

**MINUTES**

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

**JOINT SUBCOMMITTEE ON NATURAL RESOURCES**

**Call to Order:** By **CHAIRMAN ROGER DEBRUYCKER**, on February 19, 1993, at 8:00 A.M.

**ROLL CALL**

**Members Present:**

Rep. Roger DeBruycker, Chairman (R)  
Sen. Cecil Weeding, Vice Chairman (D)  
Sen. Gerry Devlin (R)  
Sen. Greg Jergeson (D)  
Rep. John Johnson (D)  
Rep. William Wiseman (R)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Roger Lloyd, Legislative Fiscal Analyst  
Terri Perrigo, Legislative Fiscal Analyst  
Florine Smith, Office of Budget & Program  
Planning  
Theda Rossberg, Committee Secretary

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

**Committee Business Summary:**

Hearing: DEPARTMENT OF AGRICULTURE  
Plant Industry  
FISH, WILDLIFE & PARKS  
Parks Division  
DEPARTMENT OF COMMERCE  
Research & Information Services-  
Science & Technology  
DEPARTMENT OF NATURAL RESOURCES &  
CONSERVATION  
Conservation & Resource Development  
Centralized Services  
Water Resources Division  
Energy Division

Executive Action: DEPARTMENT OF AGRICULTURE  
Plant Industry  
FISH, WILDLIFE & PARKS  
Parks Division  
DEPARTMENT OF COMMERCE  
Research & Information Services-  
Science & Technology

HOUSE NATURAL RESOURCES SUBCOMMITTEE

February 19, 1993

Page 2 of 9

DEPARTMENT OF NATURAL RESOURCES &  
CONSERVATION

Conservation & Resource Development  
Centralized Services  
Water Resource Division  
Energy Division

HEARING  
DEPARTMENT OF AGRICULTURE  
PLANT INDUSTRY

Roger Lloyd, Legislative Fiscal Analyst, reviewed the Plant Industry language issues with the committee.

He said that HB 193 was amended in the House Appropriations Committee to increase fees and deposit them into the general fund instead of state special revenue which would void the language in HB 2. Inserting that clause in the language rather than striking the entire language would be the best procedure in case it gets switched back to state special revenue again. It is the first paragraph in the Plant Industry. EXHIBIT 1.

CHAIRMAN DEBRUYCKER said the sponsors of the bill do not agree with the fees going into the general fund. He asked what the result would be, when and if it gets to the House floor and the sponsor moves to put it back into state special revenue.

Mr. Lloyd said with the language as written, it won't have to be put back in again.

EXECUTIVE ACTION  
DEPARTMENT OF AGRICULTURE  
PLANT INDUSTRY

Motion/Vote: REP. WISEMAN moved to approve the amended language: "in a form in which revenue generated by the bill is deposited in the state special revenue fund." Motion CARRIED unanimously.

HEARING  
FISH, WILDLIFE & PARKS  
PARKS DIVISION

Mr. Lloyd said in the Parks Division the committee approved the modification in the deficit. The committee approved funding it with general fund with language, "If the sales tax passes, general fund will be reduced and state special revenue increased." There were also some proposed bills with language stating, "if those bills pass, general fund is reduced and state special revenue is increased." Additional language stated, "If other funding sources exceed revenue estimates, they could be used to reduce general fund and increase state special revenue."

CHAIRMAN DEBRUYCKER asked if the previous language should be

removed and if it would go into general fund if the sales tax passed.

Mr. Lloyd read the language, "Item, state parks deficit contains \$294,083 in FY94 and \$303,459 in FY95 of general fund appropriated for state parks maintenance and improvements. These appropriations are contingent upon passage and approval of SB 235. If other legislation is passed and approved generating revenue for state parks, the general fund appropriations are reduced by the amount of the revenue generated by the bills and state special revenue increased by a like amount. If revenue or fund balance from existing state special revenue sources exceed amounts appropriated, the general fund appropriation is reduced by the amount of the excess revenue and state special revenue increased by a like amount."

SEN. DEVLIN said he didn't think it could be considered if there wasn't any sales tax.

