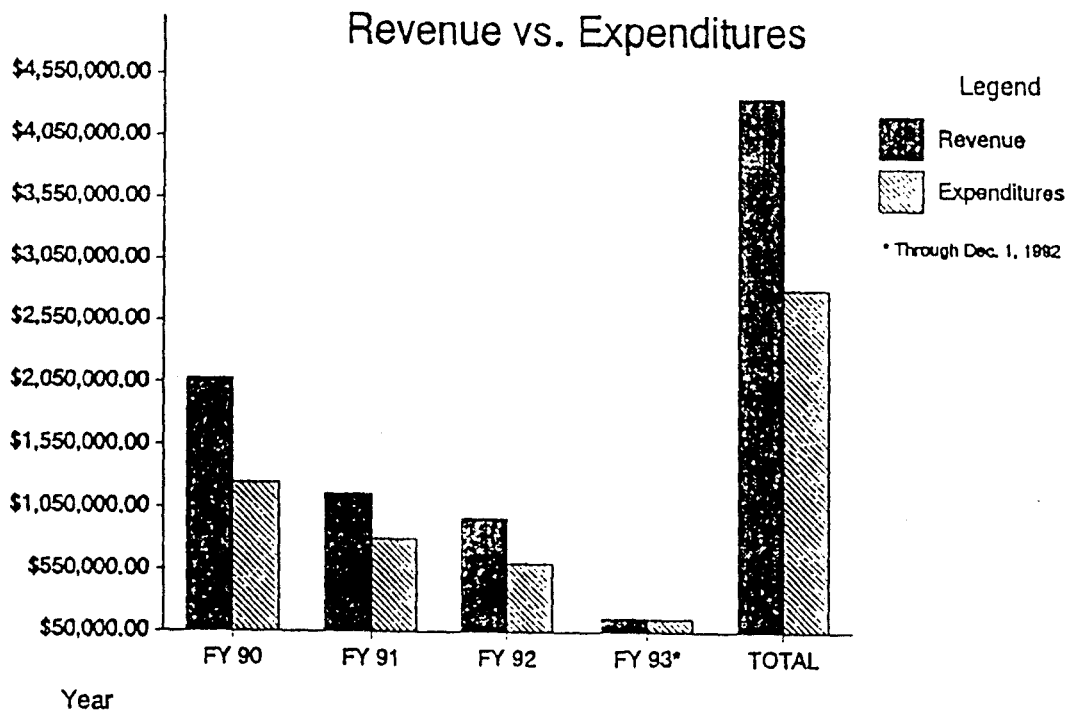
C.V. 92111 - CECRA Program Expansion - 4.0 FTEs as per OBPP: (page 817)

This modification involves increasing the CECRA Staff by 4.0 FTE (one clerical, two environmental specialists, and one attorney). This increased staffing will allow the department to mitigate and eliminate potential health and environmental impacts at high-priority sites currently not being addressed due to staff limitations. The department proposes that \$191,576 in FY94 and \$182,863 in FY95 from the EQPF be used for this modification. The EQPF, by statute, is to be used for the investigation and cleanup of contaminated sites. Due to past cost recovery and penalty actions from the Superfund Section, the EQPF has sufficient funds for this increase, as shown in the attached graph of EQPF revenues vs. expenditures for FY90-FY93. All site-specific costs for the majority of sites can be recovered from liable persons. The attached bar chart indicates past expenditures based on cost-recovery. As can be seen, an average of 70% of costs can be recovered.

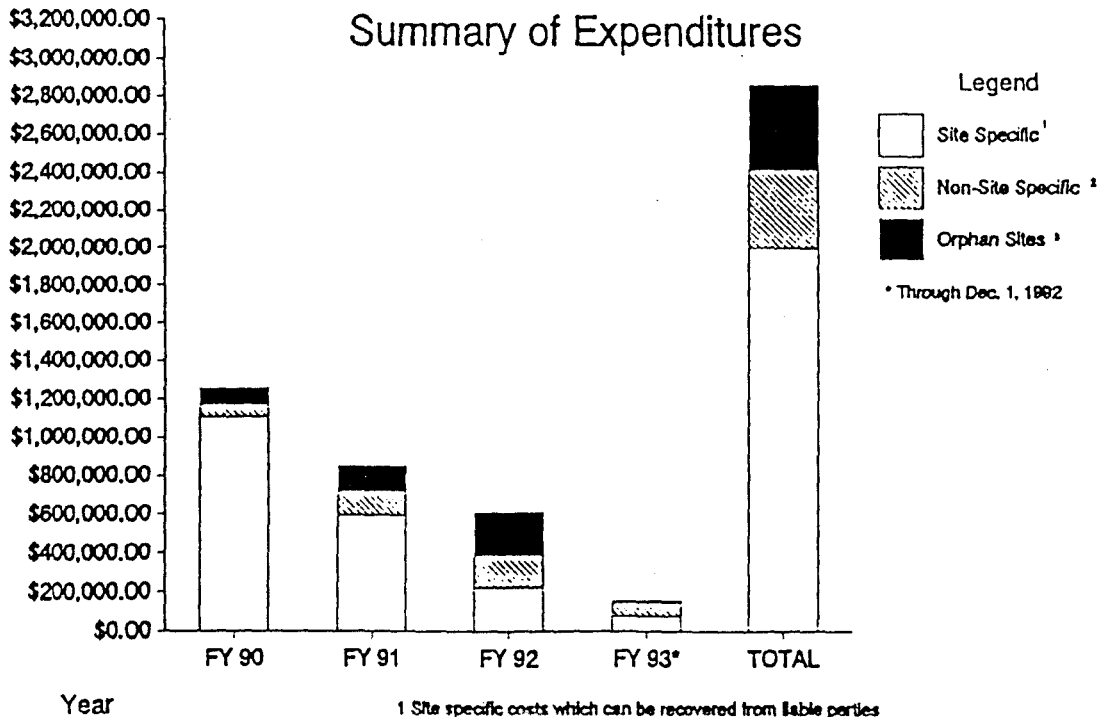
C.V. 92134 - Superfund DOD SMOA - 1.0 FTE as per OBPP: (page 818)

This modification will allow the department to spend Department of Defense (DOD) funds for overseeing investigation and cleanup at DOD-contaminated sites. Funding of \$100,000 per year

Dollars Environmental Quality Protection Fund



Dollars Environmental Quality Protection Fund



for 1 FTE and contracted services will be provided through a Department of Defense/State Memorandum of Agreement (SMOA). Activities include the full range of field investigations, feasibility studies, treatability studies, and cleanup actions. This funding will allow the department to assure DOD complies with state laws and that the state participates in site decisions. Currently, Malmstrom Air Force Base and Great Falls International Airport are designated for the SMOA; however, other sites are expected to be designated in the future.

C.V. 92099 - DSL Abandoned Mine Liaison: (page 815)

This modification will provide \$40,000 in operating services to help support a FTE with the DSL Abandoned Mine Reclamation Program. The position will coordinate the investigation and cleanup of abandoned mine sites to ensure that work is done in compliance with DSL and DHES standards. DSL is currently inventorying and ranking the more than 6,000 abandoned mine sites in Montana. Of those, approximately 260 threaten public health and/or the environment because they have problems such as acid-mine drainage, tailings piles leaching into groundwater and surface water, or barrels of waste chemicals. Since DSL regulations are not retroactive and do not allow for cost recovery, DHES will assume responsibility for an estimated 50 to 100 sites where liable parties exist that can be held responsible for investigation, cleanup, and cost-recovery. Because the costs associated for this modification can be recovered from liable parties, DHES requests the modification be funded by the EQPF instead of the Resource Indemnity Trust Fund (12%/Hazardous Waste account) as originally proposed.

ENVIRONMENTAL SCIENCES DIVISION
DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

Overview

The Environmental Sciences Division of the Department of Health and Environmental Sciences is responsible for a wide range of program efforts designed to protect public health and the environment. These are highly visible and sometimes controversial programs that touch the lives of nearly all Montana citizens. Seldom does a day go by that an environmental issue involving this agency does not gain media attention. Montana's Constitution, which guarantees a clean and healthful environment for all citizens, sets the stage for our efforts.

In recent years, state environmental programs have experienced significant growth. People nationwide are demanding greater environmental protection, and quite often the responsibility for that protection rests with state agencies such as the department. The following table reflects FTE growth within the Environmental Sciences Division:

	<u>FY88</u>	<u>FY89</u>	<u>FY90</u>	<u>FY91</u>	<u>FY92</u>	<u>FY93</u>
Div. Adm	3.0	3.0	3.0	3.0	3.0	3.0
Other 03	29.5	29.5	32.5	32.5	52.5	53.5
SW 04	26.5	26.5	52.0	53.0	78.5	79.0
Water 05	41.0	41.0	45.0	45.0	63.0	64.0
Total	100.0	100.0	132.5	133.5	197.0	199.5

(Not included: Petro Board, Natural Resource Damage Program and positions approved by budget amendment in FY92 and FY93.)

The division is organized into four bureaus: Air Quality Bureau (AQB), Water Quality Bureau (WQB), Solid and Hazardous Waste Bureau (SHWB) and Occupational and Radiological Health Bureau (ORHB). Each bureau is charged with the administration of several state-mandated programs while three bureaus, AQB, WQB and SHWB, have the added responsibility of administering federally mandated programs through a delegation process called "primacy." Such program delegation allows the State of Montana to play a stronger role in the way federal programs impact Montana citizens and also provides us with access to considerable federal funding to offset what otherwise would be state-financed program costs.

Division Administration

The division administration office is responsible for providing management and coordination to this large and diverse group. Many of our current environmental issues cross over program and bureau lines. The division administration office ensures communication exists between appropriate program staff and that the public and regulated community is not receiving mixed or conflicting signals from this agency. In addition to the general coordination responsibilities, the division administration office coordinates review of Environmental Impact Statements and Environmental

Assessments prepared by other state or federal agencies, coordinates the preparation of Environmental Impact Statements for the division and the DHES Emergency Response Team, provides right-to-know information, and plans and implements other special projects.

In accordance with 75-1-203(4) MCA, we are required to provide you with a report on fees collected in the environmental review process/ During the past biennium, the division was involved in the preparation of two Environmental Impact Statements (EIS).

<u>EIS</u>	<u>Fees Collected</u>
Church Universal and Triumphant	\$67,807.98
Lewis & Clark Co. Landfill "Site E"	62,343.50

Budget Issue

The only budget issue within the division administration office relates to this function. The LFA budget is \$27,655 less than the executive. Today, every project for which an environmental permit is required is coming under close scrutiny and more frequently are going to be subject to Environmental Impact Statements. The executive request represents a conservative request, and it should be noted these fees are paid by the project applicant.

While the bureau chiefs will provide you with specific detail on most of the division's issues, I would like to briefly summarize several which are common to most if not all of the bureaus within the division. The first issue is the shift to user fees to support environmental programs. During the 1991 Legislative Session, fee authority was granted to department in the area of solid waste, public water supply and air quality. During the current session, we are seeking fee authority in water quality permitting, X-ray inspection and hazardous waste permitting.

The issue of "primacy" needs to be discussed relative to several of the environmental programs. As previously mentioned, the department has sought and received authority to administer federally mandated programs. At stake, and tied to adequate funding in the coming biennium, are delegation issues in solid waste, hazardous waste, air quality and water quality.

Reinstatement of those positions deleted in response to section 13 of House Bill 2 will be an issue in each of the four bureaus. Of the 12 positions identified to meet the division's 5% reduction, only one position is funded in part by general funds. All other positions are either federal funded or supported by state special revenue accounts. Each bureau will identify the position and the duties and responsibilities for each. If not reinstated, those functions would cease effective July 1, 1993. Likewise, the deletion of a number of positions vacant in late December will be an issue discussed by bureaus.

Significant growth in the environmental field has resulted in significant competition for qualified individuals. This competition with federal agencies and the private sector has resulted in staff turnover and delays in implementing program expansions. Operating expenditures tie directly to the number of FTE in a program, and several programs are faced with actual operational expenses in FY92 which will be inadequate for current full staff levels. Program expansions approved by the past legislative session were not all fully implemented in FY92. Several programs will discuss the fact that FY92 expenditures are significantly less than expenditures in the current fiscal year.

EXHIBIT 3
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SB _____

MONTANA DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES'

TESTIMONY ON HB 388

ISSUES OF CONCERN:

- **PRIMACY FOR MONTANA POLLUTANT DISCHARGE ELIMINATION SYSTEM (MPDES) PERMIT PROGRAM**
- **IMPLEMENTATION OF THE MONTANA WATER QUALITY ACT'S NONDEGRADATION POLICY**
- **ENVIRONMENTALLY RESPONSIBLE GROWTH AND DEVELOPMENT**
- **PROTECTION OF MONTANA'S SURFACE AND GROUND WATER**
- **ALTERNATIVES**

I. PRIMACY FOR THE MPDES PERMIT PROGRAM

- A. MONTANA'S WATER QUALITY ACT REQUIRES ALL WHO DISCHARGE WASTES TO STATE WATERS (GROUND WATER OR SURFACE WATER) TO HAVE A PERMIT FROM THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES.**

1. THE MONTANA GROUND WATER POLLUTION CONTROL SYSTEM (MGWPCS)

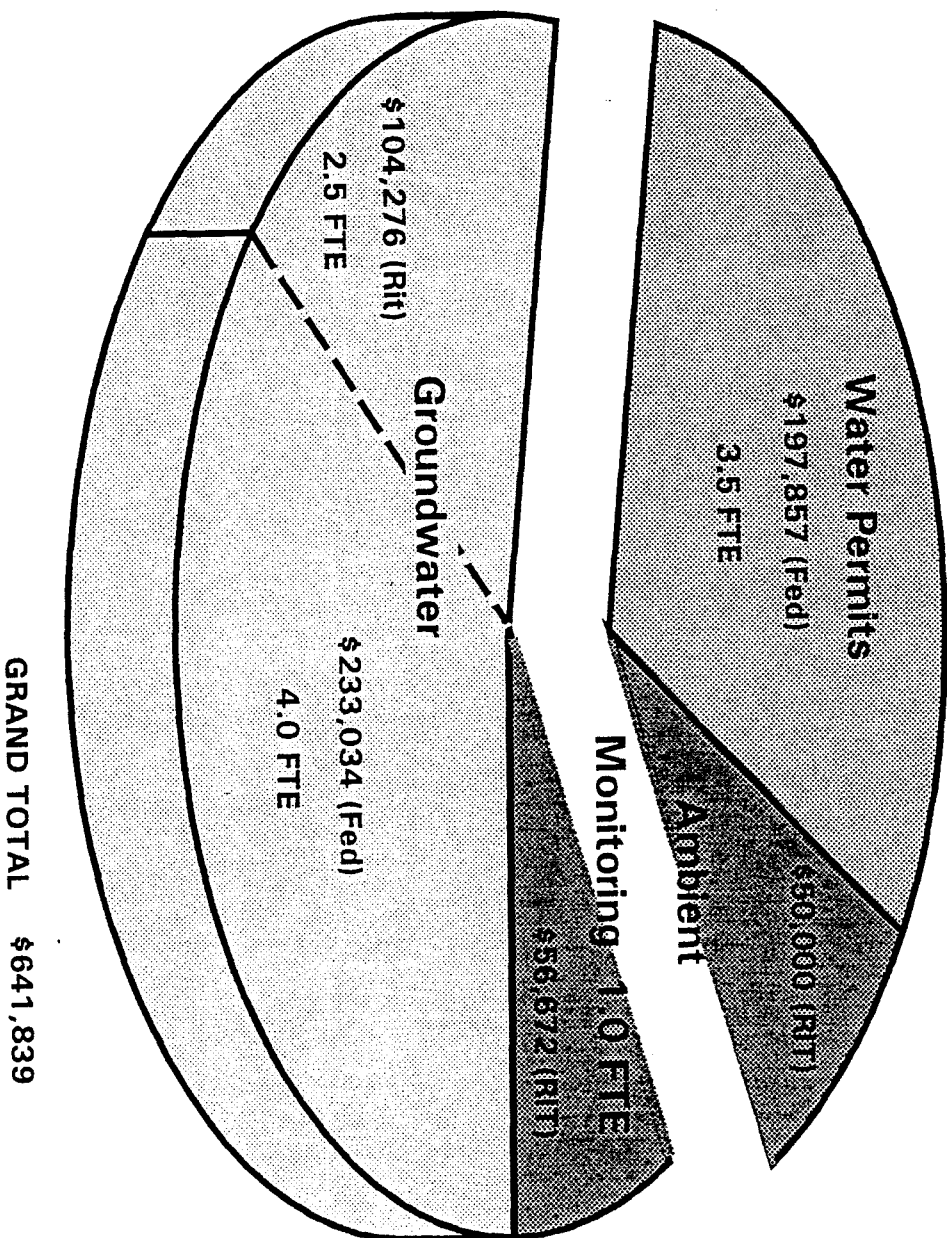
THIS IS A PROGRAM DESIGNED TO CONTROL DISCHARGES OF WASTES TO MONTANA'S AQUIFERS THEREBY PROTECTING THE QUALITY OF GROUND WATER FOR EXISTING AND POTENTIAL USES.

2. THE MONTANA POLLUTANT DISCHARGE ELIMINATION SYSTEM (MPDES)

THIS PROGRAM IS DESIGNED TO CONTROL DISCHARGES OF WASTES TO STATE SURFACE WATERS. IT IS PATTERNED AFTER THE FEDERAL (NPDES) CLEAN WATER ACT PROGRAM.

(SEE FY92 FUNDING)

FY92 FUNDING



II. IMPLEMENTATION OF THE MONTANA WATER QUALITY ACT'S NONDEGRADATION POLICY

A. REQUIRED BY THE MONTANA CONSTITUTION'S ARTICLE IX, SECTION 1 (3); "The legislature shall provide adequate remedies for the protection of the environmental life support system from degradation-----"

This policy is essentially intended to ensure existing high quality waters are maintained for future generations of Montanans. It allows limited degradation to occur when justified and subject to strict conditions designed to protect water quality.

B. THE WATER QUALITY ACT HAS A NONDEGRADATION POLICY WHICH WILL PROBABLY BE MODIFIED DURING THE LEGISLATIVE SESSION. THE DHES WILL BE REQUIRED TO IMPLEMENT THIS NONDEGRADATION POLICY.