**EXECUTIVE ACTION**  
**FISH, WILDLIFE & PARKS**  
**PARKS DIVISION**

**Motion:** SEN. DEVLIN moved to eliminate the language and also the Executive Budget of \$294,083 in FY94 and \$303,459 in FY95 of general fund. EXHIBIT 2.

**Discussion:**

SEN. WEEDING asked if that motion eliminates all the general fund support for the parks. Mr. Lloyd said that is the modification for 4.99 FTE that has been removed from the base. In order for the division to reinstate them, they will need funding. The funding was general fund and was based upon passage of the sales tax.

Florine Smith, Office of Budget and Program Planning, said that modification was to bring the Parks Division up to current level.

SEN. WEEDING asked whether, if the motion is passed, the Parks Division would be over \$500,000 short of the last biennium funding level. If that's the case, there won't be any parks. He asked why the parks deficit had to be general fund.

Dave Mott, Director, Administration and Finance, Fish, Wildlife & Parks, said the concern is funding the modification with general fund. Perhaps an alternative would be to put the contingency language through the state special revenue account. The other bills are already funded with state special revenue. After considerable discussion regarding the general fund appropriation for the modification, a substitute motion was made.

**Substitute Motion/Vote:** SEN. WEEDING moved to approve \$293,083 in FY94 and \$303,459 in FY95 for the State Parks Deficit modification, contingent upon state special revenue funding

sources. Motion CARRIED unanimously.

Mr. Lloyd reviewed the Board of Outfitters' grant to FWP that helps fund the covert operations. EXHIBIT 3.

Motion/Vote: SEN. JERGESON moved to approve the switch of \$15,000 provided by the Board of Outfitters to FWP for covert activities. Motion CARRIED unanimously.

#### HEARING

#### DEPARTMENT OF COMMERCE

#### Research & Information Services - Science & Technology

Andy Poole, Deputy Director, Department of Commerce, said the department is over the target by about \$12,562 and would like to suggest some changes. The department would like to reduce the Research and Information Services and Science and Technology Alliance programs by approximately \$3,200 each year of the biennium. That would reach the exact amount of the target.

Terri Perrigo, Legislative Fiscal Analyst, said after the calculation of the indirects and the addition of FWP maintenance fees that are charged equally to the general fund, the general fund was increased. A motion to the effect that Mr. Poole suggested would bring the department up to their target.

SEN. DEVLIN said he appreciated the division's desire to meet their target.

#### EXECUTIVE ACTION

#### DEPARTMENT OF COMMERCE

#### Research & Information Services - Science & Technology

Motion/Vote: SEN. DEVLIN moved to approve the reduction of \$12,562 and an equal amount from Information Services and Science & Technology programs. Motion CARRIED 5-1 with SEN. JERGESON voting no.

#### HEARING

#### DEPARTMENT NATURAL RESOURCES & CONSERVATION

#### Conservation & Resource Development

Mark Simonich, Director, Department Natural Resources & Conservation, said he would like to explain how the Department intends to meet its target and some additional issues.

In the Conservation & Resource Development Division a modification was requested for the Clean Coal program, which was authorized by the 1991 legislature. The LFA's current level was about \$6,850. The modification request was for another \$32,000. The reason for that request was that the program had been authorized and the Department would be responsible for administering a \$55 million loan program.

## Tape 1, B.

Mr. Simonich said the Division will revisit the Clean Coal Modification and the committee can decide whether or not to leave it in. Currently, there is a bill in the House that will approve \$25 million Clean Coal loan beginning in the next biennium.

SEN. DEVLIN asked whether, if the committee approved all the requests, the Department would meet its target. Mr. Simonich said the Department will meet the target one way or another.

By committee action, the general fund was reduced by \$1,229,821 leaving the adjusted amount of \$9,145,824 and the target amount of \$8,704,964. He reviewed each item and the amount to be reduced to meet their target. See EXHIBIT 4.

SEN. JERGESON asked why the 5 percent reduction wasn't taken out of the Energy Division. Mr. Simonich said the 5 percent reduction in the Energy Division was 100 percent general fund. The other divisions are only part general fund.

There was \$17,000 that had been inadvertently left out of the base. By raising the base, it reduces the target amount.

Ms. Perrigo said that was discussed with the Department previously and that is correct, the \$17,000 was not included in the target figure. The LFA cannot take any action on the calculation of the numbers in the base. The understanding is that the target cannot be reduced once it has been set.