III. ENVIRONMENTALLY RESPONSIBLE GROWTH AND DEVELOPMENT

- A. SUBDIVISIONS OF LAND**
- B. METAL MINES**
- C. COAL MINES**
- D. GROWTH OF CITIES AND TOWNS**

IV. PROTECTION OF MONTANA'S SURFACE AND GROUND WATERS

THE WATER QUALITY ACT REQUIRES THE DEPARTMENT TO PROVIDE A COMPREHENSIVE WATER POLLUTION CONTROL PROGRAM. THE DEPARTMENT AND THE ADMINISTRATION HAVE DETERMINED THAT THE ONLY FEASIBLE WAY TO ENSURE THE EXISTENCE OF THIS PROGRAM IS THROUGH THE ASSESSMENT OF FEES ON THOSE WHO WOULD DISCHARGE WASTES TO STATE WATERS.

V. ALTERNATIVES

A. NO AUTHORIZATION FOR THE DEPARTMENT TO ASSESS FEES FOR NONDEGRADATION AUTHORIZATIONS OR PERMITS TO DISCHARGE WASTES.

- **LOSS OF PRIMACY FOR THE MPDES PROGRAM.**
- **LOSS OF THE STATE'S ONLY LONG-TERM AMBIENT WATER QUALITY MONITORING PROGRAM.**
- **POTENTIAL LIABILITY EXPOSURE BECAUSE OF THE INABILITY TO PROCESS PERMITS AND/OR NONDEGRADATION AUTHORIZATIONS AS REQUIRED BY LAW.**

EXHIBIT 2
DATE 2-16-93
SB

- **CAN DEVELOPMENT OCCUR????**
- **DEGRADATION OF STATE WATERS.**

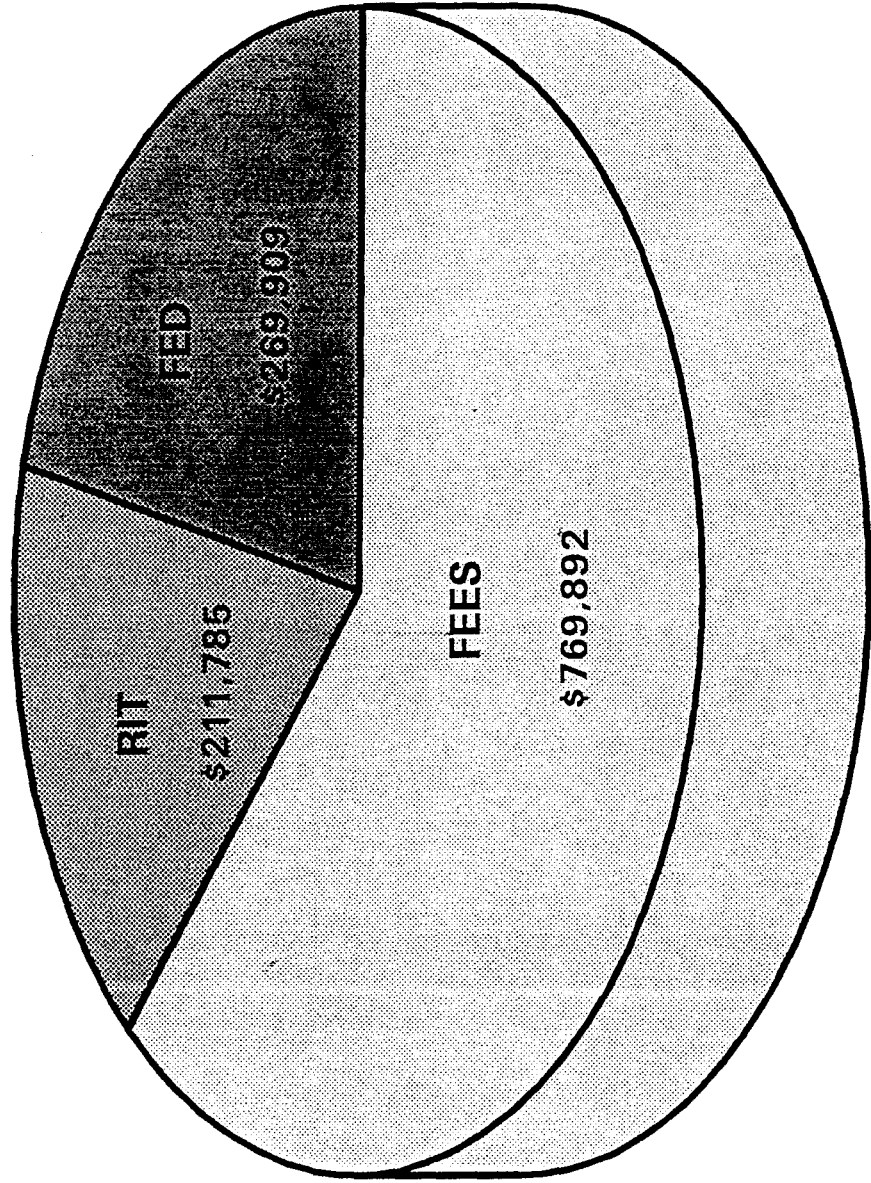
(SEE FY92 FUNDING)

B. AUTHORIZATION FOR FEES PROVIDED.

- **RETENTION OF PRIMACY.**
- **MAINTENANCE OF MINIMAL AMBIENT WATER QUALITY MONITORING PROGRAM.**
- **RESPONSIBLE DEVELOPMENT CAN OCCUR.**
- **WATER QUALITY WILL BE PROTECTED, MAINTAINED & IMPROVED AS REQUIRED BY THE WQA.**

(SEE FY94 FUNDING)

FY94 FUNDING



FEES	
Ambient Monitoring	50,000
Groundwater	41,000
Water Permits	260,422
Surface Water Permits	135,000
Groundwater Permits/Compliance	218,470
Groundwater UIC	65,000
TOTAL FEES	\$769,892
FED	
Groundwater	269,909
TOTAL FED	\$269,909
RIT	
Ambient Monitoring	56,473
Groundwater	155,312
TOTAL RIT	\$211,785
GRAND TOTAL	\$1,251,586

DATE 2-16-93

2-16-93

EXHIBIT 4
DATE 2-16-93
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TESTIMONY FOR BUDGET HEARING

The drinking water division of Water Quality Bureau has been in serious trouble since 1986 when the Amendments to the Safe Drinking Water Act were passed. A special Task Force was formed to study the problems. It was discovered by this Task Force that the drinking water division was understaffed primarily because of funding availability and that our primacy in Montana was in jeopardy. This has improved but we are still not out of the woods. This division needs to be able to retain its appropriations so that Montana can retain its primacy. With all the changes in the Federal law that requires the same changes in State law, it is imperative that we continue to fund this division with sufficient appropriations to guarantee safe drinking water for the protection of our customers health.

Montana Rural Water Systems

ENVIRONMENTAL SCIENCES DIVISION
DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

Occupational and Radiological Health Bureau

view

Occupational and Radiological Health Bureau (ORHB) administers and conducts the Radiological Health, Occupational Health, and the Asbestos Control Programs. The bureau is currently authorized 6 FTEs and is staffed by the Bureau Chief (Health Physicist), a Health Physicist, an Industrial Hygienist, two Environmental Specialists, and an Administrative Assistant.

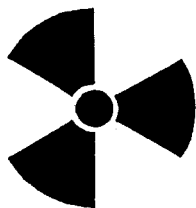
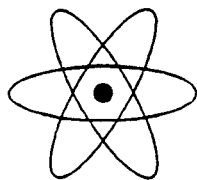
Radiological Health

The Radiological Health Section provides a regulatory program to reduce or eliminate unnecessary exposures to ionizing radiation which might result in injuries, death, or cause health risks such as increased susceptibility to cancer or genetic mutations. The program provides for control of radioactive materials to preclude or minimize damage to, or loss of property resulting from, contamination by radioactive materials. This is achieved through the X-ray equipment inspections, minimum shielding calculations and plan evaluations, emergency response to incidents involving loss of control of radioactive materials, limited environmental surveillance, and providing information or assistance regarding radiation when requested. The primary emphasis is on X-ray inspections. The attached graphs (Figures 1 and 2) illustrate the dramatic increase in workload this section has experienced, although it is essentially staffed at the same level as in FY72.

Occupational Health

The Occupational Health Section has regulatory authority in state and local government workplaces to achieve and maintain conditions to protect human health. The primary emphasis is on limiting contaminants in the workplace. Because the section has the capabilities for determining human exposure to toxic and irritating dusts, fumes, mold spores, mists, and gases as well as asphyxiants, the section is frequently called on to identify such exposures in areas other than workplaces, including private homes. This service is in keeping with the public health goals of the department.

The section has developed expertise in indoor air quality through these services and an increasing awareness of indoor air quality issues. The section is frequently requested to provide expertise for emergency response assistance in incidents involving spillage or potential loss of control of hazardous materials. Such assistance might include information regarding toxicity of the material, necessary personal protective equipment, and proper cleaning and disposal procedures. The section also provides training, technical assistance, and in some cases, equipment loans to local health departments. The attached graph (Figure 3) illustrates the substantial increase in workload that this section has experienced, although it is essentially staffed at the same level as FY72.



REQUESTS FOR ASSISTANCE OR INFORMATION

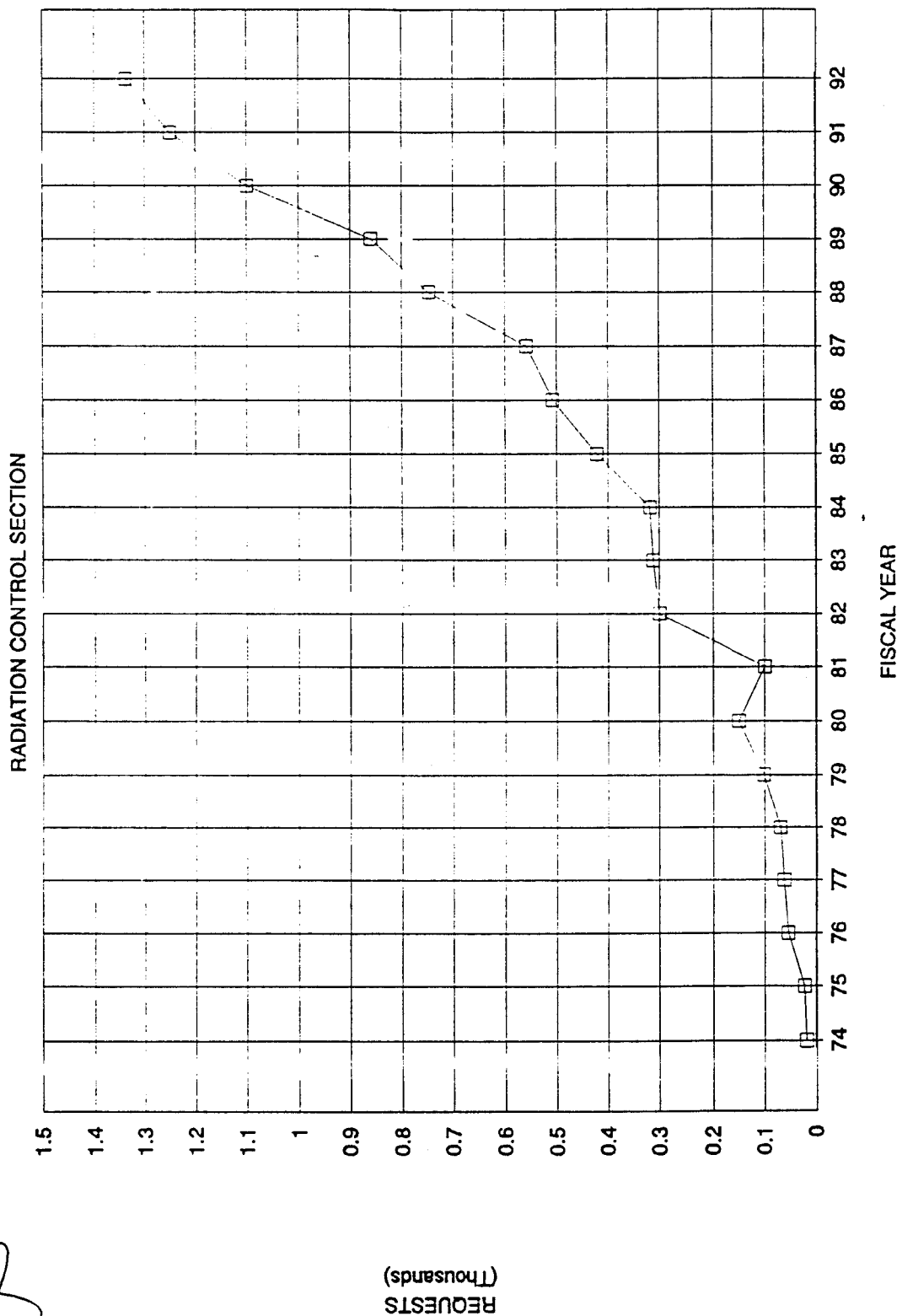
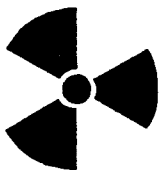
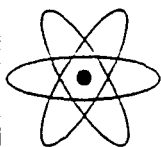


FIG. 1



REGISTERED XRAY UNITS IN MONTANA

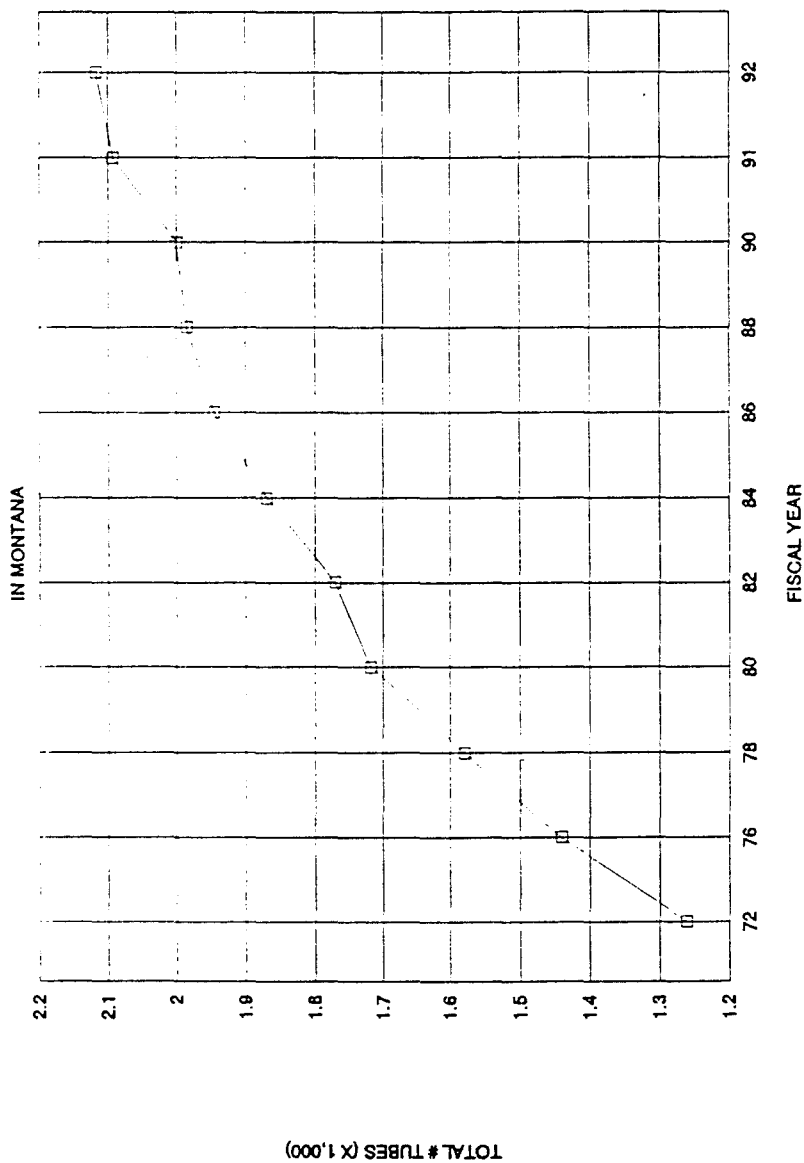


FIG. 2

REQUESTS FOR ASSISTANCE OR INFORMATION

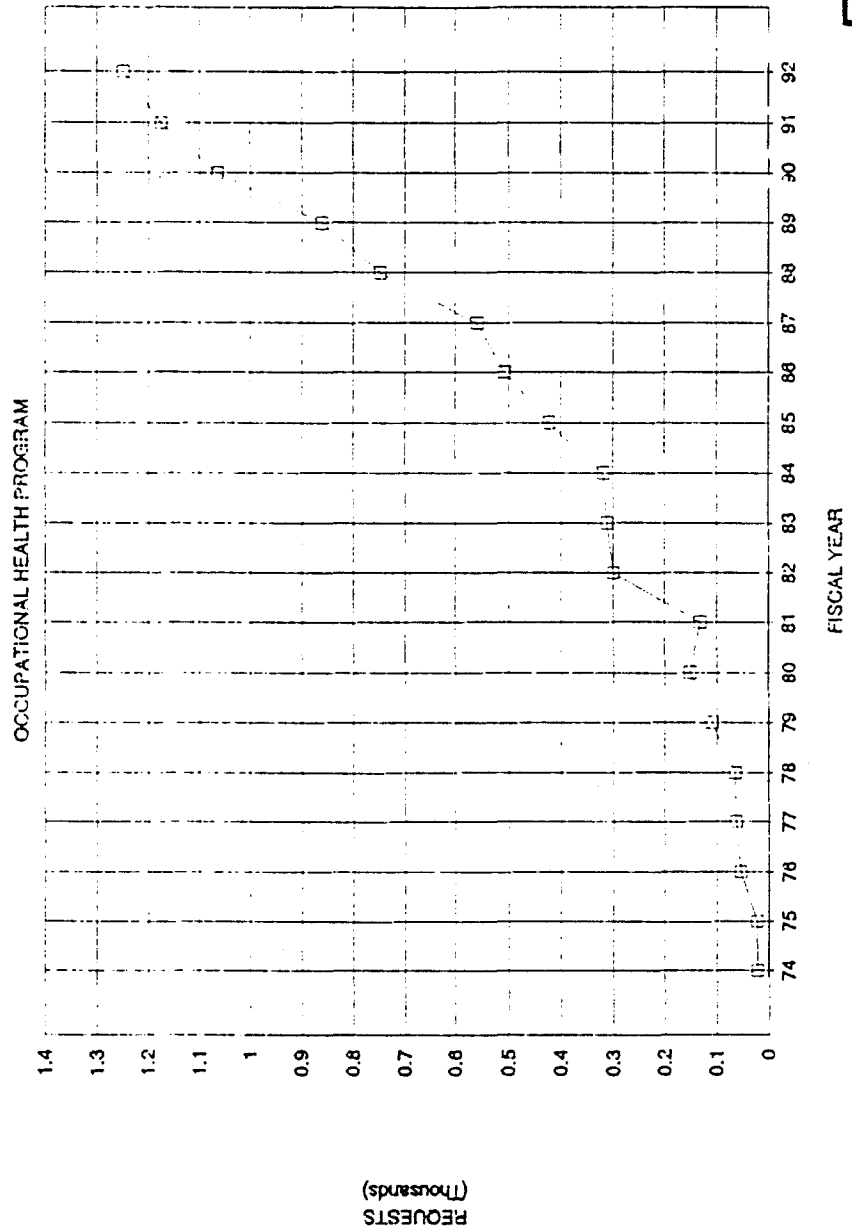


FIG. 3

Asbestos Control

EXHIBIT 5
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The Asbestos Control Section provides a regulatory program for insuring that asbestos evaluations, management plans, and abatement projects are completed by competent personnel and in a manner consistent with the protection of human health and safety. The section accredits individuals in six asbestos-related occupations, approves required training courses, conducts onsite audits of training courses, evaluates asbestos abatement projects, and when appropriate, issues permits for such projects to proceed. Asbestos abatement projects are also inspected by the section to insure that personnel are accredited and that the project is completed appropriately. The attached graphs (Figures 4, 5, and 6) illustrate the workload increase experienced by this section, although the program has only been in operation since January 1990.