SEN. DEVLIN asked if the Department took into consideration both pluses and minuses of the base. Mr. Simonich said the Department met with the LFA to try and make sure the numbers were correct. There wasn't any disagreement between the Department and the LFA on the total dollar amount. The question was whether or not the 5 percent vacancies could be shown as general fund.

Mr. Simonich said the \$17,000 represents the reductions to the Missouri River lawsuit appropriation which was a biennial appropriation approved in the special session. The \$17,000 was a 1993 appropriation that was not picked up in the LFA documents used to establish the target.

Ms. Perrigo said she agreed with the Department that the \$17,000 was not included in the target. The select committee that Terry Cohea and Dave Lewis staffed adopted the target.

SEN. JERGESON asked if the instructions to the staff were that the target amounts were not to be changed regardless if there was evidence that the target amount should be higher or lower.

Ms. Perrigo said that was correct.

SEN. DEVLIN asked if any of the subcommittees were making adjustments to the targets. Ms. Perrigo said some of the agencies have added in supplementals which made their target

higher.

**EXECUTIVE ACTION**  
**DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION**  
**CONSERVATION RESEARCH & DEVELOPMENT**

**Motion:** SEN. WEEDING moved to approve the Department's proposals to meet the target of \$8,704.964.

**Discussion:**

SEN. WEEDING asked if the LFA agreed with the Department's proposals to reach the target. Ms. Perrigo said their office and the OBPP discussed the proposals and agree with Department figures.

**Vote:** Motion CARRIED unanimously.

**Motion/Vote:** SEN. WEEDING moved to include a footnote that the committee agrees with the \$17,000 credit. Motion CARRIED unanimously.

**ADDITIONAL ISSUES - EXHIBIT 4**

**Clean Coal Modification:**

Mr. Simonich said the Department is facing a \$25 million loan for Clean Coal technology for MHD. The Department is suggesting the \$6,850 in the current level was not adequate to administer the program. Previously this subcommittee chose not to approve that modification. If the modification is not approved, the program may have to be eliminated.

Ray Beck, Administrator, Rural Conservation and Development, said in the last legislative session there was a \$25 million loan approved for the MHD project. At the same time they put together a Clean Coal program for the Department to administer any additional applications that are received over the biennium. The department received \$20,000 in contracted services to help set up the rules. Because of the technicality of establishing rules, an attorney would have to be hired. Therefore, the \$20,000 was not spent. There was only one application which was turned down, and so the department only spent approximately \$3,000.

There is an additional \$5 million that goes into that account of \$20 million, so there may be some additional applications.

Mr. Simonich said the subcommittee did not approve the modification, so they gave up the \$6,850.

Tape 2, A.

**Motion/Vote:** SEN. WEEDING moved to reinstate the Clean Coal modification. Motion FAILED 3-3.

SEN. DEVLIN said if department staff was at the hearings, they should have let the committee know their funding was not adequate to handle the big technical jobs. Mr. Simonich said the

department did mention that to the sponsors of the bill.

**Filled Snapshot Position:**

Mr. Simonich said when the snapshot was taken, two positions were in the process of being filled. One position is in Centralized Services and one in Oil & Gas Division; both are filled. The subcommittee approved the position in the Oil & Gas Division because it was funded with Oil & Gas money, and no general fund. The FTE in Centralized Services was not approved by the subcommittee, even though that position was filled. That position was also funded with oil & gas money.

John Armstrong, Administrator, Centralized Services, said that FTE is a data-entry operator that processes the oil & gas production information into their data base system. There are approximately 7,000 forms submitted by the oil & gas industry and that FTE is the only person who can do that work. Because of some rule changes there will be approximately another 2,000 reports to process, and the Department doesn't have an FTE to do the work. EXHIBIT 5

Ms. Perrigo said in Centralized Services and the Oil & Gas Division there were 3.0 FTE targeted to be eliminated. The subcommittee reinstated one position in the Oil & Gas Division, but they did not reinstate any FTE in Centralized Services.

REP. WISEMAN said the Board should not be adding additional workloads during these economical times; that is the reason he voted against restoring that position.

**Motion/Vote:** SEN. JERGESON moved to reinstate the FTE in Centralized Services to be paid with oil & gas funds. Motion CARRIED 5-1 with REP. WISEMAN voting no.

**Broadwater Arbitration Language:**

Wayne Wetzel, Director, Natural Resources & Conservation, said previously the Department said it would come up with some language that, if an award was received from litigation from the hydro contractors, the Department would be able to spend those funds.

Those arbitration procedures will be initiated on March 1 of this year and are scheduled to run about two weeks. It will be in the next biennium before the funds would be spent because of the time it takes to build and install the Speed Increaser at the dam.

**Motion/Vote:** REP. JOHNSON moved to approve the language as follows; "Funds received by the Department from arbitration, litigation awards, or settlements, including funds from the escrow account currently established in an escrow agreement between Voith Hydro, Inc., the Department, and Norwest Bank, Helena, pursuant to agreement 1189.1 Broadwater Power Project, are authorized to be spent to pay costs including bond debt associated with the Broadwater Power Project." Motion CARRIED

unanimously.

**Designate Biennial Appropriations: EXHIBIT 6**

Gary Fritz, Administrator, Water Resources Division, said two modifications were approved by the committee, but there is a need for a biennial appropriation of those modifications: \$181,500 biennial appropriation for the Missouri River Reservation and \$51,488 biennial appropriation for Transfer of Water Projects modification. There is no general fund involved in this request.

**Motion/Vote:** SEN. DEVLIN moved to approve biennial appropriations of \$181,500 for the Missouri River Reservation and \$51,488 for Transfer of Water Projects modifications. Motion CARRIED unanimously.

**Federally Funded Snapshot Position Removed from Energy Division:**

Van Jamison, Administrator, Energy Division, said the position that was vacant at the time of the snapshot is 100 percent federally funded. EXHIBIT 7

He said failure to fund the position would slow the rate at which buildings are retrofitted. That position would be an engineer to identify, install and monitor energy improvements to schools and government buildings. If the Division doesn't receive the federal funds, that FTE will not be hired.

REP. WISEMAN asked if there were schools that had not had energy improvements yet. Mr. Jamison said in the outlying districts there are older buildings that have not had energy efficiency procedures done.

SEN. DEVLIN said the division was given \$600,000 for the program. Mr. Jamison said by federal law 95 percent of that \$600,000 is granted to school districts and there is a 50 percent state match. Federal statute limits by 5 percent the amount that can be spent by any state to administer the program.

**Motion:** REP. JOHNSON moved to reinstate position #43055, Energy Education Specialist for \$30,518 in FY94 and \$30,553 in FY95, to be federally funded.

**Discussion:**

REP. WISEMAN said he could not support the motion because the three larger cities must have gotten the information out to all the outlying districts.

REP. JOHNSON pointed out that the FTE was federally funded, not general fund. Mr. Jamison said if the money is not spent, it is reallocated to other states.

**Vote:** Motion CARRIED 4-2 with REP. WISEMAN and SEN. DEVLIN voting no.



HOUSE NATURAL RESOURCES SUBCOMMITTEE

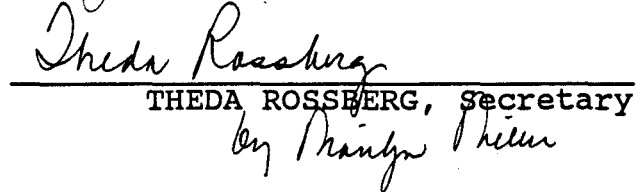
February 19, 1993

Page 9 of 9

ADJOURNMENT

Adjournment: 10:00 A.M.

  
\_\_\_\_\_  
ROGER DEBRUYCKER, Chairman

  
\_\_\_\_\_  
THEDA ROSSEBERG, Secretary  
*by Marilyn Miller*

RD/tr

HOUSE OF REPRESENTATIVES

NATURAL RESOURCES SUB-COMMITTEE

ROLL CALL

DATE

2-19-93

NAME	PRESENT	ABSENT	EXCUSED
REP. ROGER DEBRUYCKER, CHAIRMAN	X		
SEN. CECIL WEEDING, VICE CHAIRMAN	X		
SEN. GERRY DEVLIN	X		
REP. WILLIAM WISEMAN	X		
REP. JOHN JOHNSON	X		
SEN. GREG JERGESON	X		