Budget Issues

The funding shift of \$70,000 of general fund associated with X-ray inspections to state special revenue will be subject to passage of statutory authority to establish and collect fees. Failure to obtain statutory fee authority could result in the elimination of the single FTE in this program and create a situation of virtually no radiation control in Montana. Review of X-ray facilities inspected in the past two fiscal years reveals that 75% of the facilities had one or more discrepancies resulting in unnecessary overexposure to X-radiation to patients, personnel, the general public or any combination of these groups. Many of the discrepancies also resulted in poor diagnostic quality of the X-ray film which may have contributed to misdiagnosis. The X-ray inspector as a health physicist also acts as backup to provide information, assistance, or monitoring concerning other sources of ionizing radiation as well as providing backup for emergency response to incidents involving loss of control of radioactive materials.

Modifieds

The executive budget recommends reinstatement of the 1.00 FTE assigned to the Asbestos Control Section which was eliminated from the current level base as required by HB 2. This position is needed to retain primacy for the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for asbestos which has been delegated to the state by the U. S. Environmental Protection Agency (EPA) and to maintain adequate review of project permits and field inspections in the Asbestos Control Program. The elimination of the position will in effect reduce the program professional staff by 50%, which will have a significant effect on the workload of the remaining staff. This situation will increase the amount of time required to review proposed asbestos abatement projects and issue permits for the projects to proceed, as well as reducing the amount of field inspections completed. Such impacts are expected to generate complaints from the industry, affected workers, and the public. In addition to the expected loss of \$32,459 in state special revenue, it is expected that with the loss of primacy for NESHAP, an additional \$30,000-\$50,000 will be eliminated from the EPA air grant.

<u>Request</u>	<u>FY94 Cost</u>	<u>FY95 Cost</u>	<u>Source of \$</u>
1.00 FTE	\$32,459	\$32,461	State special revenue

We request reinstatement of this position, which is assigned to the Asbestos Control Section.

REQUESTS FOR INFORMATION & ASSISTANCE

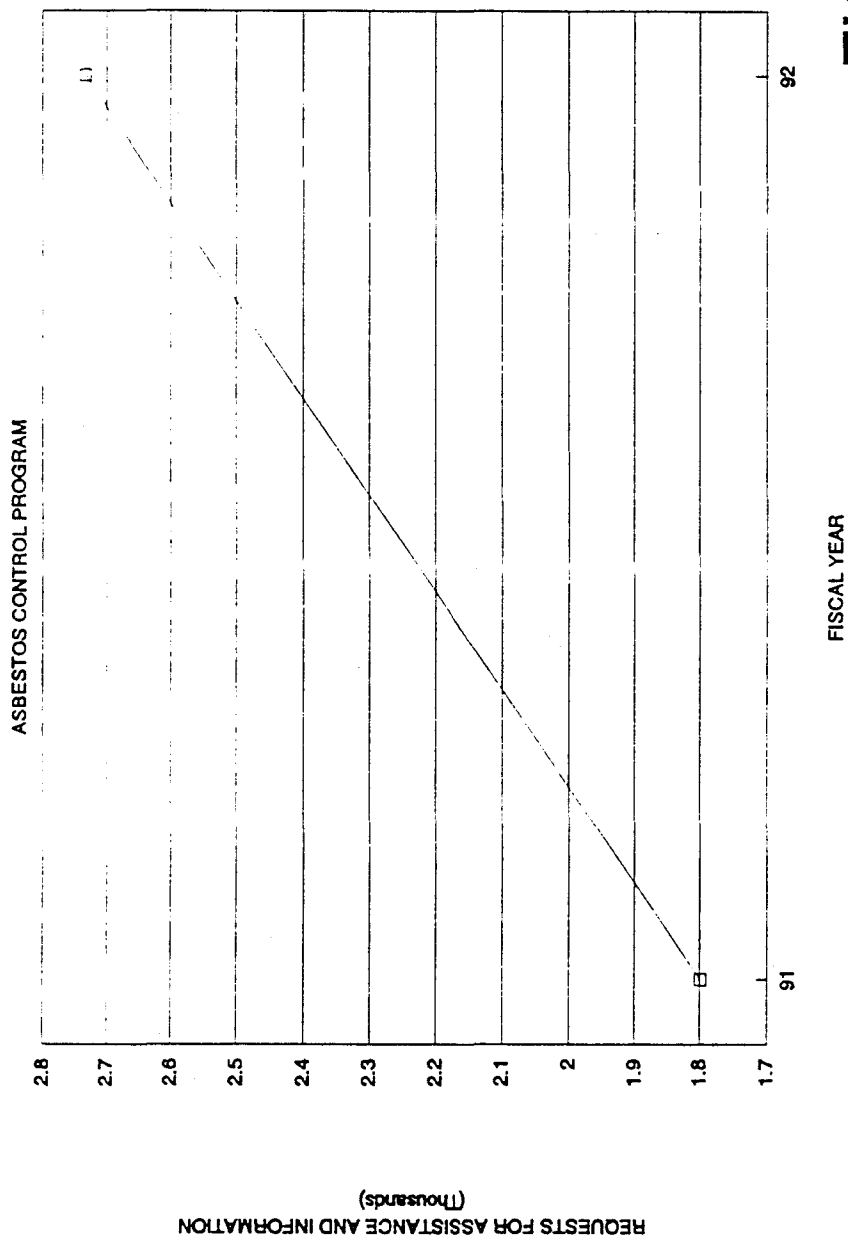


FIG. 4

PROJECT PERMITS APPROVED

ASBESTOS CONTROL PROGRAM

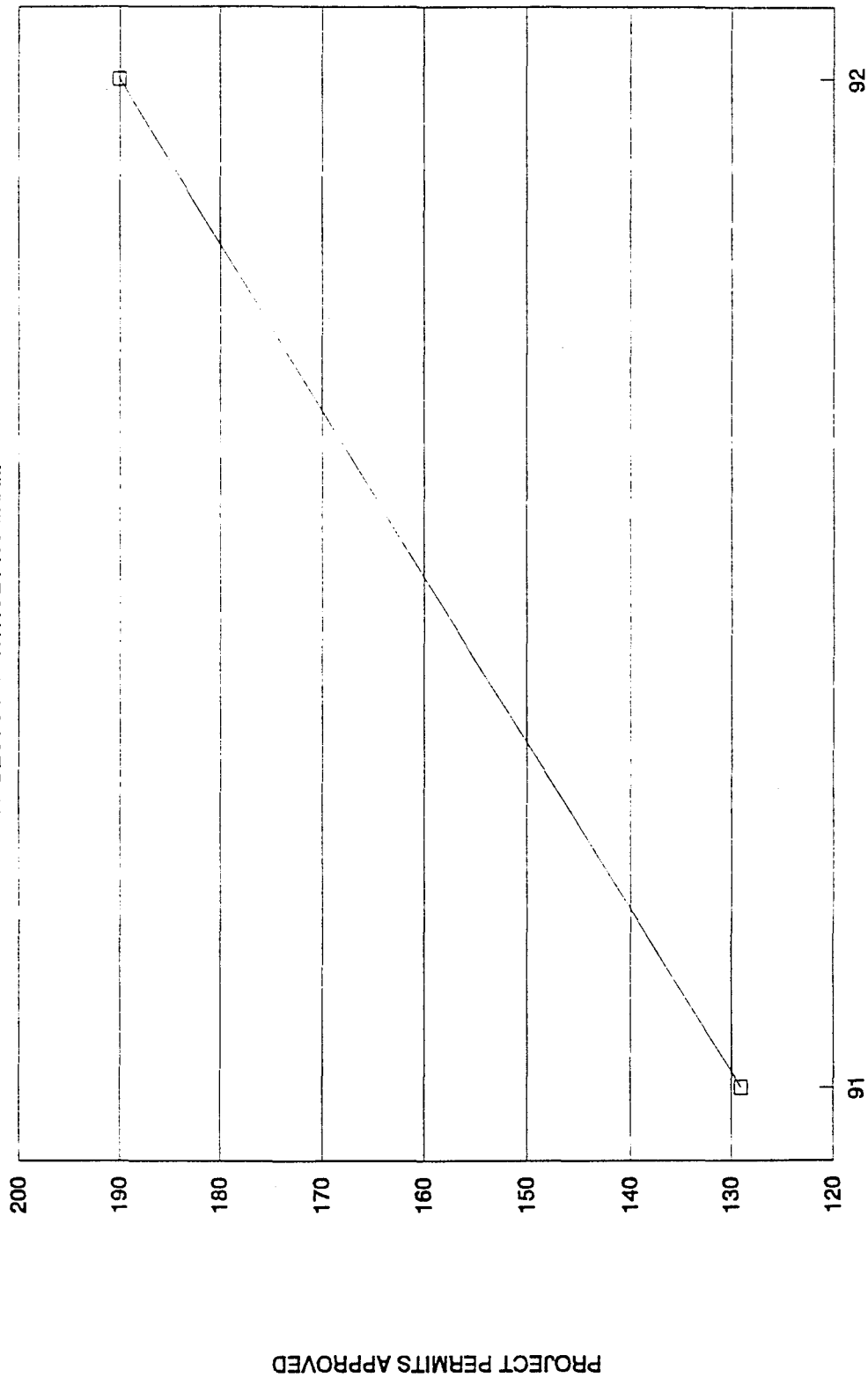
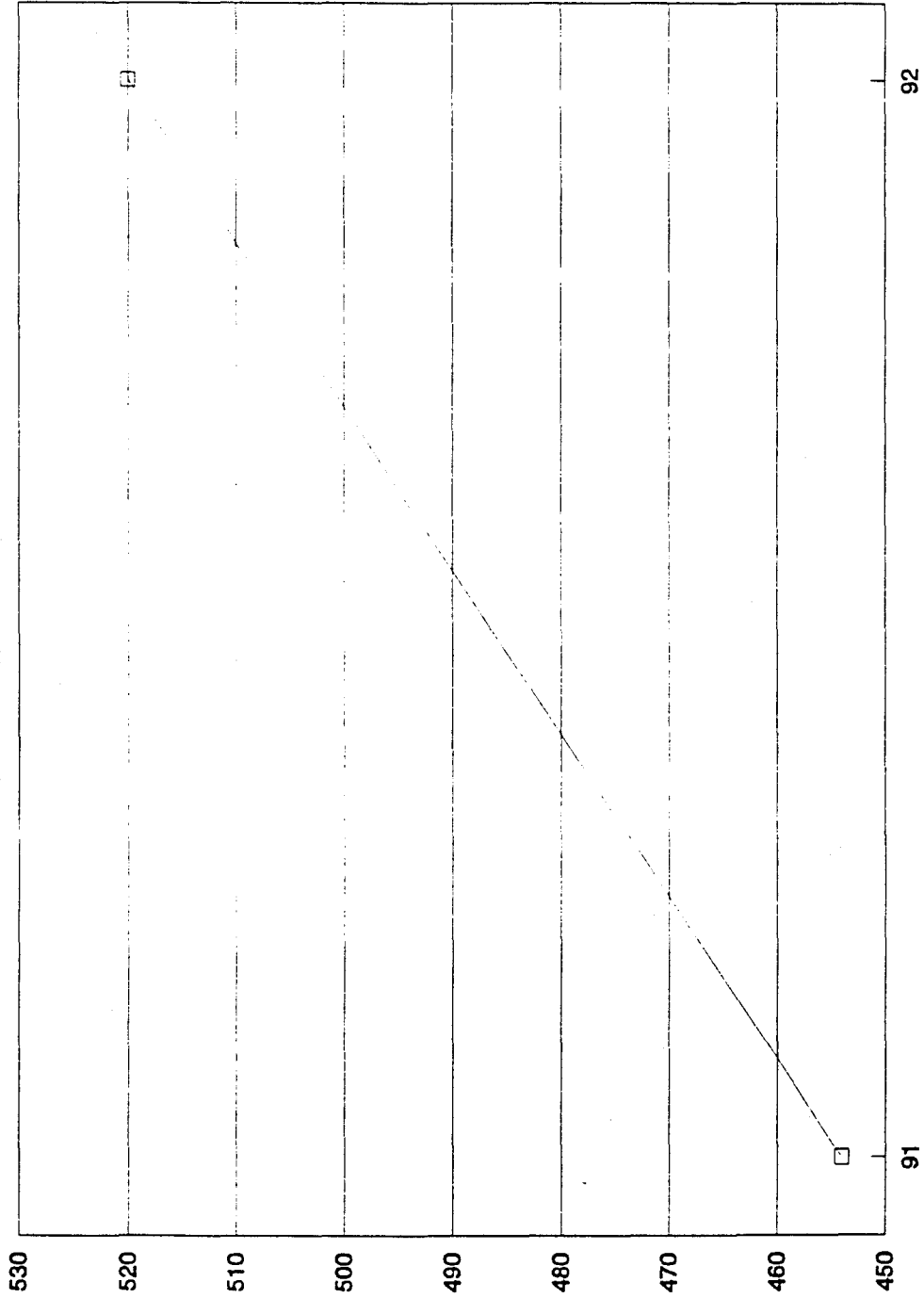


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FIG. 5

INDIVIDUAL ACCREDITATIONS APPROVED

ASBESTOS CONTROL PROGRAM



EXHIBIT

DATE

SB

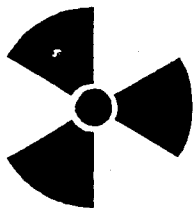
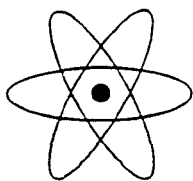
FISCAL YEAR

FIG. 6

EXHIBIT 5
DATE 2-16-93
SB _____

The executive budget recommends state special revenue to provide 2.00 additional FTE and necessary support for the X-ray inspection function of the Radiological Health Program. The modification is needed to improve the X-ray inspection frequency which has eroded due to increased workload. The attached graph (Figure 7) illustrates the recommended inspection frequency for various facilities versus the average number of years between inspections with current staffing. The inspection frequency can be improved to within recommended guidelines with the proposed additional resources. This modification is contingent on obtaining statutory authority to establish and collect fees.

<u>Request</u>	<u>FY94 Cost</u>	<u>FY95 Cost</u>	<u>Source of \$</u>
2.00 FTE	\$121,322	\$127,185	Fee funds



NEEDED VS. ACTUAL INSPECTION FREQUENCY

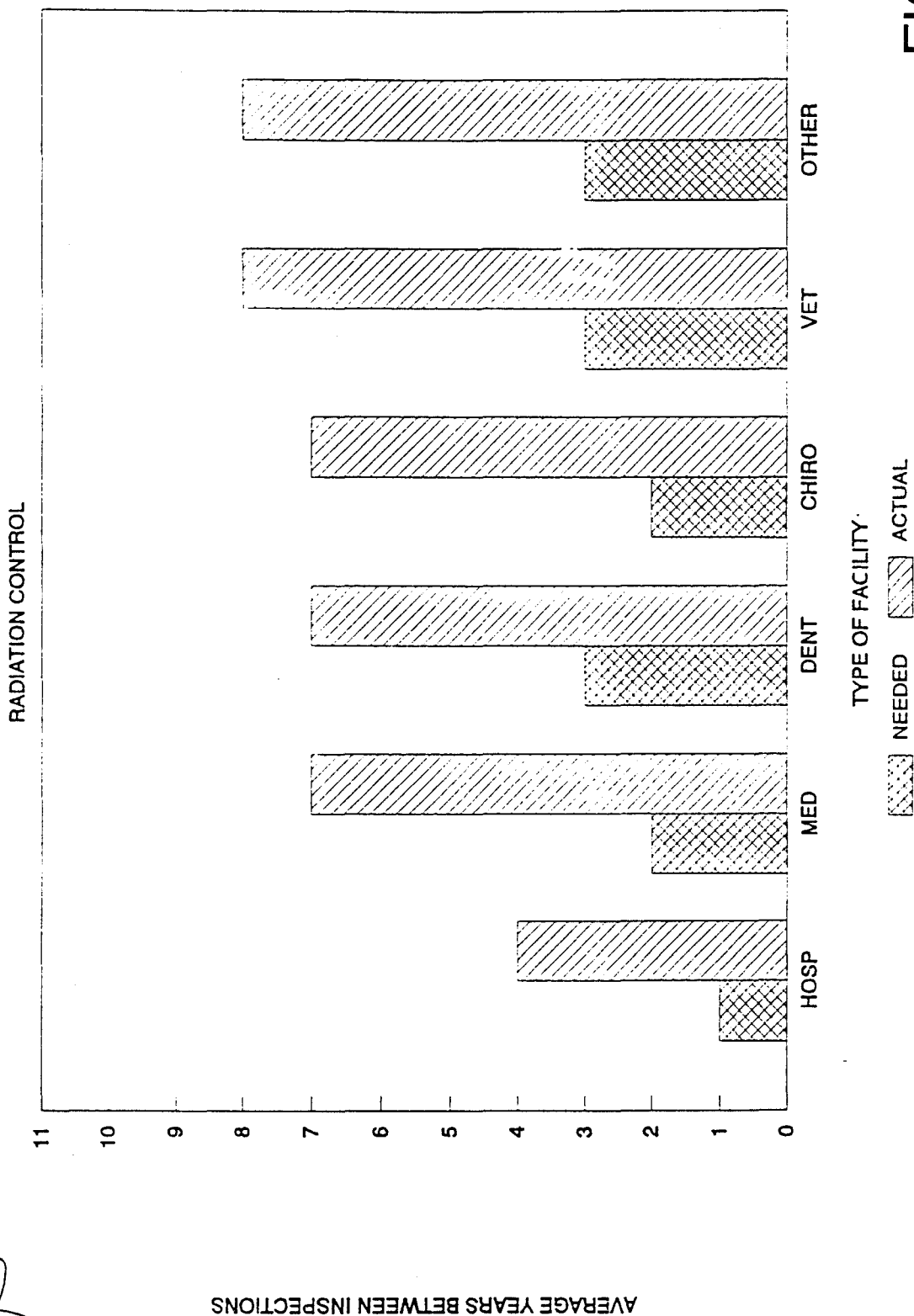


EXHIBIT _____
DATE _____
SB _____

HEALTH SERVICES DIVISION
DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

OVERVIEW

The Health Services Division administers Montana's Public Health Services directed to the promotion of health and prevention of disease and disability. Public Health Services are provided in Montana through a state and local partnership. The department provides assessment, planning, program management, training and consultation for the health services. Services are delivered by local public health departments or other local health service providers.