# M E M O R A N D U M

February 18, 1993

EXHIBIT 11  
 DATE 2-19-93  
 HB                       
 2-19-93  
 1

TO: Representative DeBruycker, Chairman  
 Natural Resources and Commerce Subcommittee

FROM: Roger Lloyd *RL.*  
 Associate Fiscal Analyst

RE: Subcommittee Language in the Department of Agriculture

The House Appropriations Committee has amended House Bill 193 to require revenue from the fees be deposited in the general fund instead of to a state special revenue account. Because of the approved amendment and potential for other similar amendments, the following language approved by the subcommittee should be amended. The clause, "in a form in which revenue generated by the bill is deposited in the state special revenue fund" has been added to the following language for the subcommittee's approval.

*Wisconsin - approved*

## Plant Industry Current Level

1. "Upon passage and approval of House Bill 564 in a form in which revenue generated by the bill is deposited in the state special revenue fund, the general fund appropriation in item [Plant Industry] is reduced \$52,272 in fiscal 1994 and \$50,767 in fiscal 1995 and the state special revenue appropriation increased by like amounts."
2. "Upon passage and approval of House Bill 167 in a form in which revenue generated by the bill is deposited in the state special revenue fund, the general fund appropriation in item [Plant Industry] is reduced \$29,545 in fiscal 1994 and \$59,980 in fiscal 1995 and the state special revenue appropriation increased by like amounts."
3. "Upon passage and approval of House Bill 193 in a form in which revenue generated by the bill is deposited in the state special revenue fund, the general fund appropriation in item [Plant Industry] is reduced \$213,510 in fiscal 1994 and \$207,622 in fiscal 1995 and the state special revenue appropriation increased by like amounts."
4. "Upon passage and approval of Senate Bill 98 in a form in which revenue generated by the bill is deposited in the state special revenue fund, the general fund appropriation in item [Plant Industry] is reduced \$47,447 in fiscal 1994 and \$46,138 in fiscal 1995 and the state special revenue appropriation increased by like amounts."

Central Management Current Level

1. "Upon passage and approval of House Bill 564 in a form in which revenue generated by the bill is deposited in the state special revenue fund, the general fund appropriation in item [Central Management] is reduced \$7,471 in fiscal 1994 and \$7,505 in fiscal 1995 and the state special revenue appropriation increased by like amounts."
2. "Upon passage and approval of House Bill 167 in a form in which revenue generated by the bill is deposited in the state special revenue fund, the general fund appropriation in item [Central Management] is reduced \$4,660 in fiscal 1994 and \$9,540 in fiscal 1995 and the state special revenue appropriation increased by like amounts."
3. "Upon passage and approval of House Bill 193 in a form in which revenue generated by the bill is deposited in the state special revenue fund, the general fund appropriation in item [Central Management] is reduced \$32,875 in fiscal 1994 and \$33,023 in fiscal 1995 and the state special revenue appropriation increased by like amounts."
4. "Upon passage and approval of Senate Bill 98 in a form in which revenue generated by the bill is deposited in the state special revenue fund, the general fund appropriation in item [Central Management] is reduced \$7,305 in fiscal 1994 and \$7,338 in fiscal 1995 and the state special revenue appropriation increased by like amounts."
5. "If federal indirect assessments received are in excess of \$39,828 in fiscal 1994 and \$39,978 in fiscal 1995, the general fund appropriation in item [Central Management] is reduced by the excess received up to \$232,750 in fiscal 1994 and up to \$201,780 in fiscal 1995 and the federal appropriation increased by like amounts."
6. "Item [Central Management] contains \$26,076 in fiscal 1994 and \$26,195 in fiscal 1995 of expendable trust appropriations for indirect costs associated with the Crop Hail Insurance Unit. If Senate Bill 85 is passed and approved, these appropriations are eliminated and proprietary appropriations increased by like amounts."

Agricultural and Biological Sciences Division

1. "Item [Continue FY92 Budget Amendment] contains \$39,999 in fiscal 1994. In preparing the 1997 biennium budget for legislative consideration, the office of budget and program planning and the legislative fiscal analyst's office may not include expenditures from this item in the current level base."
2. "Item [FARM\*A\*SYST] contains \$35,000 in fiscal 1994. In preparing the 1997 biennium budget for legislative consideration, the office of budget and program planning and the legislative fiscal analyst's office may not include the expenditures from this item in the current level base."
3. "Item [Special County Weed District Grants] and item [Agriculture and Biological Sciences] contain a state special revenue appropriation of \$1,285,168 in fiscal 1994 and \$1,142,523 in fiscal 1995 for grants of vehicle weed fees which must be used

according to section 80-7-810, MCA."

#### Agricultural Development Division

1. "The department is authorized to make grants to state agencies from the Growth Through Agriculture account as approved by the Montana Agriculture Development Council in accordance with title 90, chapter 9, MCA. The state agency that receives a grant from the Montana Agriculture Development Council is authorized additional appropriation authority equal to the grant amount."
2. "Item [Agricultural Development] contains \$188,941 in fiscal 1994 and \$187,092 in fiscal 1995 of expendable trust appropriations for the Crop Hail Insurance Unit. If Senate Bill 85 is passed and approved, these appropriations are eliminated and proprietary appropriations increased by like amounts."

#### Modifications

1. "Upon passage and approval of House Bill 193 in a form in which revenue generated by the bill is deposited in the state special revenue fund, the general fund appropriation in item [Additional Potato Inspections] is reduced \$40,736 in fiscal 1994 and \$40,736 in fiscal 1995 and the state special revenue appropriation increased by like amounts."
2. "Upon passage and approval of House Bill 564 in a form in which revenue generated by the bill is deposited in the state special revenue fund, the general fund appropriation in item [Ag. Inspectors Reclassification] is reduced \$4,584 in fiscal 1994 and \$4,584 in fiscal 1995 and the state special revenue appropriation increased by like amounts."
3. "Upon passage and approval of House Bill 167 in a form in which revenue generated by the bill is deposited in the state special revenue fund, the general fund appropriation in item [Ag. Inspectors Reclassification] is reduced \$2,591 in fiscal 1994 and \$2,591 in fiscal 1995 and the state special revenue appropriation increased by like amounts."
4. "Upon passage and approval of House Bill 193 in a form in which revenue generated by the bill is deposited in the state special revenue fund, the general fund appropriation in item [Ag. Inspectors Reclassification] is reduced \$8,969 in fiscal 1994 and \$8,969 in fiscal 1995 and the state special revenue appropriation increased by like amounts."
5. "Upon passage and approval of Senate Bill 98 in a form in which revenue generated by the bill is deposited in the state special revenue fund, the general fund appropriation in item [Ag. Inspectors Reclassification] is reduced \$1,993 in fiscal 1994 and \$1,993 in fiscal 1995 and the state special revenue appropriation increased by like amounts."

B. Equipment—The executive requests the purchase of snowgrooming equipment. The 1991 Legislature appropriated \$105,409 in the 1993 biennium for this purpose. Nothing was spent. *Jergensen passed*

PARKS GENERAL FUND—The LFA current level reflects general fund appropriated by the 1991 Legislature. *Deulin passed*

OFF-HIGHWAY VEHICLES PROGRAM— The executive requests an increase to fund a trails EIS and for off-highway vehicle trail maintenance. *Jergensen - 40,000*

LEGISLATIVE CONTRACT AUTHORITY— See LFA Budget Analysis pages C 13-15 for a discussion of this issue. *Jergensen - Passed*

MINOR DIFFERENCES *Deulin - Eyr passed*

INFLATION (Non-voting item)

TOTAL CURRENT LEVEL DIFFERENCES

### Executive Budget Modifications

EXPAND FISHING ACCESS SITES— The executive recommends additional federal funds for operation and maintenance at fishing access sites. By consolidating LWCF funded sites, the number of sites eligible to receive federal funds will increase. See page C-12. *Jergensen - Passed*

STATE PARKS DEFICIT—The executive recommends general fund to reinstate 4.99 FTE eliminated in response to the 5% personal services reduction. The executive states this general fund modification is contingent on enactment of a general sales tax (see page C-11 of the Executive Budget). See pages C-12 and pages C 17-18 in the LFA Budget Analysis. If the LFA equipment level was approved (from "Equipment" above, this modification can be reduced \$8,250 in fiscal 1994 and \$12,600 in fiscal 1995.