The division is divided into Division Administration and four bureaus: Emergency Medical Services, Food & Consumer Safety, Family/Maternal & Child Health Services and Preventive Health Services. Each of the bureaus works through local health departments or other local service providers.

Emergency Medical Services Bureau

The Emergency Medical Services Bureau provides planning, coordination and training for the state's pre-hospital emergency medical services. The bureau is responsible for the licensing of ambulances and for the training and testing of Emergency Medical Personnel. Currently, the bureau is working with Montana's health care providers to develop a statewide trauma system plan.

Food & Consumer Safety Bureau

The Food & Consumer Safety Bureau administers a wide variety of programs providing public environmental health protection. These programs include food establishment and public accommodation licensing, vector control and a range of other public protection programs. The bureau also provides training and supportive consultation to local sanitarians and public health pesticide applicators.

Family/Maternal & Child Health Bureau

The Family/Maternal & Child Health Bureau has health and nutrition programs primarily directed to the health of pregnant women, mothers and children. These programs include WIC, Child Nutrition, Children's Special Health Services, Family Planning and the Perinatal Program (which includes the MIAMI project). This bureau administers the federal Maternal & Child Health Block Grant.

Preventive Health Services Bureau

The Preventive Health Services Bureau has the department's general health promotion and disease prevention programs. The programs in the bureau are Chronic Disease Prevention and Health Promotion, Communicable Disease, which is managed by the State Epidemiologist, STD/AIDS, and Immunization. This bureau administers the federal Preventive Health & Health Services Block Grant.

Budget Issues

The division has benefited from a number of federal initiatives that developed as a result of the Healthy People 2000 planning effort. Where those federal initiatives were consistent with Montana health needs and priorities, the department has been able to restore or expand programs. There are indications that additional federal resources will be made available for some of our needed public health services. The exception to this pattern is in the environmental health services provided by the Food & Consumer Safety Bureau and local health departments. These services are not being supported by federal programs.

The division's current level budget includes 67.32 FTE positions assigned to the following areas:

Division Administration	3.25
Emergency Medical Services	8.07
Family/Maternal & Child Health	26.50
Food & Consumer Safety	8.00
Preventive Health Services	21.50

The division has an annual operating budget of approximately \$26 million in 1994 and \$29 million in 1995 from the following sources:

	<u>FY94</u>	<u>FY95</u>
General Fund	\$ 1,173,329	\$ 1,172,899
State Special	624,845	632,341
Federal Funds	24,503,432	27,237,988

The division has modified budget requests for 19.40 FTE positions and \$1,579,298 in 1994 and \$1,584,960 in 1995. These requests include staff for new services, support staff for expanded programs and contracted services. In addition to these modified requests, the department has received a grant for MCH data for \$40,000 and has increases in the MCH and PHHS block grants which will provide increased funds for direct services through grants to local public health departments.

**EMERGENCY MEDICAL SERVICES BUREAU
DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES**

Mission

The mission of the Emergency Medical Services Bureau is to assure a statewide, comprehensive, appropriately funded emergency medical services system which prevents injuries and illnesses and provides prompt, efficient and excellent care to the sick and injured (pre-hospital, in-hospital and inter-hospital) in a manner that is consistently evaluated and adequately enforced. The bureau's budget comes from state general fund, Preventive Health and Health Services Block Grant and special revenue (EMT certification fees and sale of training supplies) (see Chart 1).

Duties and Responsibilities

Current level:

- Emergency medical services licensing (ambulance, non-transporting and air ambulance) including complaint investigation
- EMT training and certification program (on behalf of Board of Medical Examiners)
- First Responder, First Responder-Ambulance training and certification
- Training local Emergency Medical Services Training Coordinators
- Advanced Trauma Life Support Training
- Manage Montana Poison Control System
- Technical assistance to local EMS personnel
- Training aids and films to local EMS training personnel

Budget vs. Workload

- The number of new EMS certifications has increased substantially (see Chart 2)
- The number of new EMS services (requiring inspections, license issuance and complaint investigations) has increased substantially
- COMFORT ONE® program for pre-hospital Do-Not-Resuscitate orders has been implemented
- Other technical assistance and educational efforts have been initiated
- EMS Bureau budget has not been increased to accommodate these additional workloads and activities

Future Challenges

- Plan and implement a statewide trauma system to reduce Montana's extremely high death rate from injuries
- Improve delivery of training to rural areas, including better use of new technologies
- Implement statewide data collection and quality improvement system
- Develop methods for improved funding of state and local EMS systems
- Develop better support mechanism to recruit and retain EMS volunteers

Budget Issues

Modified: With Trauma Registry funding, the bureau will continue implementing the Montana Trauma Register, which collects trauma-related information from Montana hospitals, to improve the statewide data collection from licensed emergency medical services, to train emergency care providers in quality improvement and other data collection and analysis. Trauma Planning funding will be used to improve Montana's trauma care system by helping to implement the state trauma plan, by improving trauma-related training of all emergency care providers, and by facilitating improved transfer arrangements for critically injured patients.

<u>Request</u>	<u>FY94</u>	<u>FY95</u>	<u>Source of \$</u>
1.0 FTE (Trauma Registry)	\$134,561	\$134,561	Federal Funds
Trauma Planning	\$171,337	\$171,337	Federal Funds

Difference Between LFA and OBPP Budgets

The LFA budget for object of expenditure 2209 (supplies) is \$4,023 less than the OBPP's. This funding, derived from anticipated increased EMT certification fees, is used to pay for the increased EMT testing costs associated with increased volume.

For object of expenditure 2169 (contracts with non-profits), the LFA budget is \$18,553 less than the OBPP's. The OBPP budget reflects increases due to increased contract with Rocky Mountain Poison Center (\$12,553) and ambulance management training for volunteer ambulance services (\$6,000). The source of the proposed increase is the Preventive Health Block Grant.

EXHIBIT 6
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CHART 1

EMS BUREAU FUNDING
DEPT OF HEALTH & ENVIRONMENTAL SCIENCES

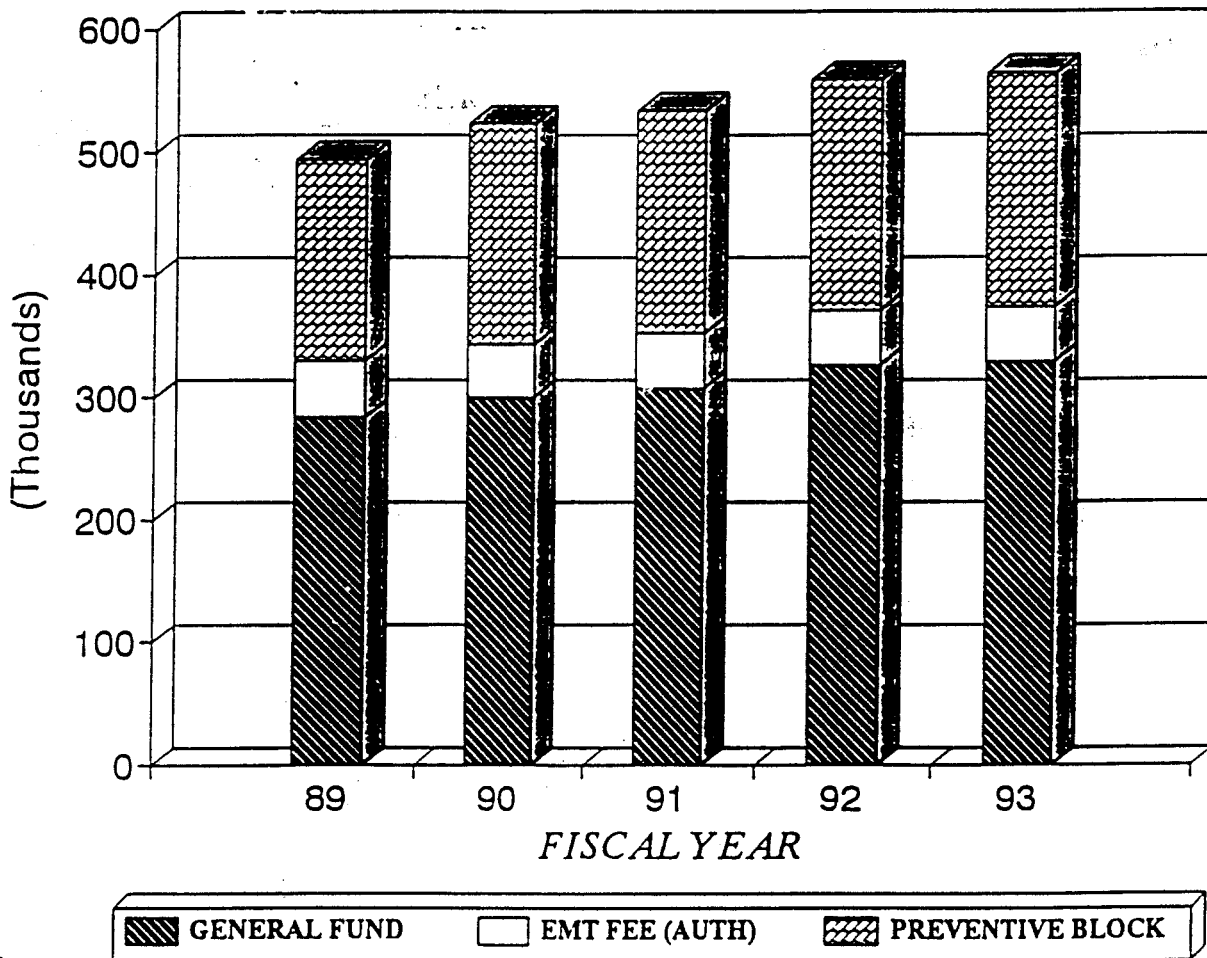
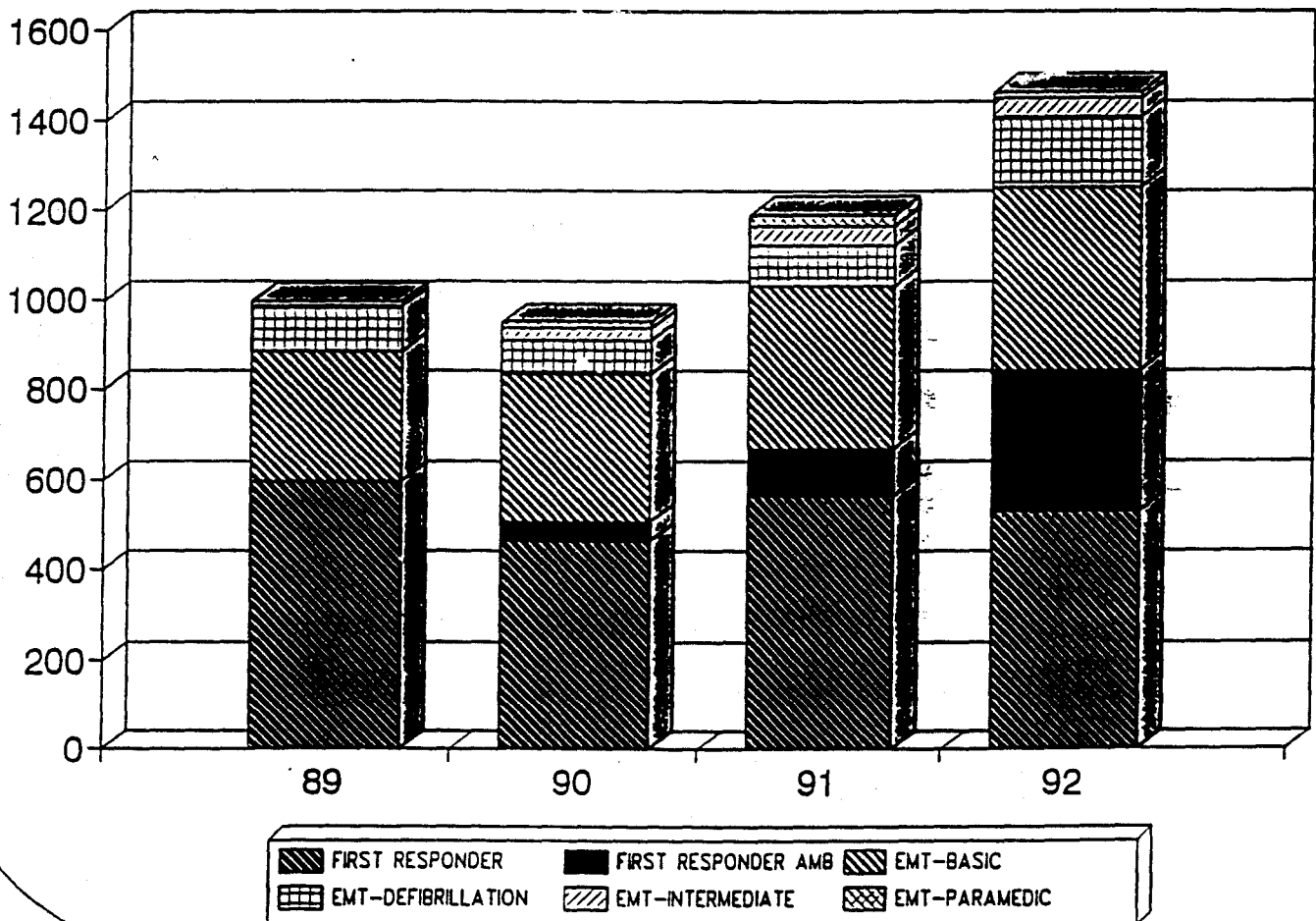


CHART 2

NEW EMS CERTIFICATIONS BY FISCAL YEAR



HEALTH SERVICES DIVISION SB
DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

**Food and Consumer Safety Bureau
Overview**

The Food and Consumer Safety Bureau (FCSB) is responsible for ensuring that environmentally healthful conditions and processes exist in licensed and regulated public places through 18 public health statutes and 16 administrative rules (see Attachment A). Bureau programs provide administrative, educational, enforcement and technical services for:

- licensed food establishments
- public accommodations
- public swimming pools
- septic tank pumpers
- trailer courts, campgrounds, youth and work camps.

In 1992, 7,807 licensed establishments were active at year end (see Attachment B). FCSB is the primary public health service provider for regulated community homes, day care centers, institutions, and jails. Programs are regularly coordinated with other related state agency programs.

Bureau Public Health Sanitarian Consultants provide program services directly to industry and the public, in addition to providing program support to 62 sanitarians in 35 local health agencies serving Montana's 56 counties, and other public health professionals. FCSB program support services include: licensing, plan review, complaint and epidemiological investigations, training of employees and management, consultation & inspection service, local health authority assistance, on-the-job training of local sanitarians, local health agency program evaluation and enforcement actions. The FCSB also serves 27 Mosquito Control Districts and local health personnel throughout the state with various administrative, educational, and technical services.

The bureau is the designated state coordination office with the U.S. Food and Drug Administration (FDA) in the regulation of food, drug and cosmetic supplies and establishments. The federal standards and their application have been adopted by Montana in the Montana Food, Drug & Cosmetic Act. A major issue for 1993 is implementation of the National Educational Nutritional Labeling Act and assisting Montana food manufacturers and distributors with federal compliance. Efforts to develop Montana business have encouraged the growth of a specialty product cottage industry. As changes become mandatory, bureau commitments will increase at a time when FY94 and FY95 funding is projected to decrease.

FCSB is in the process of revising administrative rules for food establishments, public accommodations, public swimming pools, and trailer courts/campgrounds/youth & work camps which address program accountability and performance standards for grant payments, updating technical requirements for business and industry, and improving enforcement capabilities. The bureau technical personnel are now implementing program objectives which are listed in the Executive Planning Process Narrative.

This bureau is also the designated state coordination office with the U.S. Consumer Product Safety Commission (CPSC) regulating recalls of consumer products, complaint and project investigations and providing public education services.

As the primary provider of program field training and continuing education of state sanitarians, the bureau provides three formal educational conferences and regional training seminars each year.

The bureau's operating costs are primarily funded by general fund. The bureau makes local board inspection fund grants to local health agencies for program participation. Establishment license fees provide this funding (see Attachment C). 85% of license fee income is returned to local health agencies, and 15% of license fee income is shared between general fund and a special revenue fund (see Attachment D). Funds deposited in the special revenue account are designated for program costs.

Increasing demand for bureau services from the general public, regulated business and industry, and coordinated local, state, and federal program agencies is stressing the ability of current bureau staff and financial resources to meet those needs. Continuous staffing turnover coupled with competitive staff hiring difficulties has decreased the bureau's ability to evaluate and place into practice needed program statutory, administrative rule and policy changes. These revisions are needed to update programs with current and developing regulated business and industry public health issues. It should be noted that none of the 18 statutory or 16 administrative rule responsibilities administered through the bureau receive federal funding or separate program appropriations. All bureau programs have joint responsibilities with local health agencies. Local health agencies have been requesting the state to perform an increasing number of those jointly held responsibilities as their resources continue to shrink while their responsibilities grow.

Budget Issues

Difference Between LFA and OBPP Budgets

The bureau requests an increase of \$12,180 in FY94 and \$12,974 in FY95 from the general fund, which is the difference between the LFA and the OBPP budgets. The bureau is asking for the difference in operating costs that were not spent in a base year due to 2.0 vacant FTE positions. The vacancies were the result of an extensive retirement buyout and general fund reversions.

<u>Request</u>	<u>FY94 Cost</u>	<u>FY95 Cost</u>	<u>Source of \$</u>
Operations budget	\$12,180	\$12,974	General Fund

STATUTESTITLECHAPTERRULES

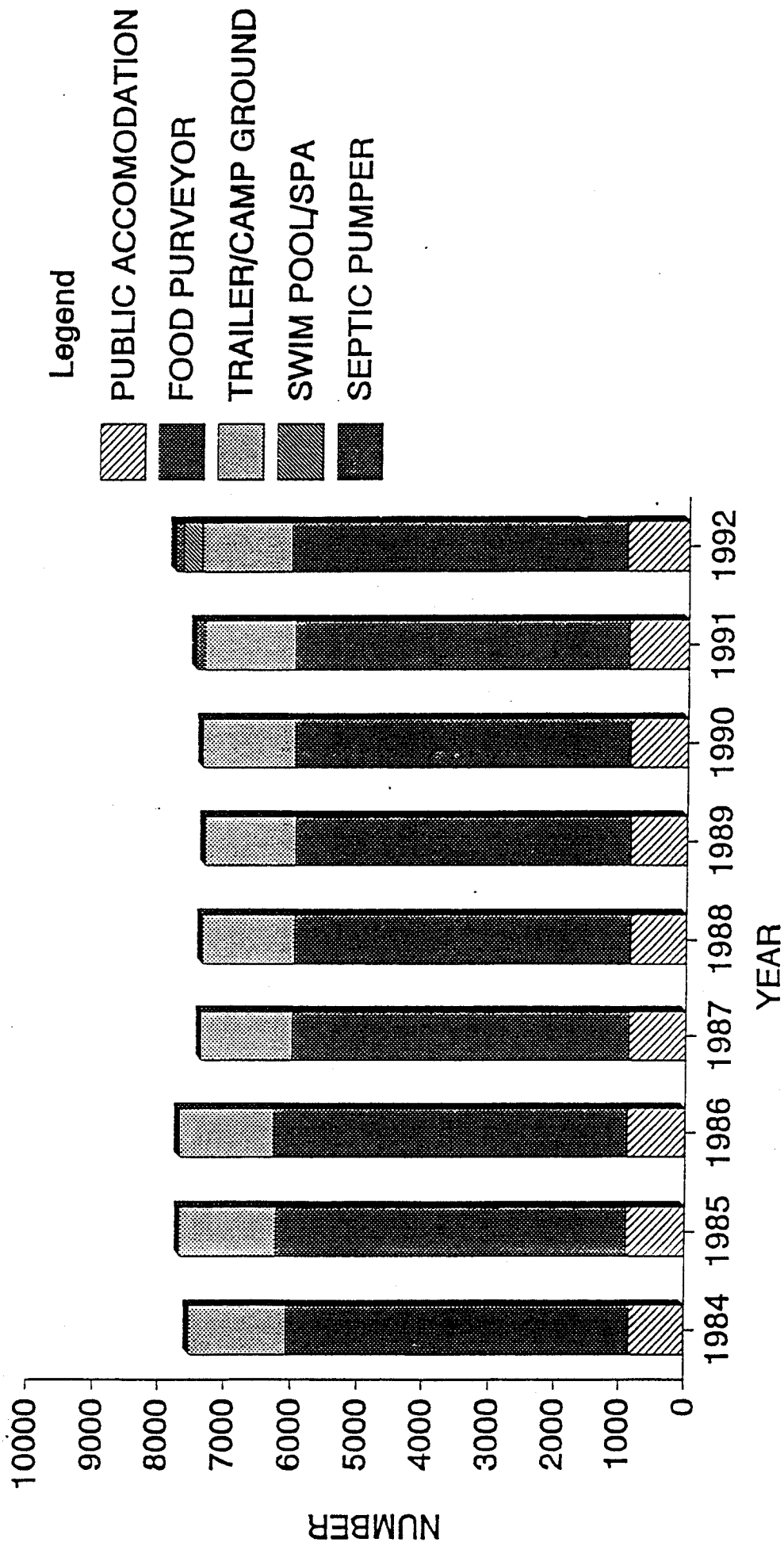
Mosquito Control Act	7	22	
Donated Foods	27	1	
Nuisances	27	30	
Cesspool, Septic Tank & Privy Cleaners Act	37	41	16.14.806-813
Sanitary Inspections of Custodial Institutions & MT University System Units	50	1	Solid Waste Management
Sanitary Inspection of Schools, Churches, Theaters, Jails & Public Buildings	50	1	Jails Schools
Consumer Product Safety Act	50	30	
MT Food, Drug & Cosmetic Act	50	31	
MT Flour and Bread Enrichment Law	50	34	Food Standards
Mattresses - Shoddy Control	50	36	
MT Clean Indoor Air Act	50	40	
Food Establishments	50	50	16.10.201-251 16.10.301-332 16.10.401-416 16.10.501-503 16.10.630-642
Hotels, Motels and Roominghouses	50	51	Food Service Establishments Food Processing Establishments Vending of Food & Beverages Drinking Water and Ice Hotels, Motels, Tourist Homes, Roominghouses/Retirement Homes
Tourist Campgrounds & Trailer Courts, Work Camps & Youth Camps	50	52	Trailer Courts & Tourist Campgrounds Youth Camps Work Camps
Public Swimming Pools & Swimming Areas	50	53	Swimming Areas Swimming Pools and Spas Day Care Centers
Day Care Centers for Children	53	4	Licensing for Developmentally Disabled Community Homes
Community Homes for Developmentally Disabled	53	20	Fire, Health & Safety Certification
Montana Pesticide Act	80	8	46.5.825