TOTAL MODIFIED LEVEL

### Language and Other Issues

A. See language written above in "Montana Conservation Corps". *deleted by prev. mot.*

B. Remaining appropriations from the Parks Miscellaneous account leaves a negative fund balance at the end of fiscal 1995 if funds are appropriated at the LFA and executive level. See LFA Budget Analysis pages C 17-18 for a discussion of this and other funding issues.

C. The issue concerning the Land and Water Conservation Fund mentioned above is on pages C 19-20 in the LFA Budget Analysis.

90,000	90,000
360	(1)
25,160	29
160,000	160,000
(1,856)	(1)
59	
1,224,191	68
0	6
294,083	303
294,083	363

MEMORANDUM

February 18, 1993

2-14-93  
3

TO: Representative DeBruycker, Chairman  
Natural Resources and Commerce Subcommittee

FROM: Roger Lloyd  
Associate Fiscal Analyst *RL*

RE: Re-consideration of Fish, Wildlife and Parks Budget

1. The subcommittee has approved a budget modification in the Department of Commerce for the Board of Outfitters to grant an additional \$10,000 per year to the Department of Fish, Wildlife and Parks for covert operations. The Department of Fish, Wildlife and Parks requests a budget modification for an additional \$10,000 per year for this purpose.

The 1991 Legislature approved \$15,000 per year from the Board of Outfitters to the Department of Fish, Wildlife and Parks to implement Senate Bill 449. This bill gives the Department of Fish, Wildlife and Parks authority to enforce the Board of Outfitters' regulations. This amount has already been approved by the subcommittee in the 1995 biennium current level.

2. The department anticipated that, in addition to the \$15,000 in the base, the Board of Outfitters would provide \$15,000 per year during the 1995 biennium to assist in covert activities. This amount was requested and approved by the subcommittee as Legislative Contract Authority. The department feels that these funds would be better accounted for as current level expenditures rather than LCA. Therefore, it requests that LCA be reduced by \$15,000 and current level expenditures increased by the same amount.

*Gergeson - J. J. J.*

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
RECOMMENDATIONS TO MEET GENERAL FUND TARGET

EXHIBIT 27  
DATE 27/1993  
HB 7

PROGRAM	LFA 94-95 CURRENT LEVEL	COMMITTEE ADJUSTMENTS	LFA 94-95 ADJUSTED	1992-93 TARGET
TOTAL	\$10,375,645	(\$1,229,821)	\$9,145,824	\$8,704,964

RECOMMENDED ACTION TO MEET TARGET

PROGRAM 21 (CSD)	ELIMINATE POSITIONS 20280 AND 40200	(\$88,414)	\$9,057,410	
	CSD'S ADJUSTMENT FOR 5% CUTS	(\$18,634)	\$9,038,776	
PROGRAM 24 (WRD)	REDUCE WESTERN STATES WATER PROGRAM	(\$70,000)	\$8,968,776	
	REDUCE POSITION 50120 TO .5 FTE	(\$33,703)	\$8,935,073	
	WRD 5% CUTS ALL FROM GENERAL FUND	(\$143,360)	\$8,791,713	
	WRD EQUIPMENT CUTS ALL FROM GENERAL FUND	(\$8,063)	\$8,783,650	
PROGRAM 23 (CARDD)	CARDD 5% CUTS UP TO LIMIT OF GENERAL FUND	(\$55,052)	\$8,728,598	
PROGRAM 25 (RWRCC)	RWRCC 5% CUTS ALL FROM GENERAL FUND	(\$23,634)	\$8,704,964	<u>\$8,704,964</u>

ADDITIONAL ISSUES

CLEAN COAL MODIFICATION (CARDD)

FILLED SNAPSHOT POSITION IN CSD

BROADWATER ARBITRATION LANGUAGE

DESIGNATE BIENNIAL APPROPRIATIONS

FEDERALLY FUNDED SNAPSHOT POSITION REMOVED FROM ENERGY DIV.

*Weeding - passed  
weeding passed Audit note  
to 17,000*



EXHIBIT #5  
DATE 2-19-93  
HB

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
CENTRALIZED SERVICES

<u>RECOMMENDED ACTION TO MEET TARGET</u>	<u>FY94</u>	<u>FY95</u>	<u>CONSEQUENCES OF NOT FUNDING</u>
Eliminate Positions 20280 & 40200			Reduced services related to technical writing, editing, and word processing support. The functions will have to be absorbed within remaining resources through restructuring and consolidating the publications/graphic design activities.
a. Word Processing Tech (20280) .50 FTE	11,616	11,627	
b. Technical Writer (40200) 1.00 FTE	32,567	32,604	
<b>TOTALS</b>	<b>44,183</b>	<b>44,231</b>	

ADDITIONAL ISSUE

Re-establishment of position 57025	19,063	19,084	This is a data entry operator that processes oil and gas production information into the data base. It is funded by oil and gas state special revenue. The position is necessary to the support of the Oil and Gas Division. The incumbent was hired on 12/21/92 and began work on 12/30/92.
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# DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

## WATER RESOURCES DIVISION

### Program 24

EXHIBIT #6

DATE 2-19-93

HB

Cuts below LFA Current Level	FY 94	FY 95	Consequences of not funding
<p><u>Eliminate Western States water coordination program</u> - This reduction should be from General Fund.</p> <p><u>Reduce Position 50120 from 1.0 to 0.5 FTE</u> - This reduction should be from General Fund.</p> <p>5% Personal Services Reduction - The Department proposes reducing the general fund for 100% of the 5% Personal Services Reduction previously approved by the Subcommittee.</p> <p>Equipment - The Department proposes reducing the general fund by 100% of the equipment reduction previously approved by the Subcommittee.</p>	<p>(35,000)</p> <p>(16,843)</p> <p>(71,680)</p> <p>(4,312)</p>	<p>(35,000)</p> <p>(16,860)</p> <p>(71,680)</p> <p>(3,731)</p>	<p>Reduction would result in cancellation of membership in the Western States Water Council and the Interstate Conference on Water Policy, and the elimination of out-of-state travel funds associated with these memberships.</p> <p>Reduction in ability to do soils analysis, water quality analysis and irrigation design.</p> <p>Mandated in Executive budget.</p> <p>Mandated in Executive budget.</p>

Broadwater Arbitration Language - "Funds received by the Department from arbitration, litigation awards, or settlements, including funds from the escrow account currently established in an escrow agreement between Voith Hydro, Inc., the Department, and Norwest Bank, Helena, pursuant to agreement 1189.1 Broadwater Power Project, are authorized to be spent to pay costs including bond debt associated with the Broadwater Power Project."

*Debra - passed*

#### Biennial Appropriations

1. Missouri River Reservation - The Subcommittee approved this modified-level request, but the portion of the program's operating expenses requiring biennial designation, \$181,500, was over-looked and now needs approval.
2. Transfer of Water Projects - The Subcommittee approved this modified-level request, but the portion of the program's operating expenses requiring biennial designation, \$51,488, was over-looked and now needs approval.

MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
Program 26 - Energy Division

EXHIBIT #11  
DATE 2-19-93  
HB

2-19-93

Additional Issues

FY 94 FY 95

Consequences of not Funding

1)	Energy Conservation - vacant on 12/11/92 Position #43055 Energy Education Specialist III <i>Johnson - Passed</i>	30,518	30,553
Grand Total		61,071	

Intended to fill this position with an engineer who would identify, install and monitor energy efficiency improvements in schools and local government buildings. Failure to fund the position will slow the rate at which buildings are retrofitted. Energy retrofits save tax dollars and profit taxpayers. Slowing down the rate of installations costs tax payers more money than proceeding as intended. These are federal funds. Thus, Montana loses the program benefits without a reduction in state spending.

HOUSE OF REPRESENTATIVES  
VISITOR'S REGISTER

NATURAL RESOURCES

~~XXXXXX~~

SUB-COMMITTEE

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

DATE 2/19/93 ~~SPONSOR(S)~~ \_\_\_\_\_

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Wayne Welch	DNRC		
MARK Simonich	DNRC		
Rory Beck	DNRC		
Lee Lieberman	DNRC		
Robin Harris	DNRC		
John Armstrong	DNRC		

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