DATE 2-16-93

SB

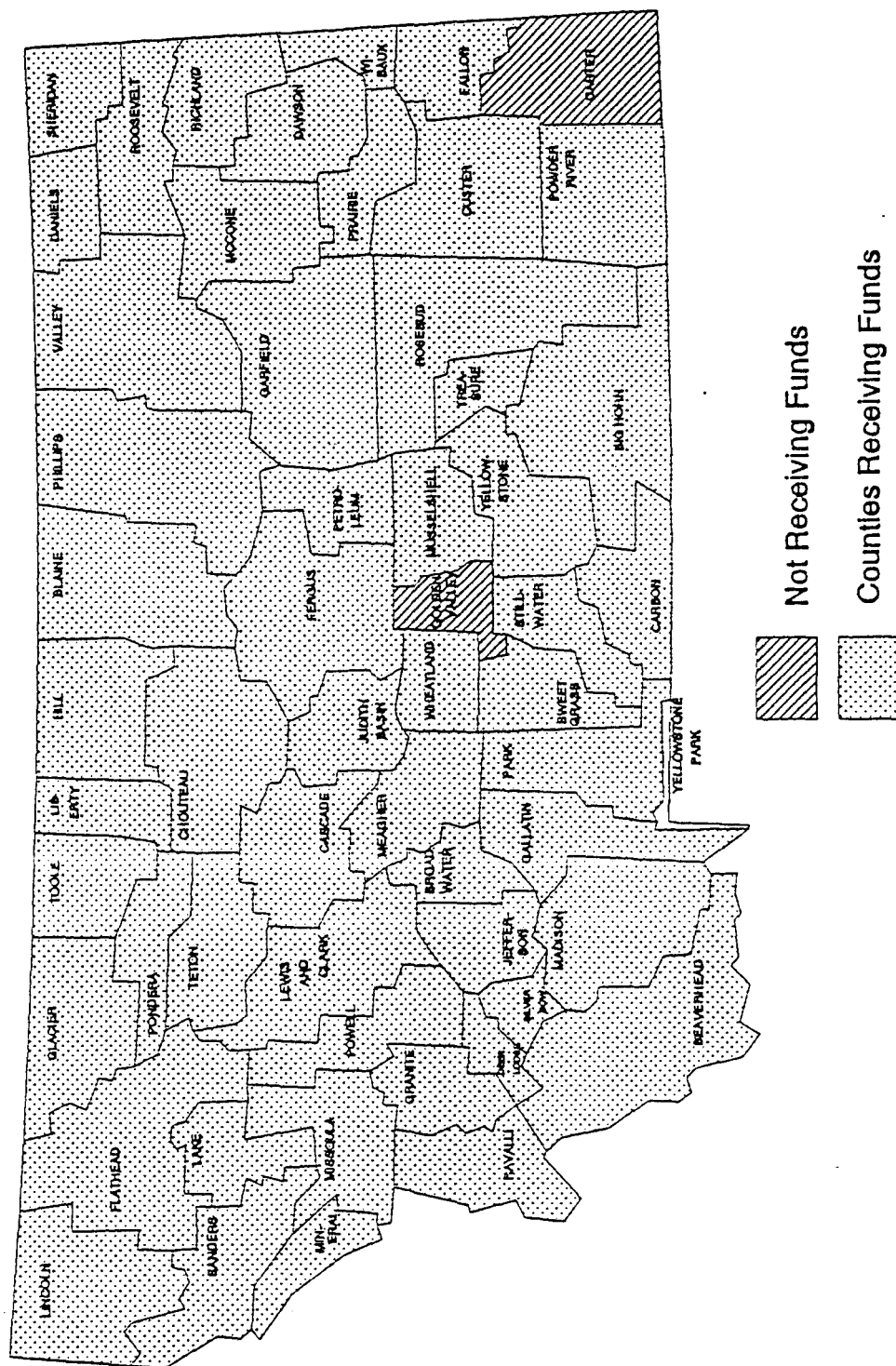
Attachment A

LICENSES ISSUED

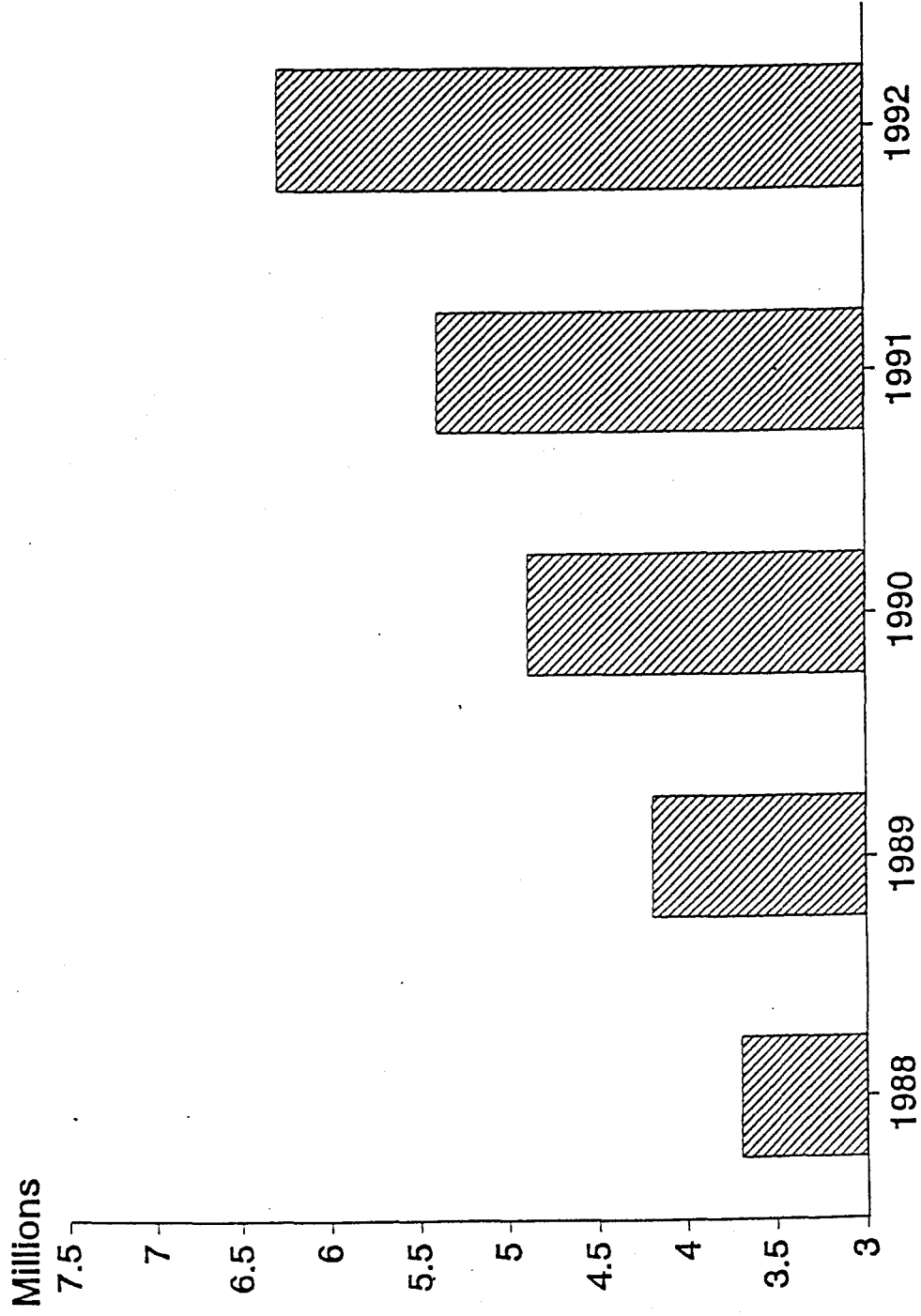


Counties Receiving MCH Block Grant Funds

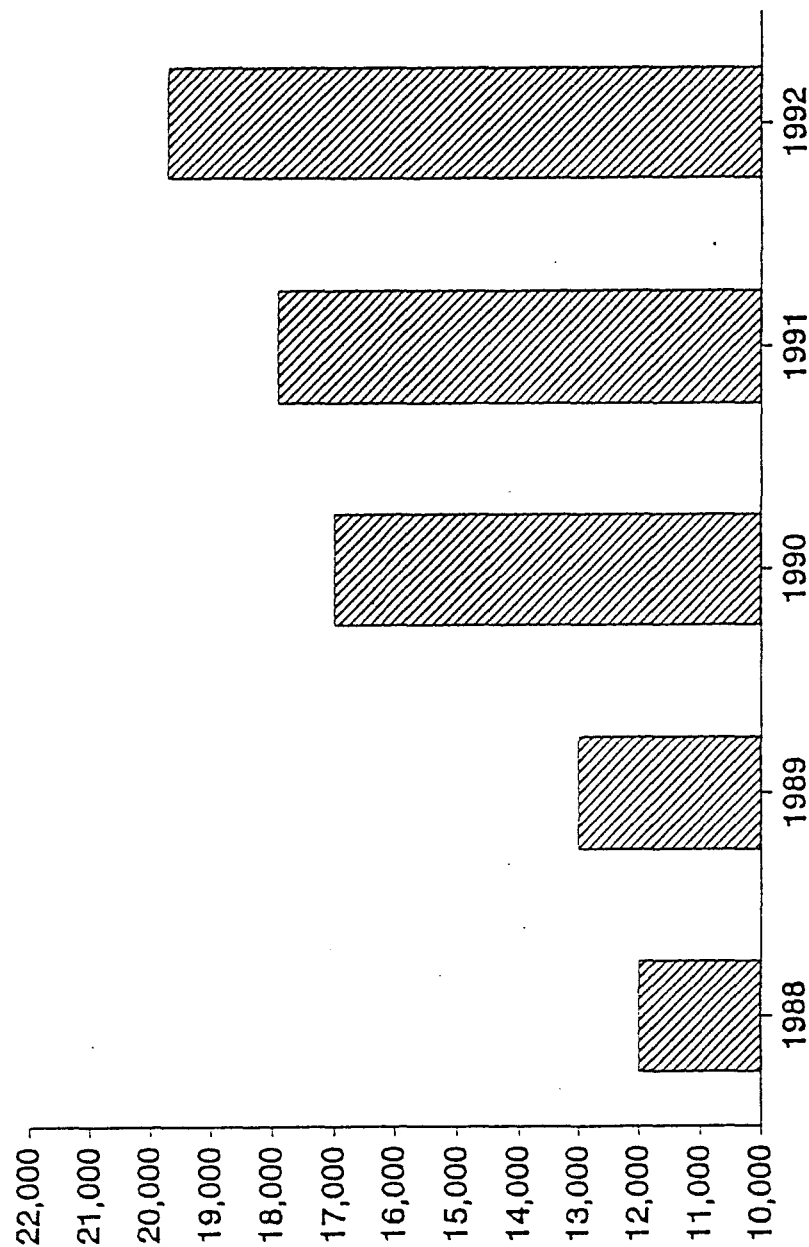
SFY '92



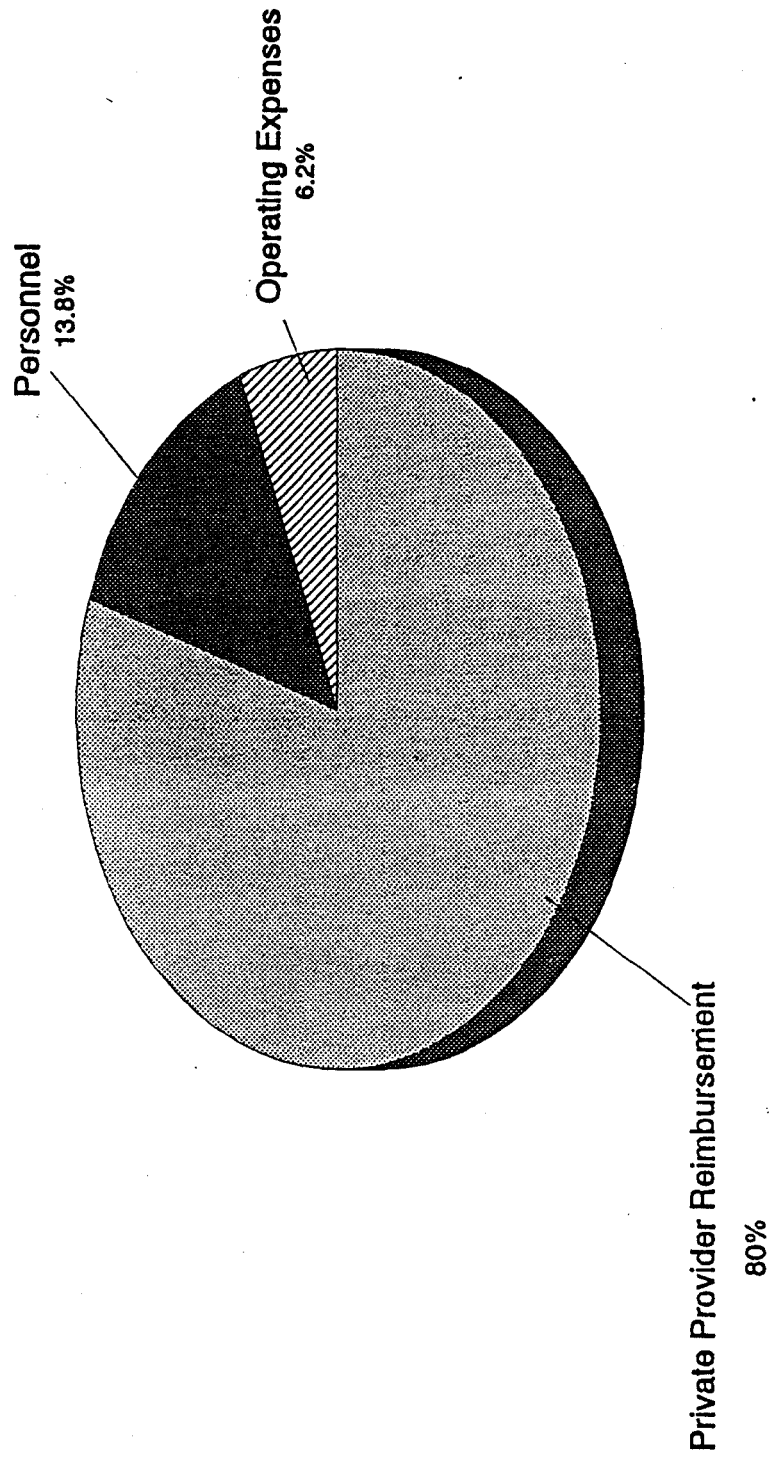
Number of Meals Served



Number of Children Enrolled



Expenditures by Percentage



SFY 92

Local MIAMI Projects

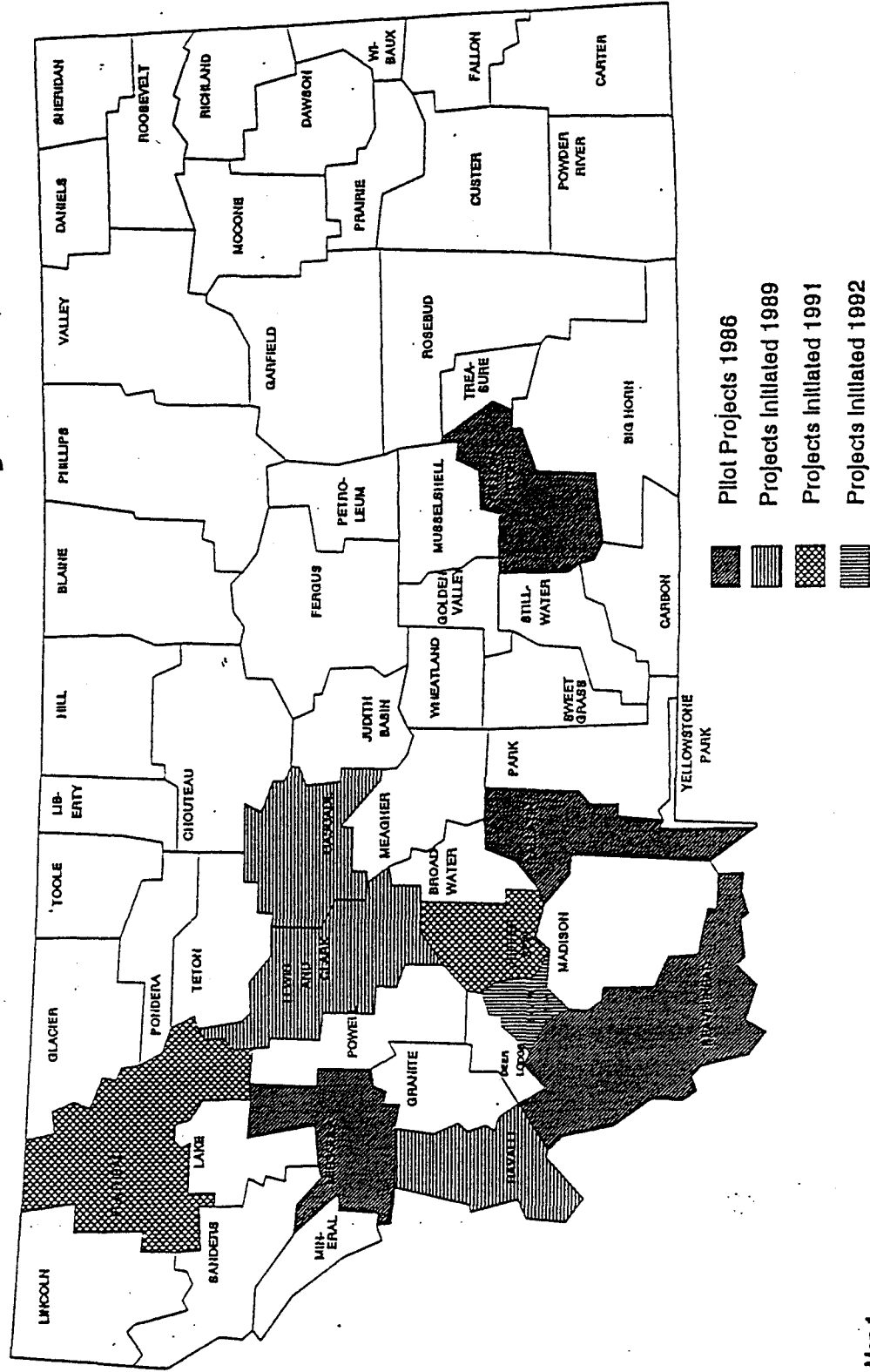
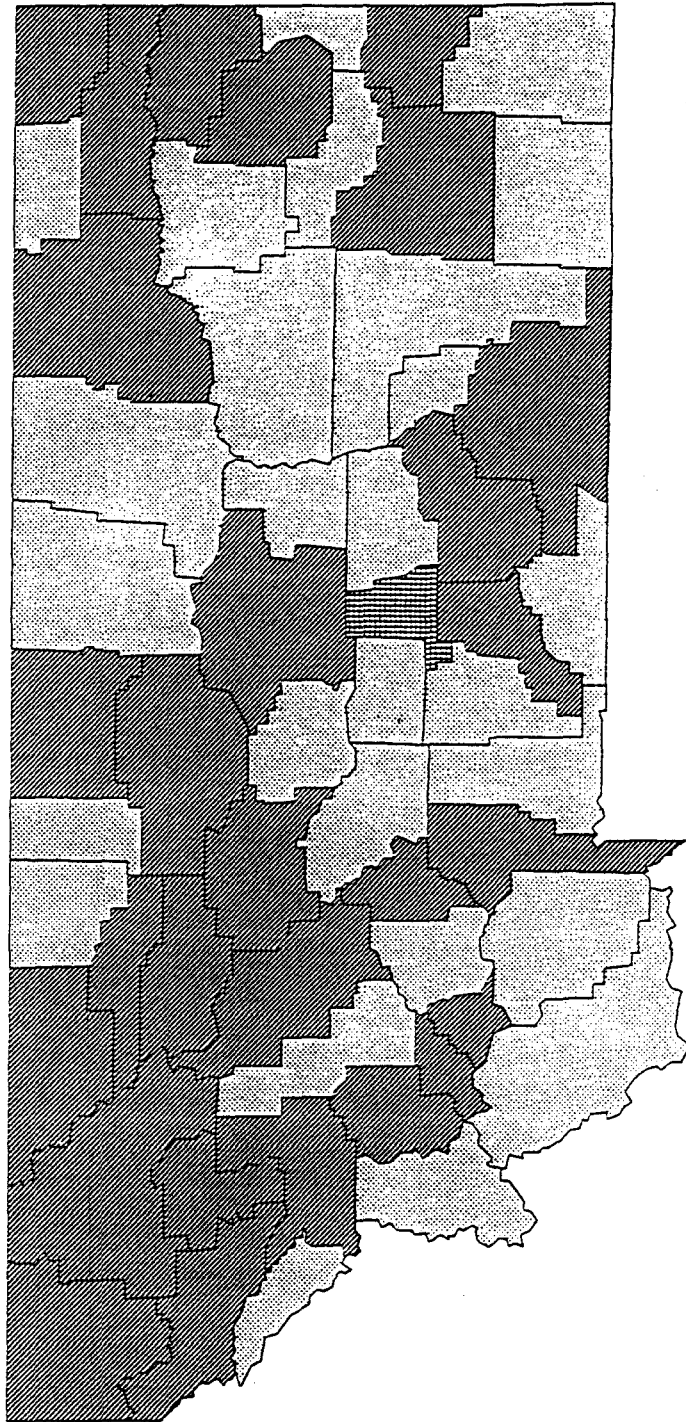


CHART 9

MONTANA WIC PROGRAM



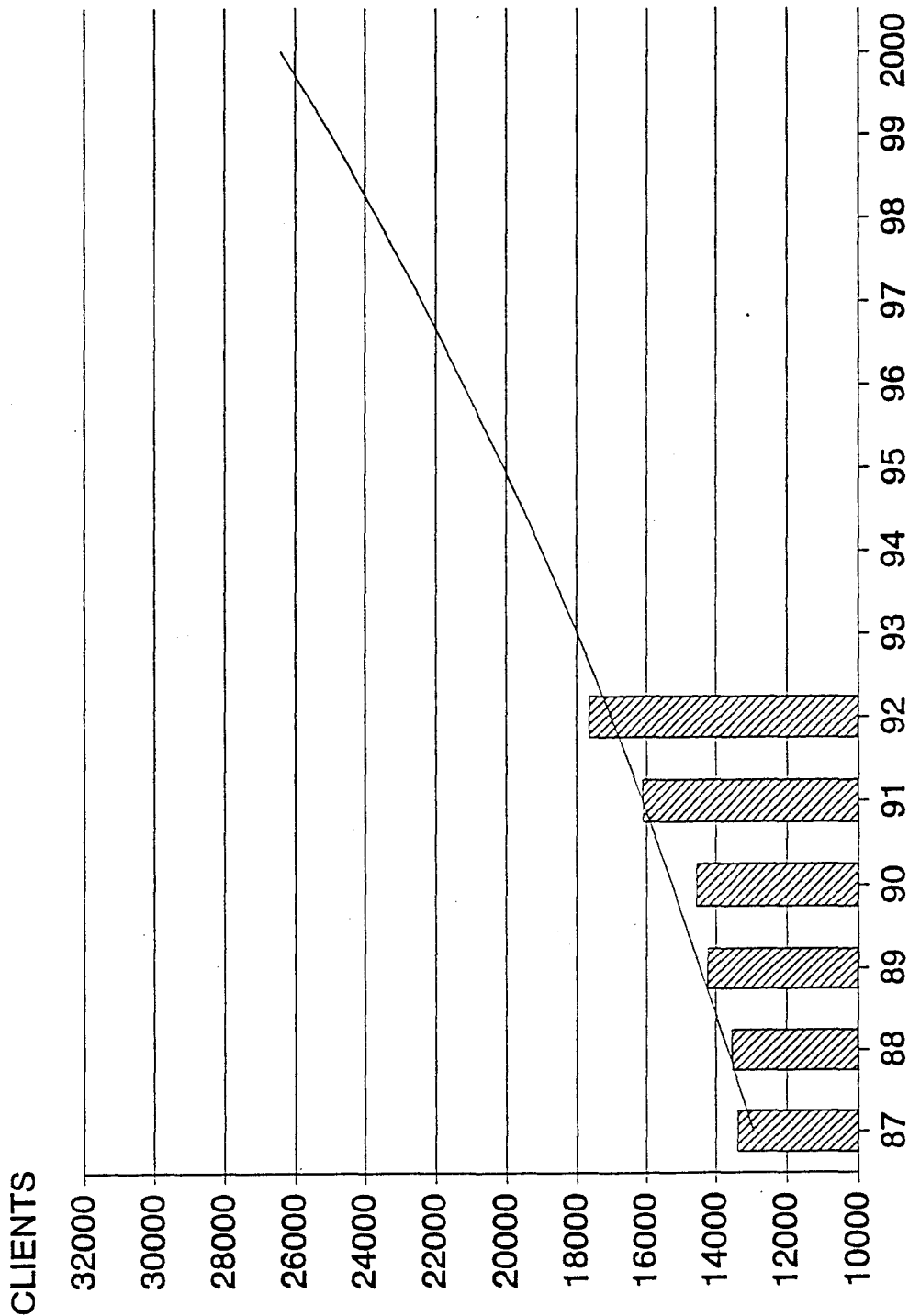
- Umbrella Sites
- Satellite Sites
- No WIC Services

EXHIBIT 6

DATE 2-16-93

SB _____

Forecast of Average Monthly Participation

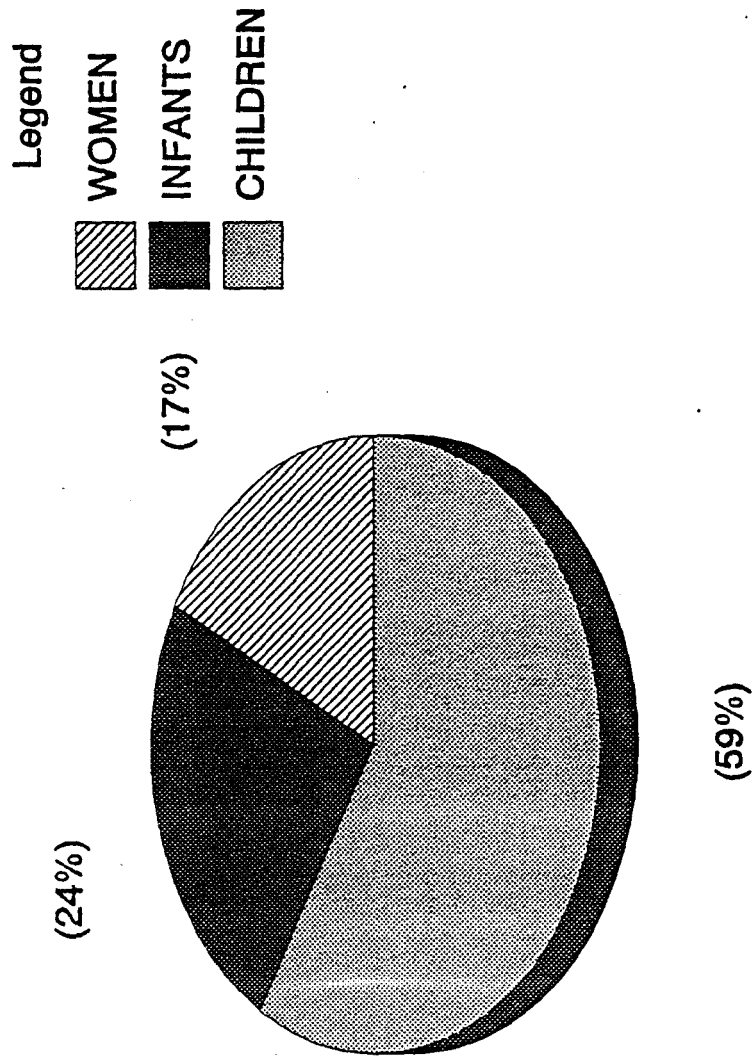


STATE FISCAL YEAR

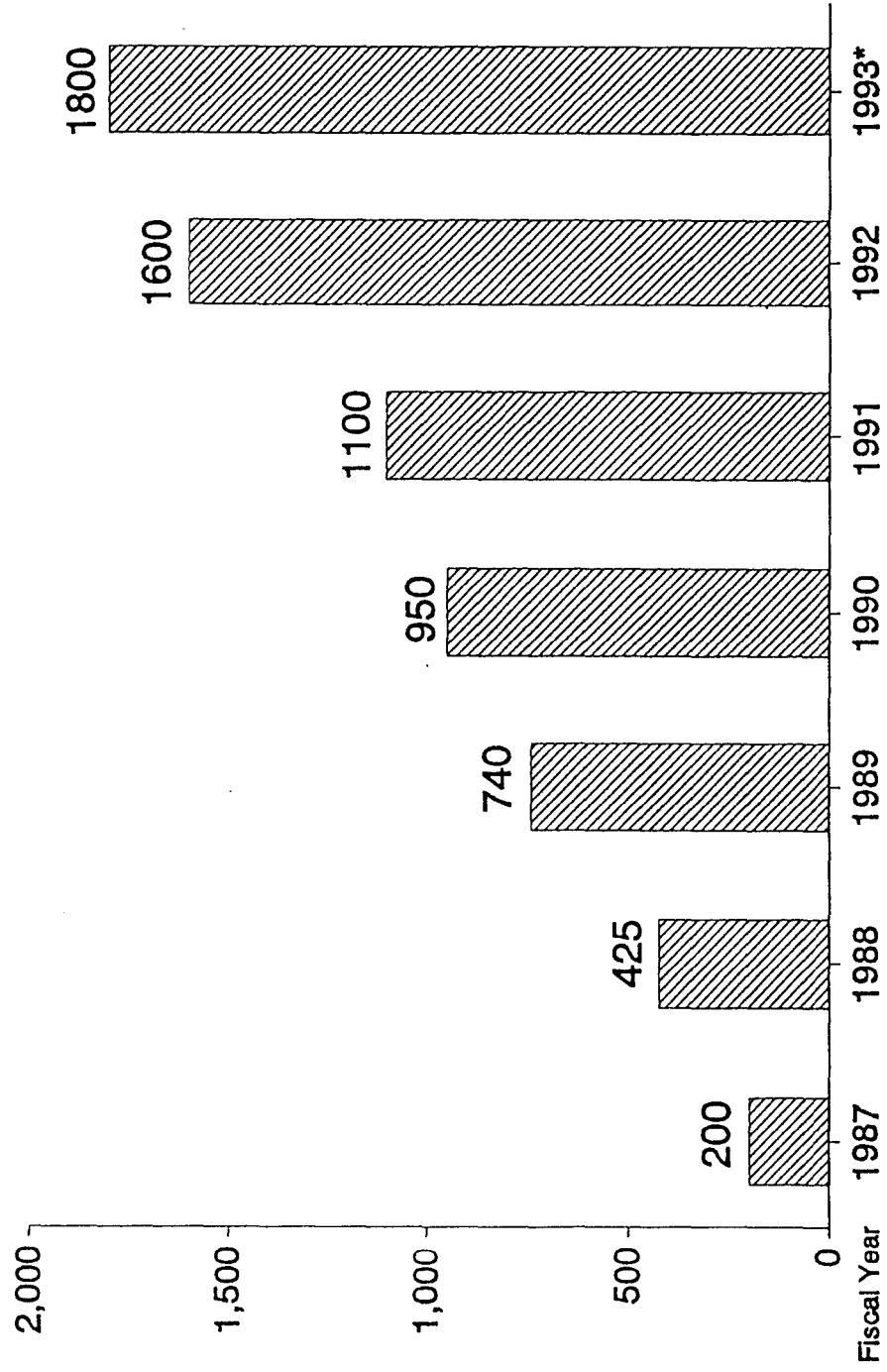
CHART 6

WIC Participation, by Category

SFY 1992



MIAMI PROJECTS' CLIENTS

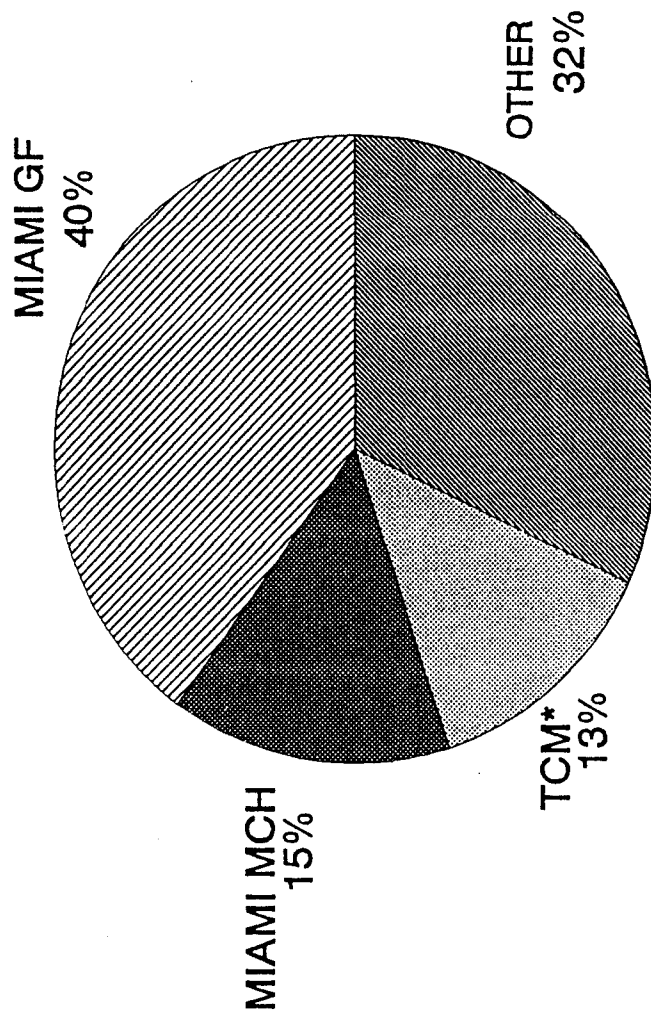


*Projected

CHART 10

MIAMI PROJECT COSTS

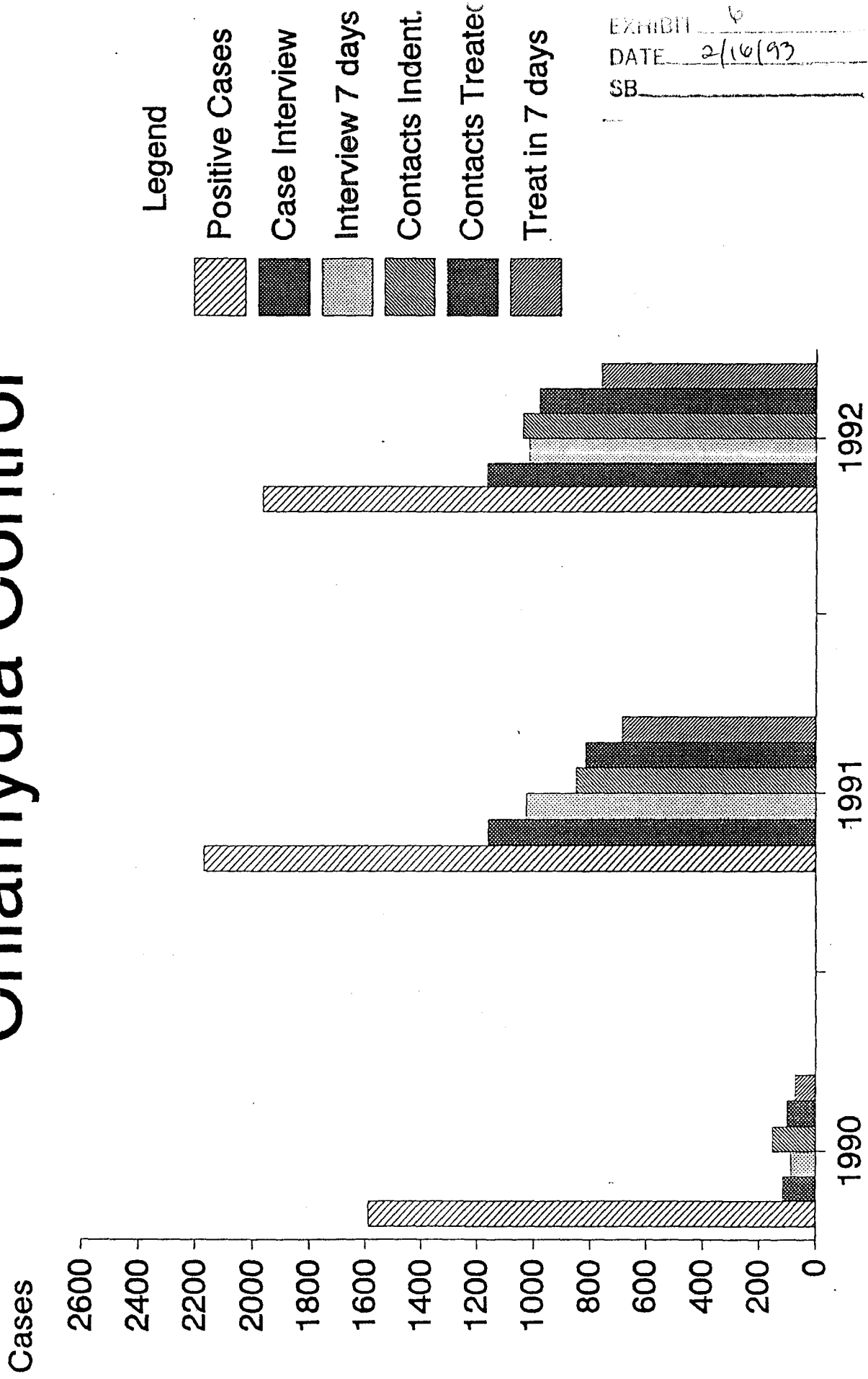
Funding Sources



Fiscal Year 1992

*Medicaid Targeted Case Management

Chlamydia Control



Years

CHLAM.WPG

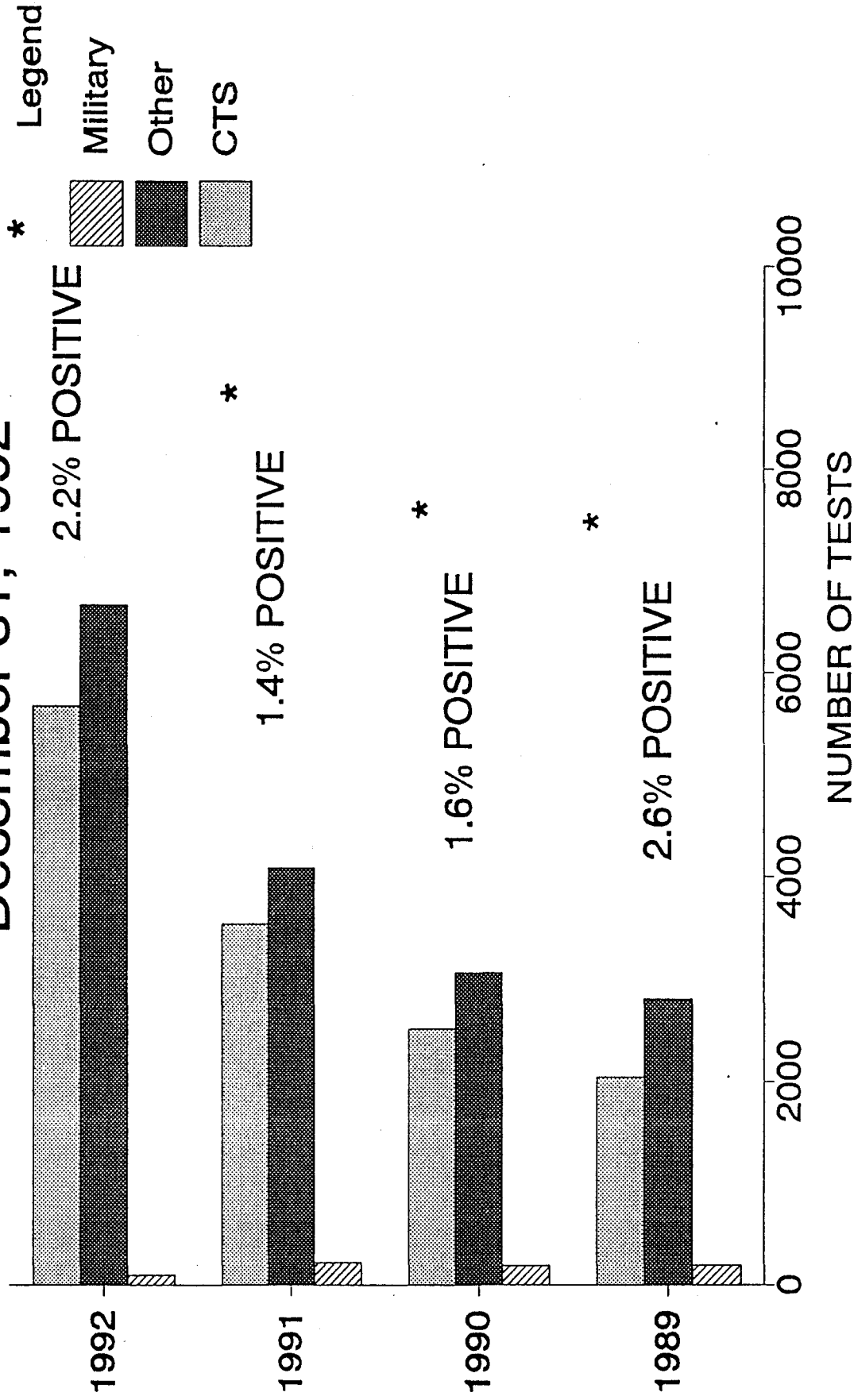
CHART 12

12/92

Montana HIV Testing

YEARS

December 31, 1992



HIVTEST.WPG

CHART 13

* Of all tests done for year

LOCAL HEALTH DEPARTMENT PROGRAM GRANTS

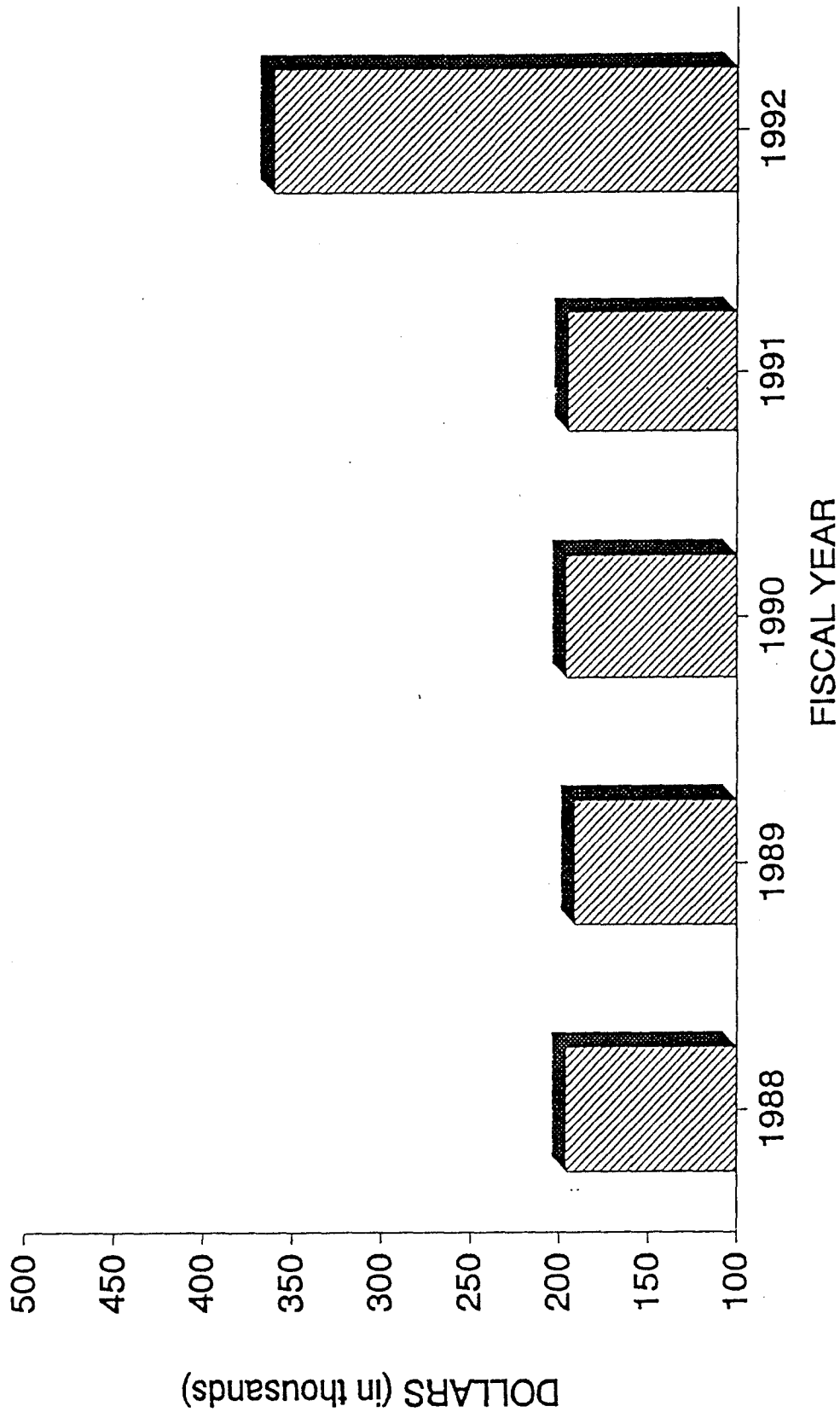
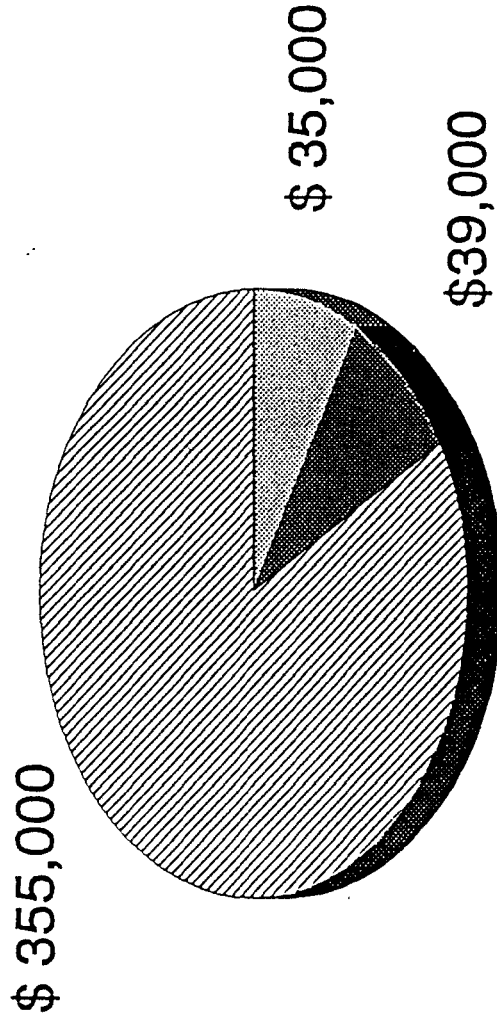
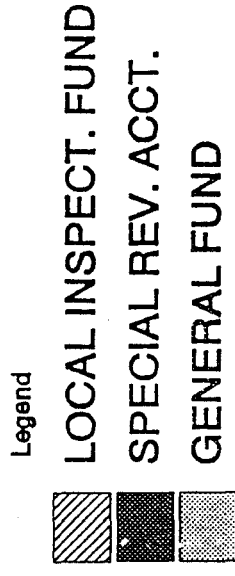


EXHIBIT 6
DATE 2/16/93
SB

1992 ESTABLISHMENT LICENSE FEE INCOME DISTRIBUTION



2-16-93
~~Due to injury to~~

EXHIBIT 7
DATE 2-16-93
SB

EMERGENCY MEDICAL SERVICES BUREAU

Goals

- Increase the span of healthy life for Montanans
- Reduce health disparities among Montanans

Some of the problems

1. Death rate from injury in Montana (72/100,000) higher in Montana than nationally.
2. Unintentional injury death rates for Native Americans in Montana is higher (200 deaths per 100,000 population for all injuries)

Department measurement

Efforts to increase the availability of emergency medical services throughout Montana are indicated by the following:

1. The number of new Emergency Medical Technicians certified in Montana increased from 368 in 1991 to 407 in 1992
2. The number of new First Responders trained in Montana increased from 936 in 1991 to 981 in 1992
3. The number EMTs trained at higher levels (EMT-Defibrillation, EMT-Intermediate and EMT-Paramedic) remained approximately the same each year (197 in 1991 and 199 in 1992).
4. The number of new First Responder-Ambulance trained in Montana increased from 209 in 1991 to 279 in 1992
5. The number of licensed emergency medical services increased from about 162 in 1990 to 203 in 1992

Efforts to assess "outcomes" of emergency medical services implementation are being initiated including:

1. The Montana Trauma Register which collects, on a voluntary basis, trauma information from Montana hospitals, monitors the type and severity of trauma cases seen in hospitals. Major hospitals are now participating; others will soon be implementing the trauma register. This also allows for both hospital and state-wide quality improvement activities.

EXHIBIT

7

DATE

2-16-93

SB

2. The Montana trauma plan, currently being completed, will assess the adequacy of trauma care in Montana and make recommendations for improvements. This will include assessing the availability of trauma care throughout Montana.
3. Dependent on receipt of federal funds, data collection from prehospital emergency medical services are contemplated during the biennium to monitor the effectiveness and availability of emergency medical services and trauma care.
4. The Critical Illness and Trauma Foundation has completed a Rural Preventable Mortality Study for a portion of Montana with the remainder of the state currently being completed.
5. Vital statistics data are used to monitor the "raw numbers" of trauma deaths.

FOOD AND CONSUMER SAFETY BUREAU

Goal 1

The Montana Vector Control Program's goal is to reduce the incidence rate of vectorborne illness and injury (ie., including encephalitis, tick fevers, plague, etc.) as well as human or environmental damage from local public health programs.

The Montana Food Program's goal is to reduce the incidence rate of foodborne illness, injury or death from consumption of food or beverages among all segments of Montana's population.

The Montana Licensed Establishment Program's goal is to reduce the incidence rate of illness, injury, or death from lodging or recreational activities offered to Montanans or the traveling public.

Goal 2

To provide assistance in the formation of area-wide Mosquito Control Districts located statewide, and assisting local health agencies in control of ectoparasites and pesticide injury.

The Montana Food Program's food supply safety goal is achieved through joint participation of local and state environmental health staff who inspect statewide all types of food establishments, review food preparation, storage, and serving methods, investigate product and illness complaints, and implement product recalls or other corrective actions.

The Montana Licensed Establishment Program's lodging and recreational activities safety goal is achieved through joint participation of local and state environmental health staff who inspect statewide all types of lodging and recreational facilities, review facility construction and operation plans, investigate illness, sanitary, or safety complaints, and implement appropriate corrective actions.

Goal 3

To provide technical, administrative and educational preventive health services to all residents subject to vectorborne illness or injury.

Preventive Food Program services are available to all Montanans through the cooperative assistance of the state with 35 local environmental health agencies serving 56 counties.

Preventative Licensed Establishment Program services are available to all Montanans through the cooperative assistance of the state with 35 local environmental health agencies serving 56 counties.

CHILDREN'S SPECIAL HEALTH SERVICES (CSHS)

Objective 17.20: Increase to 50 the number of states that have service systems for children with or at risk of chronic and disabling conditions, as required by Public Law 101-239. Note - Children with or at risk of chronic and disabling conditions, often referred to as children with special health care needs, include children with psychosocial as well as physical problems. This population encompasses children with a wide variety of actual or potential disabling conditions, including children with cerebral palsy, mental retardation, sensory deprivation, developmental disabilities, spina bifida, hemophilia, other genetic disorders, and health-related educational and behavioral problems. Service systems for such children are organized networks of comprehensive, community-based, coordinated, and family-centered-service.

CSHS is developing Follow Me, a statewide high-risk infant and child tracking system which will identify children at birth with or at risk of disabling conditions and provide home visiting support through local health departments and referral to services. CSHS continues to provide specialty medical clinics across the state, and payment for treatment for children with special health care needs (CSHCN).

Goal 1 Increase the span of healthy life for Montanans

Follow Me will identify and provide or refer to appropriate services children with disabling conditions whether psychosocial or physical, preventing or mitigating long term effects. CSHS will continue to locate special needs children, consult with families, and refer to appropriate services, and pay for treatment for eligible CSHCN.

Goal 2 Reduce health disparities among Montanans

Follow Me will assure that all infants born in Montana and their families will be assessed for risk and referred to health and other services. CSHS provides medical specialty clinics around the state in medical fields lacking adequate providers so that children and their families do not have to travel out of state or long distances for follow up and management of chronic conditions.

Goal 3 Achieve access to preventive services for all Montanans

Follow Me will ensure that infants and children in the project will receive immunizations, well child care, and developmental assessments, and will have a medical home for preventive care. Families will receive parenting guidance which will promote infant/child bonding, and referral to more indepth services when needed, including financial services and parental counseling. CSHS medical specialty clinics, referrals, consultations, and payment for treatment prevent decline in the health status of program children and their families.

HOUSE BILL 2 LANGUAGE

EXHIBIT 8
DATE 2-16-93
HB _____

Program 01 Assistance Payments

Included in House Bill 2 by 1991 Legislature

1. "The department may, ~~beginning October 1, 1991,~~ pay AFDC recipients a transition to work allowance. The allowance may be used for travel and relocation expenses of the recipient and family to another county or state. AFDC Recipients are eligible to receive this allowance under rules adopted by the department. The rules may establish limitations on the amount to be paid and require that the recipient have verification of employment, an employment interview, or acceptance into an approved educational or training program. Expenses for a transition-to-work allowance may be paid from the general fund portion of AFDC benefits."

2. (Note: The department would like to specifically include GA recipients in the transition to work language. Staff recommendation--If the subcommittee would also like to include GA recipients, it would be advisable to prepare separate language for GA due to endorsement of de-assumption of county welfare programs.)

3. "The department is authorized to use federal funds appropriated for the job opportunities and basic skills (JOBS) program to match general fund money available within appropriated to the department and unemployment insurance administrative tax funds appropriated to the department of labor and industry for funding the job training partnership act (JTPA)."

4. "The department is authorized to retain 7.5% of the federal community services block grant and pass through the remaining 92.5% to the human resource development councils (HRDCs). If, during fiscal 1992 1994 or fiscal 1993 1995, the block grant falls below the federal fiscal year 1990 grant level, the department shall retain only 5% of the grant amount and pass through the remaining 95% to the HRDCs."

5. "AFDC and general assistance payment levels shall be 42% of the federal poverty index in fiscal 1992 1993 and through August in fiscal 1993. Effective September 1, 1992, AFDC and general assistance payments shall be 40.5% of the federal poverty index."

6. (Staff recommendation is to separate AFDC and GA grant amounts so that the GA grant language may be stricken dependent on passage and approval of House Bill 427.)

Language Needed due to Subcommittee Action

7. "On passage and approval of LC 1287, the general fund appropriation in item (AFDC benefits) is reduced \$236,046 each year of the biennium and the federal funds appropriation is reduced \$816,768 each year of the biennium."

8. "On passage and approval of House Bill 427 the general fund appropriation in item (assistance payments operations) is reduced by \$_____ in fiscal 1994 and by \$_____ in fiscal 1995, and the appropriation from the state special revenue fund is increased by an equal amount each year."

9. "On passage and approval of House Bill 427, the general fund appropriation in item (AFDC benefits) is reduced by \$_____ in fiscal 1994 and by \$_____ in fiscal 1995, and the appropriation from the state special revenue fund is increased by an equal amount each year."

10. "On passage and approval of House Bill 427, the general fund appropriation in item (emergency AFDC assistance benefits) is reduced by \$91,079 each year of the biennium, and the appropriation from the state special revenue fund is increased by an equal amount each year."

11. "Contingent on passage and approval of House Bill 427, item (general assistance benefits) is stricken."

12. "Item (day care administration) is contingent on passage and approval of house bill 135."

13. "The department may use general fund appropriated to the department of family services to match federal funds for AFDC at-risk day care benefits in item _____."

14. "The department must competitively award the contract for the food stamp outreach program to an agency or entity that: 1) can provide the necessary state or local matching funds; 2) demonstrates it will reach a broad representation and number of low-income persons without discriminating against any age group; 3) will initiate person-to-person contact with the highest number of potential food stamp recipients within the amount, scope, and duration of the contract; and 4) will coordinate the outreach effort with the LIEAP and food bank and food distribution programs. The department must develop evaluation criteria to measure the effectiveness of the outreach program including, but not limited to, the number of low-income persons contacted, the number of low-income persons making application for food stamps due to the outreach contract, and the number of new food stamp recipients due to the outreach program. An evaluation of the food stamp outreach program will be provided to the 1995 regular session of the legislature."

15. Program 03 Administration--Non-Assumed Counties

16. Program 04 Administrative and Support Services

"On passage and approval of House Bill 427, the general fund appropriation in item (administrative and support services) is reduced by \$_____ in fiscal 1994 and by \$_____ in fiscal 1995, the appropriation from the state special revenue fund is increased by a like amount."

17. Program 05 Child Support Enforcement

Included in House Bill 2 by 1991 Legislature

"The state share of AFDC-related support collections and all AFDC and non-AFDC federal incentive payments must be deposited in a state special revenue account from which the state share of the administrative and operational costs of the child support enforcement program must be paid. The legislature intends that, during the 1993 1995 biennium, the department collect \$1.25 for each \$1 expended for administrative and operational costs from the account. Expenditures made from the account for state medicaid match ~~or development of the SEARCHS computer project~~ are not considered administrative or operational expenses for purposes of this requirement. The department shall transfer to the general fund from the child support enforcement account all cash balance remaining at the end of fiscal 1992 1993. Any cash balance in the account in excess of \$500,000 at the end of fiscal 1993 1995 must be deposited in the general fund."

17 Program 06 Administration--State-Assumed Counties

"On passage and approval of House Bill 427, the general fund appropriation in item (state-assumed county administration) is reduced by \$_____ in fiscal 1994 and by \$_____ in fiscal 1995, and an appropriation of an equal amount is made each fiscal year from the state special revenue fund."

18 Program 07 Medical Assistance

Included in House Bill 2 by 1991 Legislature

19 "The department may not expand or reduce the scope, amount, or duration of benefits provided to recipients under the medicaid primary care or nursing care programs during the 1993 1995 biennium unless Title XIX of the federal social security act is amended to require expansion or reduction of benefits as a condition of the state receiving federal financial participation. This provision may not be construed to prohibit the department from implementing coverage provided in 53-6-101(3)(l)."

"The department is authorized to transfer funds among appropriations for medicaid primary care, medicaid nursing care, medicare buy-in, state medical, and the home and community-based waiver program. ~~Except as provided below, funds transferred to the medicaid waiver program may not be used to increase the number of recipients receiving waiver services but must be used solely for covering cost increases above the appropriated level.~~"

"The legislature intends that expenditures for all ~~executive budget modifications for~~ provider rate increases approved by the legislature be limited to dollar amounts appropriated rather than percentage increases on which the original estimates may have been based. The department will be in compliance with this provision if: 1) it estimates total costs for each medicaid service category in June, prior to the beginning of each fiscal year of the 1993 1995 biennium; and 2) the percentage increases or base adjustments approved by the department are limited to the dollar amount appropriated for each budget modification provider rate increase."

Language Needed due to Subcommittee Action

"Item (medically needy administration) is contingent on passage and approval of house bill 309."

"Contingent on passage and approval of House Bill 427, item (state medical) is stricken."

"Contingent on passage and approval of House Bill 427, the state special revenue appropriation in item (medicaid primary care benefits) is reduced by \$8,000,000 in fiscal 1994 and \$8,160,000 in fiscal 1995 and the general fund appropriation is increased by an equal amount."

"Contingent on passage and approval of House Bill 427, the general fund appropriation in item (medical assistance administration--MEDS contract, MMIS payment and billing and _____) is reduced by \$_____ in fiscal 1994 and \$_____ in fiscal 1995."

Program 09 Office of Management and Analysis

Included in House Bill 2 by 1991 Legislature

"It is the intent of the legislature that annualized expenses for operation of SEARCHS not exceed \$1,500,000. This amount includes expenses for any facilities management contracting

that may be utilized for system operations, computer processing costs directly associated with operation of the system, and other personal services and non-personal services costs directly charged to the management and operation of the system. ~~The department may not proceed with development of SEARCHS until it has demonstrated to the satisfaction of the governor's office of budget and program planning and the legislative finance committee that the projected annualized operational costs of the system will not exceed the limit imposed in this statement of intent.~~

Programs 10 and 13 Vocational Rehabilitation and Visual Services

Already Adopted by Subcommittee

"The department is authorized to transfer funds between appropriations for the vocational rehabilitation and visual services programs."

Program 14 Developmental Disabilities Division

Included in House Bill 2 by 1991 Legislature

"The department may pursue funding of any or all existing eligible state general funded services under the federal ICF/MR program ~~for additional intensive service slots funded by the 1991 legislature~~ if the federal government fails to approve adequate medicaid waiver funding under the home and community-based waiver program."

Adopted by Subcommittee with Direction to Staff to Make Revisions

"It is the intent of the legislature that the developmental disabilities division pursue federal funding to enhance and improve services to persons with developmental disabilities. These additional federal funds may be expended by the division for services as long as such actions do not require or commit the state to additional general fund expenditures beyond the amount appropriated during the 1995 biennium by the legislature for the developmental disabilities community. The developmental disabilities division is appropriated \$1,000,000 in federal funds each year of the 1995 biennium to fulfill the intent of this language."

SUGGESTED LANGUAGE FOR HOUSE BILL 2

The department must eliminate monthly reporting for AFDC clients when it can determine that a person will become ineligible for AFDC within three months or when payments change.

In order to expend funds from the appropriation in item __, the department must by July 1, 1994 adopt rules that require AFDC recipients whose youngest child is at least one year old participate in the JOBS program. The department may waive the requirement for good cause.

The department must extend client follow up reporting to six months for each participant leaving the JOBS program.

The department must certify to the Legislative Finance Committee by July 1, 1994 that it has:

- 1) developed a common referral and intake form for JOBS and JTPA;
- 2) developed a joint intake and assessment form with the eventual goal of creating a unified delivery system;
- 3) established a JOBS/JTPA Integration Council with representatives from the department, the Department of Labor and Industry, JTPA representatives, and JOBS program representatives, and other training and work programs including the Office of the Superintendent of Public Instruction;
- 4) conducted joint training of the various job training and placement providers, including private industry councils, job service employees, and nonprofit corporations;
- 5) developed local service teams with procedures to refer problems outside their authority to the state level work group.

Expenditures may not be made the fiscal 1995 appropriation in items __ and __ unless the department has made the certifications.

The department must provide family planning information to AFDC applicants and recipients. The information must include the address and phone number of the local family planning provider as well as the specific services covered by medicaid.

The department is directed to contact units of the university system to determine if students will voluntarily agree to assist the department in developing a clear, concise, and short description of AFDC provisions regarding earned income, transitional day care and medicaid benefits, job training benefits, and other benefits to support and assist AFDC clients in securing employment.

The department must adopt rules that exclude the housing allowance from consideration in calculating AFDC benefits for any AFDC client that has been receiving AFDC benefits monthly for more than two years, unless the client is employed, enrolled in a training program, or enrolled in high school or a secondary school.

The department is prohibited from transferring or delegating administration of the JOBS program to a contractor, unless the department demonstrates to the Legislative Finance Committee that such a transfer or delegation is a more cost effective than in-house administration of the program.

The department must provide the following information about the Montana AFDC population to the 54th Legislature by December 1, 1994:

- 1) the average length of time a client receives AFDC (since the inception of TEAMS, the automated eligibility determination system);
- 2) the percentage of the caseload that remains on AFDC by selected length of stay;
- 3) reported reasons that applicants are requesting AFDC benefits; and
- 4) reported reasons AFDC recipients no longer require AFDC benefits.

DATE 2-16-83

HB

Jobs

~~2~~ 2

p.

It is the intent of the legislature that the department develop a continuum of care designed to limit the growth of state expenditures for long-term care services for the elderly and disabled. The department is directed to present a plan to the 54th legislature that defines and provides a cost-effective range of services for people who are elderly or disabled; provides individuals with a choice of services that best reflects their personal preferences and treatment needs; offers services, including but not limited to, in-home care, alternative community care such as adult foster homes and personal care facilities, nursing-facility care, and long-term hospital care. If the department certifies to the director of the Office of Budget and Program Planning that cost-effective alternative services for the elderly and disabled can be provided within existing appropriations, it may implement these services during the 1995 biennium.

The department may not expend funds from item ____ (JOBS Administration) unless the department certifies to the director of the Office of Budget and Program Planning that in-house administration of the JOBS program is more cost effective than contracting for JOBS program administration.

If the department elects to contract for operation of the TEAMS or SEARCHS computer application on a privately-owned and operated mainframe or mid-range computer, the department must submit to the Office of Budget and Program Planning and to the Legislative Finance Committee a comparison of the cost of operating the system on the state mainframe computer managed by the Department of Administration. The Department of Administration must estimate rate changes that would occur due to removal of TEAMS and/or SEARCHS from the state mainframe. If statewide cost savings are greater than the private contract cost savings to the department, the department must operate TEAMS and/or SEARCHS on the state mainframe computer.

Item (day-care administration) is contingent on passage and approval of House Bill 135.

Para # Comments

EXHIBIT 8
DATE 2/16/93

#2 Not needed. see 53-3-325 attached.

#7 DOLLAR FIGURES ARE WRONG. SOME OF THE SAVINGS WILL REDUCE AFDC APPROPRIATIONS, BUT OTHER SAVINGS WILL BE IN THE FORM OF REVENUE TOO THE GENERAL TREASURY. WE WILL GET YOU CORRECT FIGURES.

#14 substitute: The department must competitively award the contract for the food stamp outreach program to an agency or entity that: 1) can provide the necessary state or local matching funds; 2) demonstrates it will reach a broad representation of potentially eligible persons; 3) will coordinate efforts with other programs such as LIEAP, food banks, and food distribution programs; 4) provides for an independent evaluation of the outreach program which will be made available to the 1995 regular session of the legislature." The department must develop the evaluation criteria to measure the effectiveness of the outreach program including, but not limited to, the number of persons contacted, the number of persons assisted in making application for food stamp benefits, and any follow-up information available on the contacts made. If no bid is awarded (based upon inability to meet all of the above criteria), no outreach program will be conducted.

#16 substitute: The state share of AFDC-related support collections and all AFDC and non-AFDC federal incentive payments and program collected fees must be deposited in a state special revenue account from which the state's share of the administrative operational costs of the child support enforcement program must be paid. The legislature intends that, during the 1995 biennium, the department collect more than it expends for administrative and operational costs from the account. The department shall transfer to the general fund from the child support enforcement account any cash balance remaining in excess of \$500,000 at the end of fiscal 1994 and 1995.

#24 Contingent on passage and approval of LC 1112, the general fund appropriation in item _____ (medical assistance administration - State Medical Managed Care contract and State Medical MMIS Claims Processing) is reduced by \$225,137 in FY94 and \$225,137 in FY95.

#28 Fourth line, 5th word: Change committee to commit.

#29 Eliminate proposed language. If language can not be eliminated, then: Substitute: The department must require only AFDC and Food Stamp households with earned income and/or those who have recent work history to monthly report. The department, may, however, promulgate Administrative Rules that require monthly reporting for specific recipient population groups that have been shown to be subject to high

eligibility determination errors or fraud.

EXHIBIT 8
DATE 2/16/93

#30 Not recommended to adopt any language.

#33 ...not be made the fiscal 1995... Should be changed to read ...not be made from the fiscal 1995...

#34 substitute: The department must provide information regarding the specific family planning services covered by Medicaid, including birth control pills, Norplant, condoms, and sterilization procedures. The information must include the address and phone number of the local family planning provider.

#35 substitute: The department is directed to contact units of the university system to assist the department, without charge, in developing clear and concise AFDC program information for the education of AFDC clients. The program information must include a description of AFDC earned income provisions, transitional day care, transitional medicaid, and any other benefits which will assist the AFDC client in securing and retaining employment.

#36 Not recommended to adopt any language.

#37 substitute: The department may hire 3 additional FTEs to administer the JOBS program unless it can be shown to the OBPP that the delegation of administrative functions of the JOBS program to a contractor is more cost effective than in-house administration of the program.